

*Les Cahiers d'Afrique de l'Est*



**SLUM UPGRADING PROGRAMMES IN NAIROBI**  
**CHALLENGES IN IMPLEMENTATION**

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**Slum Upgrading Programmes in Nairobi  
Challenges in Implementation**

**Contributions from IFRA's conference**

**Nairobi, 6th and 7th April 2011**



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Cover photos :

Photo 1: Mashimoni Slum, Rosa Flores Fernandez, October 2010

Photo 2: Huruma housing project, Rosa Flores Fernandez, 2010

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## Foreword

Despite the progress made in reducing the overall number of slum dwellers between 2000 and 2010, developing countries have seen their slum population increase by about 6 million people every year. Nearly half of the urban growth in the developing countries (48%) can be attributed to slum expansion. While a considerable proportion of this slum growth (38%) has improved over time, there is still about 10% of it that does not manage to do so and the slum populations continue to live in poor conditions<sup>1</sup>.

Among all the major regions or areas in the world with urban populations living in slums, Sub-Saharan Africa has one of the highest percentages with 61.7% of its population being slum dwellers. Indeed, the urban growth rate of this region (4.6%) is almost the same as that of slum formation (4.5%). For instance in Nairobi, the capital city of Kenya, the living conditions in informal settlements are among the worst in Africa due to extremely high population densities. More than 1 million urban dwellers are slum dwellers (32% of the total population) spread across 200 informal settlements<sup>2</sup> and concentrated on 5% of the city land area. To assist in tackling the rapid proliferation of slums which is often accompanied by weak urban planning and housing policies as well as poor performing government institutions, many initiatives from international and national agencies and local communities have been undertaken to improve the living conditions of slum dwellers in Nairobi over the last decade. One such example of slum upgrading projects in Nairobi is the Kenya National Slum Upgrading Programme (KENSUP).

However, in spite of the willingness of various Kenyan Ministries and of institutions such as the French Agency for Development (AFD), the World Bank, the Italian Development Cooperation, the Swedish International Development Cooperation Agency (SIDA) and the United Nations Human Settlements Programme (UN-HABITAT) etc., which are all key supporters of slum upgrading projects in Nairobi, there are still some major challenges in implementing these projects in the deeply marginalized urban poor communities. On the whole, greater efforts are still needed to enhance links between the ministries, the

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<sup>1</sup> UN-HABITAT. (2008). State of the World's Cities 2010/2011 – Bridging The Urban Divide. Washington : Earthscan.

<sup>2</sup> UN-HABITAT. (2010). The State of African Cities 2010 – Governance, Inequality and Urban Land Markets. Nairobi: UN-HABITAT

departments, institutions, practitioners and professionals in charge of these projects and to improve the communication between professionals and communities. In spite of these good intentions, some institutions seem to continue privileging a technocratic approach when working with the local communities.

It is within this background that the French Institute for Research in Africa (IFRA) Nairobi, which has conducted research projects on informal settlements in Eastern Africa cities (Nairobi, Kisumu, Dar es Salaam, etc.) for many years, hosted the Conference: *Challenges in the implementation of slum upgrading projects in urban areas in Nairobi* on 6<sup>th</sup> and 7<sup>th</sup> April 2011. This conference sought to bring together all the key stakeholders involved in slum projects to discuss challenges related to the implementation of slum upgrading projects in Nairobi. It also jointly looked at ways in which the implementation of these projects could be managed more comprehensively through exploring various avenues for the future.

This publication is a result of presentations from institutions involved in research and development projects such as the Ministry of Housing of Kenya, IFRA, the University of Nairobi, together with non governmental and community-based experts working in slum upgrading projects like Pamoja Trust, Umande Trust, Muungano Wa Wanavijiji/Federation of Slum Dwellers and Nairobi People's Settlement Network (NPSN).

In this spirit, IFRA presents the various articles from this conference in two parts. Part I presents the theoretical framework with regard to slum upgrading while Part II reviews the various approaches that are currently being pursued in the implementation of slum upgrading interventions in Nairobi. The articles presented in this publication open a debate into the discussion of slum upgrading programmes whilst providing opportunities for professionals and the people from the slums to exchange experiences and decide on concrete steps for collaboration on various initiatives in the area of slum upgrading.

Christian Thibon

*Director, French Institute for Research in Africa (IFRA-Nairobi)*

# **Part I: Conceptualization and Preparation**



# Introduction - Part I: Conceptualization and Preparation of Slum Upgrading Programmes

Samuel Owuor

Part I of the publication raises a number of issues: The definition of a slum and slum upgrading; the process of slum formation and location; the spatial extent of slums and their populations; characteristics of slum conditions and slum dwellers; the dilemma between “world class” cities and the continued proliferation of slums; security of tenure in slums and slum upgrading processes; complex processes, participation in slum upgrading programmes, success stories and challenges in slum upgrading programmes.

Drawing on experiences from case studies in South Africa, Brazil and Peru, *Rosa Flores Fernandez* covers a critical debate on slum location and formation. The paper argues that the poor have creatively appropriated risky areas where urban settlement is prohibited, resulting in territories rich in organic and unique forms, adapted to the morphological territorial conditions and to different risk situations.

The growing debate on the spatial extent and population of (individual) slums has been discussed by *Amélie Desgroppes and Sophie Taupin*. They explore new ways of determining the population of slum areas. Their paper questions whether Kibera in Nairobi is actually the biggest slum in Africa as often reported. They argue that the population of Kibera has always been over estimated – resulting in a whooping 300,000 inhabitants per square kilometers. Using GIS techniques and a sample survey, their study estimated that Kibera has about 200,000 people instead of the popular “700,000 to 1 million” inhabitants. The survey also demystifies some of the often hyped socio-economic characteristics of Kibera’s population.

Using two narratives of slum dwellers in Nairobi (Kenya) and Harare (Zimbabwe), *Steve Ouma Akoth* demonstrates the struggle between an ideal, modern and world-class city on the one hand and the invisible appropriation by the urban poor on the other hand. The paper argues that any future work in urban

centres cannot ignore the forms of modernities being developed and practiced by a category that is now commonly known as the 'urban poor'.

The remaining papers in this section focus largely on slum upgrading. It is important to note that interventions addressing slum settlements in sub-Saharan Africa have had mixed results. The main positive effects include increased housing stock and notable improvements in provision of services and infrastructure. On the other hand, the main negative effect has been unsustainable and non-participatory approaches in slum upgrading programmes.

*Ezekiel Rema* gives his personal account of slum upgrading. Based on his experience as a long serving member of a federation of slum dwellers in Nairobi, he touches on important policy issues on slum upgrading programmes. The paper takes us through the group's activities and success story that can be replicated elsewhere. *Humphrey Otieno* provides another perspective of community involvement in slum upgrading. The paper presents the activities and "voices" of Nairobi People Settlement Network (NPSN) – a community social movement that draws its membership from groups operating in informal settlements. The network focuses on capacity building; information gathering and dissemination; advocacy and lobbying; and networking and linking.

Most observers have argued that security of tenure is a major component in any slum upgrading programme. Based on a study of various slum settlements in Nairobi, *Peter Makachia* argues that security of tenure is not necessarily a panacea to better housing and physical conditions in slum areas. Regardless of tenure system, slum conditions are unavoidable at various stages of a householder's economic progression. More important, the paper gives an overview of land tenure systems in slums and questions the commonly used quality of housing and physical indicators of slums in Nairobi. On the contrary *Paul Syagga* advocates for security of tenure and infrastructure improvement as a sustainable path to slum upgrading. The paper goes further to discuss various tenure options that can be considered in the process of slum upgrading.

In conclusion, shelter problems cannot be seen in isolation from broad issues of economic and social development, decentralized governance and local democracy. Poor shelter, like poor nutrition, health and education has its roots in poverty and political exclusion while the processes that give rise to it also sustain poverty. Strategies aiming at improving shelter conditions, especially for the lower-income groups, cannot, therefore, be divorced from overall poverty alleviation and social and political inclusion.

# Physical and Spatial Characteristics of Slum Territories - Vulnerable to Natural Disasters

Rosa Flores-Fernandez

## *Abstract*

*The purpose of this paper is to explain how, in developing countries, the poor have creatively appropriated risky areas where urban settlement is prohibited, resulting in territories rich in organic and unique forms, adapted to the morphological territorial conditions (slope, height, profile) and to different risk situations. In this context, it is important to present the physical and spatial characteristics of slum territories taking into consideration the ways in which they are appropriated, presented, either in a “visible” or “hidden” manner in the urban landscape as well as locating them in a territory (outskirts or urban perimeter). Subsequently, the current urban forms shall be analysed using irregular grid configurations, in corridors, terraces, etc., as developed by slum residents in response to the demands and topography of steep terrain. In order to achieve this, several slum cases shall be referred to in: East London (South Africa), Salvador de Bahia (Brazil) and Lima (Peru). Finally, the key points analysed within this article shall be presented briefly.*

## **Physical Environment of Slums**

To begin with, it is important to note that in the extensive literature on slums, often the focus is on how these settlements are created (Rapoport, 1988), “the process” rather than the characteristics that result from their constructed environments, “the product” (Rapoport, 1988). More specifically, the issue that has attracted the least attention from researchers is that of the management practices developed by the residents and their positive impact in relation to risk and natural disasters.

Rapoport has also praised the environmental qualities of slums: “Spontaneous settlements, like all human environments, do not just happen; they are designed in the sense that purposeful changes are made to the physical environment through a series of choices among the available alternatives” (Rapoport, 1988, p.52). Rapoport notes that the frequent success of this type of

settlements in terms of formal qualities (aesthetic) and space, much more successful than the current, simplistic environments of professional designers, has resulted in an extremely rich environment with a range of unexpected reports. Other than the specific urban and architectural quality of slums (configurations of their plans and morphology), the author also looks at the use of materials, textures and specific colours, the territory's effective response to the climate as well as the efficient use of resources and space. This quality of self-taught builders among slum dwellers, the ability to manage their buildings according to the environment in time and in space, "taking full advantage of the vagaries of climate, the topographical obstacles" are also noted by Rudofsky (1964, p.3).

It should not be forgotten that Rapoport, who opened one of the first debates on the "design quality" of "spontaneous" settlements, highlighted the "aesthetic or perceptual and formal environmental quality components of spontaneous settlements" (1988, p.51). He prefers to use the term "spontaneous" as opposed to "squatter" in that the latter evokes an essentially legal term ("land tenure"). However, Rapoport acknowledges the difficulty in using the term "spontaneous" for this type of settlement since it implies a self-generation and lack of conception which, in the case of slums, is naturally impossible.

### **Taking Possession of Slum Territory**

The possessing of slum territory takes place in a spontaneous or planned manner, individually or collectively, peacefully or violently. In this regard, it is important to mention that whether an invasion is planned or not can have a profound influence on future spatial organisation (Taschner, 2001, pp. 108 – 109).

In the "spontaneous" invasion, it should be noted that the first inhabitants of the land acquire a kind of 'power' over it and it is them that newcomers have to ask permission to occupy a piece of land to build their house (Taschner, 2001). In Latin American cases, as time passes and the slum dwellers get more organised, they will form a residents' association (with legitimately elected local leaders) whose main functions include monitoring the "land status" and "plot management" in the slum. As a rule, it is the Association management which, on assuming the role of Local Government, is responsible for the distribution of plots (Matos, 1977). They have the power to authorise (or not authorise) the installation of a newcomer to the slum and to determine whether an older slum resident, who owns a large plot, should share it with a new slum resident (Taschner, 2001).

In the case of organised or planned occupation, it is a form of invasion carefully prepared in advance, planned almost with a proposed subdivision of streets showing a similar urban landscape in shape of a formal subdivision albeit of a smaller size (Taschner, 2001). Unlike the spontaneous occupation, the planned invasion has people creating an association, from the outset, to defend and maintain possession of the occupied land. This association is represented by leaders who are generally people who have taken over the responsibility of organising and directing the planned occupation of the area. The association becomes the local government body which has the responsibility of not only solving the problems of land ownership but also meeting the immediate needs.

In general, the physical and spatial configuration of the invasions, which was originally an organised and collective movement, is more regular, omitting the topographical characteristics of the territory and therefore increases the risk when these occupations are on slopes. On the other hand, it can be argued that the spontaneous occupations, scattered from the beginning, create with time organic urban forms which respect better the morphological terrain conditions (slope, height, profile), therefore they are less vulnerable to the occurrence of natural disasters in the steep slopes.

### **The Establishment of Slums in (“Visible” or “Hidden”) Territories Vulnerable to Natural Disasters**

With regard to the “visible” establishment of slums on hills, it is necessary to mention that it can be a strategy, on the part of slum residents, against the authorities to ensure the future rehabilitation of the slum. The more the slum is “visible”, the greater the chance is that it shall be suppressed by the authorities. Nevertheless, it is thanks to this “visibility” in the urban landscape that the authorities are often forced to take short to medium-term action to rehabilitate it in order to improve the image of the city, especially when the latter has tourism potential<sup>1</sup>.

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<sup>1</sup> In Salvador de Bahia (Brazil), a representative number of (“visible”) *favelas* have been the focus of home improvement programs (on a short-term, all the walls of the shacks in slums located in the proximity of the city centre were painted) to give a better image to tourists.

It is important to note that these means of “striking and enlightening” (Rapoport, 1988, p.67) through which slum residents face the extremely steep slopes were often highlighted by authors such as Rapoport, who stated:

The solutions to difficult sites one can find among spontaneous settlements surpass by far the simplistic approaches of professional designers. They also more than equal the greatly admired traditional vernacular equivalents such as Greek Islands, Italian hill towns, and the “villages perchés” of Southeast France (p. 67).

Regarding the location of “hidden” slums at the bottom of valleys, it is due to this “strategic” location that residents develop amazing communication networks between the slum and other districts located around it and they essentially succeed in escaping the control of the authorities (Centre des Nations Unies pour les Etablissements Humains, CNUEH, 1981). These “hidden” slums that develop very subtly, beyond the noisy dynamics of the city, have a communication network that allows them, through daily encounters, to connect simultaneously to four or five (or even more) districts of which they are secretly at the centre. Therefore, depending on how the slum dwellers occupy the hills or the plains, they will develop “mechanisms” or strategies for communication, of territorial control and probably of risk minimisation to ensure they remain permanently in place.

### **Location of Slums in the Urban Perimeter or Outskirts**

Among the initial challenges that people face after identifying the place they choose to occupy (hill or valley), is the adaptation of homes to the topography of the territory or to the general urban grid of the city.

First, it is imperative to distinguish amongst the different slums that are located within the urban perimeter. Most of them correspond to districts that were initially on the outskirts of the city but were subsequently absorbed by the latter with the expansion of the city’s urban area. Because of their new strategic location within the city, these areas occupied by slums have acquired a monetary value considered critical by the government and they often are a “Chinese puzzle” to government authorities. These neighbourhoods often have a very high population density because of the proximity to economic activity centres and urban infrastructure (schools, hospitals, day-care centres, etc.) as well as access to sources of employment. For this reason, plots size and open spaces are generally

very limited. Faced with the impossibility of horizontal extension, development is mainly vertically by the continual addition of extra floors (CNUEH, 1981).

Secondly, it is important to mention the slums on the outskirts, located outside the urban perimeter and far from other areas of the city. For the residents, this distance from the centre limits access to infrastructure and urban facilities (very long journeys on foot or transports fares) which slows down the settling into the slums. As a result, the available land surface is greater compared to the slums located near the centre. This area is often used by residents to develop agricultural activities. This relatively low occupancy of the land thus promotes a better definition of the plots and parcels and is an important factor in the general configuration of the slum. Regarding this isolation of slum dwellers from the centre, authors such as Restrepo-Tarquino *et al.* (1998) find that it is precisely this distance that reaffirms the cohesion and solidarity networks between the slum residents.

## **Evolution of Slum Housing and its Influence on the Urban Configuration**

In the slums, alternatives, constraints and choices are made informally and are not based on explicitly stated models or theories (Rapoport, 1988). In fact, when we talk about the architecture of slums, we refer to “an un-codified<sup>2</sup> architecture, anonymous, spontaneous” (Berenstein-Jacques, 2001, p.9).

In special cases with the Latin American slums, the establishment of housing, in addition to being unplanned is also gradual (in steps). The house ownership is not only the result of total or partial construction of the unit, but also the result of a purchase (Taschner, 2001). In this regard, there is a direct relationship between the period of existence of a slum and the commercialisation of a house.

The cheapest houses are negotiated directly with the owner and the most expensive with intermediaries or real estate agents (Taschner, 2001). In the consolidated slums, it is the Residents Association which acts as notary. It is through the association that most real estate transactions are carried out with regard to purchases, sales, donations, etc. Usually, this service is paid at between 1 and 3% of the value of the transaction (Taschner, 2001).

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<sup>2</sup> This term has also used by Bernard Rudofsky in his book *Architecture sans architectes: Brève introduction à l'architecture spontanée* (1964, p.1).

Looking at the progressive evolution of construction methods in Latin American slum housing, there is a gradual physical improvement over time, however with some exceptions. Two extreme cases can be given. The first case is the slums on the outskirts of Sao Paulo (Brazil) which, from the 1990s, saw the beginning of the invasion directly done with “hard” building (Taschner, 2001). This trend accentuated by construction using “hard” materials is explained not only by the desire to have a “more solid and modern” house but also the assurance that this type of house represents the “right of possession” on the occupied plot; the greater the percentage of “hard” houses is, the less there is a risk of expulsion. Moreover, having a permanent house provides an opportunity to seek services or compensation in the event of destruction or eviction.

The second case is illustrated by the South African slums of East London where housing, despite the passage of time, shows no sign of major physical changes (they do not “harden”). Although in both cases (Brazil and South Africa), the first temporary, precarious buildings such as *barraques*<sup>3</sup> or shacks<sup>4</sup> are built with the same basic materials (wood, metal sheets, cardboard, plastic, etc.). In South Africa, this type of shack does not change significantly over time. The shack, which represents one of the most dominant and deeply rooted characteristics of the slum, was reproduced as an isolated unit in all the South African slums with a private entrance and a single floor (made of very lightweight materials and easily portable). Despite the passage of time, people still retained the shack characteristics i.e. flimsy materials, self-contained accommodation and single storey (Buffalo City Municipality, 2002; Abbott *et al.*, 2001).

In Brazil, as well as in other Latin American countries, it was after five years that the slums were literally occupied. When the occupants feel that the invasion is successful (that they will not be expelled), they immediately build stronger homes (Lloyd, 1979 in McAuslan, 1986). Overall, ten years later, despite the irregular terrain, most (if not all) houses have been transformed into “hard” lodgings (brick, concrete, concrete blocks, etc.) and into two or three storeys (Lloyd, 1979 in McAuslan 1986; Turner, 1967). In the past decade, these institutions have the most basic services (water, electricity, roads, etc.). One of the strategies put in place, in order to obtain favourable responses to their demands from the authorities, is to give the slum the name of a politician (or his wife) who has not suppressed the invasion (Gilbert, 1990). In return, the politicians often respond positively to this strategy in order to increase their electoral vote in future elections.

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<sup>3</sup> *Barraques* is a Portuguese name that refers to the first home of slum residents in Brazil.

<sup>4</sup> *Shack* is the name that refers to the first home of slum residents in South Africa.

All this information gives room for the inquiry of the validity of the “universal” principle of gradual development of spontaneous informal settlements proclaimed by Turner (1967, 1968, and 1976). In fact, although this principle is valid in the context of Latin American countries where the surroundings are changing gradually as the social situation improves, with the South African slums, the “shack” (hut) was, is and seems that it shall always be the same (that it will never be hard) over generations (Flores, 2006).

## **Current Urban Forms of Slum Territory**

Of note with urban slums located on steep slopes vulnerable to natural disasters, the most common forms are those with an orthogonal type of framework (regular or irregular), adapted to a radial type of topography with a central corridor in the shape of platforms (terraces) and on flat heads of hills (Matos, 1977; Fundação de Desenvolvimento Municipal, FIDEM, 2003).

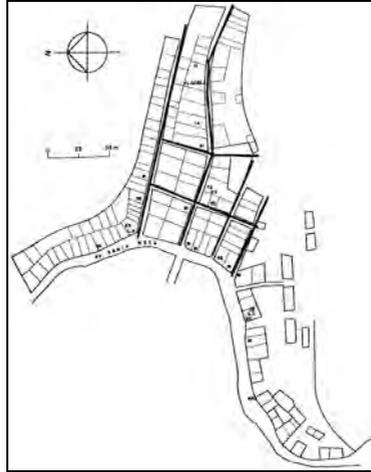
Although at first glance these urban settings, presented below, can greatly resemble a certain typology, it must be remembered that the appropriation of territory in slums is spontaneous and not codified. It is based on the location of the neighbourhood in the city (formal), topographic, soil and geotechnical features dictated by the area’s terrain and climatic characteristics of the slum location. Overall, while the configurations of some slums may have some similarities, it is impossible to find two slums with the same physical and spatial layout.

### *Grid Outline of Regular Slums*

This is an urban grid with parallel and transversal streets of nearly uniform dimensions, in the form of a grid or checkerboard pattern, located in areas of both steep slope and flat land. In fact, as there are regular patterns on rough terrain, it is possible to find a “disorderly” urban configuration on flat land (Matos, 1977, p.54).

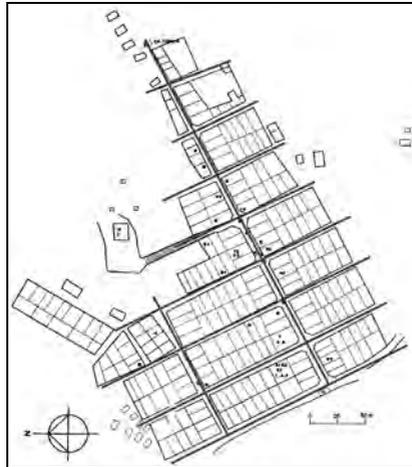
This orthogonal framed-occupation corresponds to a traditional form often adopted in a planned occupation where the sectors located on the hill do not take into consideration the topography of the land (FIDEM, 2003) (Figures 1 and 2).

**Figure 1:** *Santa Rosa* Slum, Lima – Peru



Source: Matos Mar, José. (1977). *Las barriadas de Lima 1957*.

**Figure 2 :** *Tarma Chico* Slum, Lima – Peru



Source: Matos Mar, José. (1977). *Las barriadas de Lima 1957*.

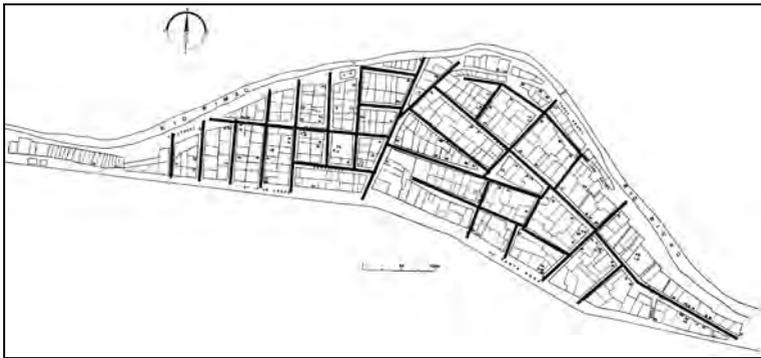
This type of “traditional” grid, used successfully in the development of slums located on flat land in Latin America, usually offers a good base for subsequent improvements and installation of infrastructure (water, sewage, drainage networks, etc.) in the slums (CNUEH, 1981). The other advantage of

this terrain occupation is the ease of subdivision. In contrast, when this frame is applied to steep terrain, road system installation and construction of buildings requires major interruptions as well as large soil movements. Furthermore, the longitudinal profile of the road system sloping upwards and downwards (in successive manner) restricts access to the slum and creates problems of consistency between the roads within the district. And, because of the discrepancy between the road system and the natural direction of water lines, this grid occupancy on the slopes disadvantages the establishment and the operation of infrastructure networks (FIDEM, 2003).

### *Grid Outline of Irregular Slums*

The physical and spatial configuration of irregular shapes in form of a grid is found on both rugged and flat land (Figure 3).

**Figure 3:** *Dos de Mayo et Primero de Mayo Slums, Lima – Peru*



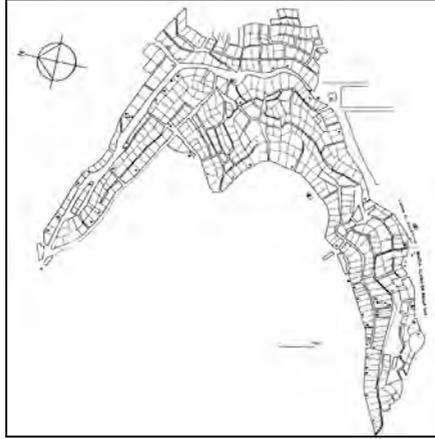
Source: Matos Mar, José. (1977). *Las barriadas de Lima 1957*.

### *Slums Adapted to the Terrain Topography*

Slums adapted to the topography refer to a conglomeration of houses where the streets are corridors without prior planning. These streets and corridors, which develop in response to the need for passage of the residents, are determined by topographic features of the terrain, extending over the spaces left free (because of their “impropriety” in the occupation) as the hills are already occupied. These narrow and tortuous pathways form complex networks which arise between the houses walls, more precisely, their doors (Matos, 1977). This labyrinth of internal, winding and tangled streets inside the slums is seen by Berenstein (2001) as one of the special characteristics of the physical territory of Brazilian slums. Similarly, most of the South African slums also have the same

type of physical and spatial configuration in their territory (Abbott *et al.*, 2001) (Figures 4 and 5).

**Figure 4:** *Cerro El Agustino* and *Santa Clara de Bella Luz* Slums in Lima – Peru



Source: Matos Mar, José. (1977). *Las barriadas de Lima 1957*.

**Figure 5:** *Duncan Village* Slum in East London – South Africa



Source: SETPLAN. (1999). *Duncan Village and Buffalo Flats*, East London Transitional Local Council.

Regarding this “non-orthogonal” house establishment, Bueno (1995) noted that this type of establishment reveals a richness, “a wisdom in the land ownership”. The apparent slum “disorder”, when compared to rigid urban planning according to Berenstein-Jacques (2001) promotes the creation of cities representing various human societies. This organic configuration, according to Matos (1977), highlights the skill and creativity of slum dwellers in the appropriation of land.

Despite the positive comments on the non-orthogonal frame, the CNUEH report (1981) points out that in certain circumstances, the irregular shape and limited available space prevent the development of traditional methods of waste collection and maintenance of networks (rain water, sewage, etc.) their simplicity notwithstanding. However, Bueno (2000) notes that the danger and wretchedness of slums are the result of people’s lack of resources and the lack of services and infrastructure rather than the consequence of the logic of their original location.

#### *Slums with a Central Corridor*

Slums with a central corridor are neighbourhoods that, despite the multitude of passages in their territory, have traffic that converge towards a central corridor, which gives the impression of a main axial focus, at times straight and other times winding, with a series of lateral branches (Figure 6).

**Figure 6:** *Mamede Slum, Salvador de Bahia – Brazil*



Source: CONDER. (2002). *CD Produtos Informes – Salvador - Photos aériennes de Salvador (1976, 1980, 1989, 1992 et 2002)*.

### *Radial-shaped Slums*

Radial-shaped slums are establishments, despite the fact that the streets were drawn at random, have acquired a physical configuration with a radial aspect. The establishment of this urban frame on the ground does not require large soil movements (compared to the orthogonal grid). Since access is perpendicular to the contour, the establishments can be accessed by the main and secondary roads in the area (Figures 7 and 8).

**Figure 7:** *Vila Natal* Slum, Salvador de Bahia – Brazil



Source: CONDER. (2002). *CD Produtos Informes – Salvador – Aerial Photos of Salvador (1976, 1980, 1989, 1992 et 2002)*.

**Figure 8:** The Radial Arrangement of Traffic in Vila Natal in 2002



Source: CONDER. (2002). *CD Produtos Informes – Salvador - Aerial Photos of Salvador (1976, 1980, 1989, 1992 et 2002)*.

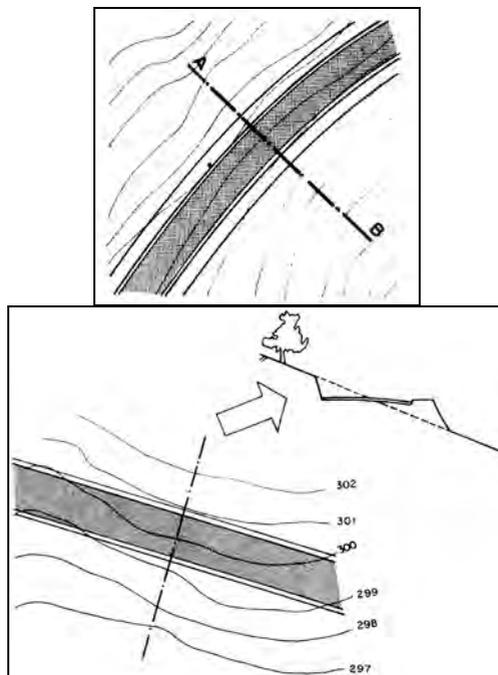
The main access to the hill is through long stairs that are perpendicular to the terrain and from which arise a series of corridors that develop along the contour lines used by pedestrians as well as for accessing homes. Usually, these steps also serve as drainage elements (or the staircase itself with an open pipe on the sides) which assists in the flow of rainwater. Naturally, in the event of heavy rainfall, the main access often becomes inaccessible for residents.

Beyond the difficulty of access to the slum by cars (even fire-fighters and ambulances), this type of occupation also has some disadvantages for its occupants, particularly for the elderly and physically challenged who, on a daily basis, have to climb and descend the huge stairs with irregular and non-ergonomic rises.

#### *Slums with Platform Occupation (Terraces)*

In this type of urban platform frame, the main access road is developed parallel to the contours of the land; the established houses following the curves of the land “as an expression, an extension of the naturalness of the site” (Figure 9).

**Figure 9:** Examples of Routes Parallel to Contour Lines



Source: Cunha, (1991), p.108-110

This staircase establishment, according to Drummond (1981), can have a constructive explanation purely because of the steep slope of the terrain. In fact, for efficient use of materials, dictated by limited resources and the search for maximum stability of one's structure, slum dwellers prefer to cover the least possible space.

When it is well done, this creation of platforms or terraces on steep terrain is a very effective risk reduction solution (Drummond, 1981). Indeed, some buildings such as stacked townhouses, built in stages, are considered as types of constructions that can consolidate the friable soil of slopes (Farah, 2002). The terrace construction began at the lowest part of the hill and continued gradually up the slope, it was often noted for its maximisation of land use, for its effectiveness in controlling soil erosion and for its more appropriate control of farming systems (Denevan, 2001; Zvietcovich in CONCYTEC, 1987). Thanks to the slight tilt of the platform, like the terraces of ancient times, there has been an effective control of erosion: rain falls on the platform and runs fairly slowly, flowing without removing a significant amount of soil (in Cotler, 1987). Additionally, thanks to the geometric configuration of the urban system, a greater exposure to the sun has been fostered, allowing the area to enjoy great light energy which has altered the soil and climate conditions thereby creating situations conducive to agriculture on a large hillside slope (Ramos, 1987 in CONCYTEC; Field, 1966).

### *Slums Occupying the Hill Flat Heads*

This configuration applies only to urban slums that occupy the flat head of a hill without any treatment of the adjacent slope. Their establishment neglects the specifics of the topography by levelling the heads of the hill in order to obtain flat surfaces of large dimensions. This action, according to FIDEM, creates imbalances in the natural environment because it causes alterations in the mechanical properties of soil, disrupts the adjoining drainage basins and disturbs the vegetation cover. Furthermore, the hillsides (slopes), which were initially unoccupied, have been gradually invaded by other groups of people that follow the occupation trends thus aggravating the stability of the terrain (FIDEM, 2003).

## **Conclusion**

In summary, the physical and spatial configuration of invasions, from a collective and organised movement, is more regular. It takes little or no account of terrain topography which is probably more vulnerable to natural disasters than

spontaneous occupations which create more organic and urban forms best adapted to the morphology of the land (slope, height, profile) than the former.

Depending on how the slums are laid out in the urban landscape (“visible” and “hidden”) and how the slum dwellers occupy the hills or the plains that they will develop "mechanisms" or communication strategies, control of territory and probably risk minimisation to ensure their permanence in a certain location. In addition, depending on the location of the slum in the city, this location can have an immediate reflection on the physical and spatial configuration of the territory and to some extent on the different risk situations.

From the perspective of environmental protection and site preservation, each unique and creative form of land ownership has its advantages and disadvantages. While some of the physical-spatial configurations, such as slums adapted to the topography of the land, those arranged in radial form and the occupation terraces, promote minimisation of environmental risks i.e. non-occurrence disaster, there are other urban forms that can be considered as potential factors of increased risk of triggering natural disasters (steady plot a grid, flat heads of occupation of a hill, central corridor).

Although the information on physical-spatial configurations of the territory of the slums is important to understand the vulnerability of a disaster area, one should always put them in relation with the morphological characteristics, soil, geotechnical field, the climate characteristics of the slum, as well as factors related to the involvement of residents (management practices at the level of cuts and embankments, vegetation, basic infrastructure, etc.) due to their contribution to the vulnerability of the land .

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# Kibera: The Biggest Slum in Africa?

Amélie Desgropes and Sophie Taupin

## *Abstract*

*This article presents the findings of the estimated population of Kibera, often said to be the “biggest slum in Africa”. This estimation was done in 2009 by the French Institute for Research in Africa (IFRA) in Nairobi and Keyobs, a Belgian company, using Geographical Information Systems (GIS) methodology and a ground survey. The results showed that there are 200,000 residents, instead of the 700,000 to 1 million figures which are often quoted. The 2009 census and statistics on Kibera’s population also confirmed that those findings were accurate.*

## **Introduction**

Kibera, the infamous slum in Nairobi – Kenya’s capital, is viewed as “the biggest, largest and poorest slum in Africa”. After the First World War, the British government allowed the Nubians to settle in a forest<sup>1</sup> at the edge of Nairobi, as a reward for their service. However, after Kenya’s independence, the government claimed this land as its own. Nubians continued to build and spread urbanization in Kibera, welcoming new comers from all over the country. Nowadays, Kibera is surrounded by the richest areas of Nairobi and it is also close to the Industrial Area. These two areas provide job opportunities that attract rural Kenyans.

