Urban livelihoods, institutions and inclusive governance in Nairobi: ‘spaces’ and their impacts on quality of life, influence and political rights
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9. Conclusions

9.1. Introduction

The introduction to this study discussed the background of this study and indicated the importance of inclusive and responsive governance to deal with the two-sided challenge of sub-Saharan African metropolitan cities to create quality of life for the majority of its poor citizens and provide a context for urban and national economic development. The central question answered in this research is to what extent, under which conditions and in which ways claimed and invited spaces in Nairobi impact quality of life, influence and political rights. This question served as starting point for a detailed study on the negotiation processes and impacts accommodated and constrained by formal and/or informal institutions and structures at micro-, meso- and macro-level. This concluding chapter summarises the main research aims and findings, the theoretical implications, and the consequences for further research and policies.

The metropolitan city of Nairobi is an excellent context for analysing the actors, processes, impacts and contexts of claimed and invited spaces. Nairobi has a high level of political-economic complexity and dynamics and is a growing international nexus point where the conflict of economic growth versus quality of life is distinct. Its context of rapid integration in the global economy since the early 1990s, the contrasts between ‘neo-patrimonial’ African politics of patronage and clientelism and Western based neo-liberal governance models of private sector development, decentralisation and multi-stakeholder partnerships, as well as the considerable macro-economic growth between 2002 and 2007, makes it interesting for analysis of mutually co-existing top-down and bottom-up shaped spaces for the poor from the informal settlements of Nairobi.

The study analyses both processes and impact, moving beyond the in retrospect somewhat one-sided process-oriented approaches of the last decade. In addition, impact is not only analysed in terms of quality of life, but also in terms of influence and political rights, touching upon the important debate on inclusive governance. Furthermore, it takes structurally determining factors at micro-, meso- and macro-level into account, including contextual factors which form major underlying explanatory factors. Central domains in the study are (1) the individually claimed spaces of social, organisational and political relations of livelihood and household pathways, (2) the collectively claimed spaces in peri-urban access to land and tenure, and (3) the invited spaces of city-wide governance networks in metropolitan Nairobi.
In order to examine the conditions for spaces and processes to sustainably deliver better outcomes for the poor in terms of quality of life, influence and political rights, this study used a mix of scientific theories. Livelihoods theory offers a multi-dimensional and comprehensive view on poverty and possibilities for analysing processes and impacts of impoverishment. Social capital theory contributes ideas relevant to the analysis of bonding, bridging and linking capital of households, processes of reciprocity, enforceable trust and bounded solidarity, and the positive and negative consequences of social capital. Collective action and social movements theory offers concepts relevant to consumption and politically oriented action repertoires and processes. Chronic poverty literature criticises the relatively power neutral concepts of early social capital theory and livelihoods literature and stresses the structural character of poverty. Citizenship and deepening democracy literature and democratic network governance theory contribute to further conceptualising and differentiating collectively claimed and invited spaces and the interaction and negotiation processes within them. Citizenship literature, governance assessment literature, democratic network governance and multi-level governance literature, each contribute to the differentiation between notions of influence on implementation, processes, policies and political rights. Finally, literature on the mutuality of formal and informal social and political institutions contributes to completing the conceptualisation of the full scope of institutions at play, particularly in the sub-Saharan African context with prominent informal institutions.

A first outcome of this study is a comprehensive conceptual framework for the analysis of structural and contextual conditions at micro-, meso- and macro-level for sustainable impacts of spaces on quality of life, influence and political rights for the poor. Second, through linking democratic network governance theory and deepening democracy theory the research offers a framework for analysing transformation of inherently dynamic governance networks over time. It is based on differentiation of four governance network approaches along the coordination/conflict and calculation/culture dichotomies and includes the culture-based form of community democracy which is particularly relevant for sub-Saharan African contexts. Third, the research notes that in cases of linked (inter)national and local coalitions and campaigns, it is precisely the interplay between formal, top-down institutions and informal, bottom-up institutions that creates new opportunities for spaces of development. Fourth, the research indicates the viability of a ‘third way’ of hybrid access to land and tenure through formal collective land purchase and informal land subdivision, which is distinct from purely traditional and contemporary institutions and works for the poor in sub-Saharan African metropolitan contexts with rapid commodification, rising land values and high market prices. Fifth, the research includes economic variables in addition to
Conclusions

social variables for an assessment of the impacts of peri-urban land access of the poor.

9.2. Livelihoods of poor households in Nairobi’s informal settlements

The first research question explores the composition of the livelihoods and livelihood pathways of poor households and the influence of household characteristics, ambitions and relations in Nairobi’s informal settlements. The livelihoods approach offers a multi-dimensional approach to poverty, capturing the complexity, diversity and dynamic character of poverty and deprivation. Previous studies on urban livelihoods are however limited (Moser 1998; Rakodi 2002), focus predominantly on individual assets rather than taking a comprehensive approach to livelihoods, and only to a small extent include structural household characteristics.

This study focuses on urban livelihoods, taking on a comprehensive approach to livelihoods and a full analysis of structural elements at micro-, meso- and macro-level. In order to catch these elements fully, the methodology of an asset- and vulnerability-index has been applied (cf. Verrest 2007; Baud et al. 2008). First, the quantification of data involved makes it possible to compare livelihood profiles between groups. Second, the asset-index represents the size and composition of human, financial, productive, social, organisational and political assets that households have at their disposal; and finally, the vulnerability-index indicates the capacity to ‘bounce back’ after shocks and stresses in urban life in terms of resilience, diversification and regularity.

Some studies have challenged the underlying assumption of equal and flexible trade-off between assets in livelihoods theory, and instead suggested differentiated weighing of assets as more realistic for the poor (De Haan & Zoomers 2005). Studies on urban livelihoods stressed the importance of labour as a livelihood activity for urban households (Rakodi 1999; Rakodi & Lloyd Jones 2002; Moser 1998). The size and acquisition of human assets and access to the labour market are considered crucial to urban households. Productive use of habitat through renting out rooms or operating household micro-enterprises (HMEs) are considered the most important activity after labour for urban people, both for productive and reproductive purposes (Moser 1998; Beall & Kanji 1999; Amis 1999). In addition, social relations are conceived of as essential to urban households in order to counter shocks and stress (Rakodi 2002).

The findings of this study confirm these general notions of agency-based urban livelihoods studies in terms of ranking of activities. Most urban households are
Chapter 9

engaged in some kind of economic activity. The findings however challenge the primacy of human assets over other assets for the urban poor in terms of influence on vulnerability. Financial and human assets both rank high, even when applying double weighing of human assets based on the relative importance attributed to it in the literature. Without double weighing of human assets, financial assets rank highest and human assets rank almost equal to productive assets at almost half the level of financial assets. These findings on the one hand confirm the current call for increased emphasis on (institutions conditioning) human assets in the context of globalisation, in order to increase the effects of livelihood activities on vulnerability. On the other hand these findings also indicate the importance of simultaneously taking into account alternative (institutions and structures conditioning) assets, such as productive assets. Correlation analysis in addition challenges the assumption of mutual reinforcement of assets for the poor. It shows low correlation because of low levels and concentration of assets, indicating limited multiplier effects through diversification. Little correlation is found between financial as well as human assets and other assets, and also between political as well as organisational assets and productive assets. The only medium correlation found is between financial and organisational assets.

Household diversity is a key-element in the livelihoods approach (De Haan & Zoomers 2003; De Haan 2005/7). Household characteristics affect access to assets, livelihoods activities and vulnerability. In the African context differentiation between gender of the head of household (female or male) and composition of the household (nuclear or extended) is widely acknowledged. The influence of life-cycle stages has been widely acknowledged, though was recently reformulated into age-dependency structures of households to capture developments beyond nuclear households and overcome preoccupations that all households naturally go through all stages (Verrest 2007). Furthermore, concrete studies on the influence of ethnicity are limited, and multi-locality of households is increasingly assumed to contribute to decreases in vulnerability (Tacoli 1998/9, 2002; Fall 1998; Satterthwaite & Tacoli 2002; Bah et al. 2003).

The findings of this study show that the ‘life-cycle’ predominantly explains variation in vulnerability and asset bases of households. In the expansion stage vulnerability is at its highest and asset-bases are at their lowest, whereas situations slightly improve during the consolidation, dispersion and transition stages of the life-cycle. The structural factor of gender to a lesser extent determines vulnerability and asset bases of households. Two-parent households are least vulnerable. The effect of household ethnicity on vulnerability and asset bases of households is negligible, which is worth mentioning in the context of the December 2007 post-election crisis. In addition, the minimal difference in vulnerability between mono-local and multi-local households is
remarkable and challenges ideas in the literature. The other household characteristics, such as size, length of stay and previous residence, have a limited impact on total asset and vulnerability indices. Yet, these characteristics help to shape individual indices and play a role in understanding livelihoods and designing interventions.

In addition to household characteristics, household ambitions are increasingly considered as structural factors determining access to assets and vulnerability. Most of these studies focus on one type of ambition and its sub-components, while other studies discuss motivations like life project objectives (Meertens 2000). Some studies discuss subsistence or livelihoods orientation versus entrepreneurial or business orientation (King 1996; Verrest 2007). Other research takes into account the structural factors of collective cultural-historic repertoires of styles (enterprising, money, stingy and village people), challenging the relationship between access and individual decision-making (Nooteboom 2003).

This study compared multiple types of household ambitions and discovered the most frequent ambition was the running of a household micro-enterprise (HME), accounting for three quarters of all households. Other household ambitions include renting out structures and plots, operating tools and machines, and regular employment of at least one household member. Realisation of these ambitions varied between 6 and 14 percent. Further differentiation of HMEs into categories of enterprise shows that more than half of main HMEs are in retail and food, and almost a quarter in small manufacturing as well as services. In addition it shows that almost half of the business-oriented HMEs operate in small manufacturing and production, and slightly less in retail and food.

