

STATE POLICY AND URBAN HOUSING IN KENYA:

THE CASE OF LOW INCOME HOUSING IN NAIROBI

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ABSTRACT

State Policy and Urban Housing in Kenya examines the gap between the formal stated Kenya Government housing policy objective for housing the low income groups and its evident outcome, manifested in the proliferation of informal low income housing. This is done by searching into the policy and the institutional framework through which housing programmes are implemented using Umoja Tenant Purchase (UTP) scheme as a case study. The institutional framework of such housing programmes in Kenya normally include several actors from both public and private sectors.

However, the implementation of this particular UTP Scheme is evaluated by examining the role of the key implementing agency, the Nairobi City Council¹ (NCC). Other public and private institutions, namely United States Agency for International Assistance (USAID), Ministry of Local Government (MLG), Ministry of Lands & Housing (MLH) and the National Housing Corporation (NHC), are only examined in so far as they pertain to the issues being assessed. Subsequently, an assessment of both the socio-economic profile, level of satisfaction with services and the tenure status of UTP residents is undertaken.

The findings show that the State policy objectives of housing the low income groups has failed and a policy redirection is needed. UTP neither fulfilled its initial objective of housing the low income groups nor satisfied the *real* beneficiaries who hardly fall within the target group. The main reasons being the lack of a local conceptualisation of the housing problem and how best to solve it and the inappropriate policy instrument of housing the low income groups through a single umbrella of home ownership; without clear outlined targets at policy level and how to identify them. Subsequently, the lack of consensus among the political and the administrative officials, mostly at the output stage of policy also limit achievement. As reflected on individual and collective demand making, representation of interests and difficulty to resolve conflict which dominated the implementation of UTP.

¹Between March 1983 and December 1992, the City Council was called Nairobi City Commission, the council having been dissolved due to mismanagement, especially relating to allocation of resources within the city.

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The above contributed to the general development of the thesis as well as providing current information on the area of research. They also provided opportunities to meet scholars who have researched and written in my area of interest. Thus, what is achieved in this study is a product of both the above experiences as well as my background as a researcher with the IDS, University of Nairobi.

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DECLARATION

I declare that this thesis and/or parts of it, has not been published or submitted elsewhere for examination.


Winnie V. Mitullah

DEDICATION

This thesis is dedicated to the comparatively poor individuals who struggle to house themselves within the hostile urban environment, those who support such efforts and the late Professor Orwa Katete. My former tutor and colleague at the University of Nairobi, Department of Government, who always encouraged me in my quest for higher education, supported my admission to the University of York, but died from an accident before this study was complete.

INTRODUCTION

Developing countries are urbanising at a historically unprecedented rates exerting pressure on already inadequate services (Todaro, 1985; Habitat, 1986; Rodwin, 1987 and Stren & White, 1989). Among the most pressing service needs is housing. Provision of housing has been inadequate due to socio-economic and political factors. Where housing policies exist, they are frequently unclear and poorly implemented. Developing countries, therefore, experience a widening gap between the stated policy and policy outcomes. Policies that exist on paper often omit important issues relevant to implementation, such as distribution and management. In some cases, policies conflict, making them unimplementable and where implementation happens, a number of distortions occur.

Housing as both an economic good and a basic need is one of the most challenging aspects of rapid urbanisation taking place in the developing countries. The need for urban housing is generally a consequence of a number of factors, which include high urban population growth rate due to rural-urban migration, natural increase, a lag in development of infrastructure that supports housing development, low purchasing power of the majority of urban households, poor management and the lack of appropriate policies, especially those relating to building by-laws and standards for low income housing.

The above factors have contributed to the demand for urban housing often out-pacing the supply and hence a predominant shortfall of required units. Although shortfalls mostly hit the low income groups, it is experienced by the majority of urban residents. This trend is reflected in the predominance of middle income groups occupying housing units planned for the low income groups, as the low income groups resort to unplanned informal areas. On the other hand, the comparatively better off choose between owning their own houses or renting in areas of their choice. Additionally, they can also choose to own several units, some of which may remain unused or rented out to tenants. In this case, they act

as landlords, who view housing as a good form of investment. It is in this respect that this study undertakes an analysis of urban housing policy geared for low income groups in Kenya, using the representative case of the UTP scheme in Nairobi.