Kibera’s extraordinary figures have been legitimized by Non-Governmental Organizations (NGOs), the media and politicians who usually quote the stunning figure of 700,000 to 1 million residents. Where did these figures come from? Are the superlatives used for Kibera justified? The only reliable source of information that has been used, with regard to Kibera’s population, is a UN-HABITAT/Research International report (2005) giving a figure of between 400,000 and 700,000 Kiberans. Given that the surface area of

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<sup>1</sup> *Kibra* means “forest” in the Nubian language.

Kibera is 2.38 km<sup>2</sup>, the density for 700,000 inhabitants would be about 300,000 inhabitants per square kilometre; that is more than Bangladesh's highest slum population density (250,000 inhabitants per sq/km). Moreover, the 1999 census offers no adequate geographical division to properly count Kibera's population. For example, according to *Carolina For Kibera*, an important NGO in Kibera, "half of the population of Kibera is under the age of 15"; information that comes without a source.

Despite this elusive aspect of Kibera, figures on this slum's demographics are crucial for policy makers and developers. It is for this reason that the IFRA and Keyobs engaged in a survey that was aimed at acquiring better knowledge on Kibera residents. This project utilised a GIS based estimation of the population and a fieldwork household survey to collect demographic data. The results of the survey suggest that previous figures are a substantial overestimation of Kibera's population. In this paper, we will present the new figures obtained and the methodology employed in order to define the characteristics of the Kibera population.

### How Many People Live in Kibera?

As the distribution of the buildings in Kibera is relatively uniform (Figure 1), GIS was considered a potentially relevant tool for the estimation of the population.

**Figure 1:** Satellite Image of Kibera

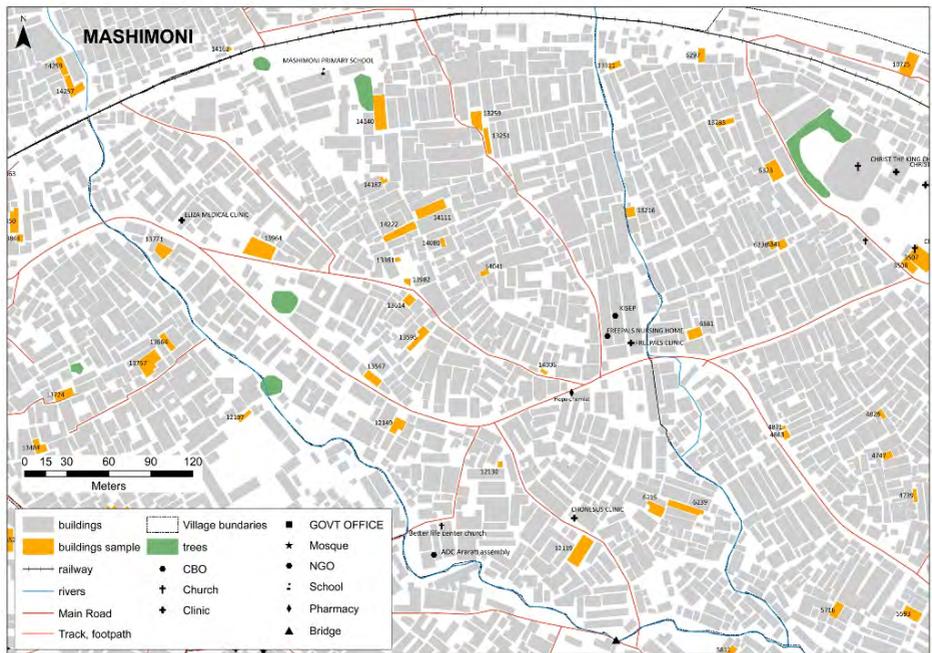


Source: Keyobs (2009).

We sought to count the population in selected buildings through random sampling in order to extrapolate the figures of the sample to the whole built area.

On the one hand, Keyobs took the aerial satellite image of Kibera on 19 February, 2009 and designed the shapefiles<sup>2</sup> of the buildings, the roads and rivers. On the other hand, IFRA conducted the fieldwork and completed this information by identifying landmarks such as clinics, schools, churches, NGOs and government offices (Figure 2). In total, 17,045 buildings were counted and designed. In order to conduct the demographic survey, 500 structures (buildings), which represent 2.93% of the buildings, were selected at random. However, due to field limitations, the final sample was eventually 478 structures.

**Figure 2: Survey Map**



Keyobs, IFRA - 2009  
Source: Quikbird image 02/2009 and ground survey 05/2009

Source: Keyobs-IFRA (2009).

The field survey was conducted throughout Kibera by 12 surveyors from the community, coordinated by a supervisor. The surveyors were recruited from Kibera to make work easier and to legitimise the project. A one-day training was given to explain the scope, objectives and methodology of the ground survey.

<sup>2</sup> A shapefile is a geographical geo-referenced information file in Arcview, software used in Geographical Information Systems (GIS).

Surveyors were gathered in teams of two, each team was given two administrative villages to survey; the sample buildings were marked in orange on the ground survey maps (Figure 2). The harder part of the work was to find the right structure in the slum as some paths are closed or sewages/small rivers block the way. Some buildings were also found to be demolished or inexistent. Whenever a house was found closed on two occasions, the surveyors were to obtain the basic information from the neighbour(s) i.e. number of people and their gender. Out of the 500 buildings sampled, 22 buildings were missing for several reasons: some were unreachable, others were found demolished; 5 of them were inexistent due to the lack of precision of the satellite image and in some houses, people refused to give information. In summary, our results cover 478 structures (buildings), 1,913 units (rooms/houses) and 5,359 residents of Kibera. Under one roof, the number of rooms range from 1 – 30 and one room is generally occupied by one household. Out of the 1,913 units, 1,725 were residential and the others were businesses, latrines, churches or other types of structures.

The number of residents counted in the sample was extrapolated using two different methods (Table 1):

- The first method is based on the buildings' area where +7% error was applied for all results, taking into consideration 3% of non response and error of digitalization. For the built surface area of the sample of 3.7 ha, there are 5,359 residents therefore for 130.3 ha of built area, the number of residents is 201,935.
- The second method used is the extrapolation of the population by the number of buildings. For the 478 buildings sampled, there are 5,359 residents, therefore for 17,045, the estimated population is 204,473 (including +7% error).

**Table 1:** Estimation of Kibera Population

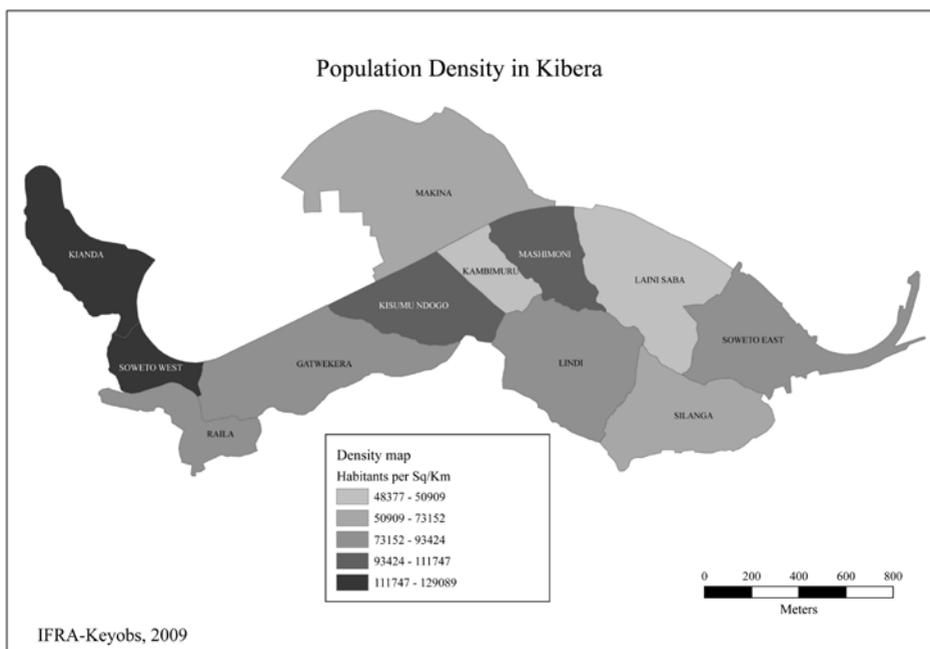
	<b>No. of Structures</b>	<b>Surface Area (ha)</b>	<b>Kibera Population</b>	<b>Final results (+7% error)</b>
Sample	478	3.73	5,359	
Kibera	17,045	131.8		
Area (per structure)			188,725	(a)201,935
Area (per no. of structures)			191,097	(b)204,473

Source: Field survey by Keyobs-IFRA (2009).

The results per village show a surprising heterogeneity throughout the different villages of Kibera. Kambi Muru and Laini Saba have a density of 48,000 inhabitants per sq/km while Soweto West and Kianda are highly dense with 129,000 inhabitants per sq/km. Soweto West and Kianda have the highest rates of children, while Kambi Muru and Laini Saba have the highest rates of single and business people. The average density is around 87,500 inhabitants per sq/km (Figure 3).

Although our final result is far from the 1 million inhabitants, it is corroborated by other sources. UN-HABITAT did their estimation on the basis of a survey led by Research International in 2004. This survey found that the average household size was 5 persons and displayed an estimation of 400,000 to 700,000 people (Research International, 2005). Our survey has revealed that there is an average of 3.2 persons per households.

**Figure 3:** Population Density in Kibera



Source: IFRA-Keyobs Field Survey (2009).

In order to validate our final results, we compared them with other figures from different sources. Stephano Maurras (Map Kibera, 2008), an independent researcher, conducted a similar survey in May 2008, seeking for a credible figure of the Kibera population. He chose one village, (Kianda), for a door-to-door survey and extrapolated the number of dwellers to the whole of Kibera and his estimation of this population is 252,500 residents. If we base our calculation on the estimated figure of Kianda village, meaning an extrapolation of Kianda population, the estimation of the population is 271,319 inhabitants in Kibera. This method may give a higher result because Kianda was found to be one of the most densely populated villages (Figure 3). The Mapping Kibera Project survey corroborates the results of the Keyobs-IFRA survey as its findings are within the same range. Carolina for Kibera used approximately 90% of Gatwekera village in their longitudinal study; we added 10% to their results and found a very slight difference with ours (Table 2).

**Table 2:** Comparative Sources on Kibera Population

Village Name	Other Sources' Population Estimation	IFRA Estimation
Kibera	252,500 (Map Kibera, 2008)	204,473
Gatwekera	24,402 (CFK)	24,666

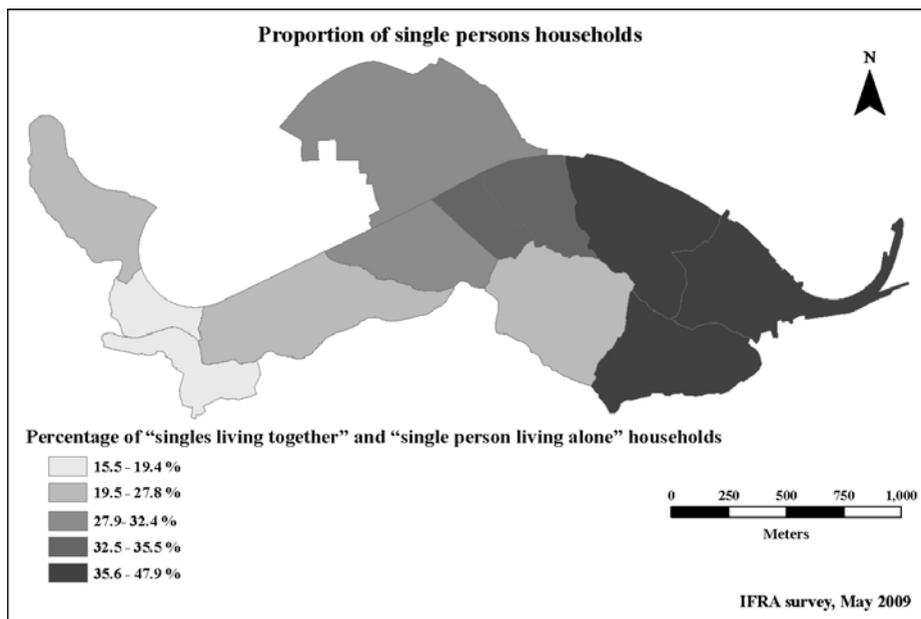
Source: *Carolina for Kibera* (CFK) and *Map Kibera*, 2008.

The combination of GIS and a ground survey is relevant for an estimation of the population of an informal settlement, although this methodology has its limits. The satellite image has a resolution of 0.6m, which is not precise enough for the digitalization (design) of the buildings. While beginning the ground survey, we realized that the map was sometimes not accurate; trees hid houses, open spaces were designed as buildings and some buildings were not accurately shaped. Another challenge experienced in locating the right structure on the ground. The surveyors were sometimes tempted to choose a random structure when the one they were supposed to find was unreachable. Whenever the results were found inaccurate (a large structure with few people), investigations were repeated. Indeed, the figure of 205,000 dwellers in Kibera is much less than expected. Although a much higher figure was expected, the IFRA-Keyobs' results are corroborated by other sources.

## Who are the People Living in Kibera?

Also a subject of fantasy, the inhabitants of this informal settlement are often described, in the NGO and media discourse, as young and jobless. On NGO websites, statistics are given without any supporting sources and they are often alarmist about the socio-economic status of Kibera's dwellers. As proven by the preceding field results, the average household consists of 3.2 persons which is lower than expected, going by Research International's findings of an average of five people per household. These findings could be explained by the high rate of single persons in the eastern part of Kibera (Figure 4), where the average household size is less than 3 people. The 2007/8 Post Election Violence (PEV) might have played a role. Laini Saba is a village from which a lot of Kikuyus and Kambas<sup>3</sup> fled during that period of violence; this might also explain the high rates of single persons.

**Figure 4: Single Persons' Households**

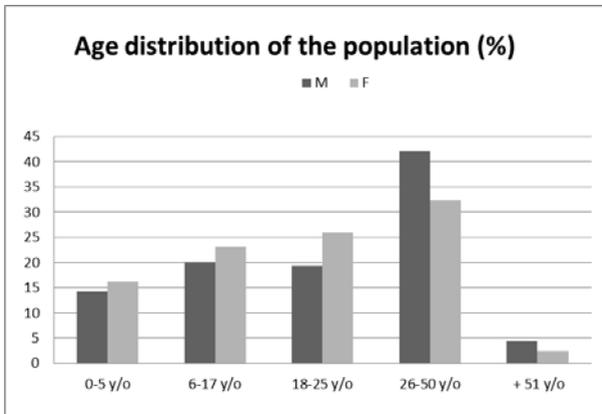


Source: IFRA-Keyobs Field Survey (2009).

<sup>3</sup> Kikuyus and Kambas are two different ethnic groups in Kenya.

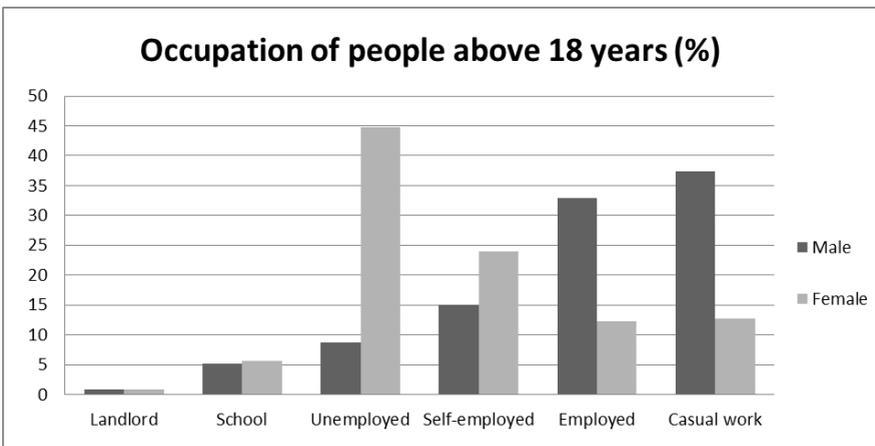
The villages situated in the western part of Kibera have the highest household sizes: Kianda 3.5; Soweto West 4.5 and Raila 4.2 (persons per household). This area of Kibera is mostly composed of young couples from Western Province. The percentage of children (0-17 years) is around 50%, while the average for Kibera is 36.5% (Figure 5).

**Figure 5: Age Distribution**



Source: IFRA-Keyobs Field Survey (2009).

**Figure 6: Occupation**



Source: IFRA-Keyobs Field Survey (2009).

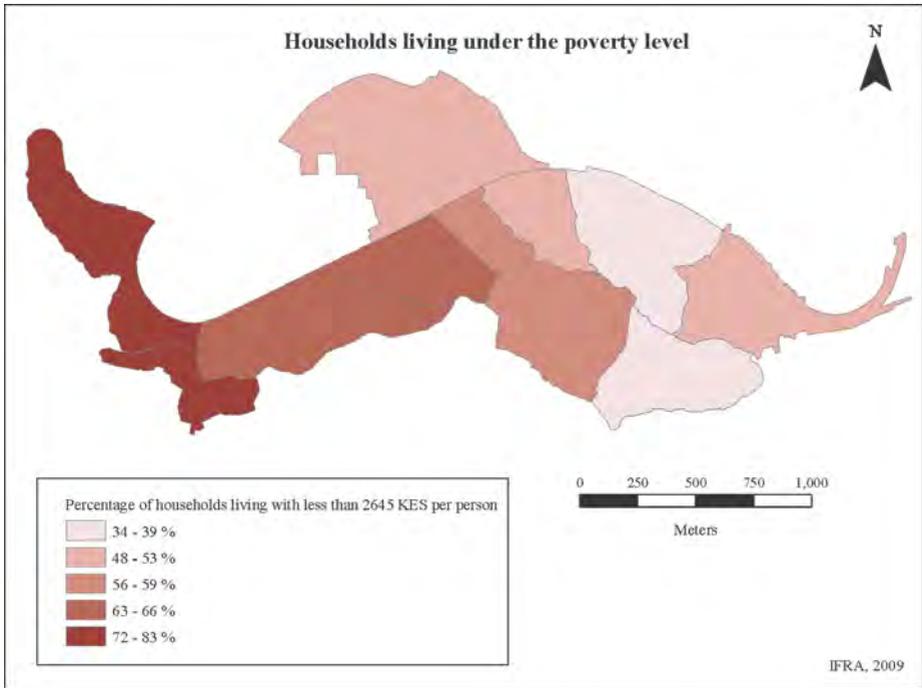
In Kibera, only 8.5% of the men above 18 years stated they have no occupation (Figure 6). Most of the residents' occupations are informal, meaning that a lot of jobs are not recorded in official employment statistics. If we look at the age distribution, there are more women than men, except between the ages of 26 and 50 years (Figure 5). Therefore, it could be suggested that the male migration for work is quite common. The eastern part of Kibera is close to the industrial area and it has more than 40% of households composed of a single person or "singles living together" (Figure 4). Soweto East and Silanga have the highest rates of employed men<sup>4</sup>, 79% and 76% respectively. It shows that a lot of men are coming to Nairobi to work; leaving their families in their rural areas. In Kibera, 10% of the households are comprised of singles sharing a room, a situation that helps reduce the cost of living in Nairobi, while 23% of the households are composed of a single person living alone. They are mostly young single and married men, working as guards, gardeners, construction or factory workers, who send money to their families.

Job insecurity is still a real problem: 45% of employed people are self-employed or those who get work on a day-day basis. Both activities do not guarantee a regular income so households are still vulnerable and poor. The main activity for women is self-employment (24%) with activities such as selling vegetable or fish and cooking local food. The average income for women is 42% lower than the average man's. Indeed, women have to look after their young children, do the house work therefore, they have less time for working outside.

The income per person was calculated by dividing the income per household by the number of individuals; for Kibera it is 3,977 Kenyan Shillings (KShs) per person per month (39 USD). In 2003, UN-HABITAT set the poverty level at KShs 2,645 per person per month (26 USD) in urban areas in Kenya. This poverty level could be higher in recent times due to inflation. With an average income of KShs 2,260 per person per month (22 USD), single women with kids are the most vulnerable people. Another vulnerable category is people living in a nuclear family where 68 % live with less than KShs 2,645 per month. The singles seem to be less poor, but we can consider this as a bias as they usually share their income with their families living outside Nairobi. The map of the people living below the poverty line shows that the western part of Kibera, which has the highest rates of children, is also the poorest area (Figure 7).

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<sup>4</sup> Men above 18 years employed on a monthly or daily basis.

**Figure 7:** People Living Below the Poverty Line

Source: IFRA-Keyobs Field Survey (2009)

## Conclusion

The labelling of Kibera as “the biggest slum in Africa” has become a slogan but it is inappropriate to say that it is a reality. The results presented in this article showed that the population of Kibera is a lot less than expected. Kibera is certainly large in terms of surface area, but no study yet has been made to compare Africa’s informal settlements. Our estimation confirmed the real situation, as 170,070 people were enumerated in Kibera during the 2009 census. Moreover, this survey provides an up-to-date estimation of the population and new statistics on poverty levels, employment and age of the population. The combination of remote sensing and ground survey is extremely relevant and must be pushed for in future demographic and population projects.

Nevertheless, the methodology has its limits. The satellite image has a resolution of 0.6m, which is really not adequate for the digitalization of slum buildings. Indeed, only the roofs of the buildings are detected and subtle limitations could not be detected from the satellite. Moreover there is no unique distinction between an individual housing structure and a building. Several buildings were also found to be housed under one roof. This remote sensing methodology is a new and relevant tool, although improvements could be done such as acquiring a satellite image with a better resolution and investing in better training of surveyors. This study has shown that remote sensing and GIS technologies have an important role to play in population projects.

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# The Slum-Shacks Question and the Making of 21<sup>st</sup> Century Political Citizenship in Postcolonial Nairobi, Kenya and Harare, Zimbabwe

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## **Abstract**

*Our era is often described as a moment of globalization and urbanization. The two words, often used interchangeably, describe movements and concentration of populations in 'new' places often Diasporas described as centers of 'development'. At both global and local levels, the new places of development promise opportunities for progress and self realization for both national and global citizens. This paper explores the ambiguous status of urban areas as centers for progress and realization of cosmopolitan citizenship in 21<sup>st</sup> Century Africa. The discussion is based on cases from Nairobi, Kenya and Harare, Zimbabwe where post-colonial governments are under pressure to adhere to 'master plans' and elevate Nairobi and Harare to Western Capitalist models of metropolitan. The debate on slums/shacks is revisited, not just as multiple modernities, but as instrumental spaces of disrupting the nationalist project and globalization narratives. Any future work in urban centres cannot ignore the forms of modernities being developed and practiced by a category that is now commonly known as the 'urban poor'.*

## **Introduction**

We live in an era that is engulfed in an effort to 'develop'. Although we are much aware of the limits of development discourse that suggested some sort of a step by step process and stages of progress, no better language has taken root to express the human desire to attain improved livelihood. The attempt to 'develop' has often led to an upsurge in human movement and creation of special zones as sites of 'development'. This is more so in the postcolonial period where the government has a 'home' in the cities. Therefore, although we all want progress, it is not possible to realize it wherever you are. Often one has to move to centers of 'development'. At the global level, there has been an upsurge of those seeking to migrate to the United States and other Western countries that are widely perceived or experienced as centers of 'development'. The movements (whether actual or desired) have indeed defied the strength of cyber-space which is ordinarily meant to connect people globally. But 'development' seems not to be about space, rather it is about places. The movement to the United States and

Western countries has been about seeking 'development' and opportunities in places where it is located.

On the Kenyan national level, the places of 'development' are urban areas. In postcolonial context, there has been an upsurge in the number of people moving to the urban areas. Between 1989 and 1999, the country's urban population more than doubled by increasing from 3.88 million to 9.90 million<sup>1</sup> while in Zimbabwe, the urban population rose rapidly from 23% in 1982 to 30% by the early 1990s (UN, 2005). The common factor between these two countries and other postcolonial nation states is that the urban areas stand out as the places where individuals and groups can enjoy better livelihoods, access to education and other facilities. Urban areas have therefore become the centers of 'development'.

However, there are two results from this current movement that will be explored in this paper. At the first level, the idea of development that is associated with the immigration to the United States (US) and the West or that associated with movement to the urban areas is producing a duality of inequality. On one hand there are those who seem to 'own' and 'manage' discourses and practices of 'development' be it globally or locally. Those who are close to these discourses constitute a majority. The US and Western countries now determine entry requirement (through never ending entry visa restrictions) and nation state policies such as those that target assimilation or multiculturalisms. At the national level, there are also discourses that influence housing, infrastructure, education and so on. The result is that the process of immigration to the West and that of immigration to urban centers have created a category of people who are a minority. This minority status is not necessarily because they are of a smaller numerical numbers (although in the West the immigrants are often of a smaller numerical number) but rather because they are excluded from the modernity of the places that they find themselves.

The understanding of modernity here is informed by Wentzel Van Huyssteen's notion which sees modernity not as a historically bound

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<sup>1</sup> Urbanization in Kenya has proceeded tremendously over the past four decades, especially after political independence in the early 1960s. In 1962, for example, only one Kenyan out of twelve lived in urban centres. However, by 1999, the proportion had increased to 34.5% affirming that one out of every three Kenyans lives in urban areas. Moreover, this percentage is expected to increase to 50% of the total population by the year 2015. See Wainana, Stephen (2008). *Population monitoring with a focus on its distribution, urbanization, internal migration and development*. A statement by the Economic and Planning Secretary Ministry of Planning and National Development of the Republic of Kenya presented at the 41<sup>st</sup> Session of the UN Commission on Population and Development on 7-11<sup>th</sup> April, 2008.

phenomenon solely determined by the course of European history and culture, but rather as a project endorsed at a certain point in history by whatever community of citizens (Engdahl, 2008). The problem is that postcolonial Kenya and Zimbabwe operates on a notion of modernity that is historically bounded to colonial experience and English enlightenment discourse. As a result, the majority of immigrants to postcolonial urban centers, just as those who immigrate to the West, are excluded from and by dominant notion of modernity. The new urban dwellers are in the realm of minoritarian modernity and their actions of survival are often treated as subversive. City by-laws often target this minoritarian modernity for elimination. Observations made in Nairobi and Harare seem to suggest that the minoritarian modernity often makes significant presence.

The second notion is that of citizenship in these new places. Recognition, belonging and right to vote in the places of immigration is not universal. In the West, the denial of citizenship for the immigrant is often enveloped under the guise of pluralism and cosmopolitanism. This idea of cosmopolitanism or pluralism is often used to create a framework that decides who is included and the 'other' who gets excluded. Du Bois argued 'that a minority only discovers its political force and its aesthetic form when it is articulated across and alongside communities of difference, in acts of affiliation and contingent coalition (Bhabha, 2004, p. xxii). In this context those who are excluded have earned *a right to narrate* their modernity.

Although this phenomenon of exclusion and inclusion in places of 'development' occurs in both the West and the postcolony, this paper is interested in the postcolony. It illustrates how the minoritarian modernity, of those regarded as the urban poor by development workers, have developed 'new subjectivity'. These minorities have now developed a network that is elevating their minoritarian modernity to upstage the dominant notions of modernity. The networks, whether national or transnational, facilitate the 'urban poor' to rebuff the tendencies by authorities to label them as 'rubbish' and have them excluded. The discussions also illustrate the 'new' forms of citizenship that now tend to reform both the notion of urban centres and participation in public politics. As a fore grounder, this paper argues against the rationality that guided the formation of urban centres in both colonial and postcolonial moments. Two cases from Kenya and Zimbabwe have been used to illustrate how minoritarian movements are reformulating 'new urban places and spaces'. The arguments and scenarios presented in this paper should be useful in enabling Civil Society Organizations (CSO) working in urban areas to take these minoritarian urban modernities more seriously. The argument is that interventions by the Civil Society, more so Non-Governmental Organizations (NGO), should not be blinded by the State's

intentions to mimic Western capitals but rather more should be taken from the 'urban poor'.

## The Idea of Urban Centers

Most urban centers were developed on what colonialists declared 'unoccupied' land whereby this notion of occupation is based on the Euro-ontology of freehold and absolute individual ownership as presented by Alfred Crosby:

*"...Wherever they went Europeans immediately began to change the local habitat; their conscious aim was to transform territories into images of what they had left behind. This process was never ending, as a huge number of plants, animals, and crops as well as buildings methods gradually turned the colony into a new place, complete with new diseases, environmental imbalance and traumatic displacement of overpowered natives"* (Said, 1993, p. 225).

In this process, urban areas classified as cities, country councils and urban councils that were demarcated as spaces and sites of colonial modernism and citizenship were never spaces for everyone (Mamdani, 1996). The colonizers built on urbanism and modernity informed by their experience with endogamous peasant communities of 18<sup>th</sup> and 19<sup>th</sup> Century Europe (Lewis, 1973). Following on this Western European pedigree which persists in the postcolonial, urban centers are often widely understood and designed as the centers where forms of inquiry, science and rationality are located (Foucault, 1970). Read this way, urban metropolises are designed, delivered and safeguarded as agents of universalizing European design and governmentality. As epitomes of modern practices of reason, democracy and rationality, they are equipped with laws, norms and rationalities that enable them to decipher, allocate meaning and 'citizenship' only to those whom they deem fit. In order to universalize urban centers as epicenters of modernism, its vanguards<sup>2</sup> cloak its peculiar history and insist that no other form of urban modernity is locatable in a different rationality. Emile Durkheim argued that those forms that disarticulate with this 'universal urban centers' are

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<sup>2</sup> This refers to several organizations, politically and economically designed and positioned as bearers of metropolitan's interests. As such they suggest that they do not require to respond to demands to democratisise their decision making process or abandon their teleological ontology even in the processes of overwhelming evidence that their 'master plans' are not working.

considered dysfunctional, inappropriate, a nuisance or at worst repugnant to good conscience.

It is therefore apparent that urban centers and the demographic, political, social and epistemological processes that create them have historically provided a privileged place of exploring the interconnections of practices and symbols of reason, the economy and modernity (Escobar, 1992). Besides, both the representation and creation of the urban modernity within which the 'new' modernity was being promised were and have been in accordance with a hegemonic impulse designed to communicate a stable and unitary modernity.

If the position and condition of subjects, in Mamdani's articulation, in the colonial state and the above location of contemporary urban modernity were to be read in a biblical mode and enveloped in the metaphor of the Promised Land, as optimistically spoken of by Martin Luther King, 'that many are called but few are chosen'<sup>3</sup>, then one would say that while all 'natives' were called as subjects of her majesty the Queen of England in the new colonial states, only a few were invited to the colonial urban centers of modernism. Pass laws and other technical rationalities in most colonial rules were used to decipher and regulate the number of possible urban dwellers. This approach of deciphering the 'natives' who came to urban areas to join the missionaries, European and Asian colonial subjects is a confirmation that the colonial administration constructed the urban space around class rather than ethnic heterogeneity. Oscar Lewis has confirmed this by making use of Louis Wirth's works which describe cities as 'a relatively large, dense, and permanent settlement of socially heterogeneous individuals' (Lewis, 1973, p. 131). Wirth had long concluded that: 'urban centers have been presented as centers of progress, of learning, of higher standards of living and all that is hopeful for the future of mankind' (Lewis, 1973, p. 131).

Urban plans in post-colonial Africa have been essentially a continuity of the pre-independence design only that this time state interventions are aimed at removing colonial estoppels and facilitating urban citizenship to all citizens of the nation-state. The 'new' modernity and nationalist thought were embodied in what has come to be known as the 'national project'. The 'national project'<sup>4</sup> was a strategy for more equitable appropriation of productive forces at the local, continental and global levels. It involved deliberate interventions to strengthen

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<sup>3</sup> Mathew 22: 14

<sup>4</sup> The Comaroffs, have called this the 'modernist nation'. See Comaroff, Jean and Comaroff, John L. (2003). 'Reflections on liberalism, politicalculturalism, and ID-ology: Citizenship and difference in South Africa', *Social Identities*, 9 (4), pp. 445-75.

national political capacity in the face of the then polarizing logic of the world order, which undermined the state's capacity. The central motive of the 'national project' was to offer possibility of material progress, within the design of colonial modernity, that would presumably be accompanied by improved education, better health care and improved livelihoods for all. The 'National Project' has hardly shown much besides manifestations of the 'politics of the belly'<sup>5</sup> as Jean-François Bayart has rightly called it.

## Postcolonial Urban Centers

The urban center's construction as a symbol of 21<sup>st</sup> century modernity is characterized by manifestations of slums/shacks<sup>6</sup>, poverty, crime and disorganization. These tend to exist side by side with symbols of mainstream urban projects such as skyscrapers and gated communities. Often the proponents of 'politics of the belly' who occupy the city hall, state bureaucracy and international actors interested in creating and protecting standards for 'modern cities and metropolis' read the development of slums/shacks in postcolonial urban centres as an affront to modernity. And so slums/shacks as sites of 'misfits' are referred to in derogatory terms like 'illegal cities', ghettos, rubbish, encroachments and the like. Consequently, slums/shacks are represented as threats to 'urban order'. In both Kenya and Zimbabwe, the growth of the slums and shacks has been synonymous to both the collapse of the 'national project' and investments in the urban areas. As the promises of freedom and dignity waned, more people have found themselves in squalor. Similarly, as roads and public facilities have enlarged and 'modernized', so too have the poor, often regarded as being the category of least resistance, become undignified and isolated from opportunities of urban growth. The immediate post-colonial idea of inclusive urban citizenship has been replaced by a deterministic and vanguardist liberal model.

Today, vanguards in this model of the metropolis not only make up the 'new postcolonial state' and its ill-equipped metropolitan authorities like towns, municipalities or city councils, but most importantly interstate agencies and agents

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<sup>5</sup> This is a translation of the French: "*Politique du Ventre*", a term coined by Jean-François Bayart in his 1989 book: *L'état en Afrique: La Politique du Ventre*.