The literature suggests the dominance of women in operating HMEs, based on two arguments. First, women would prefer operating an HME, because it provides them with the best opportunities to fulfil their triple tasks of income generation, reproductive care and social and community activities (Afrane 2000; Gough et al. 2003). Second, the high participation of women in HMEs would not be due so much to a positive choice, but to the lack of viable alternatives (Bose 2000).

This study challenges the notion in the literature that HMEs are mainly run by women within sub-Saharan African metropolitan contexts. Men and women were found to equally operate main HMEs as well as business-oriented HMEs. In addition, differences in types of main HME especially show between men in two-parent households vis-à-vis male-headed and female-headed households and women in two-parent households. Finally, analysis of differences in types
Chapter 9

of ‘additional HMEs’ operated shows considerably more involvement of especially women and men in two-parent households in urban farming and of female-headed households in small manufacturing of sewing and textile.

The frequency of household ambitions can also be analysed in terms of household characteristics. The major difference in frequency by household head is that all ambitions are most frequent for two-parent households, except for operating electricity/water taps. Male-headed households compared to female-headed households especially have a higher frequency of the ambition to own other tools. The major differences by ethnic background are that Kikuyu and Luo households more often operate business-oriented HMEs and more often rent out urban structures compared to Luhya and especially Kamba households. Luo, Kamba and Luhya households more often contain one member regularly employed and members with vocational training compared to Kikuyu households. Nevertheless, Kikuyu households have highest frequency of the educational level of university/college.

A number of livelihoods studies suggested differentiating between the notions of social capital and political capital, to overcome some of the problems of using social capital as a catch-all concept for explaining the importance of non-material factors in poverty. Political capital is considered as one of the key capital assets on which people draw to access assets and build their own livelihoods (Baumann 2000; Booth & Richard 1998). It is defined as ‘based on access to decision-making’ (Rakodi 1999) or as exerting influence on both formal and informal, de facto and de jure, decision-making (Devas 2002). Earlier notions of bonding-, bridging- and linking-capital, indicated the importance of including organisational relations.

This study differentiated social capital into social, organisational and political relations in order to clarify the contributions of these assets and the relations between these and other capital assets. More than three quarters of households are engaged in social relations. Slightly more than a quarter of households are engaged in organisational and political relations. Frequency of social relations is highest for the category of (extended) family, followed at a considerable distance by neighbours, shopkeepers, and friends, and at a still further distance by tribesmen, community groups, and churches. The bonds of extended family play an important role in food, illness and funeral relations and to a lesser extent in relations to credit, shelter, child care and school fees. Regular (inter)national remittances in cash provide for school fees, food or shelter. They are for two-thirds received from immediate family, although frequency is low. Irregular remittances in cash, especially for food, are slightly more frequent than regular remittances in cash. Irregular remittances in kind concerning food double the prevalence of irregular remittances in cash. Links
with politicians are most frequent with municipal councillors, slightly less prevalent with chiefs and village elders and least frequent with higher political leaders. These concern especially the issues of access to plots and structures and help in times of calamity, and to lesser extent access to business (especially protection of illegal brewing proprietors), security, and resolving neighbourhood conflict. Organisational links with the city council are limited and the council’s performance was rated low. Organisational links with CSOs are most prevalent in credit and health, and to a lesser extent education.

The household characteristics of household-head and ethnicity also influence the frequency of social, organisational and political relations. Male-headed households engage least in all types of relations, while female-headed and two-parent households engage two times more in political and organisational relations than male-headed households. Households of Kikuyu ethnicity have highest frequency of organisational and political relations and the least in social relations as compared to households of other ethnic backgrounds.

Overall the livelihoods of the poor in the informal settlements of Nairobi can be characterised as vulnerable. Only ten percent of households in the sample from a low-income area are classified as non-poor through operating business-oriented household micro-enterprises. Only four percent of households are able to move out of poverty through migration to non-slum areas for economic prospects. The majority of households depend on their social relations and on operating livelihood-oriented HMEs. The remainder of this study analyses the different interfaces the poor can engage in to improve their quality of life, influence and political rights.

9.3. Processes of negotiation in claimed and invited spaces

The second research question explores negotiation processes in claimed and invited spaces accommodated and constrained by formal and/or informal institutions. It discusses the relevant process factors at play within the different interfaces for engagement of citizens and their collectives.

*Individually claimed spaces*

Individually claimed spaces are first type of interface discussed in this study. These are the social, organisational and political relations through which households can secure or claim benefits (Portes 1998). Livelihoods theory and social capital theory indicate that processes within these relations are based on norms of reciprocity, trust deriving from social ties, and bounded solidarity.
(Moser 1998; Portes & Sensenbrenner 1993). Urban livelihoods theory considers social relations as an important asset for people to cushion themselves against adverse situations (Moser 1998; Rakodi 2002). The importance of social capital was shown through the example of remittances, offering a very concrete way to measure social capital. Portes and Sensenbrenner (1993) pointed out both positive and negative consequences of social capital. Positive consequences include norm observance, family support, and network mediated benefits. Negative consequences include restricted access to opportunities, restrictions on individual freedom, excessive claims and downward leveling norms.

This study confirms both opportunities and constraints through political, organisational and social relations. Political relations are characterised by low levels of trust through clientelist practices, the necessity to bribe, and expected support in return during political campaigns and elections. A common statement is ‘we do not want to have to do anything with them’. Organisational relations are more cooperative, partly through trust along ethnic lines, although conflicts over (re)payment of credit and school fees are frequent, and clientelism exists. In social relations trust is often stronger through family ties, shared clan or ethnic background. Yet, these cultural ties often also involve negative phenomena such as cultural repression of village life, a lack of bridges to other neighbourhoods and people with different ethnic backgrounds, and withdrawal to individualism. Reciprocity provides security in times of need, though is often considered a burden in the longer term. Reciprocity in relations with (extended) family differs according to type of remittances. Irregular remittances in cash through lending for food, rent and school fees are mostly refundable, and for medicine mostly donated with the expectation of reciprocity in bad times. Irregular remittances in kind for food are mostly considered reciprocal. Cultural patterns spell out clearly the types of bonds that exist and at which stage in case of illness and familial death.

Collectively claimed spaces

Collectively claimed spaces in peri-urban land and tenure are the second type of interfaces discussed in this study. The literature on land and tenure in sub-Saharan Africa discusses the adequacy of informal land delivery channels or de jure tenure formalisation through administrative recognition and de facto recognition of occupancy as viable and gradual alternatives to formal land delivery channels (Rakodi 2005; Durand-Lasserve 2005). It analyses the robustness of social institutions and state-society relations underpinning and regulating transactions and disputes in land and tenure for the poor in sub-Saharan African cities (Durand-Lasserve 2005; Durand-Lasserve & Selod
Conclusions

2007; Rakodi 2005/6a). The advantages of informal systems are considered being less bureaucratic and more flexible, involving short delivery times, lower transaction costs and the provision of enough tenure security through trust to encourage investment in housing (Durand-Lasserve 2005). Previous research questions the effectiveness of informal land delivery mechanisms in reaching the poorest segments of the urban population, as well as their long-term sustainability and accessibility, especially in the absence of appropriate public policies such as adaptive planning norms and standards (Durand-Lasserve 2005; Gatabaki-Kamau 2000; Rakodi 2005; Musyoka 2004).

This study indicates that, however difficult it might be, it is possible for poor and very poor households from informal settlements – mostly in partnership with finance institutions for low-income housing – to both continue to pay their rent and save or repay a loan to purchase land in peri-urban areas. This is especially true for initiatives with a clear vision on the purpose of saving. The costs of building prior to relocating may be affordable to the poor, but are too high a burden for the very poor. Building prior to relocation includes costs for provisions of infrastructure and basic services, as well as advantages of economies of scale, volume and uniformity. Alternative ways to cover these costs are limited, as the benefits from the acquired land are mostly delayed through long land delivery times (both up to land acquisition and settlement), and micro-credit for housing loans, which are mostly available after collective repayment of land purchase loans. In addition the (future) property rights and housing design for habitat as an asset are often limited. The study also shows that flexibility of land subdivision through informal institutions was perceived as offering enough tenure security in relatively recent settlements with comparatively high migration and increased densities through renting rooms. For original owners, sufficient tenure security was generally provided through the collective block title deed, payment receipts, records in the cooperative logbook and trust in elders/witnesses. For second owners, tenure was additionally secured by a formal written agreement between original and second owner, which is against payment, registration fee and witnessed land transfer by the cooperative committee. Share certificates were only perceived as necessary in a quarter of the cases. Generally, the costs for these certificates as well as formal titles were perceived as (too) high; and additionally, new owners are often still indirectly linked to the social networks of the original owners. Hence, the research does not (yet) confirm gradual formalisation.

Previous literature on land and tenure in Kenya indicated that the main types of land disputes concern land registration, land transfer, adverse land possession, succession and disputes between private persons and the state (Musyoka 2004). With regard to land buying companies, disputes mainly occur when there is a breach of the formal and/or informal agreement on which a land transaction is
Based. The main types of disputes that were identified with regard to land buying companies in the medium-sized Kenyan towns, were between landlords over boundaries, and between sellers and buyers over dubious plot sales (completion of payment in installments) and dubious plot ownership (double/multiple sales). Other types of disputes were between kin over inheritance and between owners and the municipality over use (Musyoka 2004).

This study confirms the major dispute types identified for peri-urban land buying cooperatives, trusts and societies of the poor from informal settlements in sub-Saharan African metropolitan contexts. These are external disputes over encroachment of boundaries and with local government over land allocation or registration. Furthermore, the study identified additional types of external dispute. A remarkable sub-category of disputes was identified between private owner and the state, on the effects of settlement of large numbers of slum dwellers on the political support base of an area MP/Minister, which was however disguised as an environmental dispute over a wildlife migration corridor. Moreover, the study identified external disputes between private owner and local communities over impact on their livelihoods through collective settlement of slum dwellers in the area.