In Kenya, the gap between demand and supply has been wide. For example, it was estimated that by the end of 1990, all urban areas in Kenya would need a total of 117,652 housing units and that out of these units, 50,454 were to be needed by the city of Nairobi alone (Kiamba & Syagga, 1988). These official estimates do not take into account the units produced by the informal sector, which often develops more housing units than the formal sector. This demonstrates the ineffectiveness of policies aimed at arresting the housing problem.

It has become clear to those interested in urban development that the mere development of additional housing units in the name of the poor or low income groups does not necessarily lead to the units being made accessible to them. In Kenya, the goals and objectives of the housing policies and plans geared for low income groups are rarely attained. This is reflected in the mismatch of the housing forms and lack of housing management available. As a consequence, often the very poor live in 'unplanned' areas and the middle income groups occupy the housing units planned for the poor, in the 'planned' areas. A substantial percentage of urban residents occupy units that, in terms of policy and planning, are intended for other groups. Of particular concern are the very poor, who, often live in appalling conditions.

Since the early Seventies, the Kenya government has mostly relied on international funds for the development of urban housing. Whereas this approach is considered appropriate due to lack of adequate local resources, it has not solved the problem of urban housing (Temple & Temple, 1980; Stamp, 1981; Mitullah, 1984; Kiamba et.al. 1988). Instead it has negatively influenced the ability of LAs

to mobilise local resources for the development of housing, as they had done before its intervention. International finance, especially that of the World Bank, has often been criticised for its inability to reach the urban poor (Payer, 1982; Ayres, 1983; Mitullah, 1985; Van De Laar, 1976). Their approach is based primarily on economic determinism and relies on affordability - cost recovery and replicability. The core of the approach is to achieve full or nearly full cost recovery with minimal subsidies. Whereas this is an appropriate approach in the absence of adequate local resources, it has to be supported by other programmes, especially if the interests of the lower income groups are to be met but this has not been the case.

Organisational Structure

This study is organised into eight chapters, with an introductory note. The introductory note states the housing problem summarising the unmanageable situation in the developing countries and Kenya, specifically. It also outlines the organisational structure of the study by giving a brief review of each of the eight chapters. *Chapter One* is a presentation of the theoretical framework. It begins by defining key concepts used in the study and outlining the development ideology in Kenya. This is followed by a brief discussion of some prevalent approaches (economic determinism, basic needs, socio-cultural, ecological/environmental and political economy) used in studying housing provision. Subsequently, adopting the political economy approach, due to its ability to integrate the strengths of the other approaches. Applying the latter, an analysis of the unresolved debates on housing provision and the role of the State is undertaken. Whereas *Chapter Two* states the objectives, significance and scope of the study. The main objective of the study which is to assess the institutional framework, uses the UTP scheme in NCC to examine this in detail. Subsequently the chapter justifies the study, delineates the methodology and gives an outline of the study area.

Chapter Three discusses issues in urban housing pointing out the multiple actors

and the different interests involved in its production and consumption. This contribute to the power interplay among competing interests, consequently determining which interests policy favours. The African context is presented highlighting the failures of policies applied by most Governments in an attempt to curb population movements to the urban areas. A discussion of the Kenyan housing policy context follows, pointing out policy evolution, specifying the colonial and post Independence housing policies. Subsequently, housing programmes and projects; institutional framework for housing policy; housing policy mechanisms and the impacts of housing policies are discussed.

Chapter Four reviews the global nature of urbanisation, exposing the problems of service provision and management. It also brings out the unique features of urbanisation in the developing countries as opposed to the developed countries. The case of Kenya is given an emphasis by discussing both colonial and post Independence urbanisation. Subsequently, a discussion of the shortcomings of the rural based policies applied by the Kenya Government, in an attempt to curb population movements to the urban areas is undertaken. The chapter ends with a discussion of management of urban growth in Nairobi, addressing the state of services and implication for low income housing.

Chapter Five introduces the empirical case study of UTP by first undertaking a brief discussion on the concept of planning. Following is a background and objectives of UTP; establishment of PMU and the implementation and political alliances, bringing out inherent issues of contracts, tendering and the allocation. Overall, the chapter outlines the initial policy process which went on before UTP was implemented, the limited planning on the part of NCC, leaving the funding agency to come up with an appropriate plan, and the political interplay which halted progress.