<sup>6</sup> The United Nations Statistics Division gives the global slums occupancy, in 2001, at 924 million. See [http://unstats.un.org/unsd/mi/mi\\_worldreg.asp](http://unstats.un.org/unsd/mi/mi_worldreg.asp). This paper takes a multidimensional slum/shack definition on the basis of physical, legal and social characteristics into consideration. See also: UN-Habitat (2003): 12f.

of modernism like the International Monetary Fund (IMF), the International Association of Cities and Ports, the World Organization of United Cities and Governments, the United Nations Centre for Human Settlements (UNCHS), the United Nations Human Settlements Programme (UN-HABITAT) and Cities Alliance. The vanguard's main mandate is to usher and ensure that post-colonies show commitment to more rigorous urban planning and 'approved' sequential development. It has become a common expectation for countries to design projections and targets for 'future megacities' in some teleological and universalized models (Chatterjee, 2004). In Kenya these ideas are not captured in the Vision 2030 while in Zimbabwe, they are articulated in a Vision 2020. Both visions aim at, amongst other things, making Nairobi and Harare, metropolises at the level of Western and North America Metropolis.

More recent observations in post-colonial cities demonstrate how the presumed ideal metropolis model disarticulates with the expectations of the citizens (Weiss, 2004). The argument underlying this analysis is that more often than not, when state officials and intervention experts have worked to bring change in local practices, the outcome has been "multiple modalities"<sup>7</sup>. In *Millennial Capitalism and the Culture of Neoliberalism*, the Comaroffs have further argued alongside Geschiere and Nyamnjoh that these "multiple modalities", which are most manifest in urban areas, are not merely an emotional, irrational, and atavistic response to problems of rapid social change. Rather, they are appropriations, simulations; deformations and reconfiguration of modernism such as the urban plan that has characterized most urban settings.

The subject of multiple nature and forms resulting from the social life of the 'metropolitan or city idea' has therefore been receiving increased attention. These documentations and interrogations attest how an ideal idea like 'new' modernity is relocated, contested, reconstructed and deformed, such that it appears in new forms more accustomed to historic, economic, social and cultural conditions. This is not a matter of mere contextualization. Rather, it is the change of format - a sort of re-engineering - that appreciates Edward Said's point that the movement of an idea or theory from one place to another involves "...a process of representation and institutionalization different from the point of origin" (1981, p.23). In post-colonial Africa, the new representations and institutionalizations are the slums/shacks settlements that are characterized by poor housing and inadequate transport. Failure to appreciate this social life of urbanization modernism and conditions that make slums and shacks incubators

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<sup>7</sup> Among the leading scholars of these manifestations have been: Comaroff & Comaroff (2003), Arce and Long (2000) and Weiss (2004).

of indignity is what has generated the current crisis that constructs slums and shacks as dysfunctional features that represent risks, uncertainty and fear (Asdar and Reiker, 2008).

## Two Cases and Modernities of the 'Minority'

The urban poor in the postcolony, have been subject of various interventions. The Millennium Development Goals (MDGs) propose to 'significantly improve'<sup>8</sup> their conditions. In Zimbabwe, President Mugabe's government has regarded shacks and shack dwellers as 'rubbish' while the Kenyan government regarded them as 'squatters'. The following case studies are drawn from long-term dialogue between the author and organizations working in slums/shacks. The case studies are drawn from slum/shack dwellers who reside in Harare, Zimbabwe and in Nairobi, Kenya. They illustrate how slum/shack dwellers as individuals and various organizations respectively, respond to the dominant modernist discourse and seek to chart the way they would like to be governed as urban citizens. This interest in studies of urbanism and the urbanization process is informed by 20 years' formation as a resident of Korogocho slums in Eastern Nairobi and current involvement in the leadership of the Pamoja Trust, a leading NGO working in Nairobi urban areas. What is evident in these case studies is an exposition of the ambiguity, fragility and inability of this term 'post' in dismantling the linear logic of 'development' and demarcating any significant historical or epistemological departure. It is a subject that has received adequate attention elsewhere<sup>9</sup>.

### *Harare, Zimbabwe*

The past two decades of misrule and plunder by ZANU-PF (Raftopoulos and Mlambo, 2009) in Zimbabwe has been a classic case of what Chabal and Daloz have called 'the political instrumentalization of disorder' (1999, p.43). This means the process by which political actors seek to maximize their returns on the state of confusion, uncertainty and sometimes even chaos. This kind of leadership by deceit (the politics of the belly) and plunder characterizes most contemporary

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<sup>8</sup> The goal is: "by 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers as proposed in the cities without slums initiative."

<sup>9</sup> Some of the incisive analyses on this subject have been made by: McClintock, Anne. (1992). The angel of progress: Pitfalls of the term "Post-Colonialism" *Social Text, Third World and Post-Colonial Issues*, 31/32, pp. 84-98; Straurt Hall 'Limits.

politics, more so in Africa. It is in the backdrop of these events and circumstances that the narratives from Harare can be understood.

The capital city of Zimbabwe, Harare, formerly Salisbury, was founded on racial segregation lines as a commercial and holiday habitation of the white population in 1890. To retain this vision, a master plan was developed and the colonial administration imposed restrictions on movement by African natives to the cities. These restrictions were later to be lifted with the transition to majority rule in 1980. The ‘Native Africans’ were thus granted at least on paper, the “Right to the City”. This inclusive thought together with the urban-centric development that followed, resulted in the rapid rise in the urban population of Zimbabwe from 23% in 1982 to 30% by the early 1990s (Raftopoulos and Mlambo, 2009). Despite this rapid rise, it was practically a situation where access to the urban area was expanded under the rhetoric of the ‘new’ modernity of the national project to more citizens while no space, in terms of housing and economic occupation and facilities, was created to accommodate the upsurge. Initially, the city was insulated from an upsurge of slums similar to what has been reported in post-colonial situations by two factors.

First, there was a stringent enforcement of building bylaws and standards<sup>10</sup> and secondly, the fact that most land in Harare is privately owned, starved the new urban immigrants of public land within the city surroundings<sup>11</sup>. Irrespective, the city of Harare soon become populated by small scale traders who used the streets, back lanes and pavements to erect their stalls and sell their wares. Several shacks soon appeared in the city peripheries and deserted farms. Some of the settlements included: Churu Farm, Killarney Farm, Mbare trading stalls, Epworth, Chitungwiza, Rusape and Hatcliffe amongst others.

On 18 May 2005, in what is claimed to have been politically instigated<sup>12</sup>, the government launched what it called operation *Murambatsiva* (Drive out Rubbish). In its statement, the government argued that *Murambatsiva* was a mere precursor to a yet to come Operation *Garikai* (rebuild). It argued that the presence of street vendors and informal settlements in Harare was a violation of the City’s master plan as guided by the by-laws and urban standards in Zimbabwe. In what

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<sup>10</sup> All these laws owed their origin and design to the colonial regime.

<sup>11</sup> See <http://www.everyculture.com/To-Z/Zimbabwe.html>. Accessed: August, 31, 2011.

<sup>12</sup> The politics here seemed to have been ZANU-PF’s strategy to deprive the opposition parties of the rich vote pool amongst the disenfranchised urban dwellers. As there is often de-lineation of who can vote where, moving this part of the population from the city was part of broader Jerry meandering politics.

appeared to be a typical narrative of the former colonizers, the government also suggested that the informal settlements around Harare had a large proportion of dwellers many of whom were not only unemployed but seemed to have had no intention of finding honest jobs<sup>13</sup>. Although the 2005 evictions were reported to be the most vicious and ruthless, they were not the only ones. The case of Wurayayi Magwidi<sup>14</sup> below demonstrates how the dwellers of informal settlements in Zimbabwe and street traders yearning for the promise of the “Right to the City” have encountered and engaged with the post-colonial administration.

*I am married with four children and seven grandchildren. Although my birth certificate says I was born in 1945, I was probably born in 1940, as my mother breast-fed me for 5 years and I was only registered when I began school. So I was born the same day I started school! I was born in Gutu, a traditional reserve. We were very poor, not just in money, for the soil is poor too. It was simply hard to live. We had to work for others doing odd jobs. Like herding cattle and labouring.*

*In 1966, I came to Harare to seek my fortune (it was then Salisbury). I was technically twenty-one or so. First of all I got a job as a garden-boy for a white family. They were English speaking South Africans. My pay was the princely sum of two pounds and five shillings. I lived at the back with the other house staff. After that I went into building construction as a laborer. I lived in hostels and flats. It was hard but I made good friends with other workers. When I met my wife, I asked her to be kind to me. And she was. So we stay well together. Bless her.*

*In 2005 the local government destroyed everything here. They moved us to Caldonia farm. They told us we had to get out because there was no water and sewerage or services on this land. But it was not so. Some of us who knew construction investigated. And we found water mains and sewerage pipes. They were here all along. So we came back! In the end the local government gave back the land to us. They say from conflict better things come.... But I still can't afford to build my house. The inflation is too high! I have built the foundation, but it's impossible to finish, there is no cement, no bricks and if there is, the price is too high. So I own the land and wait for better days. My great hope is to be a good man and to live a good life with my family. And have one or two friends.*

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<sup>13</sup> Such centimeters are not uncommon in the numerous colonial reports from what was referred to as the Commission of Native Affairs, see for instance *Rhodesia Colony: Native Affairs Department Annual Report 1927-34* (Nairobi, 1927-34).

<sup>14</sup> Wurayayi Magwidi narrates about life in Hatcliffe, Zimbabwe (Author's data).

The case of Magwidi demonstrates that the subject of slums is not a mere issue of housing. It has much to do with the historicity of modernity and the site of modernism. For Magwidi, Harare is the place that stands between him and a better future. This is a prophetic history that is supposedly shared in Zimbabwe's post-independence 'national project'. Having been excluded from the project or rather the project having become a mirage, he and other residents of Hatcliffe see the possibility of achieving this modernity within Harare through a different format and process. One such strategy is the gradual upgrading of his house. However, the municipal officials of Harare continue to act as zealous vanguards of the Harare master plan with a colonial blueprint which disallows a strategy such as the one being used by Magwidi.

In the long run, slum settlements like Hatcliffe are seen as mere informal and unplanned residential areas and not as a case of citizens struggling to create a new model of urban modernity. What is evident in Hatcliffe is a case where collective anger and misery are redirected as resistance and struggle against indignity. Magwidi's resistance is not hemmed into the status quo i.e. the master plan of urbanization and urbanism. Rather, it 'deforms', as Partha Chatterjee argues, and reconstructs the master plan. Thus in Hatcliffe, the master plan of Harare is redrawn, appropriated and its model of delivery re-designed by the slum dwellers. When academics, city planners and vanguards fail to recognize these creative models as legitimate expressions of urban modernism in the 21<sup>st</sup> century, the result is further marginalization and divestment of their dignity. Sites like Hatcliffe and incremental housing models as the one described by Magwidi have potential to accommodate the 'urban poor' but architects and city technocrats have described them as illegal cities (Lewis, 1973).

### *Nairobi, Kenya*

When it was established about 100 years ago as a transit point for the Kenya-Uganda Railways, British colonizers had envisioned Nairobi as the focal metropolitan for the East Africa protectorate. Until June 2007 when the government launched the Vision 2030 and the Ministry of Nairobi Metropolitan, the City of Nairobi has all along operated based on a Master Plan of 1948. The Master Plan aimed at shaping Nairobi in order to create the conditions for the economic, social and political modernization and development of the colony over the next 25 years. Although its major ingredients were racial and class segregation, it had integrated ideals that would award urban citizenship to the urban African élite in the long run. This was a functionalist model to create new citizens through

urban planning. To craft the plan, the colonial administration looked to South Africa and brought in sociologist Silberman to be part of what ended up as a multidisciplinary team. The other members of the team were architect Thornton White and engineer Anderson. Their mandate was to develop an urban plan that would be racially segregated and follow the 1944 Greater London Plan. Mechanisms such as pass laws and other discriminatory ordinances were used to restrict the number of people coming to Nairobi.

The post-independent government took forward the same functionalist and class segregated logic of the city through the 1973 Metropolitan Growth Strategy (MGS) that was funded by the World Bank, Nairobi City Council, the Kenya Government and the United Nations (Anyamba, 2004). From its implementation strategy and design, the MGS supported the new Africa elites and the burgeoning upper class. But the continuous marginalization of the new poor urban immigrants and strict city by-laws on housing did not deter immigration to Nairobi originally destined for Pumwani and Pangani<sup>15</sup>. By 1993, there were 40 slum settlements in Nairobi housing about 60% of city dwellers (Brown, 2006). In response, the Nairobi City Council organised a convention on the future of Nairobi.

Today there are over 150 informal settlements in Nairobi (Pamoja Trust, 2007). The largest of them is Kibera Slums where Margarete Atiemo Okoth resides. Most of Kibera dwellers are casual workers, security guards, househelps and small-scale traders either in Kibera or in the neighboring industrial areas and affluent estates. Small-scale trading dealing in foodstuff has evidently become a predominant occupation of slum dwellers. Initially mainly a domain of women, it is now a common space with men and women in open markets such as Toi Market around whose site the narrative of Ms. Okoth is scripted<sup>16</sup>.

*I was born in 1958 in Nyanza province, Siaya district. I am married with twelve kids (seven daughters and five sons). The first born daughter is married. We all live together at Mashimoni village in Kibera settlement. I got married in September 1974. Then in 1978 we came to Nairobi and lived in Huruma. In 1981 my husband lost*

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<sup>15</sup> The colonial administration had demarcated Pumwani and Pangani as the two Natives locations in Nairobi. Pumwani was the location set aside 'officially' for the natives who worked in the city whereas Pangani was the place where those who were evicted from the old irregular natives' settlements were housed.

<sup>16</sup> Margarete Atiemo Okoth narrates about life in Toi Market-Kibera, Nairobi – Kenya (Author's data).

*his job and we moved to Kibera. Kenya's job market is very insecure and we have to struggle together. So I started a business, which I had for two years at Laini saba.*

*In 1983, I came to Toi Market to do business. I sell second-hand clothes. I buy them in Gikomba. Sometimes I have to leave very early and go to the market. But it is dangerous, as where I live the security is not good, especially for women like us. An unpleasant thing happened when we were going as a group in Githunguri to buy greens to sell. I was pregnant, we did not know it was Saba Saba day (that is the day when the politics are at on all time high) we went to eat lunch at a café. Suddenly, administration policemen came and threw tear-gas and started shouting at us. A rubber bullet hit my back, I fell down and my eyes were painful from the tear-gas. I started running to look for water to relieve my eyes. We lost each other often, but fortunately, we all managed to walk to Muthaiga where we took a Matatu into town and got home. We were lucky to survive and meet again in the market.*

*We started Muungano in August 1996. We did so in response to the constant harassment by police and extortions by the Chief at the time. We were about twenty-nine federation members in Toi. Four of us were women. We formed Muungano17 to address human rights violations in Toi market. We demonstrated at the launch of AIC church to which the President had come. We made a long line and demands to the President to give us back the market. The President responded by saying that a market be built. The Asian foundation built a market of 192 stalls that we later discovered was not for us! So we filed a case in court and started our campaigns and solidarity links with other interested groups.*

*Muungano has enlightened me on how to unite with people for a common objective. It also has enlightened me on my rights. As a woman, I have learnt that owing to ignorance, women are very vulnerable in society. Muungano has mobilized women to come together and discuss issues around women and children that previously no-one talked about. Now I know that what I have worked hard for is mine and my family. Nobody should take away what belongs to my family. Through daily savings I have managed to save and access credit for expanding my business. I have educated my children with far less struggle than before. Character-wise it has developed my confidence to lead people and to be with people. I belong to the advocacy team. My husband has always supported me and never discouraged me. He gives me assurance which gives me courage.*

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<sup>17</sup> The *Muungano was Wana Vijiji* is a slums dwellers federation formed to galvanize the movement against evictions and for dignified and better livelihoods for the urban poor. See: [www.pamojatrust.org](http://www.pamojatrust.org).

*The main problems I see in our slums are congested houses and congested toilets. It is a health hazard. When someone gets sick we all get sick. Due to my big family, I rent three structures to fit my family. Sometimes my sons get informal or casual jobs that help to pay rent. I have always wanted my kids to live in a better environment. I love my daughter and I feel very uncomfortable when I mix them with my sons especially where water and sanitation is considered. We share one toilet between my family and a whole lot of neighbors. I fear for the security of my girls especially.*

The case of Okoth, in Nairobi, Kenya, is a nuanced description of how she got to live in the slums, her occupation and the challenge this poses to her reproductive identity and position. At a meta-level, Okoth makes a distinction between choices and agency. While she reckons that her choices have been stifled by material, political and social deprivation, Okoth asserts that the result has been more active agency. Her concern though is the indignity and fear of want that she and her household have to live with.

When Okoth and her spouse left Siaya for Nairobi they had expectations of finding well paying jobs and fulfillment of the prophetic history articulated by the 'new' modernity. Their expectations were short-lived. Okoth's husband found a job and at that time, they lived in a planned low income area of Huruma Estate (next to Pumwani). But once Okoth's husband lost his job, they moved to the sprawling Kibera slums. Henceforth, Okoth and other residents of Kibera have been engaged in sustaining residential and occupational areas that are not within the Nairobi master plan. Once more, they have had to deploy more active and visible agency in order to protect themselves from being edged out of the urban areas.

Their tools of resistance have been both strategic public picketing like the one that caught the attention of the President during the opening of an AIC church and the use of legal mechanism. The use of legal instruments is a notable strategy. The 'rule of law' from the conservative standpoint is to maintain law and order. In order to use the law in their favor, yet another deformation was required. A review of the legal suite by Okoth and colleagues is illustrative of a creative redefinition and 'deformation' of the law for it to acquire a jurisprudence of the propertyless in departure from the traditional standpoint of 'protecting property'. June Starr and Jane F. Collier (1989) have written an admirable and influential description of the kind of legal discourse used by the traders in Toi Market. From the standpoint of Starr and Collier, Okoth and her colleagues made asymmetrical power relations whereby Kenya's historical times were essential for their resistance. From this perspective, the lawyers in the traders' case reached

conclusions that were different from those of the lawyers and social scientists working without temporal or power dimensions.

The stalls which were under construction at the time Okoth and her group went to court, was part of a particular metropolitan vision for Nairobi. This was a Nairobi with prescribed order where only those who could raise predetermined capital would be allocated stalls. In other words, there was a particular kind of modernism developed and approved by the vanguards of urban modernism (represented by the Nairobi City Council). In the final analysis, the fact that Okoth and the group members of Muungano (a group that was formed as part of the resistance), still undertake their business from Toi Market, is illustrative of how weaker groups overcome obstacles created by legal order and meta-modernisms.

## Conclusion

Many post-colonial cities show impeachable evidence that grand narratives of emancipation, restructuring planning and grand cities have given way to narratives that depict 'new' appropriations, deformation, and contestations and in some cases rejection of the 'national project' and restructuring urban plans. This is a phenomenon that I have called 'the social life' of modernities (Akoth, 2008). My notion of the social life of modernities is a call to understand the social circulation of what Richard Wilson calls 'symbolic capital' of modernisms (Wilson, 2006). The appropriation of modernism by the subaltern, like Magwidi and Okoth, can be read in two ways. First, although unaffordable or even unachievable the subalterns see the 'master plan' as the reference point. Second, despite Magwidi and Okoth's narratives of threats or actual evictions at one point, the authorities in Harare and Nairobi seem to have accepted co-existence with the paralegal nature of these slum/shack modernities. In any case, slums/shacks are constituency which is very important politically. Although the discussion here has made these two individuals visible, we can tell that the way they exercise their presence in the urban areas is more from a collective or co-joined string of relationships.

This paper has used two narratives that can be read as life stories, a journal, or an autobiography. In an attempt to demonstrate that alongside the abstract promise of popular sovereignty (embedded in the nationalist 'national project'), people in Africa and indeed most of the world are devising and reclaiming mechanisms and space in which they choose how to be governed. I

therefore hold that it is both unrealistic and irresponsible to condemn all such paralegalism as evidenced in slums or shacks as not part of the capitalist modern state in Africa. The two cases used here tend to demonstrate the struggle between the ideal metropolitan (post-colonial nationalist project) on the one hand and the invisible appropriation by the urban poor on the other hand (Asdar and Rieker, 2008).

By insisting on the permanence of Toi Market as Okoth does and the irrevocable place of Hatcliffe as Magwidi does, these individuals and the collectivities within which they work engage in a critique and successful modification of an otherwise hegemonic epistemological space of urban planning and urbanism. These are similar to the daring actions of imperial resistance that gave rise to the independence nationalism. The narratives of Magwidi and Okoth are of resistance to non-inclusiveness in urban citizenship and the hegemony of the 'master plan'. Magwidi and Okoth represent the 're-birth' of the same political subjects only under different circumstances which call for new tactics.

A number of reasons speak to the 're-birth' of these political subjects at least in the 21<sup>st</sup> century. Most prominent are: (1) as a historical agent, the landless working poor have no track record and thus have not been discredited as the post-colonial African elites; (2) the working poor and unemployed shack/slum dwellers have been rapidly growing to the point of eventually encompassing the metropolis like Nairobi and Harare as a whole; (3) unlike other differentiated classes, urban dwellers have been subject to collective punishments, more so expressed in actual or threat of evictions, imposing on them a collective or imaginary identity that often transcends ethnicity, religion, language and other axioms of political identity; (4) they have shown proclivities of militancy in resisting and responding to forced evictions; (5) for reasons of militancy and developing a 'paralegal system', the slum/shack dwellers have been defined as subversive, 'illegal' and encroachers who are a threat to the metropolis order; (6) the subject of their existence and their presence as a critique to nationalists' promise of the 'National Project' has lately been a subject among many scholars. Some of these scholars have proposed that the new forms of urban modernism and urbanism 'produced' by slum dwellers should be the basis of re-interpreting the social and political reality of post-independence modernisms.

If the urban slums have brought an end to the nationalist meta-narrative and developed new formations, we may also want to interrogate how the re-birth of these political subjects have positioned their struggle. The story of Magwidi and Okoth illustrate defiance, persistence and optimism of a people divested of their dignity and 'robbed' of their citizenship. But it also underlies a deeper

assertion of legitimacy. Read from the standpoint of the State, their actions go against the principle that ‘every citizen *appele ou saisi* on the basis of the law (and here we have the master plan being enforced by the law), must immediately obey or be deemed guilty of ‘resistance’. Primarily, on establishment of a sovereign state based on the will of the people, the right to resistance does not exist. But that the people pre-date the State would imply that if the State fails in its promise to deliver, then ‘the people’ can reclaim their rights to resist.

Even though such an action may be deemed subversive, the activation of resistance at the very least attests to the residual right that ‘the people’ have before they develop the new relationship with the State – as citizens. The right to resistance deployed by Magwidi and Okoth is therefore a residual right triggered, as Bobbio says, “...at the moment in which government’s authority (moral, legal or political) and the relationship between the citizens and the state (as evidenced in urban authorities of Nairobi and Harare) but *de facto* and based on rule by the strongest” (1993, p. 109).

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# Slum Upgrading: The Muungano Wa Wanavijiji Vision

Ezekiel Rema

## ***Abstract***

*This article explores the concept of slum upgrading as understood by Muungano wa Wanavijiji (MWW), a federation of slum dwellers in Nairobi (hereafter referred to as Muungano). It discusses different issues related to slum upgrading projects in Nairobi in two ways: through a description of what slum upgrading means to Muungano and through an interview with Ezekiel Rema, Chairman of Muungano and one of the eighteen founding members of this federation in 1996, who shares the various aspects of Muungano's activities and experiences in the slum upgrading process. In conclusion, the article presents some lessons and recommendations, as suggested by Mr. Rema, on how to achieve a veritable slum upgrading.*

## **Slum Upgrading according to Muungano Wa Wanavijiji (MWW)**

Slum upgrading means improving the life of people in the informal settlements through provision of water, infrastructure, socio-economic activities, decent structures among other facilities. The term “slum upgrading” refers to the access to basic rights and security of tenure for communities in need, which have survived for many years without adequate housing and basic rights. This is the definition that was agreed upon in the international conventions on human rights in the United Nations (UN) guidelines.

However, for Muungano and the slum upgrading victims, this term means eviction. Past experiences, witnessed by those in areas where these projects have taken place, have seen communities left homeless, landless and with no property and means of livelihood because the projects have always involved corruption. Consequently, communities are always against slum upgrading whenever the Government proposes it. For example, the Kibera slum upgrading has not picked up from the time it was launched seven years ago. Furthermore, this Government initiative on slum upgrading has never worked well because there is no slum upgrading policy to guide implementing bodies.

In order to probe the issues and implications surrounding slum upgrading, the following interview with Mr. Rema sought to establish Muungano's strategies in this process, their achievements and the challenges they face in the course of promoting civic awareness on land rights and decent housing for slum residents. Muungano's contribution to the wider Kenyan reforms on slum upgrading is also highlighted in reference to key national issues of the recently promulgated Constitution and related land and housing policies.

### **Interview with Mr. Rema, Chairman of Muungano**

***j) What are the strategies that Muungano uses to sensitize the civil society, the Government and the public in understanding what is needed to secure and to protect land rights of people living in slum communities?***

Muungano has employed various strategies in its sensitization campaigns with regard to land rights. First, we gave our proposals during the National Land Policy formulation process, which focused mainly on the regularization of the informal settlements. The policy recognizes that land is not for private ownership but recommends accessibility of land to each Kenyan. This policy calls on the National Land Commission to make land accessible to all land users without any discrimination.

From 2002, Muungano started involving the Government in its activities so as to share Government policies with the community and the Ministries of Land, Housing and Local Government. In this way, Muungano was able to gain considerable influence to obtain land, for free, from the Government. We also created land banks for the poor to access land in the city, where it is very expensive. Muungano also managed to advocate for housing incentives which were incorporated in the policy that guides the community on how to access money through housing cooperative societies.

Currently, Muungano is participating in the development of the Land Use policy, the Urban Development Planning Policy and finalizing the Eviction and Resettlement Guideline. Muungano has been and still continues to lobby the Government to put appropriate measures for the long-term resolution of the slum problem.

***ii) Do you work with other Non-Governmental Organisations (NGOs) which support the formulation and implementation of slum upgrading policies? How many other NGOs in Nairobi or in Kenya share similar goals to Muungano's?***

Yes we work together with other NGOs in the formulation and implementation of slum upgrading namely Pamoja Trust, Shelter Forum, Haki Jamii, Amnesty International, Kituo Cha Sheria, Cohre, Umande Trust, Kenya Land Alliance and the Kenya Human Rights Commission (KHRC).

Muungano is a member of the Civil Society on Land and Housing Coalition where we participate in meetings, forums, seminars and workshops to deliberate on issues affecting our communities and to find ways of dealing with these issues as a coalition. For instance, we are actively involved in the development of policies so as to contribute to the debate on these reforms while offering effective and well-informed policy and legal options to the slum upgrading process.

***iii) Who are your main donors in slum upgrading projects?***

Muungano is a social movement that advocates for development and security of tenure in slums. The saving schemes are a key donor for the federation through daily savings for housing projects. Moreover, Akiba Mashinani Trust (AMT) acts as the financial wing of the federation through fundraising from international donors who give loans for our housing projects.

***iv) What are your views on the new Constitution, particularly Chapter 4, article 41(1)? Did Muungano participate in the development of this new legal framework?***

Chapter Four of the new Constitution contains the Bill of Rights and Article 41(1) talks about each person in Kenya having the right to fair labour practices. Muungano participated in giving views in various forums and forwarded proposals to the commissions. We were all interested in seeing the recognition of our informal businesses, residential and other rights. As Article 41(1) recognizes this fair treatment by the authorities, it also serves our interests.

***v) According to you, is there a strong relationship between land governance and slum upgrading? If yes, kindly explain.***

Yes, there is a relationship between land governance and slum upgrading. The community must get assurance from the land offices that the land proposed

for development is the same land where this development shall be. We have seen houses worth millions pulled down because of poorly planned projects and lack of understanding between developers and the land offices.

***vi) To what extent are the land policies in Kenya taking into account the slum issues?***

The house/land policy is giving the guideline on how the government should solve the problems/issues of slums. The Land Policy (p.50) provides for strategies dealing with slum issues.

***vii) To what extent is Muungano involved in the National Land Policy? What do you think of Chapter 3.4.1.5 of this National Land Policy?***

From 2004, when the process of developing the National Land Policy was initiated to the time it was passed in 2008, Muungano has been involved in this process with other social movements such as the Kenya Land Alliance and Haki Jamii. We mobilized the public in all regions regarding these national land policy documents. We held two rallies in Kisumu and in Mombasa and when we were on our way to Rift Valley, at Nakuru, the Parliament passed the National Land Policy the same day.

Very specifically, Chapter 3.4.1.5 of the National Land Policy addresses the informal sector and the ways in which the Government should plan for informal sector activities in both urban and rural areas. Due to the gravity of lack of employment in the country, the Government should support the country's economy in an active way. The policy states that the government should plan for and support the access of space and people carrying out their activities without any harassment from the State or private developers. As pointed out earlier, Chapter Four of the Bill of Rights of the new constitution clearly states in Article 40(1) that individuals/groups can own property in any part of Kenya without any kind of discrimination.

Guiding principles on land allocation for settlement and previous allocation are also given in the policy's Chapter 3.5.3. Usually, no considerations are made for the poor when land allocation is done therefore, Chapter 3.6.9 is crucial as it outlines issues of informal settlements. Overall, this land policy states the measures the Government will take to solve the problem of informal settlements countrywide namely: taking an inventory, as a first step in knowing how many informal settlements exist and on which land and establishing whether it is public or private suitable for human habitation in order to plan settlements.

The Government is also expected to put measures in place to prevent the growth of slums. This necessitates a good community participatory system and consultative process to avoid conflict.

***viii) Are slums integrated in the physical planning policies of Kenya? Do you have some particular strategies on how the rapid growth of slums in Kenyan cities and towns can be managed as a result of urban poverty, high costs of living, obscure land allocation-systems and insufficient investment(s) in new low-income housing?***

Previously, physical planning in Kenya never considered the interests of slums but the National Land Policy (Article 3, 6.9, p. 50) states that the Government shall set programmes to address the issues of informal settlements and the state of their working condition. In this context, measures to be taken into consideration are:

- The government should first understand the state of informal settlements by conducting an inventory exercise in all slums countrywide;
- The creation of awareness, to squatters, of those lands which are not suitable for human habitation;
- Identification of land for relocations after consultations with the beneficiaries;
- Dispute resolution committees;
- Provision of basic services to those who are occupying public land while planning for upgrading with the community.

Muongano has strategies in managing the rapid growth of slums in Kenya as it operates in municipal towns and other upcoming urban centers. Nationally, we organize the communities around issues of basic rights e.g. land and housing while initiating negotiations with local authorities for land allocations. In order to gain financial independence, we encourage communities to form saving groups where they can use their daily/weekly savings for small businesses and housing. We also organize for exchange visits to those settlements that have managed to do housing projects. This is aimed at helping our people to learn and to have confidence in the federation approach to resolving issues of unemployment and lack of low-cost housing.

***ix) According to you, which is the best way to improve the environmental conditions in the slums? Do you have some examples of this?***

The issue of environment in the slum upgrading discourse is very critical. My view is that the government, through the Ministry of Environment, should first identify spaces within the slums that can be used as garbage collection centers instead of allowing dumping on the roadside. Ablution blocks should be built along the rivers to discourage those people who drain pit latrines into rivers and communities should also be encouraged to care for their surroundings. For instance, tree planting can be done through bi-monthly public meetings in the villages. In this way, people will understand the importance of the environment and they will begin to protect it like in Kibera. On Karanja road in Kibera, the youth there are manning the road and preventing the haphazard dumping of waste. Previously, residents used to dump waste along the road which eventually resulted in conflicts among the residents. These are some of the environmental aspects that need to be urgently taken into consideration so as to upgrade slums in an environmentally-conscious way.

***x) After 10 years of Muungano's operations, do you think that you have exerted some influence in slum upgrading policy formulation and reforms?***

Yes. Muungano has greatly influenced the development of the slum upgrading policy even though it has not yet been realized. The Government uses the slum upgrading guideline to carry out slum upgrading projects. As it is not a legal framework, slum upgrading projects continue to fail. Due to public demand, the Government has accepted to start the process of developing the slum upgrading policy.

***xi) What are Muungano's achievements with regard to slum upgrading in Nairobi?***

In Nairobi city/county, Muungano's members are now occupying their own houses in five informal settlements i.e. Kambi Moto, Gitathuru, Mahira, Kahawa Soweto and Ghetto village. Other settlements, for example, Mashimoni, Mabatini and Marigu-ini are negotiating on this issue with the relevant authorities where we have slum upgrading in partnership with the Government through the Kenya Slum Upgrading Programme (KENSUP).

The slum upgrading programme has so far worked without much conflict between the structure owners and tenants which can be attributed to Muungano's efforts. The success of Muungano lies in its bottom-up approach which is in sharp contrast to the Government's top-down approach. We encourage participation through meetings with the stakeholders to discuss critical issues like land ownership, individual access to a house and house size (depending on the

land size). The community is involved in land enumeration and it uses the enumeration reports to engage or negotiate with the local authorities on future developments whereby greater participation is ensured through allocation of different roles to various teams in the communities.

While negotiating with the relevant authorities, the community organizes mobilization activities targeting the whole community and it raises money through a daily savings system. In the same meeting where savings are submitted, members also come up with house designs in a process known as “house dreaming”. Each member comes up with his/her house model and shares it. Eventually, one house model is chosen by all the members after taking into consideration the land size and the total population. After choosing one house model, an architect assists the members of the community in professionally designing the house model. This facilitates easy approval by the local authority planners.

During the house construction, the community forms a procurement committee and a working programme/timetable for members to provide unskilled labour. This helps them to reduce the cost of construction which is very expensive for the poor individual. Pamoja Trust, a not-for-profit organization that seeks to promote access to land, shelter and basic services for the urban poor, formed a financial wing known as Akiba Mashinani Trust (AMT) to give credit financing to those groups/schemes that have projects such as house construction, land buying and for small business loans to Muungano members only. In this regard, Muungano has expanded its activities to a national level and in all municipalities, by mobilizing communities to come together and start savings for housing through housing co-operative societies which have incentives from the Ministry of Co-operatives as guided by the Housing policy and bill.