Previous literature on informal land delivery channels of land buying companies in medium-sized Kenyan towns found preference of dispute resolution through informal institutions (mainly *wazee wa mitaa* or village elders) by involved parties (Musyoka 2004). Perceived advantages of these dispute resolution channels are: lower costs; shorter period to process and resolve disputes; easy accessibility, local familiarity and trust; understanding of procedures; confidence in informal institutions; and less intimidation than in courts. A possible disadvantage is partiality. In addition, some prefer formal dispute resolution to legally enforce compliance with the decision (Musyoka 2004).

This study also confirms that dispute resolution with internal actors predominantly occurs through the informal institutions of elders and committee members. Trust in relations between members is based on shared ethnicity but also on shared profession and, for women, shared gendered; meanwhile, the shared experience of demolitions and evictions also enhances cohesiveness. Internal disputes are mostly solved, though not all cases are fully free of partiality. The research further confirms initial attempts for informal dispute resolution or prevention of external conflicts, either through witnessed agreements of negotiations with neighbours or through a preventive legalised memorandum of understanding with the local community. If informal institutions failed, then dispute resolution shifted to formal state institutions of either Court, High Court or National Environmental Tribunal, which was
Conclusions

occasionally supported by the use of media. The research also confirms the disadvantages of formal dispute resolution of excessively long, costly and intimidating procedures. Resolution of the heavily politicised dispute between the State and Kaputiei New Town/Jamii Bora would have probably pended longer in court than the current four years, if not for the changes in political positions and upcoming deadline of the 2007 general elections.

Invited spaces

Invited spaces are the third type of interface discussed in this study. These spaces are legitimately provided by the government and are increasingly discussed in the debate on decentralisation and local governance. The bulk of the international development literature has focused on decentralisation and building the capacity to respond, whether or not through invited spaces. Citizenship literature, in addition, pointed out the importance of building the capacity on ‘both sides of the equation’ and focusing on the intersection between citizens and local governments (Gaventa 2001; Cornwall & Gaventa 2001b). This study especially focuses on the intersections between citizens and local government. The internal capacity of government as well as civil society are considered external factors influencing the processes and impacts of invited spaces.

Deepening democracy and development related governance literature generally distinguishes between conflict and coordination based governance network approaches. Based on democratic governance network theory (Sorensen & Torfing 2003/7), I have additionally differentiated between calculation and culture based governance network approaches. This leads to a dichotomy of governance networks along the calculation/culture and coordination/conflict axes (Table 9.1).

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<th>Calculation</th>
<th>Culture</th>
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<tr>
<td>Conflict</td>
<td>Calculation/conflict based governance networks</td>
<td>Culture/conflict based governance networks</td>
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<td>Coordination</td>
<td>Calculation/coordination based governance networks</td>
<td>Culture/coordination based governance networks</td>
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This differentiation of governance network approaches offers the opportunity to better conceptualise governance networks as inherently dynamic, reinterpreting not only the context but also the changes in the identity of governance networks – in line with Snowden’s recent conceptualisation of organisations (Snowden 2007). The differentiation of governance network
approaches has four advantages. First, transitions of governance networks from one governance network approach to another can be better articulated. Second, the diversity in approaches and underlying perspectives can be clarified. The literature up to now mainly includes calculation quadrants in the analysis of governance networks, while differentiation between conflict and coordination on the calculation axis is often described as a sliding scale; however, the difference in underlying perspectives is mostly not clarified. Third, explicit inclusion of the culture/coordination quadrant is particularly relevant for sub-Saharan African contexts. It contains the traditional, pre-colonial governance form of community democracy. Fourth, inclusion of the culture/conflict quadrant means including governance approaches with an increasingly reflexive and facilitating state and relatively autonomous self-governing actors. This conceptualisation acknowledges the current need to look beyond individual approaches (Gaventa 2006a; Sorensen & Torfing 2007), and at the same time acknowledges the need to recognise the underlying theoretical aspects (Sorensen & Torfing 2007).

The literature has indicated the importance of analysing the process factors of inclusion/exclusion, representation, accountability and metagovernance (Cornwall 2004; Lavalle et al. 2005; Sorensen & Torfing 2005/7). Table 9.2 analyses these process factors in the three invited spaces discussed in this study.

Table 9.2: Overview scores on process indicators invited spaces for poor citizens

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<td>Inclusion/exclusion</td>
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<td>-</td>
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<td>Representation</td>
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<td>Accountability</td>
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<tr>
<td>-Direct</td>
<td>-</td>
<td>+/-</td>
<td>-</td>
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<tr>
<td>-Horizontal</td>
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<td>+/-</td>
<td>+</td>
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<tr>
<td>-Societal</td>
<td>+/-</td>
<td>-</td>
<td>++</td>
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<tr>
<td>-Donor</td>
<td>+</td>
<td>+/-</td>
<td>X</td>
</tr>
<tr>
<td>Metagovernance</td>
<td>overregulation</td>
<td>underregulation</td>
<td>overregulation</td>
</tr>
<tr>
<td>-Formation and mobilisation</td>
<td></td>
<td></td>
<td>+/-</td>
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<tr>
<td>stages</td>
<td>(network design)</td>
<td>(network design)</td>
<td>(network formation)</td>
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<tr>
<td>-Negotiation and production</td>
<td>+/-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>stages</td>
<td>(network management: emptied out)</td>
<td>(network participation: putting too much power in hands of councillor)</td>
<td>(network management: emptied out)</td>
</tr>
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++ = strong positive contribution; + = positive contribution; - = negative contribution; +/- = both positive and negative contribution; x= no contribution.
Conclusions

Citizenship literature has well indicated the importance of analysing ‘who is invited’. It discusses notions of which stakeholders and groups are included and excluded, the reasons for inclusion or exclusion (gender, ethnicity, culture, religion and class), by whom and how (Cornwall 2004). These notions can be further specified through the differentiation between directly and indirectly affected citizenry, suggested by democratic governance networks literature for purposes of analysis of legitimacy of governance network decisions. Moreover, further specification is possible through considering ‘opting-out’ as a strategic option for the poor rather than only as a sign of exclusion, which was suggested by recent citizenship literature, since the increased acknowledgement of the history of mixed results through participation in invited spaces (Robins, Cornwall & Von Lieres 2008; Thompson 2007).

This study found that inclusion and exclusion of types of actors through the years to a large degree reflect the time-bound preferred approaches to governance networks of mainstream development literature, indicating the donor-driven nature of invited spaces. Inclusion of the poor has been limited and hardly increased through the years. It is highest in the calculation/conflict based governance network of participatory budgeting. Yet, total and continued participation figures are low, and are characterised by sharp disparities in gender, ethnicity and culture and class. Three quarters of participants are men, while more than half of the participants are Kikuyu, followed almost halfway by Luo; however, spatial pockets of ethnic dominance are limited and incidental. Inclusion of indirectly affected citizenry and chances to create ex-ante negotiated development through it (with middle-class and private sector actors) were found limited in all governance network approaches. Finally, opting out as a deliberate collective strategy of the poor is not confirmed. Rather, non-participation was found to be due to negative experiences of citizens with donor-driven invited spaces, which serves as a warning for the risk of (normatively) misinterpreting non-participation as strategic opting out.

The literature has well indicated the importance of asking the additional question of participation ‘in whose name’ or representation (Lavalle et al. 2005). Representation in a post-liberal context concerns the creation of legitimacy through complex interactive articulation of and identification with interests and preferences between the represented and their representative. Unlike the classical liberal representative notion, legitimacy in direct democracy is no longer only created through undistorted and static reproduction of predefined interests and preferences of the membership (Sorensen & Torfing 2005). The dynamics of representation in Sao Paulo were found closely related to those of traditional political channels of representation (Lavalle et al. 2005).
The findings of this study show severe limitations in (territorial-based) representation of the poor in calculation/coordination and calculation/conflict based governance networks. Representation by CSOs as well as municipal councillors predominantly lacks sufficient reflexivity of the representatives and (re)creation of points of identification and actual support. The findings on the calculation/conflict based governance network of participatory budgeting confirm the notion of close relatedness to traditional or informal political channels of representation in the sub-Saharan African context. Representation of citizens at city level is weak, with (elected) ward representatives per individual ward mainly playing a legitimising role and councillors interpreting their often one-sided mandates widely and negotiating and deciding over political interests amongst one another. Issue or sector based representation of private sector and residents associations in the culture/conflict based governance network shows sufficient reflexivity of the representatives and recreation of points of identification and actual support. Representation of private sector associations is however strongly mixed with personal interests. Representation of the middle-class umbrella residents association is characterised by a large gap between the outspoken and confrontational approach of the representative and the less confrontational approach of the represented, who are nonetheless welcoming the results.

The literature on accountability and post-liberal democracy emphasises the need for ‘direct accountability’ mechanisms for citizens, complementing indirect ‘vertical accountability’ mechanisms of elections and ‘horizontal accountability’ mechanisms between state agencies. Literature on ‘societal accountability’ argues for more political forms of societal participation, such as mass mobilisation, media exposure, citizen report cards, and the use of courts (Peruzzotti & Smulovitz 2006; Waisbord 2000; Cunill 2006; Przeworski 2006). Literature on ‘hybrid or diagonal accountability’ argues against insulating the state from society and emphasises cross-boundary aspects. Societal actors can participate in the leadership and operations of state pro-accountability agencies (Goetz & Jenkins 2001), or deliberate through empowered participatory governance about design and operation of fundamental government services (Fung & Wright 2003); moreover they can participate directly in the core functions of government, in the form of co-governance (Ackerman 2004; Baud & Nainan 2008). Recent literature additionally points out the possibility of accountability excesses, next to accountability deficits (Bovens 2006). It further indicates the politics of self governance and emergence of a new governance imaginary, whereby politicians and policy makers can trade-off opposition, protest, gridlock and imposed solutions by generating legitimacy ‘locally’- issue by issue, policy by policy, constituency by constituency (Sorensen & Triantafillou 2007; Warren 2008; Swyngedouw 2005).
Conclusions

The research findings show an increase in complementary accountability channels related to the governance network types through the years. The calculation/coordination based governance network in retrospect faced direct and horizontal accountability deficits, which it partly sought to compensate through strong answerability to the donor and direct participation of the donor in the governance network. Horizontal and direct accountability channels were increased in the calculation/conflict based governance network. Mutual reinforcement of the complementary accountability channels especially occurs through the interplay of horizontal and societal accountability mechanisms leading to the functioning of direct accountability mechanisms. On the one hand, there is still a deficit in accountability mechanisms, especially with regard to the poor in informal settlements. Local and national horizontal accountability mechanisms are either not functioning properly (monitoring committee at local level) or weak (financial rather than participatory criteria at national level). The direct and horizontal accountability mechanisms also needed back up of strong answerability to the donor to deliver to the poor. Competition between direct accountability mechanisms of devolved funds has activated outputs. On the other hand there is an excess of accountability and the notion that (poor) citizens are played out against one another is confirmed. There is a lack of coordination within and between channels of direct accountability. Integration and/or coordination of direct accountability mechanisms might increase options for accountability claims of citizens concerning strategic prioritisation rather than implementation. Alternatively additional societal accountability mechanisms engaging at local and national level could provide a viable strategic alternative. An example of this is the current ‘People’s Budget’ (priority action in Nairobi and Kisumu peoples’ settlements) by Nairobi’s People Settlements Network (NPSN). The recently introduced more deliberative consultative methods through the newly erected Ministry of Nairobi Metropolitan Development confirm the notion of the risk of being played out issue by issue and the need to pay additional attention to who participates.