Chapter Six presents the empirical situation of the case study between November 1992 and April 1993, outlining the socio-economic profile of the residents, which

highly contrasts to that of the initial plan. Issues relating to the types of tenure are presented. Intrinsic is a discussion of services and their management, types of tenure, relationship between tenants and their landlords and the case of resident home owners and issues relating to the process of home ownership.

Chapter Seven merges the key issues in the above two chapters and that of the theoretical framework. It analyses the politics of implementation within the context of the case study and the Kenyan State policy focus of housing the low income groups; bringing out the innate problems in the areas of policy focus and institutional framework. Subsequently, important issues within the institutional framework such as the management structure, lack of adoptive regulations, the requirements of access to housing and the role of international finance, are discussed. *Chapter Eight* Summarises the findings of the study and draws conclusions and recommendations.

CHAPTER ONE

CONCEPTUAL AND THEORETICAL FRAMEWORK

1.0.0 Introduction

Provision of housing is one area of urban services that has drawn interest from several scholars with diverse backgrounds. In this respect, it has been conceptualised and understood differently, depending on the context, analyst and the theory adopted. Therefore, in order to be able to understand housing provision in Kenya, especially that for the low income group; an understanding of various key concepts, the development ideology and some theories, which have been advanced in relation to housing provision and the role of the State, is necessary.

1.1.0 Key Concepts

1.1.1 Urban housing

Urban housing or a family shelter has many meanings depending on the individual and the context within which it is perceived. Pugh (1990) in his study of Madras, indicates that in the popular imagination, a home is a building with a kitchen, a bathroom, bedrooms and a lounge. It is built sturdily enough to withstand the natural elements, and it has an address on the post office register. This idea may be popular in the western concept of housing, but very few aspects of it may be applicable within an African context, more so, to an insignificant percentage of the population. In appreciation of this position, Pugh notes further that many people in India live in shelter which do not fit his definition and hence he adopts a definition whereby;

`a house can be many things in both appearance and in its meaning and significance to those who live there. It can be a pavement, it can be a small hutment standing illegally on public or private land, built in ramshackle ways without services (emphasis added), it can be crowded tenement where rents or instalments are paid to owners; or it can be an

expression of affluence in leafy suburbs', (Pugh, 1990 p.18).

The above is a broad definition of a house and can be applied within different contexts, including Kenya. Urban housing in this study, constitutes all structures (formal & informal) within any urban setting of Kenya, which are used as home by urban households. This excludes all housing used purely as business premises, offices and for other functions. Urban housing is essentially the residential domain of the urban workers, who are employed in the formal and informal sectors. In a number of cases some residential areas play double or triple functions, but their basic function is first and foremost residential.

As might be expected, among the residential structures, the unplanned informal structures seem to be of worse quality when compared to the planned ones. The former, placed on a rough timber framework, are often of two basic types. First, the structures are made of recycled metal, cardboard and/or polythene or sundried mud walls with floors of either cemented or with hardened mud. Secondly, there are structures built entirely of mud brick walls, galvanised iron sheet (GIS) roofs, with the floors either cemented or with hardened mud. This latter type of structure is an apparent improvement on the former.

These two types of structure are often located on land which has not been set aside for residential use by the planning authorities. Most of these areas rarely have water borne sanitation. Kabagambe & Moughtin (1983), argue that in the majority of cases the occupants are squatters owning the meagre structure they occupy or more often renting it from 'slumlords', who themselves have no title to the land but nevertheless build accommodation for renting. On the other hand, the planned structures have concrete block walls, screeded cement floors, as well as appropriate roofing materials, all to the standards approved by the city authorities.

For nearly two decades after Independence, informal housing was considered illegal. This is because such buildings were not approved by existing legislation

contained in the Town Planning Ordinance of 1931, the Land Planning Act of 1968, the Public Health Act of 1972 and the Building Code of 1968 (where adopted). In many instances the buildings are referred to as 'unplanned' by both Central and Local Government Authorities but it has been noted that this is a misrepresentation, because though some are not up to the standards required by the regulations, they are nevertheless planned. A study on Informal Sector Housing Finance in Kenya (Mbugua, 1989) found that some informal settlements show considerable evidence of being planned but do not meet the rigid standards of the Planning By-laws and Building Regulations, which prevents them receiving official approval.