***xii) According to you, have you succeeded in facilitating strategic linkages between groups and stakeholders at different levels in support of slum upgrading efforts?***

The federation has helped in creating linkages with other stakeholders like those in informal settlements. We have housing projects where the issue of structure owners has been solved because the majority of residents in slums are poor. We encourage them to contribute daily savings to raise funds and loan each other money for small businesses and eventually, for housing so as to improve their living conditions.

*xiii) In your opinion, what is the main difficulty in the formulation and implementation of slum upgrading policies in Kenya? What is the main challenge?*

The main difficulty in the formulation and implementation of slum upgrading policies is that the government has not yet mandated the Ministry of Housing to start the process of developing the slum upgrading policy. They have a guideline which was developed with public participation but when KENSUP tries to implement slum upgrades using it, they tend to experience difficulties. Among some of the main challenges we can mention are:

- The Government tends to address land ownership issues in isolation from the communities. It should do so together with the communities before initiating housing projects to avoid conflicts that hinder the process;
- Lack of funding to improve low-income housing: the Ministry of Finance should increase funds to the housing sector because it is a national disaster;
- Lack of civic awareness. There is a great need to sensitize the community on slum upgrading so that they support the projects;
- Weak partnerships with the private sector: since the private sector engages in house development and the Government finds it easier to let them handle this, it may consider housing as its priority in budget allocations.

*xiv) What lessons and recommendations can Muungano share in order to achieve a veritable slum upgrading?*

**Lessons Learnt**

- Bottom-up approaches in slum upgrading increase the chances of a successful slum upgrading as communities participate in all the steps and house allocations are done in a fair, transparent and consultative manner;
- With government assistance, communities in informal settlements can raise money and access loans from micro-finance banks and conduct housing project without fear of eviction(s);
- Community participation and provision of labour by the slum resident enables them to gain skilled labour. This involvement has also reduced age, financial and gender discrimination in informal settlements where Muungano has done slum upgrading as everyone, including women, is equally and actively involved.

- Projects are completed with this approach and the community's concerted efforts. The housing construction takes a short time to be completed because it is the beneficiary who builds it. They are motivated and they give their best in order to get a new home;

## **Recommendations**

- In order to minimize the housing demand in urban areas, the Government should:
- Develop the slum upgrading policy;
- Increase funds for housing and provide housing incentives through the annual national budget;
- Involve communities from inventory/enumerations, planning to the implementation of slum upgrading. When all stakeholders are well informed about the project, no conflicts will arise during the slum upgrading and the project shall be achieved. In addition to this, when issues of land ownership are solved, it is easier for the community to have confidence in their investment(s);
- Invite other development partners to support slum upgrading since it is a national programme, even those communities with rural needs have a right to benefit from slum upgrading;
- Identify land for those who are situated in vulnerable areas. Evictions should be stopped and measures be established on how to re-settle squatters occupying private land, riparian, road, railway and power line reserves;
- Provide appropriate technology that will facilitate low-cost material which the common citizen can afford;
- Review building codes and develop slum-friendly codes;
- Coordinate housing development countrywide for both Civil Society Organisations (CSOs) and the government;
- Regularize all informal settlements to give communities residing on the land confidence in housing development;
- Provide training for skilled labour for the informal settlements;
- Facilitate exchange programmes for an improved learning process, both locally and internationally, where best practices on slum upgrading are found.



# Community Voices in Sustainable Slum-Upgrading Processes: The Nairobi People Settlement Network (NPSN)

Humphrey Otieno

## *Abstract*

*This article presents the slum upgrading activities of the Nairobi People Settlement Network (NPSN) beginning with an historical background of this movement. It focuses on the participation of the community in these processes through highlighting NPSN goals, achievements and challenges in contributing to sustainable slum-upgrading programmes.*

## **Background**

The Nairobi People Settlement Network (NPSN) is a community social movement that was initiated in 2003 and officially inaugurated on 10 December, 2005 during the celebration of Human Rights Day in Korogocho. The network emanated as a result of numerous evictions in the early '90s and early 2000s in urban areas in Nairobi, Kisumu and Mombasa, among others.

NPSN is a cooperate national umbrella organization which draws its members from the informal settlements comprising of self-help groups, women groups, youth groups, faith-based institutions, non-formal educational institutions, hawkers and orphans' organizations. Currently NPSN has a membership of 126 groups in Nairobi and 260 in other urban areas in Kisumu, Mombasa and Garissa. NPSN also has links with other settlements in Kakamega, Busia, among others in the country.

For NPSN to achieve its goals, the network has divided its programmes into five different thematic areas to address the issue of housing rights as follows: (1) land and housing (addresses issues related to housing including slum upgrading, policy and legislation tenure ship, land acquisition, ownership and other physical housing issues); (2) education (framework on adequate housing, lobbying legislators and

law makers on residents rights to free primary education); (3) health (issues of overcrowding in the settlements, infectious or deadly and preventable diseases e.g. TB and skin infections, lack of health facilities); (4) water and sanitation (lack of water sources, high costs of purchasing water) and (5) environment (overcrowding, lack of garbage disposal sites, poor drainage systems and poor road infrastructure). In order to achieve these goals, NPSN has four programmes: (1) capacity building; (2) information gathering and dissemination; (3) advocacy and lobbying and (4) networking and linking.

**Figure 1:** Marking Human Rights Day



Source: NPSN (2008)

**Figure 2:** Land policy forum, Kitale

Source: NPSN (2008)

## Defining Slum Upgrading

According to NPSN, rehabilitation or ‘upgrading’ aims at tackling any one or more of the problems related to informal settlements. However, since no two settlements are the same, there is no fixed way of resolving these issues. Any process of slum upgrading requires careful analysis of the local situation and adaptation to its unique circumstances. This requires the involvement of the residents in design, planning, implementation, monitoring and evaluation.

Slum upgrading is subject to local decision-making and can include anything from technical improvements to socio-political arrangements. The following list displays some of the most common issues addressed in slum upgrading programs:

- Legalization of tenure status for sites and houses, including regularization of rental agreements to ensure improved tenure;
- Provision or improvement of technical services e.g., water, waste and waste water management, sanitation, electricity, road pavements, street lighting;
- Provision or improvement of social infrastructure such as schools, clinics, community centers, playgrounds, green areas, etc;
- Physical improvement of the built environment, including rehabilitation/improvement of existing housing stock;
- Construction of new housing units (housing construction can but does not necessarily form part of upgrading schemes. Often enhancing and rehabilitating the existing housing stock is much more sensible and effective and can be achieved at little cost through legalization of tenure status or regularization of rental agreements);
- Design of urban development plans (e.g. the rearrangement of sites and street patterns according to infrastructure needs, although working within existing settlement patterns is generally less disruptive to community networks. This measure sometimes entails resettlement of some residents);
- Changes in regulatory framework to better suit the needs and opportunities available to the poor, taking into consideration the existing settlement patterns;
- Densification measures (e.g. multiple-story houses in order to protect fertile land from being occupied for settlement) and de-densification due to partial resettlement.

The universally accepted notions of justice, equity and fairness imply that every member of society should be provided with a level playing field in terms of opportunities for the development of their potential and optimization of their welfare. Far from being an outcome, “equity” is a process built upon the concept of equal opportunity and space where individuals or a collective segment of the society can share freely without intimidation and define what they see or perceive as measures that will bring about change that they want and not imposed on them. According to Roemer, (Roemer, Wright and Anerson, 1996) equity demands an “equal opportunity policy”. He argues that although individuals bear some responsibility for their welfare, they are also affected by circumstances over which they have no control. Public policy should therefore, aim at equalizing advantages among people from groups with different circumstances and increase

the fairness of social processes. If the outcomes then turn to be unequal, they are still fair.

### **Why Focus on the Voices of Communities?**

The broad rationale, to focus on community needs, is based on systematic review of empirical evidence that residents in these settlements have immense knowledge, understanding and rich experience of their situation in sectors. The aim is to draw national and international attention to this critical issue which has a negative impact by depriving them their right to participate in social development and denies them access to social justice and national development which has lasting and intergenerational implications for the society.

**Figure 3:** Community residents during evictions at Dam Village



Source: NPSN (2008)

### *Community Slum Upgrading Goals*

Residents of informal settlements have the following goals with regard to their participation in slum upgrading processes:

- i) To ultimately be the designers of the units to be constructed;
- ii) To ultimately be the implementers of the projects and to evaluate and monitor them to ensure compliance with the set standards i.e. the definition of adequate housing in the International Convention on Economic Social and Cultural Rights (ICESCR) and the Building Code;
- iii) To prevent further slum mushrooming, forceful evictions and to re-introduce the concept of social housing for low-income earners;
- iv) To measure government commitment in reduction of slum polarization and demonstrate respect of human rights;
- v) To ensure residents living in informal settlements own the process.

### **Planning and Designing Slums in Nairobi**

The process of housing and settlement in Nairobi has a long history that dates back to the late 60's, 70's and 80's and early 90's which witnessed to a change in leadership and governance. It was not until 1995 when the civil society, with the support of vibrant Faith Based Organisations (FBOs) lead by missionaries, began to question the motive and intention of the State to settle a number of evicted residents from different parts of Nairobi and its environs.

Today, there is a big shift in this process, from when the NGOs and FBOs took the lead, to grassroots communities taking up the imitative and leadership. From putting pressure on state agents to working in collaboration with government departments in fulfilling developed plans for sustainability, NGOs and FBOs are now engaged in capacity building and resource allocation. People-based advocacy has been used as the basis for engaging communities that have been victims of forced evictions. These communities are mobilized and empowered with skills on various components such as formation of savings groups, data gathering including mapping, enumerations and use of media. They then deliberate on construction material and develop community procurement procedures, making all the decisions for themselves.

## Challenges in Slum Upgrading

- Complexity of issues within the informal settlements: Serviced land, lack of basic services such as water and sanitation, health, energy, education. Generally, lack of social and physical infrastructure.
- Ethnic tensions: When issues of slum upgrading arise, communities often tend to re-group along ethnic lines while others evict tenants who are not from their ethnic background.
- Tenants and structure owners: On the one hand, housing arrangements in the settlements are mostly verbal without any guidelines/contracts therefore, tenants are vulnerable to evictions. On the other hand, structure owners are denied access to their property by tenants who evade rent payment.
- Security of tenure and legality: The settlements are situated in reserved or riparian areas; this means that the designations are for expansions of infrastructure owned by the State or private corporations.
- Government bureaucracy on approvals: The housing approval process is so complicated and has to go through different arms of the government before it is accepted, worsened by corruption or counterfeit or fake documentation.
- Funds: Lack of allocation of funds by the government during its annual resource allocation has a direct impact on housing and specifically, on the slum upgrading process. The government has not prioritized housing as one of the key factors determining the socio-economic state of the country.

## Lessons Learnt

- High profile beneficiaries in government frustrate the slum upgrading process to suit their interests. Some politicians, senior civil servants and businessmen and women are known to be absentee structure owners or professional squatters.
- Varying opinions in matters of project design, priorities and beneficiaries' opinions. Other contentious areas are also in different economic, social, political and cultural values of the community.

## Recommendations

The bottom-up approach is a key pillar in the slum upgrading process. In the light of the current situation, the lessons that have been learnt and the challenges that have been experienced; the following areas need to be taken into consideration to ensure further success of these efforts:

### *Programme Implementation*

A land and housing programme is currently being undertaken under the leadership of NPSN in collaboration with Civil Society Coalition on Housing, UN-HABITAT, Embassies of different countries specifically in the European Union (EU), donors, the private sector, the Kenya Private Sector Alliance (KEPSA) with support from key government departments, research institutions and the media. This has resulted by changing negative perceptions and demystifying the concept on slum upgrading.

Social exclusion denies certain groups equal access to resources (economic, cultural and political) and prevents them from enjoying the same opportunities as other groups to improve their living standards. Thus, there is need to refer to the Economic Social and Cultural Rights (ESCR) framework with regard to:

- i) Participation of the community in analysing the impact of specific and thematic issues such as water and sanitation, education, among others;
- ii) Accountability: to ensure that the information relayed or disseminated to the community is accurate and informative so as to prevent false/inflammatory statements by politicians, government departments or individuals masquerading as private developers;
- iii) Application of the non-discrimination principle in all aspects to discourage discrimination along gender, ethnic or economic status;
- iv) Empowerment of the community to enable them to question gaps, in legislations and policies, and help them test their capacity in engaging with policy makers and implementers by raising concerns not being addressed by the public;
- v) Linkages with partners/agencies on best practices for the success of such programmes. It prepares communities for the foreseen or unprecedented occurrences, challenges and provides for quick solutions and maintenance of the required local, regional and international standards on housing issues.

*Upholding Dignity*

Adequate housing is fundamental to survival and to living a dignified life with peace and security. The right to adequate housing was recognized in the 1948 Universal Declaration on Human Rights and is entrenched in a number of international human rights instruments, including the International Covenant on Economic, Social and Cultural Rights (ICESCR). The ICESCR became law in 1976 and is now legally binding in 154 countries, including Kenya. In Article 11(1) it states that: “The State parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and for his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions” (UN, 1976).

The Covenant emphasizes that State parties must take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent. According to the UN Committee on Economic, Social and Cultural Rights, which oversees the ICESCR, in order for housing to be adequate it must provide more than just four walls and a roof over one’s head. It must, at a minimum, include the following elements, all of which directly pertain to slum upgrading:

i) Security of Tenure

Security of tenure is the cornerstone of the right to adequate housing. It protects people against arbitrary forced eviction, harassment and other threats. Residents of informal settlements and communities without legal security of tenure live in a constant state of uncertainty, which keeps them from investing time, effort or money into their homes. Providing security of tenure is therefore key to successful slum upgrading strategies. For example, robust advocacy intervention among communities, NGOs and FBOs, in the case of Korogocho, Kambi Moto and Tanzania Bondeni led to land acquisition and approval by the local authorities after the communities presented their plans.

In settlements with a majority of owner-occupiers, tenure security can be provided relatively easily by granting land leaseholds or title deeds. In settlements with a majority of tenants, other systems of tenure security must be found that benefit the most vulnerable instead of commercial slumlords. It must also be borne in mind that rental accommodation is sometimes preferable for very poor people who may not want the extra burden of ownership and therefore regularization and control of rental status will be required.

## ii) Available Services

Adequate housing requires access to basic services such as potable drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, food storage, refuse disposal, site drainage and emergency services. For housing to be considered adequate, inhabitants must also have adequate space and protection against the cold, damp, heat, rain, wind, threats to health and structural or environmental hazards. Technical standards are a key issue to be addressed in this context. If technical improvements are not made within the range of the target group's ability to pay, they can lead to displacement of the lowest income groups in the community. Therefore technical standards of housing may need to be reduced, at least in the short-term.

## iii) Affordable Housing

Housing must be affordable for everyone. One of the key challenges in slum upgrading is ensuring that improvements do not lead to increased housing costs and therefore displacement. However, fulfilling human rights in the context of slum upgrading does not mean, that State or local authorities are under the obligation to provide free services. On the contrary, some slum upgrading approaches have relied nearly exclusively on the target group's resources (for example, slum upgrading projects organized by slum residents in Kambi Moto and Kahawa Sukari). Ensuring successful slum upgrading requires constant attention to the budgets of the affected communities and the charges and prices associated with the project. Affordability is key to any upgrading process, particularly when it comes to operation and maintenance of new installations, so while reducing standards where necessary to allow an existing population to remain in place can be a positive step, reducing standards which then leads to an increase in maintenance costs should be avoided.

## iv) Physical Accessibility

Housing must be accessible to everyone. Housing law and policy must ensure that housing needs of the most vulnerable groups in society are met, including women, the elderly, the physically challenged, children etc. Where housing markets fail to address this, slum upgrading programmes can support the most vulnerable population by improving the urban environment in which they have their homes.

#### v) Suitable Location

For housing to be adequate it must also be well situated so as to allow access to employment opportunities, health care services, schools, childcare centres and other social facilities. It must also be located in an acceptable environment, not, as is often the case, in environmentally hazardous areas such as dump sites, steep slopes or flood prone areas. Though low-income settlements usually lack public facilities, it has been recognized that strong social networks play an immensely important role in alleviating this deficit as well as in creating employment opportunities. Slum upgrading, as opposed to relocation, should make sure that social networks are maintained and distances to the work place are kept reasonable.

#### vi) Cultural Adequacy

The right to adequate housing includes a right to reside in housing that is considered culturally adequate. Slum upgrading programs that do not consult with the target group prior to any improvement actions run the risk of not being accepted by the community due to cultural inadequacy. It is therefore advisable to agree upon improvement measures by engaging in dialogue with residents. For example, in some areas of Kenya, informal burial grounds are commonly kept next to the home, resulting in extraordinarily strong personal attachments to specific housing sites. Traditional planning instruments such as site redistribution or the reorganization of the street layouts are therefore potentially hampered and must be reconsidered.

### **Conclusion**

In my experience, upgrading of the urban environment of low-income settlements encompasses a variety of components. The main issues are political will from the authorities, land tenure, financing and institutional arrangements, including how stakeholders, particularly the marginalized and vulnerable, can participate in decision-making processes. It is important that the political will to carry out an upgrading process comes from an idea of improving the standing of a community, rather than a desire to rid an area of an 'eyesore'. Successful slum upgrading is a long-term process rather than a political project; it must be supported by all stakeholders despite conflicting interests.

This process involves carrying out extensive surveys, preferably by the residents themselves in order to understand what the norm in terms of living conditions is and what ideas the residents may have of how this could be improved. Women's involvement is particularly essential in this process as they tend to not only be the social 'glue' but also the residents who have invested most in the homes and their environment. If the upgrading process is not favourable, the often suffer more. Part of a slum upgrading process may be simply to make provision for further increases in population by making land available with services for low-income residents. This will decrease pressure on those settlements which are already in existence, making the upgrading process easier to manage.

Usually, tenure regularization is the first step towards achieving any substantial improvements as without some form of regularization it is unlikely that there will be investments made to improve either services or housing. It is also an essential element of the human right to adequate housing. One option, which lowers the likelihood of speculation, is land sharing agreements, whereby land titles are not given to individuals but are held in trusts. This also helps to avoid the commodification of land. Infrastructure deficits, especially concerning water supply and waste water and sanitation management, are also important issues to be addressed. While access to potable water is vital to human survival, functioning waste and waste water management systems also help to secure an adequate standard of health.

Nevertheless, the desire to achieve the technical goals in slum upgrading processes should not be the main focus of such initiatives. It is equally important to enable communities to contribute to urban management issues on a regular and institutionalized basis. This not only requires effective community organizations but also the cooperation and political commitment of local governments and administrations.

## References

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# The Influence of the Tenure System to the Physical Environments in Nairobi's Human Settlements

Peter Makachia

## *Abstract*

*Tenure has often been cited as the underlying reason for the wanting physical state that defines slums in Nairobi. The contrary view is that secure tenure would bestow physical environments befitting urban spaces. These positions are hardly well-supported empirically, and in fact physical depravity persists broadly across a spectrum of tenure options. This paper aims to identify the variety of land tenure systems in the slum environments of Nairobi and ascertain if this influences the physical qualities of these neighbourhoods. The underlying question is whether the spatial qualities, inside and outside the dwelling units (DUs), that prevail in slums relate to the tenure system of the settlement. The proposition is that the tenure contributes only peripherally to the physical environments in human settlements. Thus, regardless of tenure system, 'slum' conditions are unavoidable at various stages of a householder's economic progression. The findings in the paper largely support this view.*

## Introduction

With regard to this study, literature analysis of the human settlements in Nairobi was critical in isolating the 'slum' conditions across the city. Empirical data was captured from the 2009 National Census, which was further confirmed in the case of *vijiji* (villages) in low-income human settlements. The choice of case strategy was aimed at unearthing a guiding rationale relating the physical qualities of the spaces and the underlying tenure systems from slum environments in Nairobi<sup>1</sup>. The theoretical part of this paper is structured to present the intricate tenure systems under which slums thrive and the physical conditions under which large proportions of households across the city live, relying on definitions on classifications from the census.

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<sup>1</sup> Slums are unregulated housing developments on legal, quasi-legal or illegal land, and that demonstrate visual physical depravity to formal urban design.

Out of the 12 villages that this study investigated, five were selected as units of analyses, representing various tenure regimes based on the theoretical discourse. The tenure characteristics ranged from the quasi-legal with Temporary Occupation Licenses (TOLs) that were instigated by the government and the privately instigated Land Buying Companies (LBCs) and land buying cooperatives. The legal aspect was either private with individual freehold titles or public on government land. The illegal aspect was squatting on public land. The presentation of empirical work was précis descriptions accompanied by several visual images of maps, photographs and figures. Themes discussed included the physical quality of materials used, services provided as well as predominant functions. The villages' tenure systems varied within the frames defined in the section of legal (private/public), quasi-legal (TOL/LBC) and illegal squatting (Table 1).

Some scholars identify tenure security as necessary for sustainable upgrading and other interventions (Majale, 1995 & De Soto, 2000) but hardly offer any supporting empirical proof. Participatory planning (Majale and Payne, 2004 & Majale, 2008), for sustainable upgrading, is also considered a prerequisite, a position which can be supported and probably a stronger proof of 'ownership' than the alternative official deeds. One can relate the concept of 'slums' to their existence in the 'city landscape is of spontaneous origin' (Stokes, 1962) in the modern city. This is as espoused in the early industrial city based on the narrative in 'The City of the Dreadful Night' (Hall, 1990, pp. 13 – 47). This spontaneous origin led to appalling physical environments that typify a modern slum in Nairobi.

**Table 1:** Village Characteristics

<b>Village</b>	<b>Tenure</b>	<b>Tenure System Description</b>
Gitara-Marigo	Quasi-legal	Resettlement area for Mukuru dwellers, close to Dandora Site & Service Scheme
Kangemi-Sodom	Legal	Private land that was formerly rural Kikuyu (of Kiambu District) homesteads that was incorporated into the city boundaries through expansion. Developments have been made to accommodate tenants from Western Kenya, mainly the Luhya.
Mihang'o	Legal	Private land, acquired through land buying co-operative society and ownership is through share holdings.
Githogoro	Legal/illegal	Mostly privately owned land but some squatting on public land (road reserve). It is located on urban fringe and its development is due to urban sprawl.
Majengo-Pumwani	Quasi-legal	Early 'African location', where dwellers were allocated 'stands' using Temporary Occupation Licenses (TOL). Swahili house typology used in all dwellings.
Mji-wa-Huruma	Illegal	Squatting on public land
Kibera-Makina	Quasi-legal	Land allocated to Sudanese soldiers who served in the colonial British army. Initially occupied by Nubians of mainly Muslim religious persuasion. Tenants are predominantly from other Kenyan communities.

<b>Village</b>	<b>Tenure</b>	<b>Tenure System Description</b>
Mukuru	Illegal	Squatting on public land in areas adjacent to industries. Largely multi-ethnic dwellership.
Kibera-Soweto East	Illegal	Squatting on public land, largely land invasions and encroachment on railway reserve and other public land. Mainly Luo tenants with Kikuyu slum lords.
Mathare - 4A &B	Quasi-legal	Authorised squatting on public land through populist presidential order. Settlement never legalised but dwellers believe they have the rights to inhabit the area even without documentation. Dwellership mostly Kikuyu. A subject of up-grading to create order, quasi-legal inhabitation as in 4B.
NTID	Quasi-legal	Emerged as a labour camp for road construction workers in 1974 (NTID = Native Industrial Training Department)
Kaloleni	Legal	City Council of Nairobi (CCN) rental estate that has been transformed through dwellers' initiatives of extensions of 'temporary' dwelling units.

Source: Peter Makachia

However, not all such city sectors of spontaneous origin qualify as slums even among city authorities. Indeed, dweller-initiated transformations in formal estates of Nairobi in middle-income neighbourhoods are justified by their social, physical and economic rationality rather than being condemned (Makachia, 2010). Others refer to them as 'affluent informality' as opposed to 'survivalist informality' (Anyamba, 2006) of the lower-income city sectors of the emerging Nairobi's 'informal urbanism' (Anyamba, 2011).

## Land Tenure Systems in Slums

In the formal system, there are three distinct categories of land: Government, Trust and private land (Yahya, 2002) that are variously qualified in slums. These were categories defined in the former Kenya Constitution when all urban slums emerged. Private land is for individuals and so-registered with freehold title-deeds or leaseholds (Cap 300). Government land is owned by the government on behalf of the public (Cap 280) whereas Trust Land is communal under the trusteeship of the county councils (Cap 288). The former is for public purpose and government-use and administered by the Commissioner of Lands. Trust land is utilised by local residents for agriculture, pastoral-use and by individuals; often guided by customary laws and rights (Table 2).

**Table 2:** Basic categories of land ownership in Kenya

Land category	Ownership	Type	User	Government Legislation
<b>Government Land</b>	Government on behalf of the public	Utilized Unutilized Un-alienated Reserved	Government use; General public use	Government Land Act Cap 280; Administered by Commissioner of Lands
<b>Trust Land (Communal)</b>	Trusteeship under county council (customary laws and rights)	Utilized Unutilized	Local residents' various uses e.g. agriculture, pastoral, self etc.	Trust Lands Act Cap 288
<b>Private land</b>	Private individuals	Freehold and leasehold tenure	Registered individuals and organisations, various uses	Registered Land Act Cap 300

Source: Yahya, S. S. (2002). *Community Land Trusts and other Tenure Innovations in Kenya*.

In slum environments, dwellership is often re-defined. In addition to the legal, there are illegal and quasi-legal systems. For the illegal occupation, the terms often used are squatting and 'land invasion' (mostly used in Latin American cities). In this context, the quasi-legal refers to authorised occupation though not legalised through issuance of leaseholds or title deeds. In this respect two categories exist: Temporary Occupation Licenses (TOL) and share certificates in Land Buying Companies (LBCs). In these cases there are various authorities that

include politicians (e.g. Presidential orders), party (e.g. the Kenya African National Union, KANU) and local administration (e.g. Chiefs).

The TOL is an interesting tool of land access as it bestows the Commissioner of Lands authority to allocate un-alienated land for individual use. The CCN acts under delegated authority to administer TOLs that include way-leaves, reservations and other public utility land that is unutilised before the allocation. For the poor, the most common avenue of accessing the TOL involves the local administration, the Chiefs; a scenario bereft with extortion and corruption at the grassroots in the name of issuance of annual permits for temporary structures. That these TOLs are issued for largely informal activities involving trade, light industry, schools and worship places located in residential areas to complement the residential function (Yahya, 2002), contributes greatly to the 'slumification' of the city as their temporary nature can only imply use of non-durable materials and technologies.

LBCs and land cooperative societies emerge at the city periphery and are meant to enable the individual membership access land cheaply, often because of the location and lack of services. Further, it is often subdivided illegally to avoid prohibitive CCN planning standards. Often such sub-divisions are not supported by the issuance of a title-deed, and where such deeds are still held by the company the shareholders are treated "as 'tenants at will' and may be ordered to quit as directed by the company if they have not completed paying the purchase price" (Yahya, 2002, p. 254). LBCs and land cooperative societies are avenues for other managerial problems and hardly offer the security most dwellers desire. Further, since these settlements are outside the city's planning zones, the developments are unrestrained by formal standards which constitute a recipe for slum formation.

Outside the quasi-legal tenure, instances of slums are witnessed in legal tenure systems that are both private and public concerns. The freehold tenures in areas formerly deemed rural but now deemed urban due to city boundary expansion are examples of privately formed slums. Here, instances of demand for urban accommodation have led to the emergence of these slum environments. Similarly, estates formed through legal processes like CCN Rental Housing are also subjects of recent slumification through Dweller-Initiate Transformations (DITs). Table 3, gives a theoretical classification model for tenure systems within which slums emerge. Thus, whereas one understands why slums emerge from non-tenured systems in the non-legal/illegal dwellerships (squatting) landscapes, the same however is also observed in the legal and the quasi-legal alternatives.

**Table 3:** Tenure systems within slums

	<b>PRIVATE</b>	<b>PUBLIC</b>
<b>QUASI-LEGAL</b>	<b>QUASI-LEGAL</b>	<b>QUASI-LEGAL</b>
	LBCs      City periphery location	TOL Interstitial locations
<b>LEGAL</b>	<b>LEGAL</b>	<b>LEGAL</b>
	Private Formerly rural land	Public City rental/other low-cost schemes

Source: Peter Makachia

### Quality of Housing and the Physical Indicators of Slums in Nairobi

The slum in Nairobi is commonly defined physically when ‘temporary’<sup>2</sup> materials are used in an urban setting for housing. Unlike the rural setting where traditional settlements employ earth-based and organic raw materials in shelter, the urban setting often uses industrial materials (e.g. mabati i.e. CGI – Corrugated Galvanised Iron sheets) including recycled metal, cardboard, timber and timber off-cuts for walling. It should be noted that most of these materials, used as roofing finishes do not infer notions of ‘temporary’ or ‘slum’. Other than in the rural setting, few urban dwellings employ grass for roofing. Instead, the common organic roofing is palm leaves (*makuti*) for urban buildings, which are rarely however, for residential use.

Closely related to the ‘temporary’ concept of slums are the more positive views of ‘permanent’<sup>3</sup> and ‘semi-permanent’<sup>4</sup> houses. The former infers the use of durable materials often cement-based like masonry for walling and the floor. The roofing would thus be anything from CGI and other sheets to tiles (clay, concrete etc), timber shingles and slates. The ‘semi-permanent’ is commonly implied when walling is not from masonry and the roofing finish is anything but vegetative/organic raw material. A further clarification of the physical state of the

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<sup>2</sup> ‘Temporary’ commonly refers to building technology of non-durable materials, often mud and wattle walling and vegetative roofing like grass, reeds and *makuti* i.e. palm leaves used for roofing materials.

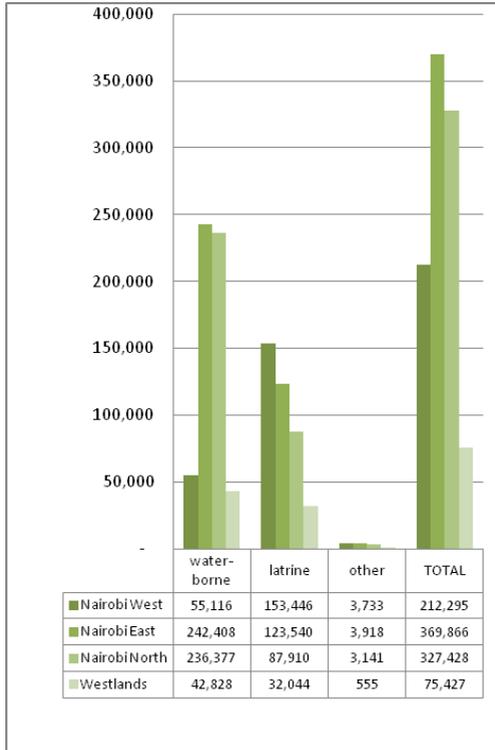
<sup>3</sup> ‘Permanent’ refers to building technology of durable materials, often cement-based, stone, and fired brick walling. These are materials that fulfil requirements of the Kenyan Building Code.

<sup>4</sup> ‘Semi-permanent’ refers to building technology of a mixture of non-durable materials, often mud/timber based, paper and CGI for walls.

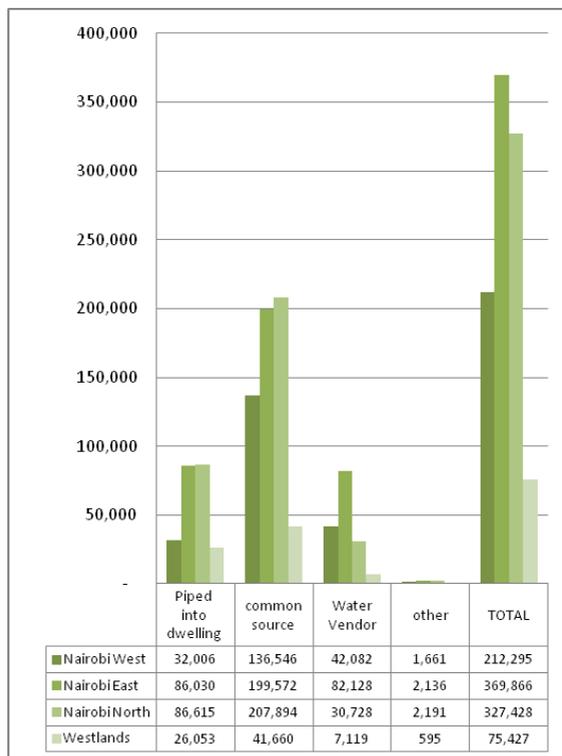
slum can be insinuated in the quality, propensity for wear and tear of the DU flooring. Again, this negative connotation is not commonly related to the rural dwelling that is often located on expansive land and lower population densities.

Other slum indicators relate to the mode of human waste disposal. Settlements that do not access water-borne sanitation are easily within this 'slum' definition for Nairobi city. However, this line is best qualified when high population densities are encountered as even some of the affluent districts like Karen and Lavington often lack these sewerage systems and rely on septic tanks and even cesspools. Another 'slum' indicator is the access to piped water. Slums mostly access water from communal points; either as a single collection point or from ponds, lakes, dams, streams, as well as roof rain harvesting.

**Figure 1:** Sanitation Type used in Nairobi households by district



Source: Government of Kenya, 2010

**Figure 2:** Water sources for Nairobi households by district

Source: Government of Kenya, 2010

These factors seen from the city of Nairobi perspective indicate ‘slums’ are not a preserve of specific residential districts but are widespread in all the city’s administrative districts. The report and Figures 1 and 2 on these indicators in Nairobi are based on the latest national census (Government of Kenya, 2010).

Thus, in Nairobi roofing is predominantly (99%) of ‘permanent’ construction from CGI, tiles, concrete and asbestos. For walling, 89% of households live in a DU with durable materials that excludes timber and earth/dung-based flooring. It is only in walling that the proportion of ‘temporary’ materials is significant with 39% of households not from masonry but from other materials that include mud-based, timber, CGI/tins and reeds/grass.