Democratic network governance literature in addition emphasises the importance of democratic legitimacy of governance networks (Fotel et al. 2008; Sorensen & Torfing 2005). The concept of metagovernance is used to move beyond the strict division of policy formulation and implementation, as propagated by the New Public Management discourse. Four types of metagovernance are distinguished: network design (hands-off, strong intervention), network framing (hands-off, limited intervention), network management (hands-on, limited intervention) and network participation (hands-on, strong intervention) (Fotel et al. 2008). Hands-off forms are considered to favour broadly oriented politicians acting strategically to develop the public sector as a whole. Hands-on forms open up a broader participation
of politicians that might include more narrow minded, interest based, single-issue oriented politicians (Fotel et al. 2008; Sorensen & Torfing 2005). The key challenge for governance networks is to avoid both over-regulation and under-regulation through a balance of hands-on and hands-off interventionist and less-interventionist strategies (Kooiman 1993). Although the issue of democratic legitimacy is especially relevant in Western contexts, the notion of metagovernance was deemed relevant for assessing processes beyond rigid dismissal of patronage and clientelist relations in sub-Saharan African contexts.

This study found unbalanced metagovernance in all types of governance networks through the years. Calculation/coordination and culture/conflict based governance networks are characterised by overregulation through respectively network design and network framing by the national government in formation and mobilisation stages. These locally negotiated governance networks are traded-off spaces, leaving network management in negotiation and production of outputs and outcomes stages at the local level emptied out. This emptying out was respectively related to repression of the authoritarian regime and to wider national government interests. Calculation/conflict based governance networks are characterised by under regulation through network design by the national government in formation and mobilisation stages. Network participation in the negotiation and production stages is concentrating too much power in local politicians’ hands, not balanced by the much called for additional national government hands-off regulations for participation. Increased legitimacy through democratic anchorage of governance networks through direct participation of politicians is therefore not confirmed in the sub-Saharan African metropolitan context. The notion of hands-on forms of metagovernance favouring narrow minded, interest based and single-issue politicians is confirmed. The notion that hands-off design is per se in the interest of the wider public sector, is not confirmed for sub-Saharan metropolitan contexts.

Overall, the study found that the poor have low trust in political relations and processes of inclusive governance in all types of spaces. The majority of the poor prefer to build social relations of trust built on shared (extended) family and ethnicity. Processes in all spaces are, however, characterised by reciprocity that is often experienced as a burden. Societal accountability remains one of the major ways to influence institutions, though is negatively influenced for the poor through bounded solidarity beyond the immediate and extended family, and through the lack of a resource base for negotiations. Yet, the recently initiated Nairobi People’s Settlements Network, and the related deliberative societal accountabiliy mechanism of The Peoples Budget, provide some hope in this respect.
Conclusions

9.4. Impacts on quality of life, influence and political rights

The third research question deals with the impact of claimed and invited spaces underpinned by formal and/or informal institutions on quality of life, influence and political rights. In addition to the dominant discussions on processes in international development literature of the first half of the 2000s, this study also analyses impacts. Quality of life is operationalised as a social conception (Gasper 2009; Phillips 2006). It refers to both vulnerability reduction and delivery of services to the wider society. Influence and political rights are operationalised based on notions of citizenship (Goetz & Gaventa 2001) and institutions (Hyden 2004). Influence refers to the tangible impacts on allocative and distributive rules of the game or policies, processes and implementation of services, and political rights refers to the tangible impacts on constitutive rules of the game.

Impacts on quality of life

Individually claimed spaces

Social capital theory emphasises the importance of social capital for people to reduce risk and vulnerability and increase resilience to shocks (Narayan & Woolcock 2000; Moser 1998; Grootaert 2001) Mainstream social capital literature considered social capital as the ‘missing link’ for development (Grootaert 1998; Woolcock 1998). The latter has been heavily challenged as ideological in the neo-liberal and globalised context (Schuurman 2003; Harris 2002; Fine 2001). Authors have also indicated the importance to nuance the contributions of social capital by also discussing its negative implications (Portes & Landolt 1996; Portes 1998; Silvey & Elmhirst 2003; Coleman 1988) and social structural constraints (Beall 2001; Long 2001; Cleaver 2005; Bebbington 2006).

This study confirms the notion of social capital as predominantly contributing to vulnerability reduction, rather than as a ‘missing link’ for moving out of poverty. Yet, impacts of organisational relations, and to a lesser extent political and social relations, on asset-bases and vulnerability reduction are considerable. Impacts are nearing those of the household ambitions of renting urban structures and running business-oriented HMEs. In addition, the study confirms the relevance of differentiating between non-material resources in order to avoid a catch-all conceptualisation of social capital. The impact of organisational assets on vulnerability compared to other assets of the asset-portfolio almost equals that of productive and human assets (weighed once). The impact of political assets is still considerable, although ranking last but one
and accompanied by severe negative social capital, concluding that social assets have the least impact on vulnerability.

**Collectively claimed spaces**

The current international debate on urban land markets suggests that the social and economic impacts of land access are higher when land tenure is formalised and integrated in the formal economy. Research on land and tenure therefore increasingly revolves around the question of empirical evidence for the benefits and pitfalls of land formalisation through titling (Benjaminse 2006; Payne et al. 2007). Earlier research that suggested the adoption of alternative land delivery systems and more gradual shifts from existing informal regimes to more formal systems, questioned the effectiveness of informal land delivery mechanisms in reaching the poorest segments of the urban population in the sub-Saharan African context (Durand-Lasserve 2005). Studies on the land delivery system of purchase through markets indicate that mostly middle and middle-low income groups (rather than the poor and very poorest) have access to land through (commercial) land-buying companies (Durand-Lasserve 2005; Gatabaki-Kamau 2000; Rakodi 2005; Musyoka 2004). Some studies point out that gender equity in access is also for these informal channels constrained by marital status, despite the equally required financial contributions for men and women (Gitau 2001; Musyoka 2004).

This study shows that the mechanism of land buying cooperatives of collective access to land and individual subdivision of plots forms a viable ‘third way’ that works for the poor. The economic impacts are considerable and promising, especially when also taking into consideration the possibilities for optimising the process. 7 percent of the original owners were able to change status from very poor to poor. Half of them can be considered non-poor on the basis of wealth ranking. Moving out of poverty is related to multiple plot-ownership from the time of settlement and/or through the purchase of plots, and is accomplished only by two-parent households. Poverty reduction is not found based on access to collateralised lending and micro-finance through formal titling and/or the selling for windfall gains; rather it is related to incremental building strategies and (sub)letting rooms to tenants. Furthermore, investments in housing improvements are considerable and express sufficient tenure security and expected return on investments. Half of the original owners invested incrementally in developing their plots. Initiatives that do not allow incremental building and (sub)letting, are not accessible to the very poor. The study confirms limitations to social impacts on gender equity in women’s access through marital status. Social impacts on service delivery matching the wider scale of the problems also remain limited. The general notion of gradual
formalisation of titles for increased access to public infrastructure and services is however partly challenged by the improvements in sanitation through considerable investments in private stone pit latrines by one-third of the members, related to the property right and opportunity of using habitat for renting rooms.

This study indicates that gaining access to land and tenure not only aims at secure shelter and housing at the location, but is part of the wider livelihood strategies of the poor. The contribution of access is not only in relation to the use value, but also to the exchange value. Remarkable is that fifty percent more women than men chose the strategy of absentee original owner renting rooms to tenants. The positive figures for two thirds of absentee original owners on residential mobility are an indication of the positive impacts of these strategies for the poor. On the other hand residential mobility probably would have been lower in case of better income generating opportunities from the start and without encroachments of plots.

**Invited spaces**

Citizenship and ‘deepening democracy’ literature until recently almost exclusively focused on processes of invited spaces, assuming positive impacts (Gaventa 2001; Cornwall & Gaventa 2001b). Thereby invited spaces were often interpreted as an opportunity to contribute both to tackling poverty and problems at higher scale levels. The bulk of studies on decentralisation and public sector reform in the context of the good governance agenda also assumed positive impact, while reacting to disappointments by (repeatedly) suggesting that increased capacity building would improve impacts (Kuhl 2009). With the increased recognition of the history of mixed results emerging in the middle of the 2000s (OECD 2004), the limitations of a pure process approach, without attention for contextual factors, became more widely acknowledged.