Urban housing should not be viewed in isolation from its various types of infrastructure. The above three categories of housing exist in different locations with varying degrees of infrastructure. Often the availability of infrastructure is linked to the ability to pay for it, either by the consumer or through some kind of subsidy. In this case, almost all 'unplanned' structures lack relevant infrastructure, such as all weather roads, health and educational facilities. Residents of such areas normally rely on services located in neighbouring planned areas. In turn, services in these areas are often inefficient due to over-use and congestion.

Although provision of urban housing had been seen at Independence to be the domain of the government, the situation has since changed. Currently the provision of urban housing in Kenya is undertaken by a number of institutions and/or private developers who act as individuals or companies. The informal units ('unplanned sector') are in many cases developed by individuals, who are desperate for shelter, in relation to their opportunity to earn an income, albeit irregular, but have no resources for renting 'acceptable' units. In most cases they live in the units they have built. Some individuals and/or groups participate in this task purely on a commercial basis. In such cases, the developers may not necessarily live in the units, instead they rent them out. On the other hand, formal

housing units (planned sector) are often developed by both public and formal private institutions, cooperatives, private developers as well as individuals. The public institutions mainly include local authorities, government ministries and parastatals. On the other hand, the private institutions include mostly private employers and registered individual and/or group developers.

1.1.2 Forms of housing provision

There are a number of forms of housing provision. They include both public and private. The private can further be divided into private formal and informal. The public sector provision has concentrated on, what they refer to as; 'low income housing' but has in most cases been occupied by the so called middle income group. Thus demonstrating the existence of a housing market even in the public sector, the sector that was originally intended to provide an alternative to the private sector. The issues surrounding access to housing being determined by income alone, when a commodity is in general short supply are difficult to resolve. The mechanisms for ensuring that market forces do not apply in public sector housing have to be effectively managed. The more so where income is a yardstick for access. It is very difficult to quantify, and so far the methods used have been unable to present a representative situation.

In Kenya, housing provision categorises urban households into low, middle and high income groups. Indeed, this is an oversimplification, which may have applied immediately after Independence but is currently totally inadequate. Although the government uses different income categorisation for different purposes, in the area of housing, low, middle and high income groups include Ksh.¹ 0 - 1,999; 2000 - 7999 and 8,000 (GOK,1992) respectively. The government, through Local Authorities (LAs) and the National Housing Corporation has been the main

¹At the completion of field work for this study (May 1992), Sixty Kenya shillings was equivalent to one sterling pound. At the time of writing (March 1993), fifty Kenya Shillings was equivalent to one Sterling pound. One Kenyan pound is equivalent to twenty Kenya shillings. In this study reference is made to both Kenyan shillings and Kenyan pounds.

agency providing or supporting the provision of formal low income housing en masse. Prior to 1972, provision of what then was called 'low cost housing' was done mostly through rental schemes in the classic socialist manner by the aforementioned institutions. They were inadequately funded and never fully served the interests of the low income groups, who turned to the informal private sector. A sector which has been providing the shortfall of government efforts. On the other hand, middle and high income housing has been the domain of the private formal sector. In this study the focus is for low income housing and therefore it is relevant to review some of the predominant forms.

Since the World Bank's en-mass intervention in the area of low income housing in 1972, more units have been built but they too have continuously become inaccessible to the low income groups. In an effort to keep costs down the World Bank's schemes have been based on Abram's and (1964) Turner's (1967) self help approach. The thrust of the approach being that 'where dwellers are in control, their homes are better and cheaper than those built through government programmes or large corporations'. The idea of the State as an enabler, assisting in mobilising people's savings and initiative in providing themselves with shelter has been adopted in many developing countries. The argument behind this approach is that the State is too bureaucratic to be efficient at providing peoples housing. Instead, the State should stimulate private investment in shelter by intervening in the supply of urban land, provision of public services and the removal of stringent taxes on housing and land and reform their registration (Linn, 1983).

1.1.3 Self Help Approach to Home Ownership

The self help approach to home ownership has been opted for in view of the pressing economic situation in countries such as Kenya and the global nature of political economy. This is despite its problematic nature in catering for those who are most needy and are at the same time at the bottom of the market. In Kenya,

they mainly include;

(a) *sites and services (SS)* Which are basically a joint venture between the public and the private sector, the former provide public services and land and the individuals develop their own housing units. These schemes can entail open allocation, overspill relocation and group application (Rodell, 1983 & MacoOloo, 1989). Two allocation packages exist; first, allocation of a serviced plot with no development and the other with a core unit (one habitable contractor built room or one with a toilet, kitchen and bathroom room). The allottees are expected to develop their houses over time, using partial financial and technical help from the LAs.