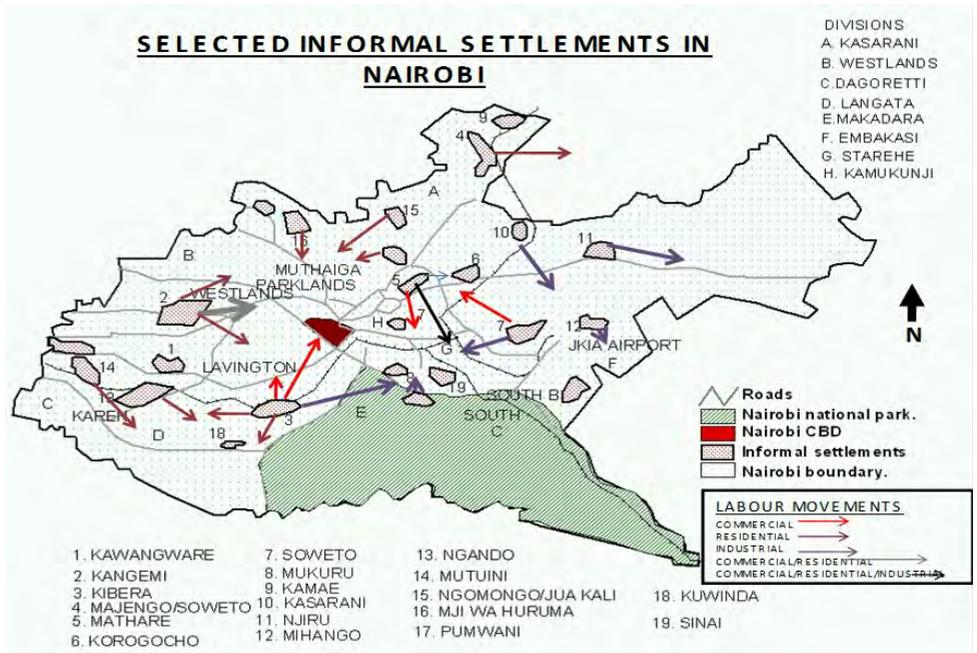
The other significant qualification is the access to modern waste disposal (Figure 1) like sewerage, septic tank and cesspools, where 59% of households are able to use the more hygienic options. The alternatives include pit latrines

(ventilated or otherwise), buckets and the 'bush', which account for 41% of human waste disposal systems. Similarly, the slum propensity is at its highest when access to clean water (Figure 2) is considered with 60% of Nairobians accessing water from common places like dams/lakes, ponds, roof harvesting and streams. A further 16% get water from vendors and only 23% have piped water within the DUs.

### The Case Study Villages

The total number of informal settlements keeps changing as some new settlements emerge near construction sites, factories, acquired land parcels from formerly private/agricultural land (northern periphery) or ranches (eastern zones) close to the city by LBCs and cooperatives. Villages within the settlements have never been documented and remain numerous and are fluid in number. Rapidly urbanizing peripheries also include the western zones which were predominantly private freeholds but are now developing housing to capitalize on the city expansion. The southern city periphery is spared by the protected National Park. Figure 3 shows the location of the city's informal human settlements.

**Figure 3:** Location of selected informal settlements in Nairobi



Source: Syagga (2001)

*Mihang'o Settlement: Slum on Quasi-legal Cooperative land*

Located on the eastern periphery of the city, bordering Kayole Site & Service (S&S) Scheme, Mihang'o is an image of a transforming settlement from unoccupied open land to settlement formation. This is typified by temporary dwellings mixed with semi-permanent and permanent modern structures. They are however informally contrived. It accommodates both owner-occupiers in nuclear family DUs and tenants in row room-housing. The tenure is of private ownership by individuals, acquired through a land-owning cooperative society, the Dandora Cooperative Society (Mihang'o-Ruiru plot-owners). The increasing prominence of permanent DUs reflects the increasing investment values and hence the formation of an urban human settlement.

The DU-technology was a mixture of temporary, semi-permanent and permanent structures (Figure 4). However, permanent structures were becoming more prominent due to relocation, into the settlement, by plot-owners. At the time of the survey in 2004, it was home to about 2,000 people. Among the services, water was available on site and some dwellers had illegal connections from which they sold water to others. No paved carriageways existed and storm-water drainage was not available on site (Figure 5). For domestic energy needs, no electricity was available on site and the dwellers used other means of energy including charcoal burners (jiko) for cooking and kerosene lanterns for lighting.

**Figure 4:** Ill-defined DUs in Mihang'o      **Figure 5:** Main road through Mihang'o



Source: Peter Makachia (2005)



Source: Peter Makachia (2005)

Though private at the time of the survey, no title deeds had been issued to owners and this accounted for the less-than active resettlement by plot-owners. It was felt their issuance would give the dwellers a sense of belonging hence the license to take better care of their environment. The second desirable intervention was the provision of trunk services which would further enhance values of individual plots and an improvement of dwelling types. Seemingly, this was a settlement in its formative stages and would soon upgrade with the provision of services. The openness of the settlement did betray typical slum models, even if the physical DU image was poor.

### *Mukuru: Illegal Squatting Slum*

Mukuru means 'valley' in the Kikuyu language. This valley along Ngong' River has difficult terrain, is prone to flooding and is largely used as a dumping site. The whole scheme consists of a group of 11 villages. The settlement dates back to colonial times and its dwellers are heterogeneous and from diverse ethnic backgrounds. Mukuru slum is located within the inner city and borders the Industrial Area to the North and East and South B housing estate to the South and West. The two maps in Figure 6 show the location of the settlement. Land is owned by the government or private corporations/individuals.

Figure 6: Location map of Mukuru

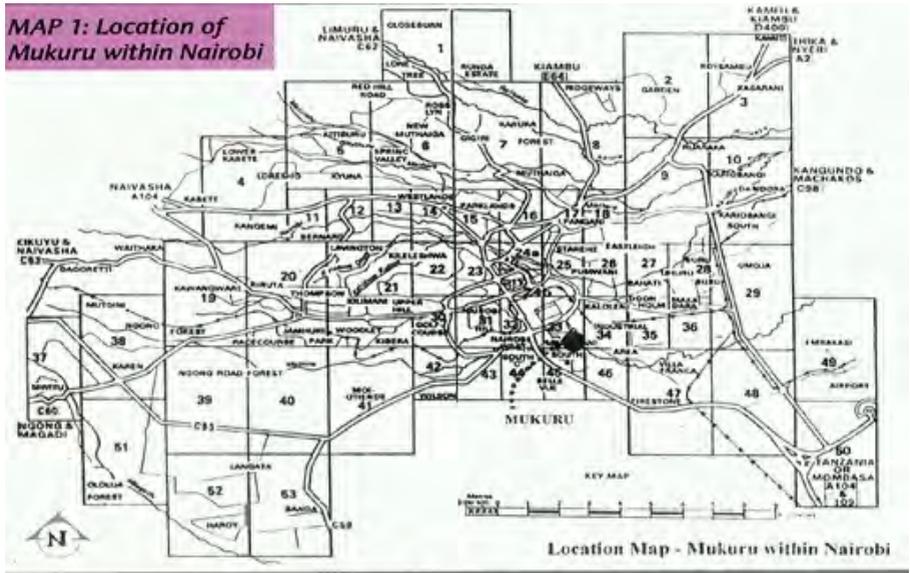
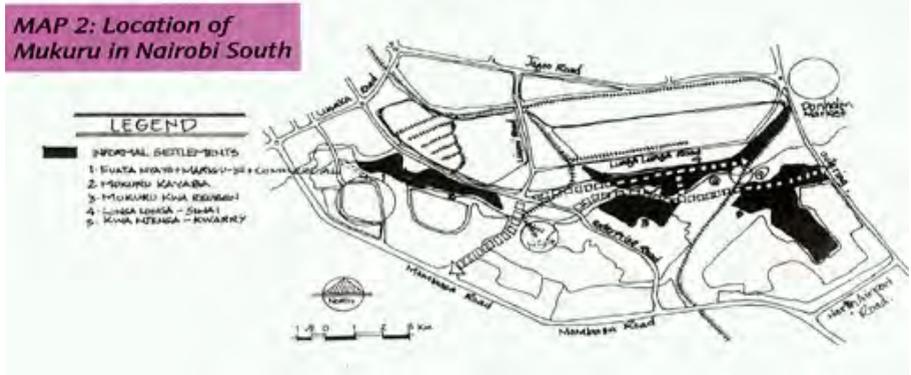


Figure 1: Base Map for Southern Nairobi



Source: Peter Makachia, 2004.

Large sections of the populace of Mukuru are tenants to slumlords who have developed the predominantly 'temporary' DUs. These DU-types are mainly of timber walling and CGI roofing. Semi-permanent (mud walls and CGI roofs) and permanent (stone walls) structures are rare. Most DUs have cement-screeded floors. Room-dimensions averaged 2.5 to 3 metres, defined using timber framework while the floor was mostly rammed earth. The DUs were aligned in rows of rooms and were separated by a passageway of up to 2 metres. The passage also served the purpose of disposal of foul water, laundry work and as play space for children. There was no evidence of edge-definition of 'owned' territory (Figure 7).

Shared water points, owned by the slumlords, were observed in open but narrow courts in-between the structure. Residents bought the water at 1 Kenya Shilling (KSh) per 4-litre container (USD 0.05). There were no sewer-lines and garbage dumping was into the Ngong' River, traversing the settlement (Figure 8). Human waste disposal has been the main concern of any external body concerned with addressing the Mukuru situation.

**Figure 7:** Mukuru - Use of timber for DU walls



Source: Peter Makachia (2005)

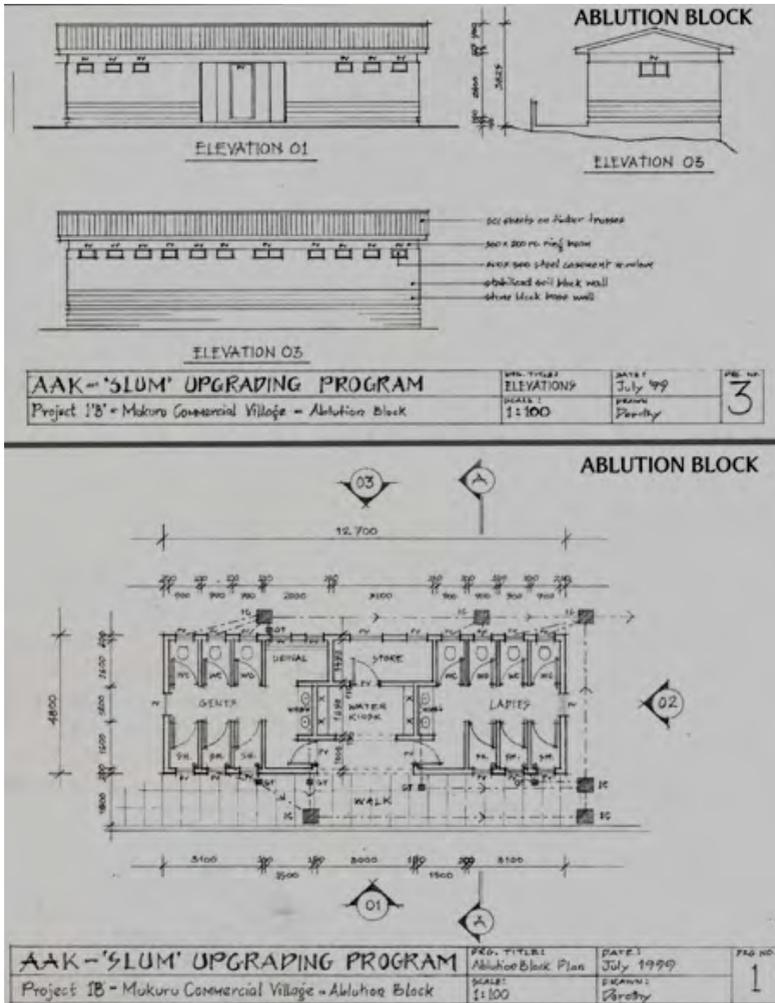
**Figure 8:** Mukuru - Ngong River



Source: Peter Makachia (2005)

Figure 9 illustrates drawings of a proposed commercial toilet block by Architectural Association of Kenya (AAK) in 1999 in place of the common makeshift alternatives (Figure 10). The high density, coupled with the lack of proper sanitation was the most perverse image one got from Mukuru. This could have been promoted by the illegality of squatting on public land and demand for shelter in proximity to the employment source of Industrial Area.

Figure 9: AAK proposal for Mukuru ablution block



Source: AAK (1999)

**Figure 10:** Informal community toilets

Source: Peter Makachia (2005)

*Sodom Village: Slum on Freehold Tenure*

Sodom is part of Kangemi slum which was incorporated in the city boundaries after independence. This slum sprouted to quench demand for low-income rental housing in the city and as the interplay of the city with its high-income neighbourhoods of Loresho, Mountain View and Lavington. The informal housing was provided by the land owners from their rural homesteads hence remain freehold tenures acquired through inheritance. Sodom is located approximately 12 km from the Central Business District (CBD) off Waiyaki Way (Figure 11), in a swampy lot below Kangemi shopping centre. It neighbours other villages such as Kitoka, 23, Dallas, Shienyu ni Shienyu, Shangilia, Express, 84 and Bottom-Line. A significant proportion of the original dwellers lived within the compounds with tenants and they practiced subsistence farming (Figure 12) especially in uninhabitable parcel sections.

The mixture of traditionally owned dwellings and those for tenants has generated rows of single/double roomed rental DUs with land owner dwellings at one end, creating courtyard typologies (Figure 12). Other layouts show detached owner-DUs separated by an open court used for shared activities such as laundry and meetings. Storied masonry units have been put up by more affluent landowners. Such apartments are better serviced and therefore cost more to rent (Figure 11). A few commercial typologies were observed where shops were located at the ground level, with the residential DU on the upper level.

The village had high DU density (Figures 11 & 12) with over 200 units per hectare. Each room unit housed a family-use module, and at most two such units could be used by a family. Such families include parents with 2 – 4 children, single parents with children, and even single people who shared row room housing. DUs were mainly ‘temporary’ and erected variously from CGI (walling/roof) or timber board walling.

**Figure 11:** Sodom from Waiyaki Way



Source: Peter Makachia, 2005.

**Figure 12:** Green space and urban agriculture in Sodom



Source: Peter Makachia, 2005.

Monthly rents depended on the unit typology and the services provided. For instance, an un-serviced bungalow DU attracted KShs 1,000 (USD 11) monthly while KShs. 3,000 (USD 32) was the monthly rate for the serviced flats. The CCN was unheard of with regard to services and as such the residents maintained their own areas. Garbage collection was neglected and water was available only on given days of the week at the land-owners direction and discretion. Outside this arrangement were vendors selling water at KShs 3 (USD 0.03) per 20-litre Jerri-can. Some social amenities, available in Sodom, were provided for through private initiatives. Vigilante groups provided security in addition to a Kenya Police presence.

Open drains that also function as “irrigation channels” for swamp agriculture were observed. Footpaths linking the highway with the greater Kangemi were littered with garbage. Without sewerage provision, sanitation was mainly by pit latrines. Within Sodom, all roads were un-graded and earth-based but linkages elsewhere were through public transport minibuses (matatus) that plied tarmac roads to the rest of Kangemi and the CBD. Electricity was available along main market streets and also where commerce was concentrated. Lack of serious positive investment in the physical environment on the privately owned

land defeated conventional logic, although evidence of gradual upgrading was in the offing (conspicuous with the permanent blocks of flats sprouting from the rest of Kangemi, beyond Sodom}).

*Majengo Pumwani: The TOLs of the 'Swahili village'*

The location of Pumwani was where indigenous Africans were first ever permitted to erect DUs based on an African typology; the Swahili type (Stren, 1978). A few postcolonial projects have been undertaken aiming to delete the negative history of African urbanisation but none manage to eliminate the physical and social presence of Pumwani, or more precisely – the Majengo slum. The name Majengo originates from Swahili word meaning “constructions”. Majengo was initially at the peri-urban location of the city, and with time it became closer to the CBD. Land in Majengo is owned by the government and was allocated in 1941 as ‘stands’, where dwellers were provided water points, defined plots, a circulation network and drainage. Indeed, it was a ‘site and service’ scheme in the colonial era. The plot or ‘Stand’-occupation was by a Temporary Occupation License (TOL).

The Swahili DU-type based on the coastal/Islamic lifestyle (Hake, 1977) was initially constructed using mud/wattle walling and CGI or other metal sheet roofing. It is multi-faceted in use (commercial/residential), occupation (single/extended-family or tenants) and in construction technology (temporary/semi-permanent/permanent). Moreover, it is transformable to accommodate more rooms but sharing a common ‘wet service core’ (Makachia, 1995; Shihembetsa, 1995). A typical room in a Swahili house<sup>5</sup> was used for living, dining, storage, entertainment, visitors, bathroom and commercial activities. It is a 4 by 3 metre room with 1 by 2 metre bed-space.

Most are crowded with different family members of all ages and gender. The DU corridor is a versatile space that acts as a transition between the street and the room and it is used as a multi-family kitchen and laundry space. Other uses include: a sleeping space, storage and social meeting area during funerals. The streets (Figure 13) act as meeting points for commercial activities, play and

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<sup>5</sup> A multi-family house typology commonly used along the East African coast and was the only African dwelling typology permitted in urban settlements in East Africa (Stren, 1978).

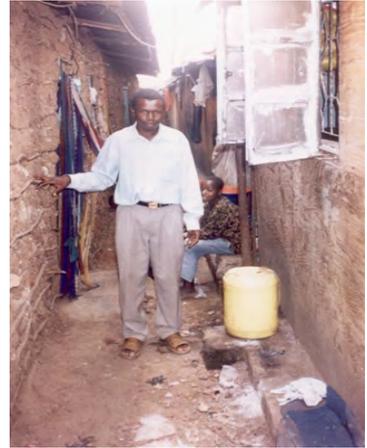
relaxation. However, the houses abut each with narrow in-between corridors (Figure 14). Water points are communal and act as socializing points and are managed by vendors who charge for the commodity. The foul water drains made of concrete or stone blocks are located between the DUs and the major streets. CCN public toilets, built from permanent materials, are evenly spread in the settlement.

**Figure 13:** Majengo streets spaces between houses



Source: Peter Makachia (2005)

**Figure 14:** Majengo - Narrow multiple pitched CGI roofing



Source: Peter Makachia (2005)

Sadly, communal bathrooms lack water and are mostly used as urinals. The WC cisterns are long-damaged and the toilets are but 'pour-flash' systems. The settlements demonstrate some long-held space-use values despite its crowding, physical and social depravity. Efforts of translocation of the dwellers into modern flats came a cropper more than once during the postcolonial era. This came with erection of the California Flats in 1969 and the National Housing Corporation (NHC) apartment projects in 1980s to date. These alien typologies offer solutions outside of the income brackets of the original dwellers. Further they create alien spaces in the high-rise 'street' that counters the socially more amenable horizontal streets in the original Swahili Majengo.

*Kaloleni: Informalisation of the Formal*

Kaloleni is located on the Eastern part of Nairobi, about two kilometres from the CBD. It is now an inner city residential neighbourhood because of the rapid expansion of the City. Constructed between 1945 and 1948 (Ogilvie, 1946; Hake, 1977; Nevanlinna, 1996 and Anderson, 2002) through colonial grants, it is now a CCN rental housing scheme. The CCN owns 27 residential estates in Nairobi (Olende, 2001).

Kaloleni has been described as a 'model neighbourhood unit' (Hake, 1977, p. 56) and was developed to house the native Kenyans following the recommendations of Mortimer who chaired the African Housing Committee (Mortimer, 1946; Ogilvie, 1946) that was tasked to address African urban housing needs. The estate was located on an expansive open layout aimed at creating environmentally suitable spaces. However, the DUs were small, between one and three rooms and an adjoining ablution/kitchen unit. These features were catalytic to extension in two ways: first the open un-alienated space was appropriated by the dwellers for expansion of the domestic space. Secondly, this expansion was instanced by the paucity of the space within the provided DUs that proved to be inadequate for the households. It is common to assert that the resulting physical quality was due to the continued ownership of the estate by the CCN. Nevertheless, the villages (in the present study) illustrate that this is hardly the case, and the physical depravity is best viewed as a transitory state.

The main feature of estate-wide DITs (Dweller-initiative transformations) was accommodation of commercial and social functions. However, close to the DUs are residential extensions that also mirror the slum image of 'temporary' technology. The most obvious transformations observed in the estate were informal-use activities and erected from 'temporary' technology (Figures 15, 16 & 17). Other features included transient activities like hawking commonly housed within temporary stands and locations, scattered estate-wide. This type of kiosks dotted circulation nodes and the estate's edges (Figure 17).

Kaloleni's transformations were informal and used temporary materials creating a slum aura. This sadly typifies most public rental housing within the city. Motivated by the economic gain and encapsulated in physical form, transformations by dwellers were a choice that realised the slum conditions that now define the estate. The extensions create higher density neighbourhoods from the 'temporary' technology and further congest the infrastructure including water and sewerage system.

**Figure 15:** Inside extension courts

Source: Peter Makachia (2010)

**Figure 16:** 3D model

Source: Peter Makachia (2010)

**Figure 17:** Kiosk extension

Source: Peter Makachia (2010)

A social feature of the Kaloleni DITs was to create a new socio-physical entity in a mini-court to redefine the expansive courtyards in the clusters. Thus, the findings show a breakdown of cluster level community action and the emergence of this newer physical socio-economic entity around the unit as illustrated in Figures 15 and 16. This however was often of deprived physical quality and further 'slumified' the neighbourhood (Figures 15, 16 and 17).

The unique aspect of the Kaloleni depravity was the economic dimension of the social rental dwelling strategy in public housing. This was rooted in the fact that the rents were highly subsidised which made the units attractive for the low-income bracket and were in close proximity to the Industrial Area and the CBD. This lent the DUs suitable for sub-letting and created a new layer of 'land lord' tenants, possible from the extended houses.

The sub-tenant arrangements in rental housing have earlier been reported from Kenyan urban rental housing market (Andreasen, 1987). In the Kaloleni case sub-letting was mainly realised in added spaces. This was largely because the provided spaces were not adequate for the household size. The tenancy arrangement meant the added units were of low technological value since the property was still owned by CCN. By commission or omission, the utilitarian and pragmatic solutions by dwellers in Kaloleni have succeeded in qualifying the scheme as a slum out of the social rental scheme it was meant to be. The solution may be inherent in bestowing more rights to the dwellers. The evidence may not be obvious given the lessons from other low-income schemes.

## Conclusion

The case villages are but a synopsis of the physico-environmental conditions prevailing in the informal settlements of the city of Nairobi. Common to all is the informality in the technology employed in the dwelling forms, settlement development, circulation arteries, and services provision. Significantly, despite the variety of tenure options, the results cascade towards the same slum physical formations of depravity in the use of transient technologies. This demonstrated the limits and extents of physical functionality for the economically stretched populations.

At the dwelling unit level, the multi-functional nature of the dwelling space within the rooms implied the need to permit flexible spaces in the design of dwelling rooms for the low-income. Indeed, the functional separation whose objects are often privacy and exclusivity within separated room-spaces was reduced to non-importance. This functional depravity was further reiterated in the technological depravity of the DUs, often manifested as 'temporary' technology of CGI that was environmentally vulnerable and amenable to arson attack or fire accidents.

At planning level, the layouts were mainly dense with narrow passageways which demonstrate the extremities of common space use. This was further compounded by the dangers in the event of natural and man-made hazards in the slum conditions of Nairobi. Key to the layout is access to services of water, sewerage, foul- and storm-water drainage. The evidence in the slums hardly points to a solution from within the settlements. However, it is imperative that we look at some pointers to the root causes of the problematic tenurial status of the settlements. Indeed, most of the cases were rooted in informality of squatting on

public or private land. Those that were of legal and private tenure hardly demonstrated more regulated conditions.

At layout level, in Sodom, the separation of the owner-occupied dwelling and the tenants showed some modicum of respectability. Indeed, the shared spaces were for the services like water supply and the pit latrines and these were often intervened by a decent open space and/or passageway. Whereas the rental typology was composed of linearly aligned row-rooms, the owners had DUs for a nuclear family set-up. This however created hierarchical values of owner and tenant which do not augur well for harmonious settlement formation.

The lesson that emerges therefore is increased security of tenure accords territoriality within the control of the plot-owner; a condition not possible within the illegal dwellings of the government land inhabited through squatting e.g. in Mukuru. In the quasi-legal dwellings such as in Majengo, one noticed the use of the Swahili compound form to accord some semblance of spatial order with hierarchical orders, separating owners from dwellers and the shared amenities.

The cultural roots of the rationale can be exploited fully with other housing rights. Unlike the rental typologies, the culture of sharing demonstrated in the Swahili typology should be emulated across the board in determining the DU typology for low-income settlements. Indeed, the linear row DUs, unconfined within a shared territory led to the dysfunctional relationships amongst dwellers common in the slums. This emanates from the lack of tenure and the squatter mentality, best exhibited in Mukuru.

The security of tenure that implies freehold titles is not an obvious solution to the removal of slums. Instead a modicum of respect for dwellership in the form of enhanced tenancy rights, for instance, may offer more respect for positive physical qualities in slums and other low-income settlements. For both tenants and structure owners, the quality of the environment is only assured with this enhanced security. For the owners, access to market finance instruments will be easier; while for the tenants, better quality of the environment is assured with increased rights.

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# Land Tenure in Slum Upgrading Projects

Paul M. Syagga

## *Abstract*

*This paper gives an overview of slum upgrading in Kenya observing that slums are a major urban housing phenomena in Kenya that require immediate attention. Rather than demolishing them, which renders many people homeless, they should be upgraded through tenure security and infrastructure improvement so as to provide a better living environment for the residents currently living in the settlements.*

## **Introduction**

According to the United Nations Human Settlements Programme (UN-HABITAT), a slum is a contiguous settlement where the inhabitants are characterized as having inadequate housing and basic services. A slum is often not recognized and addressed by the public authorities as an integral part of the city (UN-HABITAT, 2003). This is one of the reasons why little data on slum dwellers can be found. In addition, a slum household is defined as a household that lacks any one of the following five elements: (1) access to improved water; (2) access to improved sanitation; (3) security of tenure (the right to effective protection by the state against arbitrary, unlawful eviction); (4) durability of housing (including living in a non-hazardous location) and (5) sufficient living area (no overcrowding).

Slums sometimes seem to emerge overnight, compacting humanity into filthy, densely packed areas with poorly constructed and often dangerous homes. Due to rising population, especially in urban populations, the number of slum dwellers is growing. In the late 20<sup>th</sup> century, slums have exploded worldwide becoming a cause for serious concern among humanitarian organizations as an alarmingly high number of people live in regions which could be considered slums. Table 1 shows the slum growth in selected developing countries.

**Table 1:** Slum growth in selected developing countries

COUNTRY	SLUM ANNUAL GROWTH RATE %	SLUM POPULATION (000)	SCENARIO 2020 WITH NO CHANGE
Angola	5.28	3,918	10,677
<b>Kenya</b>	<b>5.88</b>	<b>7,605</b>	<b>23,223</b>
Nigeria	4.96	41,595	76,749
South Africa	0.19	8,376	8,677
<b>Uganda</b>	<b>5.32</b>	<b>3,241</b>	<b>8,904</b>
<b>Tanzania</b>	<b>6.16</b>	<b>11,031</b>	<b>35,561</b>
Brazil	0.34	51,676	55,074

Source: UN-Habitat (2010/2011). *State of World Cities: Bridging the urban divide*.

If nothing is done to stop the current trend, the current number of approximately 1 billion people worldwide living in slums and informal settlements is expected to rise by 1.6 billion by the year 2020 and to 2 billion by 2030 (UN-HABITAT, 2008). In African, Asian and Latin American cities, slum dwellers comprise of over 50% of the total population. As seen in Table 1, each of the three countries in East Africa registered an annual slum growth rate of over 5%. In Kenya, management of slum areas has undergone three distinct development paradigms. From 1895 to the 1970s, the approach to slums development consisted of demolition and eviction of slum residents. However, the more they were demolished, the more they increased in absence of alternative accommodation. Elements of this approach are still recognizable in many urban settlements of Kenya today.

The second phase marked the entry of international pressure and civil rights groups in the 1980s which made Kenya begin to slowly recognize the need to improve slums with funding mainly from multi-lateral agencies. This process was challenged, particularly during the international development phase in the 1990s, by structural adjustment programmes (SAPs). These SAPs did not only remove subsidies, but they also required State governments to play facilitating roles rather than be involved in project implementation. When the second and third urban projects (Nairobi, Mombasa, Kisumu, Thika, Eldoret, Nakuru and Nyeri) were completed in early 1990s, public housing development including squatters upgrading and site and service schemes stalled but slum development continued to an extent that more than 50% of the population of Nairobi, the capital city, now lives in slums. Following the Habitat 11 Conference in 1996 at

Istanbul (UN-HABITAT, 1997), the international community re-evaluated the worsening housing situation and reiterated the need to accelerate the pace of facilitating adequate housing and security of tenure for all. This heralded the third phase marked by the shift to acceptance and integration of slums in development concerns from the 1990s. This was reinforced by the United Nations (UN) member states' adoption of the Millennium Development Goals (MDGs), in the year 2000, that address essential dimensions of poverty and their effects on people's lives. It was observed that an urgent need for coordinated policies and actions related to slum-upgrading, environmental management, infrastructure development, service delivery and poverty-reduction was needed at large. The MDGs articulate the commitment of member states to improve the lives of at least 100 million slum dwellers by the year 2020<sup>1</sup>.

### **Characteristics of Slums in Kenya**

Slums in Kenya are usually referred to as informal settlements. Of the total urban population of 32.4%, the slums accommodate more than 50% of the urban population in Kenya (Government of Kenya [GOK], 2009). Many people view slums as the ultimate symbol of inequality and in many parts of major cities such as Nairobi, slums have ended up in some very unexpected locations, sometimes neighboring up-market estates where they provide a pool of labour in form of house helps, gardeners and security personnel. Organizations which campaign against slums argue that no human being should be forced to live in slum conditions and that as a basic act of humanity, cities need to provide livable low cost housing and regulate construction to eliminate the growth of slums. This is far from being realized in Kenya and many other developing countries. While the slums in Kenya may share similar conditions with slums in other countries, they particularly possess the following characteristics:

- High population densities per unit area of land. For instance, Kibera, the largest informal settlement in Kenya, measures approximately 2.5 square kilometers and even going by the Kenya Population and Housing 2009 Census of 170,070 people, the density is 68,000 persons per square kilometer. Indeed, according to this census, 55% of Nairobi's population

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<sup>1</sup> Target 11 of Goal 7 is a direct recognition that slums are a development issue which needs to be faced (UN-HABITAT, 2003).

occupies only 5% of the total land area of 680 square kilometers, mostly in the informal settlements;

- Physical layouts are relatively haphazard thus making it difficult to provide infrastructure and related facilities without carrying out some demolition;
- Urban services are minimal or non-existent;
- Housing structures are constructed largely of temporary materials in relation to building regulations;
- The accommodation layout is on a room by room basis and majority of the households occupy a single room or share a room;
- Majority of the residents are low-income;
- Majority of residents are tenants who outnumber owner residents at a ratio of 9:1.
- Morbidity and mortality rates caused by diseases stemming from environmental conditions are significantly higher than in planned areas of towns;
- Tenure in the informal settlement is mixed e.g. squatters on public/private land, group purchases through land buying companies, illegally subdivided land by original owners who subsequently sold it. This latter situation has various implications.

There are those who own the land and have carried out development without planning approval, hence the settlements lack basic infrastructure. Others own shared certificates from original land owners who carried out illegal subdivisions. However, there is still one title for the whole land and sub-titles will never be issued without planning approval. In the meantime, unapproved developments continue. There are those who hold Temporary Occupancy Licenses (TOLs) who formally got letters of allotment from responsible authorities to occupy public land on a temporary basis, mainly roadside garages, food kiosks, etc. but who have continued to stay and converted the sites to residential accommodation.

The quasi-legal rights holder has unregistered rights obtained through allocation by a local authority official/councillor or national government official (but who has no authority to allocate land under the law). Another category occupies customary land which has not been registered and is not planned therefore the settlements remain reminiscent of rural settings with no services.

Finally, there are those who squat on public or private land without permission of any sort. These illegal settlements are not planned and therefore lack the requisite infrastructure and related facilities.

## Slum Upgrading

Slum upgrading is a process of intervention for economic, organizational and environmental improvement to an existing human settlement undertaken collectively among citizens, community groups, governments (national/local) and any other development partners (Non-governmental, multi-lateral/bilateral organisations). Although the reasons for slum upgrading may vary from place to place, the main push factors have included the demand for affordable tenure options, environmental health considerations and poverty reduction.

Actors in slum upgrading can be many and varied. In Kenya, they include the following: (1) tenants; (2) resident structure owners; (3) non-resident structure owners; (4) land owners and (5) support institutions (national/local governments, Civil Society Organizations (CSOs), the private sector and multi/bilateral development partners). Slum upgrading often depends on the scale of upgrading and stakeholders' priorities. It usually includes, but is not limited to:

- Community infrastructure: Installing or improving basic infrastructure notably water reticulation, sanitation/waste collection, rehabilitation of circulation, storm drainage and flood prevention, electricity, security lighting, etc. while leaving existing structures generally intact or subject to incremental improvement;
- Regularization of tenure and housing rights: Plots are surveyed and titled, with minimum infrastructure installed, leaving existing structures generally intact or subject to incremental improvement;
- Comprehensive upgrading: Includes both community infrastructure and titling usually where environmental conditions are very poor. It could therefore include redevelopment.

The appropriateness of any of the above approaches needs to be driven by the status of environmental conditions, physical infrastructure and tenure. While comprehensive upgrading would be the preferred choice, where choices are to be made, operationally it would be better to have infrastructure first, followed by land tenure because improvement in infrastructure immediately improves living conditions and welfare faster than land tenure regularization alone.