This study contributes to the debate by analysing both processes and (conditions for) impacts on quality of life through invited spaces. The overall findings of this study on invited spaces confirm the mixed results of the good governance agenda. The time period covered by these invited spaces almost equals the period of the good governance agenda and the study can therefore be interpreted as an assessment of the results of this agenda in Nairobi. The findings of the study do not confirm that the invited spaces of city-wide governance networks contribute to both vulnerability reduction and service delivery on a wider scale. In fact the findings show that impacts of invited spaces in terms of quality of life since the introduction of the good governance
agenda have been limited. The calculation/coordination based governance network especially contributes to vulnerability reduction of the poor. The calculation/conflict based governance network especially contributes to the service delivery for poor and middle class citizens, with almost half of the budget spent on roads and bridges, while only ten percent is spent on projects directly contributing to informal settlements. The culture/conflict based network does not directly contribute to vulnerability reduction and service delivery, as it focuses primarily on institutional changes as a necessary precondition for overall change in governance. At the same time these findings challenge the recent notion with regard to India that political spaces are more effective for vulnerable low-income groups (Baud & Nainan 2008), whilst executive spaces for middle-class citizenry. Rather it was found that the indirect impact on vulnerability reduction through executive spaces by the ban on demolitions outweighed the direct impacts of implementation of projects through political spaces. The differences for middle-class citizens are less pronounced.

**Impacts on influence and political rights**

**Individually claimed spaces**

The differentiation of social capital and political capital was proposed in order to overcome problems of using social capital as a catch-all concept. The concept of political capital allows for assessment of multiple channels of influence and is applicable to both individual households and collectives. Attempts to promote inclusion of the relationship between political capital and other capital assets in the sustainable livelihoods framework, failed to gain wider recognition and largely remained limited to discussion of analytical, conceptual and practical relationship issues (Rakodi 1999; Baumann 2000; Birner & Wittner 2000).

This study shows that individually claimed spaces, as expected, mainly contribute to ad-hoc influence at the implementation level. Both organisational and political links primarily concern prerequisites for gaining access to assets. These links do not contribute to gaining influence on social and political-economic structures that limit structural improvement of the situation. The study also shows that poor households indirectly gained potential influence at a policy-level through the channels of informal sector associations and alliances. This occurs especially through consultation of recently built national umbrella informal sector associations and/or their local branches over policies in recently formed invited spaces in the context of the comprehensive national framework for private sector development, economic growth and increased
employment. Poor households indirectly also potentially gain influence on the rules of the game through collective action concerning recognition and removal of concrete business hindering factors, and occasionally concerning violation of labour rights in Export Processing Zones.

Collectively claimed spaces

Literature on conditions for impacts on influence and political rights of collective action and social movements in the sub-Saharan African context are limited. The majority of the research literature on collective action and social movements has been focused on describing goals, tactics and experiences of engagement with the state, rather than the formulation of conditions (GSDRC 2009; Bebbington 2009). Citizenship literature and social movement literature indicate the importance of issue-based spaces, which can serve as a base for gaining influence and political rights (Gaventa 2004; Habib & Opoku-Mensah 2009). Striving for practices of co-production by grassroots organisations and federations can be part of an explicit political strategy (Miltin 2008).

Collectively claimed spaces in peri-urban access to land and tenure contribute to some influence on implementation level and potential influence on processes/policies and political rights. The findings of this study do not (yet) confirm substantial impacts on influence and political rights through the collectively claimed spaces in per-urban land tenure. Negotiations are often project related rather than project transcending. In the short term this can be interpreted as an opportunity to create spaces on which to build further spaces and claim inclusive (peri-urban) land governance in the near future. The experiences in regard to informal education could serve as a good practice here, as these informal schools which initially operated in isolation, growing incrementally by one class per year, formed the basis for collectively negotiated spaces and widening of political rights and influence, by linking to national and global campaigns. In the longer term, isolated spaces also contain the risk of a lack of shared learning and scaling-up and being played off against one another. One of these isolated negotiations (Kaputiei New Town) potentially widened political rights, when it won the appeal to the High Court at the National Environmental Tribunal on land access for the poor in the peri-urban metropolitan areas.

Invited spaces

The literature with regard to impact of invited spaces on influence and political rights has also been limited so far. It has mainly focused on the importance of
voice through consultations and participatory inclusion of the poor and taking their realities into account by showing these realities, rather than assessing the impacts and formulating pre-conditions for impact on influence on policies and processes. One recent study with regard to Mumbai indicated that negotiating rights through ‘political spaces’ was more effective for vulnerable low-income groups, whilst through ‘executive spaces’ for middle-class citizens (Baud & Nainan 2008). Linking with the political strategies of the growing middle-classes and their resident associations is also suggested as a viable alternative (Chakrabarti 2008). Mitlin already indicated possibilities through offering authorities information they don’t have and gaining confidence and trust through joint operations (Mitlin 2004a).

This study indicates that the overall impacts of invited spaces on influence and political rights beyond formation have been limited. The findings confirm that negotiating political rights through executive spaces of culture/conflicts networks is potentially effective for middle-class citizens and private sector actors, although challenges remain for acquiring executive instead of advisory roles. On the other hand, none of the types of invited spaces provides impacts on political rights for vulnerable low-income groups. The most effective invited spaces for vulnerable and low income-groups have been executive spaces of calculation/coordination based governance networks providing influence on policies and implementation, mainly with regard to the banning of evictions and demolitions. The political spaces of culture/conflict governance networks only provide influence on implementation of projects, both for vulnerable low-income groups and middle-class citizens. Spaces for poor citizens in calculation/conflict and calculation/coordination based networks only slightly widen at implementation level, all facing difficulties in effectively linking citizens to the city level. Linking of low-income groups with political strategies of the middle-classes and their residents associations and private sector actors has been identified and involved physical threatening of councillors related to the middle-class civic pressure over co-governance of the city. This resulted in changes in process of equal distribution of projects over all wards. Gaining confidence and trust through joint operations led to some widening of spaces at implementation level, but not at the level of political rights. Although, the calculation/coordination based governance network originated itself as a widened space at the level of political rights.

Overall, the findings of this study show that impact of spaces on quality of life is either limited to or unbalanced in service delivery or vulnerability reduction (Table 9.3). In addition, initial spaces contribute only to a small extent to the widening of spaces through influence and political rights which could correct this imbalance; on the other hand there is potential for improvements. At metropolitan level, a slight shift towards political rights can be confirmed,
although differing per issue (especially in the field of housing rights and evictions), and expressed in the increased involvement of grassroots levels.

Table 9.3: Overall comparison of impacts of individually claimed, collectively claimed and invited spaces on quality of life, influence and political rights

<table>
<thead>
<tr>
<th>Impacts on quality of life</th>
<th>Vulnerability reduction</th>
<th>Moving out of poverty</th>
<th>Service delivery</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Individually claimed spaces</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Social relations</td>
<td>+</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Organisational relations</td>
<td>+</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Political relations</td>
<td>+</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td><strong>Collectively claimed spaces</strong></td>
<td>++</td>
<td>+</td>
<td>-</td>
</tr>
<tr>
<td>Peri-urban land and tenure</td>
<td>++</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Invited spaces (city-wide)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Calculation/coordination networks</td>
<td>++</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Calculation/conflict networks</td>
<td>+/-</td>
<td>x</td>
<td>++</td>
</tr>
<tr>
<td>Culture/conflict networks</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Culture/coordination networks</td>
<td>x</td>
<td>x</td>
<td>+</td>
</tr>
</tbody>
</table>

++ = strong positive contribution; + = positive contribution; - = negative contribution; +/- = both positive and negative contribution; x = no contribution.

9.5. International, national and metropolitan institutional contexts

The fourth research question explores the influence of international, national and metropolitan institutional contexts on the emergence, processes and impacts of spaces in Nairobi. For each of the spaces the relevant institutional conditions under which these spaces can sustainably deliver to the poor from informal settlements are identified, contributing to potential action repertoires.
Individually claimed spaces

International institutional contexts are accommodating as well as constraining access to human assets and financial assets of the poor in informal settlements. Human assets are affected through globalisation and international trade agreements and barriers. Especially in manufacturing industry, increased outsourcing of labour leads to losses in earnings for less skilled workers, increased inequality between skilled and unskilled workers, and increased use of part-time and casual workers. It might however also provide future opportunities for MSEs to perform new functions and increased formal-informal business linkages in clusters. Export Processing Zones, especially in garment industry, offer opportunities for low skilled labour related to the African Growth and Opportunity Act, though considerably less since the end of the Multi Fiber Agreement and accompanied by bad labour conditions for mostly young female workers. Financial assets have been heavily constrained by high inflation related to the international food crisis of 2008.

National institutional contexts are increasingly accommodating access to human, financial and organisational assets. Human and financial assets are potentially facilitated by the increasingly enabling regulatory frameworks for private sector development, business development and increased employment, which is organised under the national Economic Recovery Strategy for Wealth and Employment Creation (2003-2007) as well as the national development strategy Vision 2030. Private sector and business promoting regulatory frameworks increasingly recognise informal sector businesses and encourage employment and earnings for the working poor in the informal sector through subsidising credit for transition of informal into formal businesses. Currently, the informal sector in Kenya is however characterised by a ‘missing middle’ of small businesses. Rationalisation and simplification of national regulations for doing business, contributes to some relaxation of registration procedures. Since 2006, micro-finance enabling regulatory frameworks regulate licensing and supervision of any deposit-taking MFI. Simultaneously, Enterprise Development Funds for youth and women have been initiated to improve accessibility of micro-finance and enterprise skills. Support of micro-finance has however been supply-driven rather than demand-driven, while disbursement of the funds hampered. Policies of free primary and secondary education have been implemented since 2003 and 2007 respectively. Comprehensive programmes for HIV/AIDS were also implemented, though have not yet led to a decrease in HIV/AIDS rates. Organisational assets are increasingly accommodated through the (direct and/or indirect) inclusion of recently built national informal sector associations and their local branches in invited spaces for policy consultation. For these enabling regulatory frameworks to work for the poor from informal settlements, current policies and institutions for skills and knowledge are insufficient. The free primary and
Conclusions

Secondary education policies merely focus on foundational levels and development and employment in the longer term - although quality of free education is also still debated, while accessibility and relevance of TIVET education and training remain weak.