(b) Upgrading (UG) is the progressive improvement of informal settlements in situ (MacoOloo, 1989). This is done after land tenure has been secured. The theory is that it should never displace more than 10% of the population but it often does. The government gives loans for durable building materials and provides technical advice. Services such as water, street lighting, health, and schools are also provided.

(c) Tenant Purchase (TP) is the same as the above two in relation to servicing land but in it there can be units developed to completion, half way through or merely core units. Additionally, the allottees are never given title deeds of their property until the repayment period is over.

The above schemes were not very popular when they were first initiated. For example in Kenya, they were seen as creating conditions similar to those in the slums, which the State was meant to be improving or moving away from. The late president Kenyatta originally did not support their development and maintained the above mentioned position (Werlin 1974; Weisner 1976; Amis 1983 and Macooloo 1989). An argument has also been raised that some countries accepted them not due to commitment but as a means of securing loans from the World

Bank and other international funding agencies (MacoOloo, 1989). The developing countries have limited options and have to rely on external funding, especially if the rhetoric of housing the poor is to be perpetuated.

1.2.0 Development Ideology and Housing

In order to be able to discuss the intricate issues entailed in the provision of urban housing, one has to understand the overall socio-economic and political context within which it occurs. In this respect, a clear perception of the development ideology on which the economic system is embedded is relevant. Kenya's economy, like many other developing countries is based on peripheral capitalism, which has not evolved to achieve a full capitalist State. In this respect, one finds aspects which are typical of capitalist development and some which are not. This has implications for housing provision, where a compromise between market forces and the welfare needs of those unable to compete in the market, have to be considered.

To some extent, peripheral capitalist countries, such as Kenya, have very minimal bargaining power when it comes to the type of development policies pursued. This is due to the nature of World Political Economy which subordinates peripheral capitalist States. For example, most countries pursuing self help housing policies did not conceptualise them, but rather the well established capitalist system, led by the World Bank. Like every developing country prior to 1989 their systems were a product of the Cold War. The World Bank was doing no less than buying allegiance and propagating the Western Block capitalist interests. It was asking too much, of new governments who had other priorities, like establishing their roles and consolidating their positions. They were pushed into the 'welfare approach' to housing by the welfare statism of the developed nations, such as Britain.

The Kenya State has failed to solve the housing problem of the low income

groups, in spite of its insistence that all its major programmes are geared for such groups. It is the position of this study, that the State has not been focusing on the poor but using them, through rhetoric, for accessing international financial assistance. In this case, the State should focus on increasing the housing stock and forget about maintaining a policy towards the poor, when they are actually not benefiting. An understanding of development and its inherent contradictions may assist in clarifying some of these intricate and essentially political issues.

1.2.1 Evolution of Thinking on Development and Relevance of Housing

The concept of 'development' has been noted to be subjective and extensively depends on the values the analyst holds and the subsequent yardstick he/she imposes at a given moment of time. The concept has been defined differently by respective scholars. Development as economic growth is the dominant school of thought, where development is perceived as the growth of the economy, measured mainly in terms of changes in GNP. This study does not wholly object to this mode of thought, but concurs with the opposite school of thought which perceives development as a multidimensional process. Scholars such as Seers (1972), Barkan (1984), and Todaro (1985) among others, fall into this school. The multidimensional approach which is a by product of Neo-Marxist political economists, is emphatic on viewing development from various perspectives and disciplines: it underscores the importance of basic needs (food, shelter, clothing, health, education,) and individual development, economic growth, and political realisation.

Until the politics of multi-partyism, the African version of Neo-Marxist aid partially includes the development of the individual, but only the few individuals at the top of the society - ministers (and often there are more of them than needed or can be afforded) and their two support groups i.e. the top civil servants and the military. They had no view of *every* individual sharing or benefiting, there was no en masse notion of looking after 'our' people as was the case in the USSR.

Thus there has been no *peoples* housing, education or health services in reality, on the ground; just the hierarchy of government jobs.