However, according to Hernando De Soto (2000), tenure security is paramount on grounds that heavy investment has already been put in place. This may not necessarily be so depending on the location of the slum to be upgraded, environmental conditions and settlement density.

An evaluation of past upgrading projects in Kenya (Syagga, Mitullah and Gitau, 2002) found that many slum upgrading projects are stand-alone, pilot, innovative practice projects which are not always scalable or sustainable on account of possible high delivery costs, unsustainable technologies and institutional structures that need ongoing resources. Furthermore, multi-sectoral, partnership approaches to slum upgrading in Kenya involve external actors who plan and implement a project, successfully engaging with the community and facilitating participation. After project completion, these actors may leave the scene, community groups may break up and poor people's priorities may change with time.

However, a collaborative initiative between the Government of Kenya and UN-HABITAT, the Kenya Slum Upgrading Programme (KENSUP), is a first attempt to provide a nationwide framework on slum upgrading in Kenya (GOK, 2005). The programme aims to adopt a mixed development approach ranging from complete redevelopment to partial redevelopment and in other instances providing sites with secure tenure and infrastructural services allowing for incremental improvement. This, however, remains a sectoral approach in absence of a national urban development policy in which slum upgrading should be an integral part.

## **Tenure Options for Slum Upgrading**

### *Legitimacy versus Legality*

Security of tenure is a fundamental component of housing rights. All persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. Security of tenure also provides further protection against the arbitrary deprivation of property whether that property is housing or land (UN-HABITAT and OHCHR, 2002). It is argued that those with titled land tenure can use it as a store of wealth against which they can leverage financial assistance such as loans. The conventional belief in policy circles is that the best approach to upgrading of low-

income settlements involves tenure legalization or provision of legal title, particularly in areas where residents do not own the land.

However, according to Hernando De Soto (2000), formal property is more than a system of titling, recording and mapping assets, it is an instrument of thought representing assets in such a way that people's minds can work on them to generate surplus value. A good property system is not about "mere paper", but one that facilitates release of capital that is latent in the assets to enhance productivity and it should aim to alleviate social and economic conflicts. In dealing with tenure options in slum upgrading, one may therefore be faced with an ethical dilemma. Is tenure security a perception of legitimacy or legality? *Legitimacy* refers to tenure regularization as opposed to *legality* which refers to tenure legalization. It is often stated that in the absence of security of tenure, residents will be hesitant to invest in their housing as they will be concerned about demolition, displacement and relocation. As De Soto points out, the strategy is premised on the assumption that security of tenure encourages residents to upgrade their houses and settlements.

The documentation of legal title allows beneficiaries to use their property as collateral to obtain housing improvement loans from housing finance institutions. It is also expected that legalization will generate revenue for the State. This is based on the assumption that the State could charge beneficiaries for the security of tenure. This last assumption, however, negates the assumption that slum residents are poor, in which case high tenure legalization costs will disenfranchise the majority poor, particularly the women.

### *Tenure Legalization and Community Land Trust*

Tenure legalization becomes problematic in reconciling the varying interests of stakeholders in the slum settlements. This approach is complex and takes very long to implement. In the Kenyan context, four interested groups include tenants, resident structure owners, non-resident structure owners and land owners. Who will qualify to get titles in such a scenario? Instances in the past have arisen, for instance, in Korogocho where tenants have demanded the right to titles on the grounds that landlords have benefited from the rents at the expense of tenants when they do not own the land. There are also cases of absentee landlords who only have structures for commercial purposes and yet they do not live in the settlements.

It is also not conceivable that there is enough land in any given settlement to be parceled out individually to all residents. Consequently the best titling option to defuse competing interests in slum settlement without land owners is to include every resident under the Community Land Trust (CLT) rather than issuing individual titles. In principle, land legalization strategy ensures that: (1) land is owned by a registered Trust that leases it out to the families who live there; (2) the house and other structures put on the land are owned by the individual families; (3) each family can sell its house but at a regulated price by the Trust and (4) governance is shared between the Trust representatives (families who live on the land) and other stakeholders (public officials) (Davis, 2010 & Jaffer, 1996).

**Box 1: Tanzania-Bondeni Community Lands Trust, Voi-Kenya**

Tanzania-Bondeni Voi Community Land Trust (CLT) Project was a slum upgrading initiative of the Kenya Government and the German Technical Cooperative Small Towns Development Project (MLG/GTZ - STDP) implemented in Voi Municipality from 1991.

The design of the legal framework for the CLT model is based on five documents: (1) the Constitution and the Rules of the Society; (2) the Trust Deed; (3) the Head Lease; (4) the Prototype Sublease and (5) the Approved Subdivision Plan. The Society controls the charitable trust which holds the community's land. A management committee consisting of 13 elected society members runs the daily affairs of CLT. At least two trustees and two management committee members must be women. An elaborate system of checks and balances has been devised to ensure democracy in decision making.

Land tenure is not with the individual but with the community. Thus the title deed would be under the community's name. A resident would own the structure which s/he had built but would not own the land on which the structure was located and thus the land could not be traded. The beneficiaries own the developments, structures and other inputs on their plot; they can bequeath or inherit these developments and they can sell them according to a specific resale formula with the prerogative acquisition right by CLT to ensure that the land remains with the community.

The CLT model incorporates the traditional relationship between the land and the structures built on it. It is built on traditional African and Islamic tenure systems. The right of disposal of the land is separate from the right of disposal of the products of one's labour applied to the land.

Source: Jaffer, M. (1996). *The Case of the Tanzania-Bondeni Community Lands Trust, Voi Legitimacy Tenure Security Model*

The basic assumption for tenure security is the guarantee of legal protection against forced eviction, harassment and other threats. While ownership enhances security of tenure, studies carried out in several cities in the developing countries show that tenure security can be achieved through other ways (Payne and Fernandes, 2001; Durand-Lasserve and Royston, 2002; Syagga, 2010 & Urban Land Mark, 2010).

As opposed to the focus on tenure legalization, it is suggested that policy-makers concentrate on other non-legal strategies. Tenure security can be achieved through the regularization of irregular settlements based on increasing the perception of security of residents, rather than placing too much emphasis on ownership. The practice in the informal settlements, for instance, is that land transactions go on without titles, using quasi-legal mechanisms that provide legitimacy and hence perceived tenure security. In a policy context, such legitimacy could be achieved through administrative recognition (council resolutions, government circulars, etc.) rather than legal recognition.

Pragmatically, the approach focuses on physical interventions such as infrastructure and amenities provision. These do not only add to the sense of security but arrest life threatening situations and also make upgrading feasible. This approach side-steps legal complications involved in tenure legalization and simply deals with improving the environment, irrespective of ownership structure in the settlement. Indeed, this is the approach taken by CSOs that work with informal settlements.

The approach may be conceptualized in the following ways based on aerial photographs and community verification that: (1) undertake physical mapping for identification of slum structures with or without a single GPS point reference; (2) undertake social mapping for occupants linked to structure number as agreed on a block layout with the community; (3) develop basic site plans with neighbourhood blocks and main roads but without individual plot boundaries; (4) provide communal level basic services; (5) issue letters of occupation/card acknowledging occupation based on list of occupants linked to a structure number and (6) register the letters under the Documents Act (not Registration of Titles Act). Any necessary payments will be passed on to structure owners as determined from the social mapping. If necessary, titling can be the second step and can take its own pace so long as the life threatening situations under poor slum conditions are under control.

## Conclusion

Findings from international literature show that slum upgrading is increasingly becoming part of urban development policy. Its tenets include tenure regularization (titling), upgrading of sites and locations, relocation to new sites and services, up-scaling of interventions to match demands other than isolated projects on their own over the medium and long term period.

However, it has been acknowledged that slum upgrading programmes, should not only emphasize individual titling as the only form of tenure security. Generally, legal approaches provide a superior level of tenure security in many situations, provided that this can be individual, communal or both. There is therefore a case for community land trust as good practice under title as form of tenure security.

Besides titling, incremental approaches to tenure security need to be acknowledged and harnessed. They are based on learning experiences from the operations of land markets in the informal settlements that perceive tenure security to be derived from legitimacy (administrative or community recognition) in absence of legal recognition. Learning from informal market operations is a good way forward in making land management and administration processes and procedures appropriate to the realities on the ground. Accordingly, an incremental security of tenure approach that does not necessarily involve titling is an equally important tenure security option tool in slum upgrading.

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## **Part II: Taking Action in Slum Upgrading Projects in Nairobi**



# **Introduction - Part II: Taking Action in Slum Upgrading Projects in Nairobi**

**Rosa Flores Fernandez**

Part II of the publication focuses on methodological approaches and tools used by different stakeholders in the implementation of slum upgrading projects, with a particular focus on Nairobi. It looks at the strategies that experts, professionals and the international institutions (donors) are currently pursuing in the accomplishment of housing and sanitation projects in slums. The studies assembled here raise important questions and give key recommendations for resolving such challenges.

This section reviews the various approaches of slum interventions in Nairobi that have been undertaken by the Ministry of Housing of Kenya, the Italian Development Cooperation, Pamoja Trust, Umande Trust, etc. The discussion shows the governmental initiatives carried out from 2004 such as the Kenya Slum Upgrading Programme (KENSUP) and the Kenya Informal Settlement Improvement Project (KISIP) in order to improve the living conditions of the urban poor in Nairobi. The review highlights the achievements of the KENSUP programme to date and focuses on the pilot public housing project in Kibera Soweto East in Nairobi. Here, an analysis of the process of temporary relocation of Soweto East Zone A residents and the effect of this relocation on the residents is given in detail.

The series of papers also illustrates, the different challenges that the local authorities and the donors have faced in implementing Slum Upgrading Projects (SUP) in areas such as Huruma and Korogocho. Other innovative solutions to the slum sanitation problem in low-income areas such as Kibera, Kisumu and Korogocho are also discussed. With this regard, the provision of ablution blocks (bio-centres) and training are presented as new ways to grant access to basic urban services, for income generation and as tools of empowering the slum inhabitants.

In almost all cases, the authors underline the key role of different actors in developing solutions for the serious problems of housing and sanitation accessibility. In this context, the active participation and involvement of slum residents in decision making is considered crucial for effective problem solving.

Finally, this second part of the publication also explores why slum interventions do not succeed and how future policy directions can improve the situation of slum dwellers.



# Kenyan Government Initiatives in Slum Upgrading

Leah Muraguri

## *Abstract*

*This article discusses two Kenyan government initiatives in slum upgrading: the Kenya Slum Upgrading Programme (KENSUP) and the Kenya Informal Settlement Improvement Project (KISIP). It gives the objectives, strategies and components of each programme. The article focuses on the KENSUP programme, presenting the achievements of this slum upgrading initiative to date and sums up with the challenges facing slum upgrading in Kenya.*

## **Introduction**

Kenya, like other countries, has witnessed an unprecedented increase in urban population over the past fifty years. This has posed a great challenge to urban economies which have been unable to cope with the increasing demand for essential services such as housing, health and education. As a result, more urban dwellers in Kenya live in poverty and reside in overcrowded slums that lack basic amenities to sustain a minimum level of living.

By 1999, the proportion of the urban population in Kenya had increased of 34.5%, affirming that one out of every three Kenyans currently lives in urban areas (Government of Kenya, 1999). This percentage is expected to increase to 50% by the year 2015. This rate of urbanization and the inability of our urban economies to match the pace have contributed immensely to the proliferation of slums and informal settlements.

In Nairobi, an estimated 1.5 million people live in informal settlements, roughly 60% of the city's official census population of 2.5 million (Census 1999). These 1.5 million people are confined to an area of less than 5% of total municipal residential land. Segregation policies in the colonial era, a post-independence policy of slum clearance and a more recent lack of equitable and defined land and urban development policies have shaped Nairobi slums, like Kibera, into their present state.

To reverse this trend, the Government of Kenya, in collaboration with other stakeholders, initiated two programmes: the Kenya Slum Upgrading Programme (KENSUP) in 2004 and the Kenya Informal Settlement Improvement Project (KISIP) in June 2011. The programmes are aimed at improving the livelihoods of people living and working in slums and informal settlements. This entails promoting, facilitating, and where necessary, providing security of tenure, housing improvement, income generation and physical and social infrastructure. The actual target is to improve the livelihoods of at least 1.6 million households living in slums (5.3 million slum dwellers) by the year 2020. This will be done at an estimated total cost of KShs 883.76 billion or USD 11.05 billion.

### **The Kenya Slum Upgrading Programme (KENSUP)**

The Kenya Slum Upgrading Programme (KENSUP) is a collaborative initiative that draws on the expertise of a wide variety of partners in order to redress the issue of slums. The Government of Kenya executes and manages the programme while the Ministry of Housing and the relevant local authorities implement it. Civil society partners, participating local communities and the private sector complement and support their efforts. KENSUP's aim is to improve the livelihoods of people living and working in slums and informal settlements in the urban areas of Kenya through the provision of security of tenure and physical and social infrastructure as well as providing opportunities for housing improvement and income generation.

Implementation is underway in all provincial headquarter Kenyan cities/towns. The Government plans to expand the programme to other areas. This programme covers selected urban slums beginning with those in Nairobi, Mavoko, Mombasa and Kisumu. It targets all provincial headquarters and secondary towns with a population of 20,000.

The main principles of KENSUP are decentralization, sustainability, democratisation and empowerment, transparency and accountability, resource mobilization, secure tenure, expansion and up-scaling, partnerships and networking. With regard to the institutional set-up, there is a Settlement Executive Committee (SEC) composed of people from the community where the government is operating. SEC is the main driver of this programme since the government wants the people to know what it is deciding. Other institutional aspects of KENSUP include: Settlement Project Implementation Unit, Project

Implementation Unit, Programme Secretariat (in the Ministry) and the Interagency Steering Committee (IASC) composed mainly of accounting officers in key relevant Ministries, Local Authorities, United Nations Human Settlements Programme (UN-HABITAT) and other development partners.

### *KENSUP Goals and Objectives*

To achieve its goal and objectives, KENSUP has adopted the following strategic interventions:

- Community organization and mobilization;
- Shelter improvement: security of tenure or residential security, housing development and improvement;
- Preparation of city/town development strategic and land use master plans;
- Provision of physical infrastructure: sewerage system, water supply and sanitation, access roads, storm water drainage, electricity and street lighting;
- Provision of social infrastructure: schools, health centres, community centres and recreational facilities;
- Provision of secure tenure and residential security
- Environmental and solid waste management: garbage collection and treatment system, cleaning of the Ngong river;
- Employment and income generation: markets, skills enhancement, micro-financing and credit systems;
- Addressing issues of HIV/AIDS: HIV education and awareness, counseling and testing centres, HIV dedicated clinics;
- Conflict prevention and management in the targeted informal settlements
- Prevention of proliferation of slums.

### **Kenya Informal Settlement Improvement Project (KISIP)**

The Kenya Informal Settlement Improvement Project (KISIP) is a new initiative started by the Government in collaboration with the World Bank, Swedish International Development Agency (SIDA) and French Agency for Development (AFD). KISIP will focus on improving living conditions in existing informal settlements by investing in infrastructure and strengthening tenure security. It will

also support the Government of Kenya (government counterpart funding is 10%) in planning for future urban growth in a manner that prevents the emergence of new slums. KISIP will be implemented in 15 municipalities within five years from June 2011 at a cost of USD 165 million.

The project comprises four components namely:

- Institutional strengthening and programme management of the Ministry of Housing, Ministry of Lands and the participating Local Authorities (LAs): the Government does not take this aspect for granted but seeks to strengthen its own capacity.
- Enhancing tenure security: This involves planning, surveying and issuance of titles. Several activities that will be undertaken under this component include preparation of guidelines for informal settlements, establishing databases on land tenure, community organisation and mobilisation, preparation of development plans including determination of settlement boundaries, detailed mapping, identification and verification of beneficiaries based on agreed eligibility criteria, preparation of local physical development plans, issuance of letters of allotment to households/groups, surveying of individual plots and preparation of registry index maps, registration and issuance of titles to households or groups. The government would like to have a model/guideline for informal settlements whereby the identification will be mostly done by the community. Some require group titles while others need individual titles. The government would like to do the mapping and provide secure tenure.
- Investing in infrastructure and service delivery. The Government will invest in roads, bicycle paths, pedestrian walkways, street and security lights, waste management, water drainage, sanitation, green spaces, platforms etc. in the informal settlement spaces. KENSUP will work on the housing whereas KISIP will deal mainly with this infrastructure.
- Planning for urban growth. Lack of adequate planning is a challenge. Through this component, the Government will provide technical assistance to the municipalities. The goal of this initiative is to take measures that will reduce or prevent slums.

## Slum Upgrading Achievements

### *Physical Mapping and Planning of Soweto East*

In Nairobi, the implementation of the programme commenced in Kibera informal settlement, specifically in the pilot area of Soweto East village. Various preparatory activities have been undertaken in this village including socio-economic and physical mapping, enumeration of residents, preparation of a physical land use plan and the construction of an access road.

Due to the high densities in the village, a strategy was developed in which residents were temporarily relocated in order to pave way for upgrading of the settlement. In view of this, two hectares of decanting site situated across the settlement were obtained for purposes of constructing housing units to serve as temporary relocation premises for the Kibera residents. Relocation housing was constructed and around 1,800 households were relocated.

The site consists of 600 housing units comprising of 17 blocks of three roomed houses i.e. two bedrooms, a sitting room, a kitchen and washing area. About 1,200 households from Kibera Soweto East were relocated to Lang'ata awaiting re-development of the area. Modalities for the construction of houses are being worked on. However, the process has been slowed down by a court case.

**Figure 1:** Lang'ata public housing site



Source : Leah Muraguri (2008).

*Social and Physical Infrastructure Projects*

In Kisumu, Mombasa, Nyeri, Kakamega, Nakuru and Nairobi, the social and physical infrastructure projects include classrooms, health centers, Early Childhood Development units, rehabilitation of social halls and market stalls and upgrading of roads. The settlements include: Kisumu (Bandani, Magadi, Nyalenda and Manyatta) and Mombasa (Ziwa la Ngombe).

**Figure 2:** Market stalls in Manyatta- Kisumu



Source : Leah Muraguri (2008)

**Figure 3:** Classrooms at Kakamega Amalemba slums



Source : Leah Muraguri (2008)

**Figure 4:** Access Road at Kibera slums



Source : Leah Muraguri (2008)

*Development of Housing in Mavoko (Mavoko Sustainable Neighborhood Project – SNP)*

With 412 mixed housing units and associated physical infrastructure on 21.64 hectares of land under the sustainable neighbourhood concept; this project comprises of a self-sustained neighbourhood in Mavoko – Athi River, one of the municipalities within Nairobi metropolitan area, with one primary school, one nursery school, one social hall, one health center, one police station and one market center.

**Figure 5:** SNP in Mavoko – Athi River



Source : Leah Muraguri (2008)

### *Capacity Building*

Another achievement has been in the facilitation of formation of Housing Cooperatives Societies, SECs, community groups and capacity building in slums. Housing cooperative societies have been identified as the best mechanism for participation and transfer of ownership of KENSUP projects to the settlement community. Twenty housing cooperatives have been formed and registered in Nairobi, Kisumu, Kakamega and Mombasa (KENSUP project areas).

The SEC is one of the key institutions in the implementation process formed in towns where KENSUP has projects. Through the SEC, the programme assists in capacity building of the communities so as to prepare them to be part of the project implementation. The communities are involved at all stages of the programme from the identification of the projects to its commissioning.

### **Challenges to Slum Upgrading in Kenya**

There are various challenges to the slum upgrading efforts in Kenya:

- Complexities of slum settlements with regard to tenure arrangements: Slum settlements have no formal tenure arrangements. Their high densities, haphazard developments, lack of planning, poor housing, lack of infrastructure and the religious, cultural and political inclinations involved are some of the conditions that pose a challenge in proposing the type of tenure that is best suited to the residents' situation.
- Conflicts between tenants and landlords: conflicts abound between these two groups of residents due to their varied interests. The fact that nearly 85% of slum dwellers are tenants is a unique aspect of Kenyan slum settlements which greatly hampers progress in slum upgrading.
- Varied political, cultural and religious inclinations amongst the residents, and those of their leaders, have contributed in creating suspicion and mistrust amongst the residents thus slowing down decision making.
- Competing interests of various groups e.g. Non-Governmental Organisations (NGOs), Community-Based Organisations (CBOs), Faith-

Based Organisations (FBOs), Central Government, Local Authorities and donor agencies. These stakeholders have their own interests in the slum, most of which conflict therefore they are a major drawback to the programme.

- Lack of adequate land. There is limited land space to cater for all residents within the slum settlements and scarcity of land for re-location where necessary. Land ownership is private in most settlements. Lack of planning of informal settlements by the local authorities is a challenge towards upgrading the settlements.
- Partnership concepts also have the disadvantage of generating several parallel activities that often derail the implementation schedules. There are also issues with regard to governance and involvement of communities in decision making which have various complexities.

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# The Kibera Soweto East Project in Nairobi

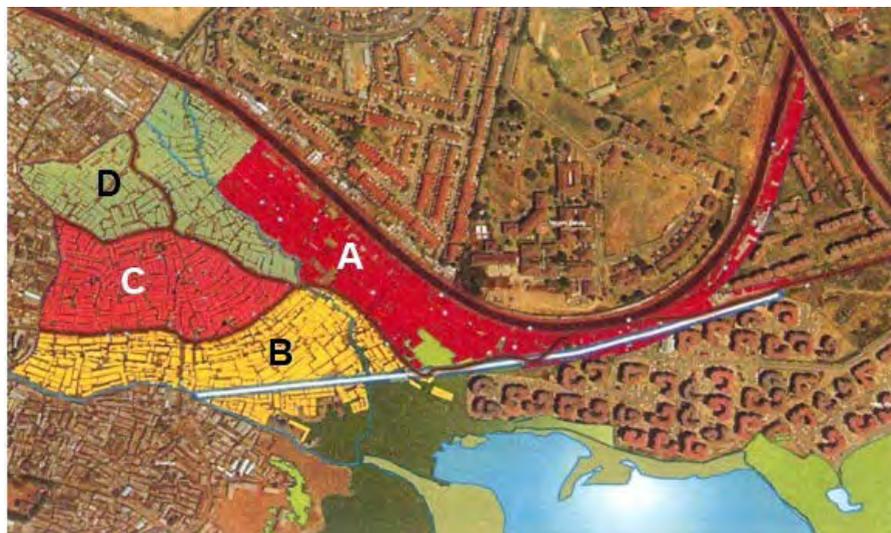
Rosa Flores Fernandez and Bernard Calas

## *Abstract*

*This article analyses the pilot public housing project in Kibera Soweto East in Nairobi under the Kenya Slum Upgrading Programme (KENSUP), courtesy of a partnership between the Government of Kenya and the United Nations Human Settlements Programme (UN-HABITAT), which began in 2004. The article examines the process of temporary relocation of Soweto East Zone A residents, seven years after the launch of this project, and takes a critical look at the effects of this relocation on the affected population. In order to achieve this, data on Soweto East will first be presented followed by information obtained from surveys conducted on Soweto East residents by Amnesty International and UN-HABITAT. The temporary relocation of residents shall then be analysed with reference to book reviews, interviews and site visits. Finally, the key points analysed within this article shall be presented briefly along with the recommendations derived from this study.*

## **The Kibera Soweto East, Nairobi Rehabilitation Project**

Until September 2010, Kibera was considered as the second largest slum in Africa with, according to information sources and the media, a population of between one and two million. To everyone's surprise, Kibera has only 170,070 residents according to the Kenya Population and Housing Census of 2009 (Daily Nation, 2010). A UN-HABITAT socio-economic record shows that Soweto East has 19,318 inhabitants spread out in four zones: A, B, C and D (Figure 1 and Table 1). Zone A is the largest in size and accounts for 37% of the houses in Soweto East (UN-HABITAT, 2008).

**Figure 1:** Soweto East Zones A, B, C and D

Source: UN-HABITAT. (2008b). *Soweto East Redevelopment Proposal*.

**Table 1:** Information on Kibera Soweto East Village

	<b>ZONE A</b>	<b>ZONE B</b>	<b>ZONE C</b>	<b>ZONE D</b>	<b>TOTAL</b>
Area (Ha)	<b>6.9</b>	6.6	3.6	4.5	21.3 Ha
Population	<b>6,288</b>	4,709	3,256	4,331	19,318
No. of structures	<b>876</b>	522	410	588	2,396
No. of structure owners	<b>945</b>	409	941	551	2,419
No. of tenants	<b>5,545</b>	3,004	4,361	3,989	16,899
No. of physically challenged people	<b>20</b>	18	19	16	73

Source: UN-HABITAT. (2008b). *Soweto East Redevelopment Proposal*.

Looking at Table 1, if the total population of Soweto East is 6,288 and there are 876 structures, it means that on average, each unit is occupied by seven people which is a relatively high figure compared to the average size of a residential unit in Nairobi which has close to 4 occupants. The peri-central location of Soweto East, relatively close to the large industrial area, the hospital sector, the Central Business District (CBD), Upper Hill area and the affluent neighbourhoods of Kilimani, Lavington, Lang'ata or the middle-class neighbourhoods of Nairobi West or South C makes it a sought-after residential area for workers, artisans and minor functionaries. Further studies, that take into account the household structure, certainly bring an interesting perspective on the integration of Soweto East into urban residential strategies. Out of this total population, about 90% are tenants and only 10% are structure owners, who do not live at all in the area but collect a monthly rent from the tenants and use the money to develop housing in other areas of Nairobi.

The goal of the pilot Kibera Soweto East project is to rehabilitate the area, where the project sponsors would like to provide new permanent housing, equipped with services. Therefore, in 2004, the KENSUP project proposed temporary relocation of residents into new flats built in Athi River, which is 23 kilometres from Kibera (where the Government of Finland, in a debt exchange arrangement with the Kenyan Government, had availed some land). Once Soweto East was vacated and rehabilitated, the temporary Athi River residents would be relocated back to Soweto East, Kibera.

*Amnesty International and UN-HABITAT on the Kibera Soweto East project*

This plan of the temporary relocation of Soweto East residents to Athi River changed through the political intervention of Prime Minister Raila Odinga, Kibera's Member of Parliament (MP). He responded positively to the complaints of the Kibera residents, who were aware of past failures of similar interventions: "We do not want a repeat of what happened in Pumwani, Mathare and parts of Kibera in the 1990's" said a resident of Kibera Soweto (Ithula, 2005; Huchzermeyer and Karam, 2006a, 2006b). Moreover, the new site chosen for the temporary relocation is in Lang'ata (Lang'ata decanting site) southwest of Kibera, near the women's prison which the Ministry of Housing, through the Ministry of Home Affairs, donated to KENSUP.

In 2009, five years after the official launch of Kibera Soweto, two important documents regarding this project were published, one by Amnesty International (2009a) and the other by UN-HABITAT (2009). These documents

questioned the process of temporary relocation and echoed the fears and concerns of the residents. Interviews conducted by Amnesty International show that, five years after the project began; the Kenyan government has been unable to guarantee:

- A minimum level of security of tenure for residents (who should not to be evicted as a result of the rehabilitation project);
- Necessary measures to ensure access to temporary and permanent housing for the residents;
- Provision of adequate information as well as effective consultation with residents.

Again, the respondents perceived the project as having been imposed by high level decision-makers (top-down approach). With regard to residents' participation in the temporary relocation project to Lang'ata, the Amnesty International document also revealed that the residents were not consulted. Out of the 50 interviewees in Soweto East, 45 of them stressed that the project was implemented without effective and adequate consultation. Residents did not have full information on the project, the house costs, the housing construction plans or details on the process of appropriating new houses on the rehabilitated site. Of the 250 families in Soweto East that were interviewed by UN-HABITAT a few days before the relocation, half thought that the relocation was detrimental and therefore should be avoided or minimised. To begin with, the interviewees raised the negative socio-economic impact of the relocation, such as loss of social networks ("I do not want to share the flat with people I do not know"; "I will lose my neighbours and friends"); loss of income sources ("I will lose my job, I will lose my customers") and the increase in money for transportation (because the new site is located far from their work places).

In general, the residents of Soweto East who were consulted do not believe that the temporary relocation process will work. They are concerned about corruption and the abuse of power which they believe characterises previous slum improvement projects. Moreover, according to the UN-HABITAT document, 31% of the 250 families interviewed were fearful that they would not benefit from the project due to corruption in allocation of housing, 27% feared not being able to pay for the new house, 17% feared the lengthy and

obscure process and finally, 17% expressed their desire to build their own homes rather than being relocated<sup>1</sup>.

When the residents were asked about the site chosen for the temporary Lang'ata relocation ("Is relocation to Lang'ata, to create space for the construction of the new houses, a good idea?"), 51% did not in agreement with this choice, 32% more or less agreed, 15% agreed and only 2% completely agreed with the site chosen for the temporary relocation. According to UN-HABITAT, one must consider that the relocation to Lang'ata is temporary, which means that residents will be moved a second time. Moreover, criticism of the choice of Lang'ata as a temporary relocation site was seen in an ethnic light. Soweto is perceived to be a Kikuyu area, whereas Lang'ata is more Luo. Rumors of potential ethnic conflict at the time of the relocation spread among the residents of 'Raila' village (opposite the Lang'ata site), as they consider Lang'ata "their land".

Another issue raised in the UN-HABITAT document was that 11% of the respondents complained that they were not on the list of beneficiaries in 2005<sup>2</sup>. The list of beneficiaries was compiled from the names of heads of households, who are mostly men, so that in case of separation (the instability of unions is quite high in Nairobi slums), the man keeps all the documents including the identity card that guarantees the inclusion in the list of those entitled to temporary relocation and the awarding of permanent housing. In June 2009, three months before the relocation, Amnesty International questioned the KENSUP Secretariat with regard to this issue. The response was that the project had not yet developed guidelines to identify "exactly who are the vulnerable categories of people and how to ensure they are not excluded from the project". Despite the fact that, from the start of the pilot project, the KENSUP document had recognised the need to plan for and respond to household members and vulnerable groups, no measures were put in place to ensure they benefit from the project or become landlords or tenants.

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<sup>1</sup> UN-HABITAT noted that these responses were given mainly by Zone A residents (who were to be relocated a few days after the interview). It is possible that Zone A residents were strongly influenced by the residents of Zones C and D, who do not believe that the relocation will take place soon; that it will never be done at all and that the implementation of such a complex project seemed to be very long (causing lack of confidence and the feeling that it would become another incomplete project).

<sup>2</sup> A condition that affects a number of people (20% of respondents).

Furthermore, respondents criticised the size and cost of each unit. The three-roomed apartments are likely to be unaffordable for most residents. According to Amnesty International reports, insufficient attention was paid to residents who do not want to own houses and instead want to continue renting housing in Soweto. The assumption is that people want nothing more than to become homeowners yet for a considerable number of city dwellers, residency in the city is merely transitional; real investments, especially with regard to housing, are done in the rural area. Insufficient attention has been given to the development of options for community members who only want to rent as opposed to owning homes. Tenants, just like the structure owners, showed their reluctance in accepting the idea of cooperatives and of buying houses because of their lack of confidence in the programme, the difficulty of registering as members of the cooperative or of micro-credit schemes.

Finally, when asked about their new life after the relocation to Soweto (“Will life be better in Soweto after the relocation?”), only 2 of the 10 surveyed believe that the project will improve their living conditions. In fact, most respondents had no idea about their future, especially due to lack of information on the project.

### **Temporary Relocation of Soweto East Zone A Residents**

The first phase in the Soweto Kibera pilot project began on 16<sup>th</sup> September 2009 with the temporary relocation of 5,000 residents out of the 6,288 of Soweto East Zone A Village. Since 5<sup>th</sup> March 2010, 1,200 families have been occupying the 600 apartments in the 17 buildings (each has around 40 apartments) on five 5 floors in Lang’ata (Figure 2).

**Figure 2:** Building in Lang'ata

Source: Rosa Flores (2010)

The project beneficiaries are the tenants and the structure owners registered on a list compiled in 2005, during three months, by the Physical Planning Department in the Ministry of Land, in Soweto East. These residents have an identification card that allows them to temporarily occupy apartments in Lang'ata for a maximum period of 30 months i.e. 2 and a half years. With regard to the community's participation in this project, Soweto East is represented by 17 elected members, who comprise the Settlement Executive Committee (SEC), whose primary role is to act as a link between the program implementers and the residents.

Out of the 6,288 residents of the Soweto East Zone A, only 5,000 people were relocated in Lang'ata. Several tenants refused to be relocated because they do not want to pay higher rent than they pay in Kibera. In this case, they were relocated to Zones B, C or D of Soweto East. There were also some structure owners (10% of the population) who did not accept the relocation and consequently, took the matter to court. The court ruled "let the people (tenants) move but the government should not destroy the structures that they occupied." Despite this court decision, the owners continue to rent out empty houses even if

they only charge KShs 100 for each dwelling. Therefore in principle, there are no more people in Zone A. The structure owners' intention is to continue to exert pressure on the government so as to receive compensation for their homes.

After the temporary relocation to Lang'ata, the people must return to Kibera where they can choose to become tenants or owners, under the condition that they join a housing cooperative that was established in 2007 by the Ministry of Cooperatives. Each week, residents who choose to become homeowners have to pay the Cooperative Bank of Kenya<sup>3</sup>. Those who are not interested in this government "offer", due to lack of money to invest in this cooperative, will continue to be tenants.

With regard to the Lang'ata housing design, the apartments are 50 sq/m organised in three rooms (one room is used as a sitting room and the other two as bedrooms); 1 bathroom (sink, toilet and separate shower); a kitchen and a small veranda (where people can wash and dry laundry) (Figures 3, 4 and 5). It is important to note that the surface area of these apartments in Lang'ata is greater than the standard established by the Kenyan standard of housing which is 36m<sup>2</sup> for low-income housing<sup>4</sup>.

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<sup>3</sup> The Zone A – Soweto residents have to pay money to the bank every Monday, Zone B pay on Tuesday, Zone C pay on Wednesday and Zone D pay on Thursday.

<sup>4</sup> *The Housing Policy defines urban low-income housing as housing comprising a minimum of two habitable rooms, cooking area and sanitary facilities, covering a minimum gross floor area of 36 square metres for each household with physical infrastructure and services which comply with existing by-laws.* See *Housing Policy*, p.11. Sessional Paper on National Housing Policy for Kenya, Ministry of Roads, Public Works and Housing, October 2003. The policy was approved by Parliament in June 2004.