Metropolitan institutional contexts often still constrain the potential contributions of the accommodating national regulatory frameworks to human assets. These frameworks have been introduced largely in a supply driven way by national government and supporting international aid agencies. Single Business Permit benefits are often negated locally by emerging (local) taxes, user charges and continuation of uncalled licenses by local government. Street vending is severely restricted through the General Nuisance By-law, permitting arrests, fines and confiscation of goods on anyone suspected of causing general nuisance in public space. Urban agriculture and solid waste management until recently lacked a regulatory framework and were restricted through Local Government Acts, Public Health Acts and Bylaws. Nairobi’s highly commercialised unregulated housing market severely restricts access to productive assets of land and tenure for the poor, especially in the absence of adequate housing policies and limited accessibility of housing finance. The World Bank recently proclaimed a strategy of regulation of the metropolitan housing market through alternation of tenure mix to enhance owner-occupancy and infrastructure investment, which could in turn form a more strategic and sustainable alternative compared to the history of relatively limited effects through isolated upgrading projects. At first sight it seems however unlikely for a regulated market to become reality. Furthermore, the suggested intervention is only likely to be successful for poor households in informal settlements when combined with interventions in skills and product innovation or wage labour. The underlying assumption in the World Bank’s analytical framework of the ‘Slum Development and Living Conditions Diamonds’ of successful SMEs or employment in these types of businesses, is unrealistic for the majority of the poor given the current product portfolios, skills and employment rates of HMEs in informal settlements.

These (inter)national and metropolitan institutions can only work for the poor in informal settlements, when combined with simultaneous interventions in human assets through training in specialised (technical, vocational and soft) skills, knowledge and product innovation, which are competitive in increasingly global and regional markets. In the absence of such interventions, opportunities for the poor remain in negotiation strategies trading-in preference for economic growth and acceptance of a lost generation against concrete benefits for the next generation of poor.
Collectively claimed spaces

The national and metropolitan institutional contexts largely restrict access to land and tenure for the poor. Housing policies mostly remained ‘paper policies’. Housing finance was largely left to (semi-) private organisations, keeping housing finance largely out of the reach of low-income populations. The public sector largely fails to accommodate the need for low-income housing. The Slum and Low-Cost Housing Infrastructure Development Fund, which was proposed in the draft housing policy of 2004, has never been capitalised. The only significant step has been the government’s programme for Integrated Land and Urban Sector, which denotes the upgrading of slums as one of its key components. The failure of private and public sector organisations to cater for low-income housing needs, leaves upgrading programmes largely dependent on international donors, like the Kenya Slum Upgrading Programme of the Government of Kenya and UN-Habitat. These were however very much limited in effects and scale. Formulation of accommodating policies alongside implementation of pilot cases has failed so far. Additionally, upgrading often goes together with selling out by the poor and planning of middle-income standards in advance. Collectively claimed spaces through land-buying (companies), cooperatives, societies and trusts are the almost only remaining alternative to insecure renting in Nairobi’s highly commercialised and unregulated housing market characterised by a ‘high-price low-quality’ trap in the slums. However, these mechanisms face a lack of enabling policies and governance at national and metropolitan level. In addition, there is a gap between these initiatives on the ground and the existing (inter)national and metropolitan coalitions that predominantly engage around issues of evictions, upgrading, negotiations over land, and housing policies in regard to informal settlements. They engage much less around issues of strategic access to peri-urban land and rights to inclusive peri-urban land governance that probably become increasingly important in the near future. Therefore, these mechanisms remain largely dependent upon their own collective and individual strategic options through private markets. Table 9.4 shows an overview of the main institutional opportunities and constraints for these collectively claimed spaces.

Invited spaces

The national and metropolitan formal institutions underpinning the invited spaces of city-wide governance networks, emerged in the (inter)national context of introducing multi-party representative democracy and the debates over constitution review and decentralisation. All types of invited spaces are constrained by the limited ‘capacity to respond’ of local governments, as
### Table 9.4: Main institutional opportunities and constraints for collectively claimed spaces for the poor in peri-urban access to land and tenure

<table>
<thead>
<tr>
<th>Institutional contexts</th>
<th>Land buying cooperatives, trust and societies of the poor</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergence</strong></td>
<td></td>
</tr>
<tr>
<td>International</td>
<td>+</td>
</tr>
<tr>
<td></td>
<td>-</td>
</tr>
</tbody>
</table>
| National               | +   • Mechanisms of collective land access are accommodated by law originating from land distribution in the resettlement period just after independence.  
                          • Tolerance of non-compliance with formal standards.  
                          • Restrictive land and housing policies.                     |
| Metropolitan           | +   • Saving schemes through ROSCAs - often in partnership with micro-finance organisations for poor.  
                          • Land in informal settlements can serve as negotiation base for access to peri-urban land and tenure.  
                          • Limited number of micro-finance organisations accessible for the poor.  
                          • Highly commercialised unregulated ‘low-quality high-price’ housing market. |
| **Processes and performance** |                                                          |
| International          | +   • Recently (2007/9a+b) formulated Grassroots Mechanism (by UN Habitat, Hakijamii, Huairou Commission, COHRE, SDI, and GLTN participants), with detailed criteria for effective grassroots participation in large scale land tool development, scaling up community-led initiatives, capacity building in land administration and land management.  
                          • Gap in engagement of international coalitions on strategic access to peri-urban land and rights to inclusive peri-urban land governance that will probably become increasingly important in near future. International coalitions predominantly engage around issues of evictions, upgrading, (inner-city) negotiations over land, and housing policies with regard to informal settlements. Establishment of Nairobi metropolitan area might contribute to more strategic attention for (peri-) urban channels. |
|                        | -                                                         |
| National               | +   • Lack of enabling policies and mechanisms of government.  
                          • Long, costly and intimidating formal dispute resolution procedures.  
                          • Gap in engagement of strong land and tenure coalitions regarding the specific peri-urban issues.               |
| Metropolitan           | +   • Strategic anticipation in the choice of location of the medium and long term socio-economic growth and migration prospects for the settlement area, including opportunities for renting out rooms, and running of initiative like a business venture.  
                          • Productive use of idle lying land during land delivery time upto settlement.  
                          • Long and costly land registration procedures.  
                          • Lack of enabling policies and mechanisms of both government and mediating support organisations in accommodating inclusive peri-urban land governance.  
                          • Gap in engagement strong coalition against evictions on issues of peri-urban access to land and tenure. |

Central government maintains a political and administrative dominance over local government (transfer of functions, supervision over remaining functions, taking over financial sources of revenue, prefectural authority over council, and operational dominance in divisions and (sub) locations), costs and capacity of human resources, inefficient and ineffective bureaucracy and all-pervasive
heavy corruption and inappropriate bureaucratic controls. All types of invited spaces are also constrained by the limited ‘capacity to demand’ of civil society, related to the long time central government repression. Since the 1990s civil society again reached the point where it was at the eve of independence due to the shift to direct financing of the international aid agencies to civil society rather than government. Civil society primarily aimed at services, and only since the 1990s has taken up political and human rights, in the context of the parallel international funding over removal of the Moi regime.

Processes and performance in all invited spaces are largely constrained through national and/or local government. Opportunities for performance increased through the years, especially in the calculation/conflict based governance networks. These were however accompanied by adverse side effects, such as not delivering to the originally attested ones and lack of engagement in strategic prioritisation. Table 9.5 displays the main opportunities and constraints for invited spaces of city-wide governance networks.

Table 9.5: Main institutional opportunities and constraints for invited spaces of city-wide governance networks

<table>
<thead>
<tr>
<th>Institutional contexts</th>
<th>Calculation/coordination based governance networks</th>
<th>Calculation/conflict based governance networks</th>
<th>Culture/conflict based governance networks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergence</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>International</td>
<td>- Introduction of multi-party democracy</td>
<td>- International pressure for increased privatisation and responsive service delivery.</td>
<td></td>
</tr>
<tr>
<td>National</td>
<td></td>
<td>- Internal government negotiations for national institutionalisation of claimed local spaces, related to the introduction of multi-party democracy, through introducing devolved funds.</td>
<td>- Extra-ordinary inspection report on city-council.</td>
</tr>
<tr>
<td>Metropolitan</td>
<td>- Local alliance of international donors, civil society and new (majority of) local opposition politicians.</td>
<td></td>
<td>- Constitution review debate, including decentralisation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Formation of nation-wide and sector-oriented framework of public-private partnerships under the umbrella of the National Economic and Social Council.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Claim for executive co-governance of the metropolitan city by Residents Association and Private Sector alliance.</td>
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## Conclusions

### Processes and performance

| International | + | -Increased freezing international funding and international political pressure to replace Moi regime through regular multi-party elections. | -International donors mainly supporting blue-print solutions, rather than offering real space to local solutions and innovations regarding executive spaces and co-governance. |
| National | + | -Ever increasing repression by authoritarian central government. | -Embedding the network within NESC structure. |
| Metropolitan | + | -Local opposition also showing its true nature and desire for power. | -Creation of Ministry of Nairobi Metropolitan Development, challenging executive over advisory roles. |

- Increased freezing international funding and international political pressure to replace Moi regime through regular multi-party elections.
- Changed international priorities towards nationwide decentralisation and responsive service delivery.
- International donors mainly supporting blue-print solutions, rather than offering real space to local solutions and innovations regarding executive spaces and co-governance.
- Strong network-external middle-class and private sector civic pressure over non-performance of city council and claim for executive co-governance of city.
- Public sector reform programme of Ministry of Public Sector Reform and Performance Contracting.
- Political dominance by central government
- CSOs mainly services oriented rather than political rights oriented.
- Competition with politicians of parallel devolved fund.
- Strong network-external middle-class and private sector civic pressure over non-performance of city council and claim for executive co-governance of city.
- Rapid Results Initiative (RRI) leading to improved service delivery, although often to others than the originally attested ones and not leading to structural change. Introduced as corollary for the under pressure unlocking of the World Bank funded multi-million US dollar Kenya Municipal Program.
- Allocation of financial resources to debts clearances, salaries and pensions.
- Corruption practices.
- Lack of coordination between devolved funds.
Chapter 9

Overall, this study found that national institutions remain dominant. International institutions are both accommodating and constraining, though are largely mediated through national institutions. National institutions recently became more inclusive and accommodating in the area of private sector and business development (and through fiscal decentralisation), though still do not match the poor in Nairobi’s informal settlements. National institutions in other areas have been either lacking or largely restrictive. Metropolitan institutions are either absent or negating the recently more accommodating national institutions.