Barkan (1984), for instance, notes that 'development is an inherently ethical phenomenon, a set of value judgements about what constitutes a good society and about the institutions and processes through which the good society can be achieved'. In reflecting on the same issue, Nyasani (1988), in his discussion of 'a philosophical justification for planning a city', argues that 'disorder is a mere state of mind unreconciled with the object of apparent disorder'. This position is reflected in the Kenya government's contradictory views of development, as opposed to views of those whom the State purports to advocate support for. It is therefore important to adopt a multidimensional approach on account of its values.

Todaro presents the multidimensional aspect of development and is of the view that although economic progress is an essential component, it is not the only component of development which determines development but;

'development should therefore be perceived as a multidimensional process involving the reorganisation and reorientation of the entire economic and social systems. In addition to improvements in income and output, it typically involves radical changes in institutional, social, and administrative structures as well as in popular attitudes and, in many cases, even customs and beliefs' (Todaro, 1985. p.61).

This contention is relevant in analyzing development in the developing countries. Most of these countries had economic growth during the 1950s, 1960s and a part of 1970s but there was no tangible improvement of life for citizens. This demonstrates the problematic nature of analysis by experts. The *country* may have improved its economy, but 90% of the people living in it did not; whereas the hierarchy improved its living standards greatly. Most aspects of development are relative and in Africa, as 80% of the population (up until recently) lived subsistence lives in the rural areas - they were not unemployed (as defined by economists from the West) and they were not unaccepting of the social structure

of their traditional village life. At best, they lived in a 'poor' but stable situation with some recourse to education, health care and justice. At worst they were exploited, lived near the bread line and were in effect slaves to a local rural hierarchy. It was what happened over the last 25 years since Independence - 'development'; that has broken up the traditional societies - caused migration to the urban areas - made people dependant on the State and therefore 'unemployed', without 'justice', and without subsistence food. This has led to them becoming, in a real sense poor relative to the previous rural subsistence.

Seers (1972), argues that according to the relevant aspects of development, one should examine the 'levels of poverty, unemployment and inequality and where these aspects have improved, one can argue that development has taken place but where they have deteriorated, even if the per capita income has improved, it would be strange to call the result 'development'. Such a perspective has had economic development in the developing countries being redefined in terms of the reduction or elimination of poverty, inequality, and unemployment within the context of a growing economy; tasks which to date pose a major problem to these countries.

In most of the developing countries, including Kenya, development was defined by colonialists. Often the rhetoric was economic growth determined by Gross National Product with expectation that the macro-approach would have an effect and 'trickle-down' to raise the general standards of living. Indeed a demonstration of the little understanding the colonialists had of the real political situation in the developing countries. In real terms the colonialists did not want economic growth so much as they wanted to trade/exploit particular resources. To some extent this approach is still prevailing under 'new' forms of capital development such as multi national corporations and bilateral/multilateral State agreements. Whereas the economic growth concept of development is relevant to development economists, it has not resulted in benefits of economic growth penetrating all the required societal structures. More so, to the disadvantaged rural and urban poor.

To such groups, the definition of development is often different. To them, it is that process which involves promotion of their well-being through active participation; a dynamic process geared towards maximum utilisation of resources within their reach. Such type of development are expected to strengthen peoples' ability to move from one quality of existence to another higher level of life. It is this definition, that those who develop and/or stay in the informal settlements, conceptualize as they struggle to house themselves. Whether such a process brings quantifiable national gain (which is statistically quantifiable by economists), seems not to be the concern of those that say they represent the vulnerable groups.

Kenya's official perception in the area of housing development has often contradicted the peoples' view. The official trend is a requirement of planned development, based on standards coupled with building regulations, and is a hangover from the partisan colonial approach. Any development contrary to this is viewed as against required regulations and hence given marginal recognition. This was originally understandable but not now. The stand has largely been influenced by the ideology and development conception of the government, which is based on peripheral capitalism. Stren (1984) in his discussion of "urban policy in Kenya and Tanzania" indicates that the capital city of Kenya, Nairobi, had an emphasis on 'prestige development'. Presumably as a consolidating symbol to the new elite. This contention is supported by the type of urban policies pursued by the Kenya Government before 1974. A period which witnessed what Mabogunje refers to, as *restrictive* government policies (Mabogunje et al, 1978). In Kenya, the period did not recognise the role of the informal sector. Like other developing countries, under restrictive policies the Kenya Government attempted to solve the housing problem by *eliminating* low-income communities. This meant exclusion from urban services such as water, electricity, sewerage systems, education and health care. The lack of services was viewed as a method of discouraging residents from residing in urban areas but this failed and Government resorted to complete demolition of the so called 'illegal areas'.