**Figures 3, 4 and 5:** The two rooms and kitchen



Source: Rosa Flores (2010)

The apartment rent is KShs 3,000 (32.2 USD)<sup>5</sup> per month, which includes all basic services of which KShs 300 is for electricity and KShs 200 for water. If we take into account that 75% of Soweto East residents do not have formal jobs, this rent is very high for the vast majority who were used to paying an average of KShs 500 per month for a room in Kibera. For these households, the cost of housing has increased six-fold. Aware of this exorbitant increase in housing costs, the Housing Ministry approved the renting out of each of the three rooms to different families who have to share any additional services (kitchen, bathroom and veranda). In this case, the rent for each room amounts to KShs 1,000 per month (11 USD) which totals to KShs 3,000 for a 3-roomed apartment. Each of the families that rent out such a room must pay rent directly to the representative of the Ministry of Housing whose office is located at the entrance of the condominium. However, despite the goodwill of the Ministry of Housing, there are no known cases of apartments which are shared by more than one family, although they have long been known.

Employees of the Slum Upgrading Department (SUD) in the Ministry of Housing, who have closely monitored the Kibera Soweto project, admit that it is middle-class people and students from the University of Nairobi who are currently investing in the Lang'ata apartments: "For students, paying KShs 3,000 for a three-roomed dwelling (with all the basic services) located at a 20-minute walking distance from the University of Nairobi is great!" They said many people in Soweto East who were relocated to these new buildings returned to the slum after sub-letting the housing. Naturally, this statement has been disputed by SEC members who insist that it is only the Soweto East (Zone A) residents who occupy the Lang'ata apartments. If the former were the case, it means that the whole project is like an alternative social project and housing subsidy for the middle class or the wealthy who are the only ones able to send their children to college.

With regard to the economic activities of the Lang'ata residents, this issue was discussed with three Soweto East SEC members. They confirmed that the people's informal activities were not affected by the relocation because they had all agreed on the project requirements from the beginning thanks to the thorough awareness campaign by SEC. Despite this assertion, we found that due to lack of land for economic activities on the site, all the areas intended for recreation and

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<sup>5</sup> 1 USD = 93 Kenyan Shillings (September, 2011).

gardens within the condominium are taken up by informal activities; even the little remaining open spaces between the buildings are occupied by kiosks. In many cases, the veranda of the apartments on the ground floor is used to sell products or house informal artisanal activities (Figures 6, 7 and 8). Consequently, SEC members are negotiating with the Ministry of Housing for permission to install temporary kiosks within the condominium so that residents can continue with their informal activities.

**Figures 6, 7 and 8:** Informal activities carried out on the verandas (ground floor), in the open recreational spaces or gardens



Source: Rosa Flores (2010)

The cleaning of outdoor areas of buildings and trash collection is the responsibility of certain people in Soweto East paid by the Ministry of Housing (Figures 9 and 10). A private Nairobi company is in charge of security.

### Figures 9 and 10:

Young people in the slum in charge of cleaning and garbage collection



Source: Rosa Flores, 2010.

#### *Kibera Soweto East: Another Typical Case of (Involuntary) Relocation?*

From all the information presented, it appears that Soweto East is a typical (involuntary) relocation project for various reasons. First, the choice of Lang'ata for the temporary relocation of residents was based more on the availability of public land (a donation from the Housing Ministry through the Ministry of Home Affairs) as opposed to the desire(s) of the affected population. Furthermore, there was a delay in implementing both the temporary and permanent housing projects in the affected areas. For example, several houses in Soweto East Zone A have in recent months been (re-)occupied by new people after being left unoccupied (but not destroyed as they belong to the structure owners). Contrary to initial expectations, nothing has been done to rehabilitate Soweto East Zone A, two years after the implementation of the project.

The project also suffers from lack of analysis and consideration of the residents' economic activities as well as the needs of the vulnerable (physically challenged). First, with regard to the residents' economic activities, their informal economy was not considered in the project whereas the rent for three rooms is very expensive for many families. Although the government intended to rent out

apartments to different families, this does not apply at all in Lang'ata because residents are reluctant to share *their* space. Moreover, due to lack of space for economic activities, the relocated residents who were engaged in the informal and artisanal sector lost their customers. Secondly, the apartments were not designed for the physically challenged who have had to be settled on the ground floor of the buildings.

Finally, in the Soweto East project, residents have been treated as second-class citizens despite the existence of SEC and public consultation was limited to a small group (leaders, SEC members and government officials). The relocated people underwent a drastic change in their living conditions and the social costs cannot be measured due to the destruction of social networks. There has been an extreme individualisation that has led to the fragmentation of social ties. Even if people know each other by sight, the neighborhood solidarity has now been broken by the vertical housing arrangement, particularly since the residents have different neighbours from the ones they had in the slum. This social fragmentation brought about by the relocation is accompanied by a high prevalence of psychological disorders.

## **Conclusions and Recommendations**

In summary, although the project is incomplete (the slum rehabilitation process is not even underway), a provisional assessment can be done. The original goal of KENSUP was to promote a bottom-up approach. Indeed, some KENSUP measures, such as the establishment of the Settlement Executive Committee (SEC), have allowed slum residents, especially of Soweto East, to be heard by national and international institutions. Although the infiltration of SEC by certain notables is a failure of the promotion of participation, the institutionalisation of the representation of the residential community is quite innovative in the context of Kenyan urban policy and credit is due to KENSUP.

The establishment of KENSUP in 2004 marked an important date for the new National Housing Policy in Kenya. Indeed, from this date, the Kenyan Government adopted a more pro-poor approach and stopped viewing slums as areas to be demolished but as areas to be rehabilitated. It is also noteworthy that a specific department, the Slum Upgrading Department (SUD), within the Ministry of Housing was created to specifically address the issue of slums, strengthened by the commitment of this Ministry to Finance KENSUP.

However, despite these milestones, corruption and lack of political will are still serious obstacles to programmes such as KENSUP. Even at the community level, the actions of some leaders or members of the Committee (SEC) have been challenged by residents who complain about their absence in meetings and lack of communication between the affected community and those responsible for the project implementation. Although in voluntary capacity, SEC officials are the primary beneficiaries of the project.

With regard to the implementation of KENSUP, seven years after its launch, both the quantitative and qualitative results are not very satisfactory, especially in terms of housing for slum residents. Certainly, KENSUP has succeeded in building some schools, roads, clinics and other facilities but when the question was posed to KENSUP employees as to whether they think that the programme has improved the standard of living of people in Kibera and their means of livelihood, their response was: “No I do not.” In general, there is no proof that the KENSUP Kibera Soweto pilot project integrated lessons and recommendations from past experiences, even if these recommendations were made from commissioned government studies and initiatives.

In our recommendations, we first look closely at the role of UN-HABITAT in KENSUP as according to its basic principles, this institution should favour participatory processes in slum upgrading. It is then necessary to question why UN-HABITAT decided to interview people in Soweto East about the relocation project just days before the relocation was implemented? It is also highly recommended that more on-site interviews be conducted with residents in order to find out:

- How do Soweto East residents manage to pay the monthly KShs 3,000 cost of an apartment with a meager salary from the informal sector?
- How do the residents continue to develop their informal activities in a place where this issue was not taken into consideration?
- What other types of rent, other than those officially established by the government, have come up around the apartments in Lang'ata? Who are the people who ultimately reside in the Lang'ata apartments?
- How do the physically challenged people use the apartments which were not built to meet their needs?
- To what extent is it justifiable to construct vertical (more dense) buildings in a place where there are 170,000 residents instead of one million as originally planned?

It is also important to closely observe the issue of security of tenure of new housing in Kibera, especially when people in the community say that the Kenyan government is committed to issuing a communal title for each municipal building. We must not forget the political implications of KENSUP which as we know, represent a significant number of votes for the government. Inasmuch as the purpose of this article was to evaluate the implementation of the Kibera Soweto East project, it was only partially achieved since the project is not complete. Therefore, it is strongly recommended that this research continues in order to explore further the immediate effects of the relocation on the Soweto East residents.

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# Empowering the Urban Poor to Realize the Right to Housing: Community-Led Slum Upgrading in Huruma - Nairobi

Kamukam Ettyang<sup>1</sup>

## *Abstract*

*This article seeks to examine community-led upgrading initiatives, with particular emphasis on lessons learnt from the collaboration between Pamoja Trust, Muungano wa Wanavijiji (MWW) and the City Council of Nairobi (CCN) in Huruma, Nairobi. The article shall highlight processes that have facilitated relative success of participatory approaches in Huruma's six villages, including the crucial role played by multi-sector partnerships and the role of citizens in realizing the right to housing. It shall give measures aiming at keeping the overall project costs significantly low as well as presenting potential areas for scaling up such initiatives in other settlements.*

## **Introduction**

Slum upgrading efforts in Kenya have for many years been facing with numerous challenges. While there have been several interventions, they have largely remained ineffective owing to lack of clear policy direction and conflicting interests. Such attempts were largely driven by the need to clear slums and replace them with what has often been called 'decent housing'. In the process, there have been site and service schemes such as the one in Dandora and more recently, the Kenya Slum Upgrading Project (KENSUP) in Kibera.

The challenge of slum upgrading has always brought into focus the interrelation between provision of housing infrastructure and political will that would result in increased investments in the informal settlements aside from infusion of mechanisms that would ensure social cohesion and collective responsibility. But amidst the perceived policy vacuum, there have been attempts at recognizing the legitimate role of low-income settlers and other stakeholders in urban development. Previously, the right to housing was relegated to the periphery, in comparison to the clamour for realization of other human rights.

It therefore came as a relief when the National Rainbow Coalition (NARC) government, in its manifesto, made provision for upgrading of slums and informal settlements. In what became a basis for the housing policy, the manifesto provided for, among other things, ways of managing the housing inputs namely land, infrastructure, building materials, building technology and finances (Kusienya, 2004). This spirit was also carried forth in the newly promulgated Kenyan constitution which now anchors the right to housing within the Bill of Rights. Article 43 of the constitution provides for the right to accessible and adequate housing and to reasonable standards of sanitation (Government of Kenya, 2010).

These and several other articles in the constitution present opportunities in the fight for secure tenure and improved living conditions, particularly in informal settlements. But it is worth noting that, within slum communities, a house is much more than a space and dwelling unit. It is a utility as it offers space for commerce. The small-scale launderers and the vegetable vendors all operate from their homes. Slum upgrading is therefore not a matter of building decent houses; it is also about taking into account intricacies of life in urban slums while striking a balance between affordable housing and an innate need for survival.

Some existing models present interesting conundrums, questions of how one now makes a living from the third floor of a two-bedroomed flat, while they previously eked out a living from the home-shop at market street level. Other approaches, while trying to involve community participation, fail to involve community members in processes such as construction. Such approaches have inevitably contributed to the never-ending cycle of proliferation of slums and slum upgrading initiatives.

In contrast, community led processes have the potential of tackling the nagging issues related to community ownership and involvement. This is because such models are built around basic human rights tenets that foster empowerment of the marginalized, democratic processes and equal participation. These principles when studied against Kenya's new constitution imply that, while the government is bound to provide policy direction on matters pertinent to progressive realization of the right to housing, citizens have the responsibility of ensuring that they actively contribute and participate in such processes.

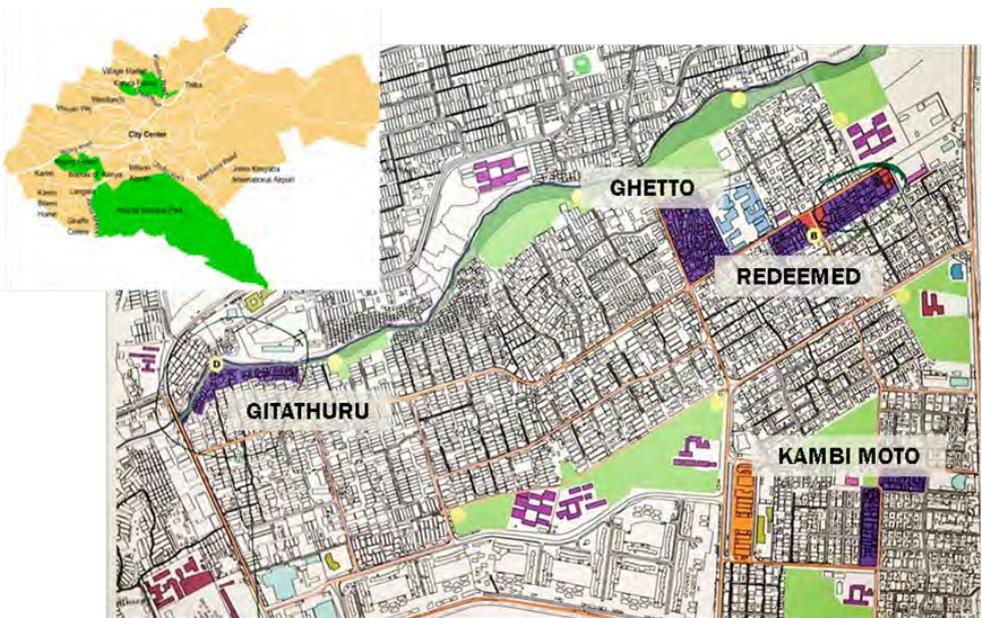
## **Pamoja Trust in Huruma**

Pamoja Trust is a non-profit making organization that seeks to promote access to land, shelter and basic services for the urban poor. It grew from the need for institutional support for the anti-evictions movement that arose and grew in Kenya in the late 1990s and early 2000s. Pamoja Trust collaborates closely with Muungano wa Wanavijiji (MWW), a federation of over 60,000 households living in 400 informal settlements across Kenya, helping to form daily savings groups through which poor communities can access crucial resources.

MWW is a federation of slum dwellers that was formed in 1996 as a network of slums in Nairobi and Athi River. It was formed by slum dwellers facing eviction threats, as an avenue for resistance against brutal evictions and land grabbing that was rampant from the mid 1990s to early 2000s. Over the last seven years, Pamoja Trust and MWW have engaged slum communities in what can be referred to as a community-led slums upgrading initiative.

The community-led upgrading approach allows slum communities to take charge of the actual upgrading processes. It mainly works through harnessing of community resources and using the pool to leverage for partnerships and additional resources from Local Authorities, financial intermediaries and Civil Society Organizations (CSOs). This process is a clear testament that, when given an opportunity, slum communities can offer solutions that foster inclusivity and ownership of outcomes while at the same time, addressing multiple facets of slum upgrading processes. Furthermore, overall costs per unit have been kept significantly low due to the use of replicable building components, incremental construction, employment of sweat equity and other low cost building technologies.

This approach has been successfully implemented in Huruma settlement. Huruma is located in Mathare Ward of Starehe Constituency in Nairobi and it is comprised of six villages i.e. Kambi Moto, Mahira, Ghetto, Ex Grogan, Redeemed and Gitathuru. The six villages were first inhabited in the 1970s and they have a combined size of approximately 4 hectares with over 2,700 households. The City Council of Nairobi (CCN) holds the title to the land (Pamoja Trust, 2010).

**Figure 1:** Four of the six Huruma villages

Source: Pamoja Trust and Cooperazione Internazionale (COOPI) (2009)

Before the upgrading, housing structures in these villages were typically 12 by 10 foot shacks built from mud and wattle, with iron sheet roofs and earth floors. Basic services such as water, sewage, road access, and toilets were also inadequate and sometimes non-existent at the time. The project concept was derived from the CCN Informal Settlements Development Strategy on Slum Upgrading. This strategy provided for a broad set of guidelines governing upgrading and it stressed the importance of community involvement at all stages. The principal implementing agency of the strategy in Huruma was the Department of City Planning. This department undertook several activities in regard to tenure regularization for Kambi Moto, Mahira, Redeemed, Ghetto, Gitathuru and Ex Grogan villages in Huruma. This strategy also formed the basis for partnerships between the community and the CCN to enable a holistic slum upgrading.

In 2003, negotiations between the communities and the CCN resulted in the declaration of a special planning zone for the sole purpose of upgrading. This was done in accordance with the Physical Planning Act of 1996 that provided for delineation of land for such purposes. Subsequently, a Memorandum of

Understanding (MoU) between the Huruma community, Pamoja Trust and the CCN was developed. Initially, the MoU covered 4 of the 6 villages i.e. Kambi Moto, Mahira and Gitathuru and Ghetto. Other settlements have since been allowed to proceed with upgrading initiatives on the strength of this MoU. Key components of this initiative included: (1) mobilization and setting up of savings schemes; (2) mapping and enumeration exercises; (3) house dreaming and (4) construction.

### *Mobilization and Setting Up of Savings Schemes*

Mobilizing any community around agendas such as land and housing is a challenge. The history of tenure in Kenya generates a lot of tension and suspicion, particularly among the urban poor. This situation called for continuous engagement with key influential people, including village elders and civic leaders. This mobilization allowed for more open discussions on the upgrading process and in so doing, important aspects such as gender mainstreaming and equal representation were emphasized. This ensured that women and other vulnerable groups were empowered and gained invaluable knowledge in the course of the upgrading exercise.

**Figure 2:** Community members present their daily savings books for update



Source: Pamoja Trust (2010)

To facilitate mobilization, a number of community forums were held and these served to consolidate community participation from the initial stages. Such community forums brought together community members, representation from various interest groups, religious and political leadership as well as members of the influential Provincial Administration and village elders. The goal of these sessions was to gauge community perceptions, identify needs and secure an all-rounded approach to the project.

Alongside mobilization, savings schemes were established in Huruma's six villages. The process allowed for community members to save as little as KShs 5 per day (USD 0.05). The savings model was flexible to the extent that it took cognizance of each individual saver's financial ability. The structure is such that the appointed collector moves around collecting monies from each household, while receiving or disseminating information in the settlement. Each savings scheme manages its finances through a bank account. A dedicated construction account was also set up and this facilitated transfer of project funds from the financial intermediary. During the mobilization phase, specialized teams were set up to oversee the project and audits. These teams operated alongside others which included advocacy, welfare, savings and loans as well as Muungano Development Funds (MDF).

### *Mapping and Enumeration Exercises*

Mapping and enumeration exercises were conducted to establish the total number of residents, assess their needs and provide a stronger advocacy tool that is based on specific issues (Pamoja Trust, 2011). Enumeration exercises involved door-to-door collection of socio-economic information and were largely community driven. The enumerations were conducted using questionnaires that were administered after rigorous consensus building by community members and other interested stakeholders. Subsequently, the community members were involved in the actual data collection as well as keying it in. Preliminary data findings were displayed, setting off a verification process that allowed for the rest of the community to ascertain that the information indeed reflected the state of the settlement.

**Figure 3:** Community-led mapping and enumerations

Source: Pamoja Trust (2009)

A mapping exercise was simultaneously conducted with the enumerations exercise and this served to identify actual physical features and mark the extent of the settlement. The main objective was to facilitate generation of accurate data that allowed for effective planning. Physical mapping was necessary, given the crowded nature of the settlement, and a satellite image was used as a base map.

### *House Dreaming*

With information obtained from the mapping and enumerations exercises, the community initiated discussions on issues such as housing and service provision. House dreaming and design were then carried out and of note here was the utmost regard taken in ensuring minimal spill over of residents. These suggestions were presented to an architect during a community meeting after which, the architect modified “the community dream” to suit the number of families and the size of land. The final design agreed upon by the community was then presented, in the form of a cloth model, to the whole community, the general public, the CCN and other stakeholders. During the presentation, the would-be-beneficiaries were able to critique the model in terms of suitability and practicability. This presentation formed the official launch of the upgrading programme.

**Figure 4:** Community members discussing their housing dreams



Source: Pamoja Trust (2005)

### *Construction*

After the necessary approval by the CCN, the first phase of upgrading began in Kambi Moto. The construction process relied heavily on community labour which was converted into sweat equity. This was one of the components that facilitated the considerably lower cost outlay for the initiative. Other cost reducing measures included the use of pre-cast elements and incremental construction.

**Figure 5:** A community member producing pre-cast elements



Source: Pamoja Trust (2010)

**Figure 6:** Construction in progress

Source: Pamoja Trust (2010)

Incremental construction allowed for building of a starter house that had a living area, a kitchenette and a combined toilet and bathroom on the ground floor. Subsequent phases were implemented depending on the level of individual savings. Replicable pre-cast elements such as beams and ladiis were used, drawing lessons from the Indian Slum Federation. These were used in putting up staircases, windowsills, lintels and the foundation of the top level. Routine training on core construction skills and assembly of precast elements was done and this ensured optimum knowledge and skill transfer. To date, this initiative has seen the construction of over 200 housing units in Kambi Moto, Mahira, Gitathuru, Ghetto and Redeemed.

**Figure 7:** Kambi Moto main street



Source: Pamoja Trust (2009)

**Figure 8:** A housing unit in Kambi Moto



Source: Claudio Allia (2009)

## Challenges

Such initiatives, including government driven processes, have been implemented amidst a policy vacuum. There still lacks a comprehensive Slums Upgrading Policy that would in essence spell out minimum requirements and benchmarks for any such process. Nevertheless, it is important to marshal community involvement for any slum upgrading initiative to be considered a success. Of paramount concern for the residents is the need to improve housing conditions and acquire secure tenure. Success or failure of any strategy relies solely on community involvement while addressing concerns associated with sustainability, prohibitive costs and project ownership mechanisms.

In implementing the upgrading process in Huruma, the communities were aware of these issues and of critical concern was the tenure situation. While strides had been made in the signing of the MoU with the CCN, it was against a backdrop of the fact that land is a finite resource and its availability, particularly in urban areas, is limited. As is the case in Huruma, the CCN holds the title to the land. Transfer of ownership is a cumbersome process and so far, the community is yet to claim ownership to the land. The registration processes are usually long, slow and sometimes allow loopholes for fraud.

Another key challenge is financing. Finance institutions were averse to lending money for housing to low income groups due to the perceived risks in repayment. This made the Huruma community resort to informal credit sources that were expensive and mostly short term. In mitigation, a financing mechanism was instituted i.e. the outfit leveraged community savings for further funding from partners which resulted in the establishment of a community mortgage facility. However, there is still need for deliberate investment in non-conventional micro-finance institutions in order to bridge the gap between formal and informal financing options. It also calls for financial innovation that would include tapping social security funds for housing and encouraging domestic savings in order to facilitate delivery of affordable housing.

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# Korogocho Slum Upgrading Programme

IFRA – Nairobi

## *Abstract*

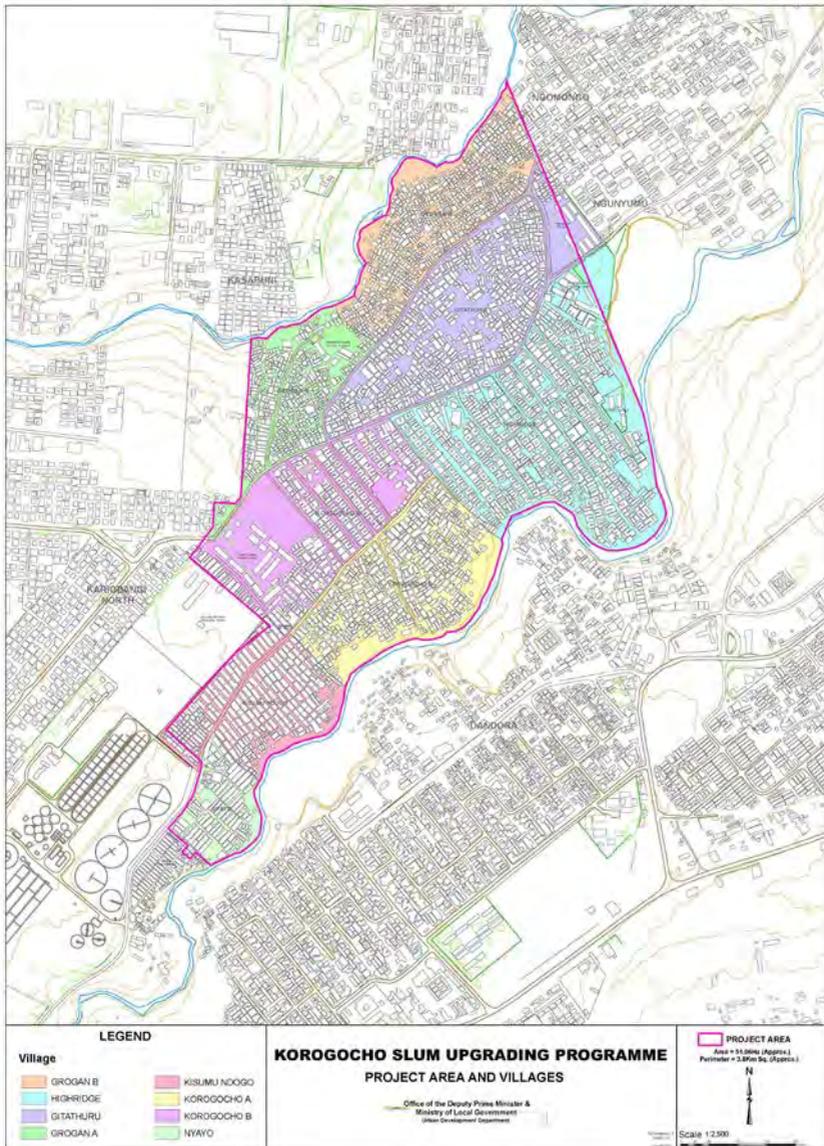
*This article presents certain aspects of the Korogocho slum upgrading programme in Kasarani, Nairobi. It focuses on the goals, design, implementation and impact of this programme while presenting some of the key challenges that have been faced in the implementation process.*

## **Introduction**

The Korogocho Slum Upgrading Programme is a joint initiative of the Government of Kenya with funding support from the Government of Italy through a debt-for-development swap entered into by the two governments in 2008. Korogocho slum is one of the largest slums in Nairobi, located in Kasarani District, with an estimated population of about 34,152 people on approximately 50 hectares of land owned by the Government of Kenya (Ministry of Local Government [MOLG], 2010). Korogocho is composed of eight villages: Korogocho A, Korogocho B, Grogan A, Grogan B, Nyayo, Gitathuru, Kisumu Ndogo and Highridge (Figure 1). It borders the largest dumping site in Nairobi i.e. Dandora.

Korogocho settlement started in the 1960s and grew in the 1970s as inhabitants were settled from other slums demolished in other parts of Nairobi. It is characterised by high poverty rates, crime and unemployment. There is also limited access to basic services and infrastructure like water, sanitation, access roads, electricity, educational and health facilities. The housing structures in Korogocho are constructed from recycled materials such as corrugated iron sheets, timber, mud and natural stone.

Figure 1: Map of Korogocho Area



Source: Ministry of Local Government (2009)

## Goals of the Korogocho Slum Upgrading Programme

The long-term goal of the Korogocho Slum Upgrading Programme is to improve the lives of slum-dwellers in line with the Millennium Development Goals (MDGs). The programme's objectives are to:

- Undertake a situational analysis of Korogocho;
- Prepare a Sustainable Integrated Plan (SIP) for Korogocho;
- Build the capacity of various actors/institutions;
- Provide collective security of tenure to the residents of Korogocho;
- Ensure improvement of the slum upgrading programme for visible impact.

## Programme Design and Implementation

This programme is coordinated by the Ministry of Local Government (MOLG) as the lead executing agency through the Programme Management Unit (PMU). The other lead agencies involved in this project are the Ministry of Lands (MOL), the City Council of Nairobi and the United Nations Human Settlements Programme (UN-HABITAT) which form the Technical Working Groups. The Programme has two key committees that oversee its implementation.

### *Residents Committee (RC)*

The Residents Committee (RC) of Korogocho was formed in August 2008 and is composed of six elected representatives from each of the eight villages in Korogocho, with the area councilor and area chief being ex-officials. This committee represents the residents in the programme and they also sensitize the community to participate in the ongoing slum upgrading activities. The RC also gives and receives feedback from the community with regard to key issues about the programme while also resolving disputes at the local level. The committee implements its activities by undertaking various meetings and workshops among themselves and with programme officials. They also hold community *barazas* (public meetings) with the residents to transmit information directly to the community and also get feedback which they relay to the programme officials.

The committee faces various challenges in undertaking their work including having to accommodate the diverse views of the 48 committee members who represent various groups like tenants, structure owners, the youth,

women and elderly people. They also do this work voluntarily, meaning that they have to leave their daily chores to spare time for the implementation of programme activities.

### *Steering Committee (SC)*

The Steering Committee (SC) of Korogocho gives guidance to the upgrading programme. It is composed of representatives from the Ministries of: Finance, Local Government, Lands and Housing. This SC also has representation from the Provincial Administration, the City Council of Nairobi, the RC, Faith Based Organisations (FBOs), the Italian Cooperation and UN-HABITAT.

The SC, which meets monthly, approves work plans, receives progress reports from lead agencies, ensures that programme activities are on course and monitors utilization of funds. The presence of the Korogocho residents in this committee, through the RC, enables them to participate at the very top level decision making organ of the programme, ensuring community views are well presented in the implementation process.

## **Results and Impact**

The programme implementation started with consultative meetings between opinion leaders from the community, FBOs and Government officials. This preparatory stage was very important in setting a good foundation for the programme as the community leaders were taken through the objectives of the programme. This culminated in the formation of the RC, elected democratically by the residents of Korogocho. The election of the RC was supervised by officials from the MOLG and the Provincial Administration to ensure that the exercise was carried out transparently to the satisfaction of the residents.

A comprehensive situational analysis has been undertaken that includes preparation of base maps from recent aerial photographs, mapping of all structures in the settlement, enumeration of all residents and a comprehensive socio-economic survey.

### *Base Map Preparation*

Using the latest aerial photographs, the digitising of all structures using Geographical Information Systems (GIS) was undertaken. The draft base maps were then verified by the RC, who defined the Programme's project area and the boundaries of each of the eight villages in Korogocho.

### *Structure Numbering*

A joint team from the MOLG, MOL and the RC undertook the exercise of identifying every structure in the base maps and the structure owners. This was to ensure that the final base map was up to date and accurate. The process also included provision of a structure number and recording of structure owner details. The information was then updated on the base map and presented to the residents committee for verification.

### *Enumeration survey*

The enumeration was carried out to update the data base on the occupancy of each structure in Korogocho. The survey identified the number of occupants living in every structure, household size, the number of rooms in every structure and the year the occupant resided in the structure. The data also included identification of resident or non-resident structure owners. This survey was carried out by a team from the MOLG, MOL, UN-HABITAT and the RC.

### *Socio-economic survey*

A comprehensive socio-economic survey was carried out to take stock of the existing physical, socio-economic and environmental issues in Korogocho. It was also supposed to outline the main problems facing the residents of Korogocho, and the vision of the residents of Korogocho. The survey included administering of questionnaires for households and businesses and focus group discussions. It provided both quantitative and qualitative data that was integrated in GIS to allow for interrogation of different aspects by users.

The above exercises constitute the situational analysis of Korogocho that will inform the preparation of a Sustainable Integrated Plan (SIP) of the settlement. The SIP will transform the settlement from an informal to a formal

settlement and will pave way for the process of delivering an appropriate security of tenure. Sensitisation of the community on the existing land tenure options has been undertaken ahead of the planning process to ensure that they are informed of the available options. Concurrently, the programme has been implementing concrete infrastructure projects in the informal settlement that have included provision of water tanks, construction of a foot bridge and tarmacking of roads (Figure 2). While these projects have been implemented through qualified contractors, the programme has ensured that the projects make use of the available unskilled labour in the community. These projects have increased accessibility in the area, increased business opportunities and reduced incidences of crime.

The concurrent rehabilitation of infrastructure with the other activities has boosted the community's confidence as it has achieved concrete and visible interventions that made them believe that the upgrading programme was real. This has encouraged the community to participate in other programme activities like enumeration and the socio-economic survey. The rehabilitation of infrastructure, particularly the road, led to the relocation of residents from the road reserves. The RC facilitated this relocation, by identifying various open spaces within the settlement where these residents could be relocated to. The importance of the community representatives was evident in this exercise in ensuring that it was carried out voluntarily and peacefully inasmuch as the construction activities were slowed down by the high human traffic in the settlement, especially at the Soko Mjinga market.



## Key Challenges

The first key challenge in the implementation of the Korogocho programme is managing the participation of the community. This is because the community has diverse interest groups ranging from youth groups, FBOs, Community Based Organisations (CBOs), “landlords”, structure owners, residents, with divergent views and interests. Moreover, there is polarisation of the community along ethnic and religious lines, requiring efforts to ensure that the community speaks with one voice.

A second challenge the programme has faced is scepticism due to past failed attempts to upgrade the slum. At the inception of the programme, the residents took time to engage the partners to avoid mistrust. Nevertheless, the residents showed a lot of confidence with the government as they were optimistic that the government would adequately resolve the land tenure issue.

Third, difficulties are experienced in information dissemination. While the programme sensitises the residents on related activities through community *barazas*, rumours do arise occasionally creating confusion among the residents. When distorted information touches on sensitive issues such as security of tenure, tensions arise among the residents.

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# Umande Trust Bio-Centre Approach in Slum Upgrading

Aidah Binale

## *Abstract*

*The aim of this article is to present a case study of bio-centres in three slums in Nairobi: Korogocho, Kibera and Mukuru in an approach developed by Umande Trust (UT) which is seeking to improve access to basic urban services to affected communities. To-date, 49 bio-centres have also been constructed in Kisumu and Nairobi. It is hoped that this approach will attract future replication of the technology in other parts of the country. This article gives a background to the Trust and outlines the objectives, strategies, successes and challenges experienced in the course of this slum upgrading effort.*

## **Background**

Umande Trust (UT) is a rights-based agency which believes that modest resources can significantly improve access to water and sanitation services if financial resources are strategically invested in support of community-led plans and actions. We maintain excellent rapport with community-based groups, organizations and coalitions in most informal settlements in Nairobi, Kisumu and Dallas in Embu. This extensive reach, with people and partner agencies, continues to register promising results. We believe in working with communities to adopt technologies which address water and sanitation problems and the choice of ecological sanitation is firmly rooted in this goal.