9.6. Towards a framework to analyse institutional opportunities and constraints for sustainable impacts of spaces on quality of life, influence and political rights

This study emanated from three developments in current international development literature and practice. The first is the increased recognition since the 2000s of the importance of claimed spaces and invited spaces for listening to the voices of the poor. The second is the increased recognition of the importance to analyse impacts in addition to processes of these spaces. The third is the recent increased recognition of the importance to analyse structural and institutional opportunities and constraints for sustainable delivery to the poor (Hyden 2004; Belbin 2009; Shepherd 2007), with a special emphasis on global contexts. Studies on the (conditions) for impacts on quality of life as well as influence and political rights through spaces have been limited so far. Recently studies on impacts of invited spaces of governance networks have been called for regarding European contexts (see special issue on ‘collaborative challenges: new performance challenges’, Public Management Review 2008). Moreover, studies on social and economic impacts of land have been called for recently (Payne et al. 2007). For individually claimed spaces, urban livelihoods mainly discussed impacts of human and social assets based on qualitative research instead of comprehensively analysing livelihoods impacts and both quantitatively and qualitatively, and only recently increasingly taking into account institutional contexts (De Haan 2007). This study contributes to the literature with findings on these three types of spaces for the metropolitan city of Nairobi. In the absence of a sufficiently enabling government, not one type of space can be said to be most effective; rather a combination of spaces is necessary that are effective for poor households. Enablement of collectively claimed spaces and the claiming of decision-making rights through collectively claimed spaces seems to be an additional option, currently taken up in development practice, despite the non-claiming culture in Africa.
At the outset of this research a comprehensive theoretical framework for analysing the relations between households, collective action and social movements and their organisational and institutional contexts in terms of impacts on quality of life, influence and political rights was lacking. The new institutionalist conception of institutions, that implicitly influenced conceptualisations of institutions in many research strands, optimistically assumed that institutions can be instrumentally designed and reformed and impacts were consequently mainly interpreted positively. This study formulates a comprehensive framework based on a balanced structural approach of both accommodating and constraining institutions and structures, analysing the impacts of multiple interfaces on quality of life, influence and political rights. The study combines urban livelihoods theory with collective action and social movements theory, to analyse the conditions for impacts on poverty. Besides it adds the notion of service delivery to assess conditions for sustainable impacts that match the scale and the scope of problems in the wider society. In doing so it takes on a social conception of quality of life and well-being, combining the approaches of poverty studies, community studies and societal quality of life constructs. This study in addition combines notions of citizenship literature and governance assessment literature to assess the conditions for impacts on influence and political rights. It encompasses the full scope of factors that are relevant for the poor in gaining influence, from more operational factors of implementation and processes to institutional factors of policies (allocative and distributive rules of the game) and political rights (constitutive rules of the game). National institutional contexts remain dominant in the sub-Saharan African country of Kenya. International institutional contexts do however play a role indirectly through international aid organisations and international civil society coalitions. Metropolitan contexts, in the absence of serious decentralisation efforts, are relatively weak and/or counteract increasingly accommodating inclusive national contexts. In order to be able to change national level institutions and increase sustainable impacts for the poor, simultaneous and mutually reinforcing interventions on all institutional levels are increasingly important.

9.7. Implications for research and policies

Implications for research

Further research into individually claimed spaces should consider increased exploration of the relations between global and regional institutions of international trade and the (regional) positioning in negotiations for preferential trade agreements and (inter)national value chains and (urban) poverty. This is (especially for Kenya) increasingly done in relation to the rural poor (Bird,
Kamau & Odhiambo 2004/7) and to a much lesser extent in relation to employment in manufacturing (Manda 2004) and the (urban) poor in MSEs in garment and textile (McCormick et al. 2002/6/7). This could include further research into the structural conditions for sustainable access and livelihood impacts through training in innovative skills and products for the poor from informal settlements compared to other groups. It could also include further research into conditions for sustainable livelihood impacts of EPZs for households from the informal settlements and other areas, complementing earlier research findings of the Kenya Human Rights Commission. Besides it could include further research into the conditions for effectively linking informal businesses from informal settlements to formal businesses and/or (inter)national value chains. Preparatory research for this study indicates interesting research opportunities for effectively linking informal sector MSEs in urban-waste-derived compost run by the poor from informal settlements to (inter)national value chains. Finally, further longitudinal research on intergenerational transmission of poverty should be considered in line with CPRC research (Bird 2007), which increasingly offers opportunities for eliminating long term structural conditions of exclusion and inequality.

Further research into collectively claimed spaces should increasingly consider conditions for emergence, processes and impacts (in terms of quality of life and political rights) of spaces of bottom-up co-production. On the one hand this means research into the accommodating and constraining conditions for complementary claiming/negotiating strategies of local, national and global civil society coalitions and movements. On the other hand this means research into the accommodating and constraining conditions of enabling governance at multiple levels, moving beyond merely emphasising the necessity and possible areas of enabling governance. Preparatory research for this study into claimed spaces that transformed into spaces of co-production in informal primary education indicates interesting research opportunities on both aspects. While quite a lot has been written about access and quality of non-formal education, these aspects have been researched much less. The preparatory research for this study into claimed and invited spaces in solid waste management, indicates interesting research opportunities on accommodating and constraining factors for multi-level coalition building and enabling governance, especially the difficulties in matching of the networks of the poor and the supply driven invited spaces of government and invited spaces or networks by NGOs. In regard to land, it is however also still necessary to further explore the strategic factors conditioning sustainable peri-urban access to land through hybrid mechanisms, in order to avoid the pitfalls of earlier experiences and further increase livelihood effects. Related to this, it would be interesting to further explore motivations of absentee owners and the reasons why more women than men choose for the strategy of renting out rooms without staying on the plot. In
Conclusions

addition, it is necessary to further explore the conditions for effective local coalition building in peri-urban access to land and linking with national and international coalitions as well as conditions for inclusive land governance. It would also be worthwhile to further explore the existence of similar mechanisms and check opportunities for international comparative research. In addition to research on peri-urban land access, it would be interesting to explore the impacts of collective negotiations of the poor over upgrading and how the resource base of occupation of land is used in collective negotiations, as currently the exact outcomes of negotiations and tangible impacts on the poor often remain opaque and vague.

Further research into invited spaces should on the one hand increasingly focus on conditions for these invited spaces to sustainably deliver for the poor, both in terms of quality of life and in terms of influence on the allocative and distributive rules of the game (policies) and constitutive rules of the game (political rights). This should also include the role and capacity of donor organisations as actors in the arenas of interaction in assessing what works for the poor and for development, and treat them as one of the actors in arenas of interaction rather than only as part of the international institutional context. Furthermore, research should increasingly analyse the whole constellation of invited spaces rather than isolated invited spaces in order to assess the impact on development of the poor rather than the effectiveness of the invited space itself. As for the issue of effective linking of citizens, which played a role in all city-wide governance networks, research should also increasingly consider looking into the conditions for societal accountability mechanisms, such as the people’s budgets, through constellations of non-state actors, offering a better chance to move beyond individual invited spaces. Further research into invited spaces should on the other hand increasingly consider investigating the conditions for mutual accommodation of informal and formal political institutions in the sub-Saharan African context in order to sustainably work for the poor, like currently suggested by other projects, such as the ‘African Power & Politics Programme’ (Booth 2008/9; Kellsall 2008; Hyden 2008; Sardan 2008), and the GIGA project ‘Informal Institutions Compared- Persistence and Change of Neo-Patrimonialism in various World Regions (Erdman & Engel 2007), and also by Chabal (2009). The proponents of a shift towards informal institutions, (partly) explain the failure of the development agenda by the diminishing opportunities for neo-patrimonial political practices to serve both informal demands of the clientele and formal demands of the international community for general development through the downsizing of international aid since the end of the cold war and resulting in predominance of the informal and degrading states (Chabal 2009). Rather than condemning the current tension between the norms of accountability, transparency and formal institutional rules and neo-patrimonial political practices, it is suggested to
Chapter 9

acknowledge and build on informal politics and local measures of accountability. Development results in South-East Asia and Somaliland serve as good practices (Kellsall 2008). The APPP recognizes itself the pitfall of not reinventing the wheel through precursors and parallels (Booth 2009). This especially concerns parallels with already implemented research into mutually accommodating and constraining character of social informal and formal institutions (Helmke & Levitsky 2006; Rakodi & Levuka 2004/6) or a call for a transition of research in this direction (Jütting 2007; Jütting & De Laiglesia 2009; Easterley 2006/8). In addition, there are risks that through shifting to informal channels the attention for engagement might at first be limited to implementation levels again, while not treating the central power games and potential leverage factors. Finally, specific and more systematic research on conditions for ‘pockets of productivity’ in weak governance states remains valuable. An example of this is the recent study to the political factors conditioning ‘pockets’ of effective governance agencies in weak governance states (Leonard 2008).