These restrictive policies demonstrate how governments do fail to integrate the peoples perception of development into their own plans. But may be it was naive to suggest that they ever could. Governments in most countries in Africa have been noted not to come with a sense of responsibility but only with a sense of what they can personally gain. The former has to be taught them constantly by the people. Choices for development are not self-evident, nor do they seem to involve peaceful and effective processes (Fantu, 1989). Webster in the same context, notes that, planned social change should include the peoples' perception of development (Webster, 1990). Further, it is in view of the problematic nature of development that Barkan comparing the meaning of development in Kenya and Tanzania, observes that what Tanzania viewed as development was viewed as underdevelopment in Kenya (Barkan, 1984). To compromise the contradiction, he adds that the relevant questions of development should be 'of how and under what conditions, one may devise policies which are more effective for realising the particular concept of development'.

The above observations infers a clear misunderstanding by policy makers, planners and administrators of what the people who need housing view as development in this sector. Without such considerations, development can be negative and even dangerous as Seers (1972) maintains in his discussion on the meaning of development. There is need, therefore, to understand the concept of development, as it relates to housing, and as far as different interest groups (Central and Local government officials; the private - formal and informal sector; landlords and tenants) are concerned. The lack of understanding and integration of the peoples' development perception has, in a number of cases, led to an interference in their efforts to house themselves. What is required of the planners, administrators and policy makers is the integration of concepts of such individuals in the planning endeavour; a task which, until the era of the International Monetary Fund (IMF)/World Bank Structural Adjustment Programmes (SAPs), was difficult for conservative officials, with development models that often did not link to the local context in any way, to grasp, never mind implement.

1.3.0 Theoretical Approaches

There have been several approaches applied globally in analyzing housing. These can assist the choice of an appropriate theory which may help to explain the case of Kenya. Among the various approaches, economic determinism has been predominant. Other approaches include; socio-cultural, ecological/environmental, basic needs (welfare) and political economy. This study applies a political economy approach, which takes into consideration the socio-economic and political interplay that goes on, in the policy and the inherent institutional framework of the urban housing process. It is however, necessary to discuss all the above mentioned approaches, in order to bring out their strengths and weaknesses and finally to adopt their strengths within the political economy approach.

Economic Determinism This approach has perhaps been the most applied because economics has often been used in determining most issues relating to national development. It addresses housing provision in terms of market forces of supply and demand. Subsequently, there is a strong belief that the market is able to generate the kinds of housing people need. Whereas this is broadly true, it tends to cater for those able to compete in the market. Most low income groups are unable to participate in the market and therefore get sidelined.

The economic benefits related to housing are numerous, and economic determinism cannot be taken lightly. Housing as an economic good greatly contributes to the general economy. Its importance is reflected in the construction industry with a potential multiplier effect on other areas such as manufacturing and transportation; with the possibility of creating better and more employment opportunities. McCallum and Benjamin (1985), have summarized economic benefits into two categories (main stream economic and broader economic perspective). The first category includes housing as; consumption, improver of health and well being, macro economic sector, stimulator to savings and

investment and indirect contributor to income and production. The second category, on the other hand, includes housing as a shop, factory, rental income, financial asset and as an entry point to the urban economy.

Tipple (1990), in assessing the above benefits of housing argues that the main housing problem in the developing countries is that people cannot afford enough housing both at State and individual levels. To him, it is a poverty problem and ways and means of generating income should be sought. This position is closely linked to the availability of finance, be it from formal or informal sources. The implication is that, without the availability of adequate incomes, even the power of market forces may be rendered useless. Besides, the income should not only be adequate but regular over a period, that can be as long as twenty five years.

The problem of finance for housing exists in most economies and it is not rare to have situations where housing units may exist in the market but are not necessarily affordable. At times cases are realised whereby the rising inflation rates push interest rates to unaffordable levels, and both rents and mortgages are raised due to economic considerations. This is because private developers and financiers often use economic determinism as a measure for setting their priorities. There has to be proof that the funds plus inherent profits will be realised, before any housing development and/or financing can be undertaken. In the developing countries the situation is worse, because profits are supposed to be realised over a very short period of time due to political instability. This has helped to make interest rates high and unaffordable leading to rapid development of informal strategies of housing. A development which ironically most governments have fought without success. This failure being largely due to the adoption of economic determinism and aesthetic values as an approach to housing, without taking a keen interest in those who cannot be catered for by the open market, or who are grossly exploited by it.