The underlying philosophy of ecological sanitation, hereafter referred to as ablation blocks (bio-centres), is that if treated properly, human waste is a valuable resource. The period of 2005 – 2015 is the United Nations (UN) decade of fresh water and basic sanitation. UT is committed to actively contribute to the UN Millennium Development Goal (MDG) “to halve the number of people living without sustainable access to safe (and affordable) drinking water and to basic sanitation by 2015” guided by the following principles: (1) equity (easily accessible to the population); (2) affordability; (3) environmental effectiveness

(pollution prevention and health promotion) and (4) sustainability (limited cross-subsidy which is maintained and accepted by communities).

Over the years, residents in informal settlements in Nairobi have had to cope with water shortage and poor sanitation conditions. It is estimated that 95% of residents living in slums draw water from individually-owned, illegal water standpipes at exorbitant prices. Besides, water quality is compromised due to use of sub-standard and broken/bursting pipes leading to water contamination from surface waste water whenever there are leakages/bursts. Furthermore, 75% of the population lack toilet facilities within their homes and most residents use dilapidated toilets or flying toilets that are emptied into nearby rivers, leading to water pollution.

To address the above challenges, Athi Water Service Board (AWSB) developed strategic guidelines that seek to improve water and sanitation services in Nairobi's informal settlements (Kibera, Korogocho and Mukuru). The project was funded through the Nairobi Water and Sewerage Emergency Physical Investments Project (CKE 3005) – Package 4 Construction of Ablution Blocks in Informal Settlements in Nairobi. This was part of a funding agreement between the French Development Agency (AFD) and the Government of Kenya, entitled “Nairobi Water and Sewerage Emergency Physical Investments Programme (NWSEPIP)”. The project was financed by AFD through AWSB and the memorandum of Agreement (MoA) between AWSB and Umande Trust was signed on 6 August, 2007. The bio-centres have improved water and sanitation in the area, hence contributing to the reduction of related problems and access costs while fostering cohesion in the community, among other benefits.

### **Bio-Centre Projects in Korogocho, Kibera and Mukuru (August 2007-September 2009)**

#### *Location Details*

Together with development partners, UT has developed and implemented projects that are aimed at improving access to safe water and sanitation for informal settlement dwellers. One major project was the construction of 20 ablution blocks (also called bio-centres) in selected villages of Korogocho, Kibera and Mukuru informal settlements, targeted to benefit 350,000 residents.

- *Korogocho*

Korogocho is the fourth largest informal settlement in Nairobi and it borders the largest dumping site in Kenya i.e. Dandora. The area is 95% government-owned land and has 8 villages. The area is characterized by inaccessibility to minimum services and infrastructure, lack of security of tenure, HIV/AIDS, water and air borne diseases, high unemployment rates, occasional violent conflicts and high rates of insecurity. Settlement in Korogocho dates from the 1960s, when it was a settlement for quarry workers, and the late 1970s as a result of the demolition of informal settlements close to the city and the resettlement of the squatters there.

**Figure 1:** Tegemeo Bio-centre, Korogocho Market



Source: Umande Trust (2011)

- *Kibera*

The recent census carried out by the Government of Kenya (GOK) in 2009 puts the population of Kibera at 170,070 (GOK, 2009). Kibera is located on a hill crossed by three rivers that join downstream on the south east. Before the 1990s, this water was used for all purposes but these days, the rivers have become polluted with sewage that sometimes get blocked by garbage. The management of waste and waste water is currently one of the major problems of urban informal settlements.

Kibera, like many other settlements in Nairobi, is characterized by lack of basic services and infrastructure such as adequate access to water, sanitation, garbage collection, roads and footpaths, storm drainage, electricity and public lighting etc. Housing units are semi-permanent in nature and often reflective of the high population densities. Security of tenure is not guaranteed and the threat of forced eviction remains real. Social amenities are inadequate with facilities such as schools and hospitals unable to cope with the population demand.

Services are therefore essentially private or provided by non-profit organizations. The government seems to rely on Non-Governmental Organisations (NGOs) or institutions such as UN-HABITAT. For example, the Ministry of Health is a partner of Doctors Without Borders (MSF Belgium) clinics and the Ministry of Lands is taking part in the UN-HABITAT up-grading program in Soweto East. The privatization of the distribution of portable water brought problems, particularly with regard to unstable prices (a 20L jerrican rates from KShs 5 to 20, in case of scarcity i.e. USD 0.05 – 0.21) and poor quality of the maintenance of pipes. These plastic pipes often lie in open drains occasionally filled with raw sewage which cause contamination of the water. As toilets and bathroom facilities are not provided in houses, this sector is managed through private toilets at a cost of KShs 3 – 5 (USD 0.03 – 0.05). Consequently, many people prefer the use of the infamous 'flying toilets' which is free.

- *Mukuru*

In terms of surface area, Mukuru is almost as large as Kibera. Mukuru, which means *valley* in Kikuyu<sup>1</sup>, was started in the 1970s by workers from the nearby quarries and it has grown rapidly in the last five years. The physical geography of Mukuru makes it difficult to access thus renders issues of water and sanitation more complex. The swampy soil does not permit the escape of waste water, which then stagnates, consequently contributing to diseases such as cholera, malaria and typhoid fever.

It is said that “water is life and sanitation is dignity”; this dignity is absent throughout most of the expansive slum. The poor sanitation conditions found here are aggravated by lack of planning which characterizes most informal settlements. The residents live in squalid conditions occupying tiny semi-permanent structures built from flimsy material such as timber, cardboard, plastic and corrugated iron sheets. These structures house numbers far beyond their capacity. Water and sanitation issues are similar to those of Kibera and Korogocho. Although water connection has been improved previously by Nairobi City Water and Sewerage Company (NCWSC), some areas are still suffering from gang/cartels’ rules in water distribution. In Mukuru Kwa Njenga, in the event of water scarcity, 20 litres of water can go up to KShs 40 (USD 0.43). The need for proper sanitation and better access to water is fundamental in this informal settlement where the sanitary situation is critical. This becomes a health hazard to people staying in this area.

## **Bio-centre Project Goal**

The overall goal of the bio-centre project is to promote improved sanitation in selected low-income areas of Nairobi through the provision of ablution blocks and training in both managing the facility and improved hygiene. This is in line with the AWSB informal settlements strategy whose overall objective is to provide reliable, affordable and sustainable access to safe drinking water and basic sanitation to people living in informal settlements. The definition is contained within the Kenyan Water Services Strategy whose main aim is to achieve the specific MDGs and WSS targets on water and sanitation for the country by 2015.

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<sup>1</sup> One of 43 languages of Kenya

The specific objectives of this project are:

- Increased hygiene in the informal settlements through improved water availability and sanitation hence reduction in incidence diseases;
- Improved water and sanitation in each informal settlement by regularization and control of the water and sanitation facilities;
- Provision of a sustainable source of water to the informal settlements;
- Reduction of the cost of water and sanitation services in the informal settlements where the project is to be implemented;
- Creation of jobs in the informal settlements by way of creating awareness through training of CBOs to operate and manage the sanitation kiosks for a fee;
- To raise awareness of what sustainable sanitation solutions are and promoting them on a large scale;
- To highlight the key role of sanitation to achieve a whole series of MDGs;
- To show how sustainable sanitation projects should be planned with participation of all stakeholders (hand in hand with hygiene promotion and capacity development).

## **Process and Management/Implementation Strategies**

UT believes in community-led processes based on the principles of full and effective participation of all stakeholders. The scope of activities included initial research to determine the scale and location of the toilets, determining and training the group which will operate the toilets and the actual construction of the building. All of the activities involved the relevant stakeholders, for instance NWSC staff participated in the various training workshops and community members, through organized groups, participated in construction and managing the facility.

### *Research, Training and Awareness*

The activities started with a survey to determine the number of users and their attitudes to fees for use and additional services. This involved quantifying the number of households in the informal settlements to establish potential demand so as to guide the design process. A quantitative survey was carried out using a questionnaire which was developed by the UT team. The questionnaire covered various issues categorized by sex, gender and the area(s) the respondent(s) lived in. The three settlements covered in the survey were

Korogocho, Kibera and Mukuru informal settlements. The sanitation characteristics were determined by availability of built water, latrine and bathroom facilities. The survey sought to determine their source, their cost and their distance to settlements in the three informal areas sampled. The characteristics of water targeted were: (1) source; (2) distance to source and (3) cost of water. The characteristics of latrines and those of bathrooms were equally defined by: (1) source; (2) distance to source and (3) cost to the settlements. The sample targeted 50 respondents in geographically distributed sub-areas in the three informal settlements.

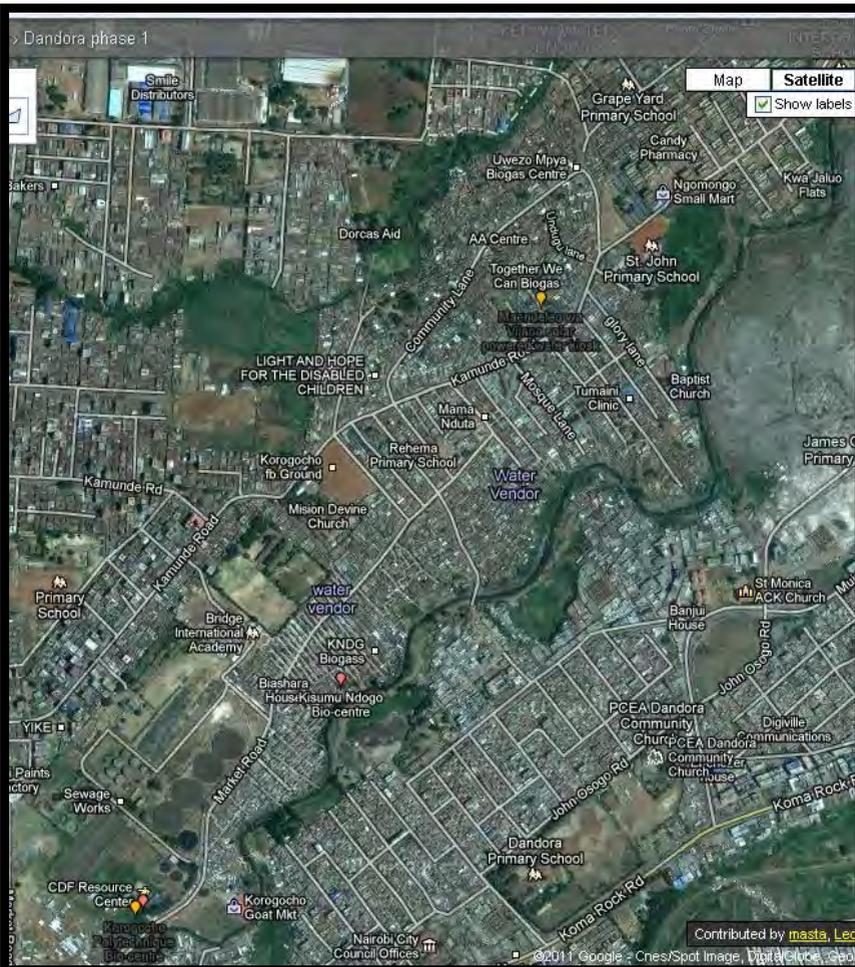
These user groups were questioned about their interest in using showers, how much they would be willing to pay per visit for toilets and showers and their opinions about how other aspects of the area around the proposed bio-centres could be improved for example, solid waste management. They were also asked on how other businesses can be developed around and linked to the bio-centre to create a development hub.

#### *Selection of (Physical) Sites and Operating Groups*

The project involved the development of 20 bio-centres in Korogocho (Figure 2), Mukuru and Kibera. The first step in the groups selection is through a rigorous competition and the groups are shortlisted depending on the membership, registration, activities, availability of space involved among other factors. The top selected groups then take the technical team for site identification and this is done considering the location of the site, vicinity of other toilets and closeness to residents (beneficiaries). To enhance cost-effectiveness, the sites were clustered into four groups for purposes of training.

Once the groups were selected members were trained in eco-san promotion, bio-centres and community cookers along with the initial training of promoters in water and sanitation. The purpose of training the promoters was to assist in successive training of the rest of the community members. A series of user awareness workshops were held over the project period run by UT and the operating groups' promoters. During the construction phase operating group members were trained in basic business skills and how to operate and maintain the bio-centre and its related income-generating activities. Currently, the groups are managing the bio-centres, doing the operation and maintenance.

**Figure 2:** A Map of Korogocho



Source: Ministry of Lands, Nairobi City Council, UN-HABITAT  
(Korogocho Upgrading program)

### *Bio-centre Construction*

Using the information gathered from the initial research combined with stakeholders input, the toilets design was finalized. It was agreed that the design

would be that of bio-centres as this is the standard design developed by UT over the construction of two existing latrines in Nairobi's Kibera informal settlement. The designs have two bathrooms for both male and female users and four toilets on each side. The human investment (waste) is directed into an underground dome which goes through anaerobic digestion and produces biogas as well as liquid fertilizer. This biogas system and building construction was supervised by UT and members of the operating group actually participated in the construction of the facility. They were trained, on and off the job, by staff and community artisans from Kibera who had been trained during the previous implementation of bio-centre projects.

### *Community Capacity Building Process*

Apart from the construction process, UT have maintained a process-based capacity building approach that has seen community groups acquire and develop skills in governance, community-led design, budgeting, procurement and supervision of works. UT is also equipping artisans with skills in bio-sanitation through on-the-job training. The capacity building process has utilized skills drawn from other informal settlements in Nairobi as part of peer education. Exchange visits continue to take place during this period as part of community-to-community learning.

This process of capacity building has been achieved through trainings. Various committees were selected amongst the group members and they become the representatives of the members. Each group has four committees: (1) executive; (2) business management; (3) tendering and (4) works, each comprising of five members. They are tasked with roles and responsibilities by their members who hold them accountable during their group meetings.

The management committees were trained on:

- i) Governance

The committees were trained on group membership, existence and role of project committees, existence of a site manager, leadership skills, communication, feedback mechanism, management of WATSAN services, work plans and financial management (budgeting, procurement and supervision of works).

- ii) Hygiene Promotion

Hygiene and clean environment is the ultimate goal of this project and this can only be realized through regular cleaning of the facilities. The training emphasized the importance of:

- Removal of mud from the shoes before entering the toilet. All the groups were asked to ensure that the facilities have a door rack.
- Use of soaps/detergents: The trainees were informed that not all the soaps and detergents could be used in cleaning the facility because some were not friendly to the bacteria that are necessary for bio gas production.
- Regular cleaning of the facility to avoid stench and create habitable surroundings.

### iii) Detection

The trainings also emphasized on the importance of detecting and preventing:

- Gas leakage: The groups were trained on how to monitor gas levels and also how to detect leakages.
- Blockage in the gas pipe: The groups were taught how to detect and remove the water from the pipes using water traps.
- Blockage of the soil water channel: The groups were also taught on how to unblock the channels and also in safe disposal of sanitary towels to avoid blockage.

### iv) Biogas Systems

The groups were introduced to safety measures with regard to biogas systems which included: lighting the match stick before releasing the gas and keeping the burner clean to ensure proper burning of the gas.

### v) Filters

The committees were informed on the importance of filters and the need to keep them clean. They were advised to regularly remove any dry matter on the mesh above the filter.

### *Information and communication*

Project team members have been using all available opportunities, through day to day contact with all stakeholders which include community members, to share on project progress and seek for ways of fast tracking

activities. Progress reports were shared with all stakeholders involved especially AWSB. A household survey was conducted in areas adjoining each bio-centre. This process provided a chance for awareness creation on the project activities and also an opportunity to collect residents' perceptions on improving access to water and sanitation services.

### *Decision Making/Participation*

Since the approach to bio-centres is community participation and involvement in all steps of implementation, there are several lessons we have learnt through the process:

i) Extensive communication and transparent closure of project in project cycle management enables the following achievements.

- The sense of ownership has been enhanced making the community to take responsibility of the projects.
- Consultations improved the relationships between the community and the service providers which in turn lead to better decisions. It allowed people interested in or affected by projects to offer their views before a decision is made.
- A set of outcomes desired by the community has been achieved.
- There is a reduced chance of conflicts which is not only costly but an outcome of a dissatisfied community.
- The community was given a role in the implementation.
- The trust and approval of the community involved is secured.
- It is a rewarding way to get to know the community, their needs, ideas and wants.
- Ensured that the local project benefits the local community.
- Consultations have increased stakeholders' commitment to the project and generate a greater willingness for stakeholders to invest their time labor and other resources in a project they own.
- It is important to be close to the community so that they will let you know if you are doing the wrong thing. For instance, dissuading a contractor from constructing on a sewer line on a road reserve that s/he may not have been aware of as houses may have invaded the way. It provides more accurate and detailed information which otherwise may be difficult to obtain.

- It establishes stakeholders' records as stakeholders' circumstances will change over time and their relationship to the project will also change during the designing, monitoring or evaluation of a project.
- It is very essential for sustainability as those given the tasks to manage specific projects handle them in such a manner that will ensure the projects run in the long term.

ii) Innovations

The community was trained on innovative approaches such as:

- *Brick making*: from each of the three settlements, 130 community members i.e. 48 female and 82 male, were trained on brick making. These were members of the 20 Community-based Organisations (CBOs) implementing the NWSEPIP in their settlements. These bricks were used to build the dome that harnesses the human wastes and the gas.
- *Dome construction*: another 47 people were trained on dome construction in all the twenty sites. Dome construction is a new practice in Kenya and was quite exciting. The training target persons were the masons who were identified by the communities. However, this new practice attracted even 4 women who were employed as unskilled laborers and they too acquired the skill in the process.

**Figure 3:** Dome Construction



Source: Umande Trust (2008)

**Figure 4:** Brick making



Source: Umande Trust (2008)

- *Block Laying:* Block laying skills were imparted to the artisans who were trained on dome construction. Again the targets here were the masons

who were laying the blocks. This training was on-going during the entire construction period because the trainers routinely visit the sites and give advice to the masons.

## **Project Constraints**

Inasmuch as there were considerable achievements made in the bio-centre project, the following constraints were experienced:

- There have been delays in disbursement of funds slowing down construction work as material suppliers were reluctant to deliver materials to the sites mainly due to non-payment.
- The political unrest after the 2007 Kenyan General Elections compromised the safety of those working on the sites including UT technicians. In this same period, some groups suffered setbacks due to the displacement of key group members who were holding project leadership posts.
- Availability of construction materials, especially dressed stones, for superstructure works was faced by the community procurement committees due to a workers strike that had crippled operations at the quarry sites.
- In Mukuru, the paths were impassable therefore hindering delivery of materials thus slowing down construction activities.
- The cost of construction for all of the ablution blocks was way above the budgeted amount. The structures implemented have mostly one storey, as opposed to the design as per the contract that was supposed to be only on the ground floor. This is mainly attributed to the pressure the community put on UT to implement the meeting rooms and kitchen. This was an additional project by itself, with massive costs in the construction of the staircase, floor slab and additional floor.
- The supervision of the community was difficult and some groups did not follow instructions. In Mukuru, one of the employees stole money and this case was taken to court.

- There were cases of insecurity leading to theft of construction materials in some sites.
- Most of the excavation was done during the rainy season and surface water drained into the excavation.
- Land ownership issues: land on which the bio-centres are constructed belongs to the Kenyan government while some in Mukuru settlement is private owned. Prior to the construction, groups are asked to apply for the bio-centre. One of the requirements that the group has to have during the application exercise is some proof of space that has been approved by the area authorities which is shown by a letter allocating the space from the local administration. One of the major changes in land ownership is the support given to the groups by the administration which represents the government at the grassroots level.

## **Results and Impact**

### *Social Impact*

- **Accessibility:** The ablution blocks have improved people's lives enabling them to have access to water and sanitation facilities hence improving their health and reducing diseases such as cholera. On average, 450 people visit the centres every day.
- **Privacy:** Privacy has been enhanced as there are separate bathrooms and toilets for women and men i.e. four toilets and two bathrooms for each gender.
- **Security:** Security has improved especially for women and children as the facilities are situated near the households. The predicament of flying toilets that crammed the paths is now being eradicated as people adopt the good waste management practices by using the available sanitation facilities.
- **Sensitization:** Hygienic practices have been enhanced with hygiene education in the schools and in the community being carried out through door-to-door sensitization.
- **Responsibility:** Landlords are providing for sanitation facilities as they build housing units.

- **Ownership:** Communities now have a sense of ownership, having been involved in the project processes which have also made them responsible for the facilities.
- **Gender issues:** With water being accessible, women do not have to devote their time searching for water; they can now engage in other economic generating activities that will uplift them, and their households, economically.
- **Decision making:** Gender equality and equity in decision-making, resource-allocation and programme design and implementation has been enhanced by the program as more women are in the planning committees of these ablution blocks.
- **Hygiene:** The hand wash sinks in the facilities have increased hygiene levels among the beneficiary community members. There are two side taps in each centre which have increased hygiene through hand washing after visiting the toilet. There is also improvement in household and personal hygiene through regular bathing and washing of clothes.
- **Respect:** The ablution blocks have supplied water next to the toilets so as to respect the practices of Muslims who clean themselves with water after visiting the toilet.
- **Social integration:** The ablution blocks have taken women, children, the physically challenged and People Living with Aids (PLWA) into consideration therefore reducing exclusion.

### *Economic Impact*

- **Capacity building:** Arising from the project's capacity development strategy, over 200 members (women, men and the youth) have developed skills in accountability sessions, promoting hygiene, leadership, procurement and tendering procedures, record keeping, financial management and reporting.
- **Income:** The self-help groups managing the facilities have been able to get profits by providing services to the community through running their bathrooms, toilets, hall hire and water businesses at a fee. On average, the group makes approximately KShs 1,600 (USD 17) per month from the ablution block and the facilities are managed by the beneficiary groups.

- **Job creation:** The program has created jobs and the skills transferred ensure that some members of local communities become skilled bricklayers, painters and they also learn how to mix concrete and fit ceilings therefore improving their economic dependence.
- **Affordability:** Water from other sources is 1.6 times more expensive than the bio-centre water. The average saved amount per month per household totals to KShs 271 (USD 3) which represents one day's wage for a casual worker or 4.6% of the monthly expenditures of the poorest households. These affordable services have left the community with increased disposable income therefore increasing their savings and investing capacities.
- **Savings:** The community members have benefited from improved hygiene therefore reducing the occurrence of diseases as a result of poor hygiene consequently reducing cases of hospitalization and increasing their disposable income. Community-based groups have embarked on daily saving schemes which have promoted a culture of savings, enhanced trust, improved information flow and established a robust savings scheme where eligible members can secure modest loans to support their small-scale businesses. The scheme also attracts additional income for improving the members' livelihood.
- **Sanitation credit:** UT and the communities have formed Sanitation Development Fund (SANDEF) which allows communities that have benefited from bio-centers to contribute 10% of the net income into the kitty. The fund will get other sources of income from the partners forming it, local authority funds, other willing donors and the Government. SANDEF is a self-sustaining fund which loans out, rather than grants, the funds needed to undertake a sanitation project. Government and Non-governmental Organizations (NGOs) can make a donation to SANDEF rather than to a specific project. After a project is completed, the loan will be repaid to SANDEF and those funds can be loaned out again for another project hence multiplies the impact of donations. Despite the clear demand by the community for better water and sanitation, the shortage of available funds has made this development nearly impossible. When donors can be found, their donations are given as grants. This negatively impacts sustainability as donors constantly need to be found. SANDEF ensures that the community can get funds on its own to do minor repairs and support other low-cost sanitation options.

### *Environmental Impact*

- **Clean energy:** The project promotes renewable energy application by shifting from fuel-wood to biogas for cooking, which in turn improves energy efficiency, reduces carbon dioxide emissions and alleviates pressure on forests.
- **Awareness creation:** The project promotes environmental awareness and education at the informal settlement level.
- **Capacity building:** The project builds the capacity of the community on environmental project management. Good and affordable sanitation facilities are integrated with proper education leading to the eradication of flying toilets and enabling a good environment for people to live in.
- **Tree planting:** The project has initiated a plan to plant trees around the bio-centres.

### **Lessons Learnt**

- Poor communities aspire to live in a clean environment and are ready to use their resources to achieve it or pay a small fee to use decent, clean toilets and bathrooms.
- Community participation in the management of services creates a sense of ownership and increases their responsibility while partnerships enhance the realization of goals that would otherwise be difficult to achieve. This project demonstrates successful collaboration among NGOs, local authorities, international agencies, the private sector and communities, in water and sanitation for the urban poor.
- The facility has helped residents to perceive human waste as a resource through application of affordable and socially acceptable technologies for energy production.
- Replication depends on sponsors due to high investment cost.
- Community group dynamics play a major role in the construction activities this is due to the participatory planning, tendering, procurement

and building process. Certain groups have managed to adopt this process with very little challenges. This is evident by the rate at which construction works progressed per site.

- Construction with people requires much more monitoring since efforts are required in ensuring accountability, information flow and book keeping.
- Community artisans need close guidance especially where critical stages of construction are reached to ensure structures are built according to desired specifications.
- Compliance with legal and institutional frameworks: As stipulated in the Water Act (2002), AWSB is the asset holding and management entity guided by the AWSB 2007 pro-poor policy. This project seeks to respond to the challenge of supporting WATSAN services in informal settlement, while recognizing community efforts in improved on-site sanitation and hygiene. It is important to note that this project presents a mixed-ownership arrangement between AWSB and community members whose details need to be understood and communicated to group members.

In conclusion, the initiative has attracted local and international stakeholders' interest and participation. Encouraged by the benefits of bio-centres, these stakeholders in partnership with UT are replicating the project on a larger scale which continues to boost the bio-sanitation technology in Africa.

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# Working with Communities to Improve Dignity: The Case of Improved Bio-Centres in Kenya

George Wasonga

## *Abstract*

*This article presents the bio-centre technology, an innovative solution that addresses the fundamental needs of densely populated informal settlements, which has improved sanitation and energy access options for residents. The bio-centre technology not only arrests the myriad of health, social and environmental problems associated with poor disposal of human waste but it also reduces the energy burden of poor communities as well as introducing new opportunities for income generation and positive socialization amongst the inhabitants in the catchment area of the facility. This article discusses the sanitation challenges in informal settlements and the bio-centre initiatives, of community actors, to redress the attendant problems.*

## **Introduction**

As is the case in many developing nations, Kenya's urban areas are centres of innovation, industrialization, education, science and technology and culture. Many citizens are attracted to these urban areas to benefit from the attributes of modern living. However, these urban spaces house communities living in highly undignified conditions deprived of the very basic essentials necessary for meeting a minimum standard of living. Majority of Kenyans, estimated at over 60% of the urban population, reside in informal settlements where they not only deal with the ever looming threat of eviction, but they also bear a heavy social and health burden accentuated by the poor physical conditions they live in.

It was with hope and desire for a better urban space that Kenyans, including the people residing in informal urban spaces, overwhelmingly voted for a new constitution, promulgated in August 2010. Significant in this constitution is the recognition of urban areas and cities as provided for in article 184 (Government of Kenya [GOK], 2010) that has enabled subsequent legislation

through an Act of Parliament on Urban Areas and Cities in August, 2011. Such is the importance of legislation, particularly when statistics show that one out of every three Kenyans lives in urban areas implying that out of the total 38.6 million population, 32.3% or 12.5 million Kenyans live in some 108 designated urban centres with populations ranging between 20,000 and 3 million (GOK, 2009). Kenya's development blue print, Vision 2030, estimates that by the year 2015, the level of urbanization will have reached 44.5%, and eventually it will reach 54% by 2030 with nearly 30 million people living in urban areas.

In this regard, the Bill of Rights, as enshrined in the constitution, clearly provides for respect, protection and fulfilment of human rights for all citizens regardless of their place of residence, ethnic origin, gender or any other status. It safeguards the right to food, health, education, housing, water and sanitation and a clean environment. With the provisions of article 43, the poor can claim their inalienable right to exist within the city, to access basic services and to participate in governance (GOK, 2010).

However, for the majority of urban Kenyans residing in informal settlements, the answers to the very conditions that make for undignified living in the urban spaces remain distant and these trends contribute to a sense of hopelessness. Nevertheless, it is encouraging to note that efforts are being made by both State and non-state actors to ameliorate the conditions, particularly in the provision of basic services, shelter and infrastructure. One such effort that is responding to the sanitation and energy question in informal settlements is being led by Umande Trust, a Non-Governmental Organization (NGO) based in Kibera, Nairobi, with support from the Civil Society Urban Development Programme (CSUDP) and related donors.

### **Sanitation and Energy Issues**

Communities residing in the ever growing expanse of informal settlements in Kenya continue to contend with serious environmental degradation and public health concerns precipitated by increased vulnerabilities due to exposure to unsanitary conditions. The magnitude of this concern can no longer be downplayed, especially since Nairobi alone houses more than 100 such informal settlements. It is increasingly obvious that if unchecked, these patterns are likely to undermine the country's efforts towards achieving the Millennium Development Goals (MDGs).

**Figure 1:** Poor garbage disposal

Source: Haki Jamii (2009)

Working through Umande Trust, communities in a number of informal settlements identified poor sanitation as a key area of concern which is compromising their quality of life. Containment of human waste in sanitized environments continues to elude inhabitants in these settlements who often lack space for the construction of appropriate sanitation facilities. Households are forced to employ risky disposal practices that have left the communities vulnerable to diseases such as diarrhoea and even outbreaks of cholera. This situation has been exacerbated by the poorly drained surfaces in the settlements, often causing overflows into the housing units during the rainy season. The question is and remains, what technological options, commensurate with the socio-cultural and economic conditions, are available?

Interestingly, technology that not only contains and sanitizes human waste but generates energy from the same exists. Yet, energy for household use remains a major concern in the informal settlements with families directing a significant amount of their earnings in acquiring energy for cooking and lighting. Most of the households use kerosene lamps and stoves exposing themselves to risks of contracting upper respiratory tract infections. The bio-digester technology provides an important solution that Umande Trust, through the support of CSUDP and other agencies, has mobilized communities to construct. Presently, there are over 40 bio-centres constructed through community participation in informal settlements of Nairobi, Kisumu and Kakamega.

## The Bio-Centre Option

The bio-centre technology provides multiple social, environmental and economic benefits to the communities residing in informal settlements. This technology answers to the call for provision of dignified sanitation and responds to the high energy demand through supply of safe bio-gas for household application and natural compost for improved urban gardening hence improving household nutrition. Biogas use, replacing conventional fuels like kerosene or wood fuel, allows for the conservation of the environment by protecting forests. In addition, the containment of human waste reduces the pollution of water bodies thereby curbing water-borne illnesses.

**Figure 2:** A Bio-sanitation facility at Katwekera village, Kibera



Source: Umande Trust (2010)

## Towards A Green Economy

The green economy concept, as described by the United Nations Environment Programme (UNEP), is aimed at economic growth that reduces carbon emissions and pollution while enhancing energy and resource efficiency. Bio-centres are designed to contain human waste and transform it into energy and compost by-products for domestic application and farm input respectively.

The bio-centres are constructed by communities who contribute their labour (skilled and unskilled) and the facility yields a whole range of benefits for its users, the society and the environment in general. Currently, the 40 bio-centres are serving a combined population of over 100,000 informal settlement inhabitants with associated benefits that include:

*Turning waste into a resource*

Bio-sanitation has closed the loop in the waste management process by turning human waste into a resource. The bio-centres apply ecological sanitation principles to ensure that human waste in ablution blocks is turned into wealth by producing gas through bio-digester systems and producing fertilizer as a by-product.

*Production of clean energy (heat, light, electricity)*

One standard bio-digester produces at least 12m<sup>3</sup> of bio-gas whereby 1m<sup>3</sup> of bio-gas will generate 4,500 – 5,500 Kcal m<sup>2</sup> of heat energy when burning effectively. This heat is sufficient to boil 100 litres of water or light a lamp with a brightness of 60-100 watts for 4-5 hours. Furthermore, 30m<sup>3</sup> of biogas is equivalent to 18 litres of diesel oil.

**Figure 3:** Meal preparation at the community kitchen



Source: Umande Trust (2010)

The bio-gas is piped to a community kitchen that serves an average of 50 households per day, thereby almost substituting the complete consumption of charcoal and kerosene for the households neighbouring the facility in informal settlements.

*Environmental advantages through protection of forests, soil, water and air*

Estimating an average per capita consumption of 3 kg of wood per day for energy (cooking, heating and boiling water) per household, the daily per capita demand of energy equals to about 6 kWh which could be covered by about 1m<sup>3</sup> of biogas. This translates into the conservation of trees in the surroundings of informal settlements. Biogas use, replacing conventional fuels like kerosene or firewood, allows for the conservation of the environment. In addition the containment of human waste reduces the pollution of water bodies.

*Global environmental benefits of biogas technology*

A bio gas digester effectively reduces the amount of methane directly released into the atmosphere, by trapping it and facilitating its use as a green fuel.

- Transformation of organic wastes into high quality fertilizer

The Kenya Agricultural Research Institute (KARI) lab tests have proven that the fertilizer which comes from bio-gas digesters contains triple the nitrogen than the best compost fertilizers made through open air digestion. Bio-fertilizers are cost effective and eco-friendly supplements to chemical fertilizers. They provide a sustainable source for nutrients and healthy soils and are seen as an important input to urban farming practices evident in the informal settlements.

- Income generating opportunities

The bio-centres are hygienically established and have provided spaces for petty trading and community social hall space for mobilizing community savings groups.

## Conclusion

The dignity of most urban residents occupying informal settlement areas of urban spaces is a fundamental right that can be partly fulfilled through innovative solutions to the sanitation question such as the one offered by bio-centres. The multiple benefits that communities in these settlements derive from the bio-centres provide further incentive for this choice of sanitation solution. CSUDP and Umande Trust are convinced that the advantage of bio-digestion technology is no longer in question as its viability and utility is well-proven. Nevertheless, this is a solution that is yet to be widely embraced as an answer to the informal settlement sanitation question so as to uphold the dignity of the majority of Kenyans, occupying the least space in urban centres.

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- Government of Kenya [GOK]. (2009). *Kenya Population and Housing Census*. Nairobi: Kenya National Bureau of Statistics.
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