Implications for policies

Since the 1990s neo-liberal notions of private sector development and micro and small entrepreneurship for development have dominated the international development policies and practices. Economic growth was assumed to be achieved through an enabling business and financial sector environment. In Kenya the increasingly accommodating national regulatory frameworks for private sector development, micro-finance and MSEs since the Economic Recovery Strategy in 2003 and Vision 2030 in 2007, could potentially enable economic growth, transition of informal to formal businesses, increased tax revenues and employment. Growth of the Kenyan economy has been largely dependent on MSEs in recent years and on EPZs related to favourable international trade agreements. These were however accompanied by a raise of the working poor, worsening labour conditions in EPZs, and a growing international opinion for Africa to more realistically focus on regionalisation rather than globalisation of markets. The World Bank recently propagated regulation of the highly commercialised metropolitan housing market through integration of its titling approach and infrastructure-upgrading approach, which could potentially enable reduced rents and collateralised lending for investments and business development. Expectations of large scale regulation of the housing market seem however unrealistic given the vested political-economic interests in slums and the considerable time already involved in negotiations at relatively small scale.
Conclusions

The first policy recommendation is to increasingly support the strengthening of human assets through modern and competitive skills training and product innovation in order to materialise the benefits of the national regulatory frameworks for private sector and business development and metropolitan interventions in the structure of the housing market, for the poor in informal settlements. Without earmarked skills training and product innovation, the majority of the HMEs of the poor in informal settlements will not be able to compete in the increasingly globalised markets or transform from a livelihoods-oriented to a business-oriented micro-enterprise; furthermore their base for micro-finance will be too limited. In addition, without targeted programmes large shares of the poor risk losing their (rented) structures or are held to rent out rooms rather than invest in business development for optimal economic exploitation of the land. Poor households generally do not take the risk of credit against collateral in the absence of a relatively more secure base. Only with earmarked or targeted programmes can the mutual reinforcement of human, financial and productive assets of poor household be expected to increase.

The second policy recommendation is to focus on explication and negotiation of policy choices that largely trade-off the current low-skilled generation of the poor in informal settlements against future economic growth. At macro-level the return on investments and contributions to wider economic growth through earmarked training programmes for the poor from the informal settlements might be considered too low. This implies that there is a high risk that the poor are loosing out both in the short and long term. Especially with regard to the currently proposed regulation of housing markets and upgrading, whereby some people will negotiate terms and others will finally turn out not to have the skills and lose out.

The third policy recommendation is an increased focus on structural food security in the slums and in greater Nairobi. A repeat of the necessity of food emergency relief in the slums since mid 2008 in the context of the international food crisis and high inflation needs to be avoided. As the majority of the poor in informal settlements largely depends on social capital for survival and only a small part of HME’s is business-oriented, structural improvement of urban food security seems a viable strategy for survival and resilience, hence avoiding situations of despair and stigmatisation. The recent adoption of accommodating regulations for urban agriculture provides opportunities for increased activities in this area.

Policies on housing in Kenya have largely reflected World Bank principles through the years. Policies changed from sites and services approaches during the late 1970s, to ‘paper policies’ with little housing development by the state
and a focus on private sector housing finance under SAPs during the 1980s and 1990s, and to the neo-liberal policies of private sector enablement, economic growth and investment since 2002. The ‘paper policies’ served to meet the demands of donors and included terms like ‘tenure security’, ‘right to housing’, ‘social and environmental development’, ‘enabling standards’ and ‘access to credit’ in line with UN-Habitat policy positions. In 2000, and renewed in 2002, UN-Habitat and the Government of Kenya agreed to deal with the problem of slums through the Kenya National Slum Upgrading Programme (KENSUP), but mechanisms to replicate the programme at scale in Nairobi and Kenya were lacking. Issues of tenure security were largely locked in the land regularisation process of the Kenyan government supported by donors, although recently a new land policy has been approved by parliament. Hence, the large majority of the poor still live in ‘low-quality high-price’ rental houses in informal settlements. Upgrading through alternative partners in Nairobi often failed to treat the problems of the poor, while private sector housing-finance is often not affordable for the poor and very poor.

The fourth policy recommendation is to support hybrid peri-urban land access for the poor by way of cooperatives, trusts and societies, in addition to upgrading. This mechanism provides a potentially effective channel, which could be further increased. Despite the limited scale and scope and lack of contribution, it is one of the only channels available for the poor and very poor, besides renting in informal settlements and upgrading that often leads to selling out. This goes both for the informal processes in itself and gradual strategies towards formalisation. The conditions for success are the strategic long-term choice of location, and the right to sublet their property.

The fifth policy recommendation is to move beyond the current individual experiences and relative naivety, building peri-urban land coalitions, and linking them with local, national and international coalitions to influence strategic land governance processes. In the short term, isolation may protect initiatives and avoid risks; however, in the long-term, initiatives may potentially be played out against each other. With the emergence of hybrid and other initiatives, the issues of volume, uniformity and avoidance of new slum creation can no longer serve as a sufficient argument for exclusion of the poor, rather become issues to be addressed and discussed in accommodating inclusive pro-poor peri-urban land governance. The current local, national and international coalitions and campaigns mainly focus on housing rights and evictions, but need to be complemented with explicit advocacy for peri-urban land access issues and link to concrete peri-urban initiatives on the ground; even though at first sight this might seem to contradict with campaigns over inner-city access and to undermine the ‘resource base’ of strategically located urban land for negotiations by the poor. The recently initiated ‘grassroots
mechanism’ of UN-Habitat/GLTN and partners, which focuses on good land governance through the realisation of gender equality and grassroots participation, can be seen as a first step in this direction.

The sixth policy recommendation is extension of the roles and capabilities of local initiatives, government organisations and mediating support organisations, in order to bring these approaches to scale while remaining affordable to the poor. Local initiatives and support organisations need to jointly claim stakeholder participation to enforce rules and mechanisms of social land management. Local initiatives need to increase their level of strategic action in private land markets and profitable and efficient land utilisation during delivery time. National and local government should start to facilitate as well as control the reduction of delivery time. Mediating support organisations need to provide support for strategic land buying processes, enable profitable and efficient utilisation of idle land during delivery time, conclude partnership contracts between initiatives and private sector businesses, provide infrastructure grants, and facilitate knowledge exchange and learning between local hybrid/informal initiatives, local and international support organisations. Additionally, they need to (re)address the moral question of whether they want to ‘play the game’ of private land markets and consider who carries the long-term responsibility for risks and benefits of strategic land investments.

In the last two decades, since the shift from economic instigated SAPs to political PRSPs, neo-liberal notions of (good) governance, democracy and an enabling state with decentralisation for private sector development and foreign investments have been at the core of the international development agenda for sub-Saharan Africa. Recently it has become increasingly clear that these dominant development agendas of the last two decades have not led to sufficient development and change (Booth 2009; Chabal 2009; Joseph 2008/9). The overall impact has been disappointing, given the breadth of resources applied, although there are different Africa’s with different results (Joseph 2008/9). Despite the mixed record of results of the good governance agenda and decentralisation the bulk of development support still continues to aim on decentralisation and public sector reform with an ever-widening agenda (Kuhl 2009). Support to build the ‘capacity to demand’ has been marginal vis-à-vis ‘the capacity to respond’. Rather there has been a (re)shift in international financial aid during the 2000s from civil society back to government channels. Currently there is an increased counter-movement of international civil society generally supporting civic driven claiming capacity of non-state actors. In Kenya the international policies contributed only to limited decentralisation, with the exception of the formation of devolved funds of fiscal decentralisation through government transfers. The current constitution review process in
Chapter 9

Kenya might still offer new possibilities for increased local invited spaces, besides the devolved funds. Support to build the ‘capacity to demand’ has remained limited both at the national and metropolitan level.

The seventh policy recommendation is that international agencies should increasingly offer real space for (negotiations over) local solutions and innovations regarding co-governance and executive spaces, rather than mainly blueprint solutions. International donors and support organisations should increasingly support simultaneous conflict and cooperation strategies, also beyond emergence and formation stages of invited spaces, which provide best chances for institutional change.

The eighth policy recommendation is that support organisations should increasingly stay course, building innovative community structures and post-liberal deliberative civic engagement mechanisms at metropolitan and national level for influence and political rights independent of changes in governance network approach, rather than repeatedly building inclusive structures for project implementation purposes at ward levels. The Nairobi People’s Settlements Network, which was initiated at World Human Rights Day in October 2005, and the related deliberative societal accountability mechanism of The People’s Budget, might in future provide a viable alternative and/or addition to earlier approaches of city-wide coordination and action. The key advantage is that the priorities of the poor in informal settlements are put on the political agenda comprehensively, rather than being scattered over and played out in multiple invited spaces of devolved funds. The risk is however that these uttered priorities remain voices unheard in the current national and metropolitan political arenas. Therefore, opportunities for negotiations and building of strategic alliances with middle-class residents associations and private sector businesses and alliances should also be increasingly supported, rather than only directly claiming to the metropolitan and national government. In addition, further widening of the Nairobi People’s Settlements Network’s connection at grassroots level might increase the strength of its base and further reduce risks of ‘donor-drivenness’. Moreover, there should be increased attention for demanding spaces for influence on the constitutive or political rules of the game, in addition to policies and implementation.

Finally, the ninth policy recommendation is that support organisations increasingly need to assess impacts in terms of influence on the constitutive rules of the game and in terms of quality of life for the poor and the wider society. Development practice in the last decade has increasingly embraced the notion of influence on rules of the game, though the difference between impact on allocative and distributive versus constitutive rules of the game remains often not clearly spelled out. Support conditions should increasingly include
serving both sides of the coin - as a moral factor in the case of invited spaces and as a critical success factor in the case of claimed space - strengthening the basis for negotiations and dialogue.
Notes

1 At the national level, there is currently a growing recognition by experts of the importance of equitable and economic development in policy formulation.
2 Four steps are suggested in regard to international development aid: 1) recognise the ways in which the formal and informal influence the work of government, instead of pretending there is no such thing as the informal; 2) Invert the current way of formulating and implementing the good governance agenda: policy makers should be looking to operationalise the so-called informal and traditional constraints on the exercise of power – with a view to strengthening the state’s ability to govern for all; 3) Let African governments construct their own blue-prints, rather than work merely to show how they accept and will influence the donors’; 4) Let African governments devise – and publicise – the ways in which their commitment to accountability can, very concretely, contribute to improvements of the lives of the population.
3 The APPP consists of 6/7 research streams: Business and politics; local governance and leadership; state bureaucracies; parliamentarians; local justice provision; formalising schooling.