Nevertheless, economists have no consensus on the issue of whether housing

should totally be left to market forces (Aaron,1972, Harris & Seldon, 1977), or whether there should be government intervention (Harms, 1972, Stretton, 1974). Both the World Bank and UNCHS have agreed on an 'enabling strategy', without clearly bringing out the details of enablement. Free market proponents argue that housing is no different from other goods that require government intervention and the best approach is to leave it to market forces. This in turn allows a 'filtering' process, whereby houses vacated by households moving to better, newly built accommodation are released to lower income groups. However, this assumption does not operate very well, since it works slowly and at times the vacancy chains are broken before the poor can benefit (Stewart, 1979, Malombe, 1990). Additionally, it reduces the poor to doubling up with others, moving to worse off units and sometimes paying more than 20 - 25% of their income (Harms, 1972). Economic determinism approach requires a growing economy sustained over several generations, which is not the case in most developing countries. At the same time it does not take account of one fundamental difference concerning housing; that it is locational and cultural.

The lack of consensus on whether housing should be left to market forces or not is a critical concern in the developing countries, where the general performance of respective national economies is mostly poor. In such economies, economic determinism can lead to serious housing problems as has been seen in some countries. This approach tends to be more applicable to the developed economies such as the U.S.A. and Britain. In such economies, housing provision is mainly determined by the forces of the market which determines the price of houses, type of tenure as well as land use (Stewart, 1979; Ball, 1983 and Kemp, 1989). In retrospect, although the economic depression of the late 1980s into the 1990s may be changing, the trend is that most owners lose their homes through repossession; these countries have realised the development of private housing occupied mostly by owners. Governments of such developed economies may be justified in concentrating on enabling the market forces to provide the majority of housing. Contrary to this situation, the direct involvement of the public sector in housing

development is very crucial in the developing countries. More so, where there are substantial economies of scale, externalities, market imperfections, lack of information and where individual households are unable to find solutions to housing by themselves (Ondiege,1988)

Most governments of the developing countries pursue mixed policies which combine both the promotion of public and private sector. However, with the continuous realisation of poor economic conditions and the push by international finance to take an enabling role; many governments are turning to the private sector and the informal sector for housing provision. They are adopting what Pugh (1989) refers to as the World Bank approach, based on a Neo-liberalist political economy, with an emphasis upon individualism, the free market and the user pays principle. The Bank believes that investment in housing is not an efficient way of using public resources, especially when compared to such activities as the provision of services, and measures to provide security of tenure (World Bank, 1979). Pugh points out that the theory was formulated at the time of McNamara's poverty programme without much knowledge of the urban set-up of the developing countries. At the same time, the approach is aimed at the Banks' economic interests and not those of the lower income groups as has been advocated. It is based on economic determinism, using the principles of affordability, cost recovery and replicability. It has assisted in increasing the national urban housing stock but has failed to meet its objective of housing the urban poor as MacNamara anticipated.

The emphasis on market economy on which the principle of economic determinism is based may be more appropriate where markets have developed and are recognised as the dominant modes of provision. This is despite the fact that a country's level of development imposes limits on what governments can do in providing public goods and services such as housing to citizens. A good example is Libya where the availability of resources based on oil has made it possible to provide most citizens with a near adequate services, housing included (Awotona,

1990). In most of the sub-Saharan Africa, where resources are so scarce, public services are far from being met as most nations struggle to achieve basic socio-economic development. Thus implying that these countries have to adopt approaches which go beyond mere economic determinism.

Socio-Cultural. Despite the predominance of economic determinism in housing issues, it should be noted that a number of factors, which are not necessarily economic also play a key role. They influence the housing process and have to be taken into consideration. One of these variables is the socio-cultural underpinnings. It refers to values and attitudes of people with respect to the housing process. In particular, values and attitudes relating to the housing unit occupied or that which a household would prefer to occupy. This includes house size, number of rooms, arrangement, use of space and location. Koth et al (1965), noted that housing reflects social attitudes and traditions of people. Adedokun notes that in a number of political systems the failure of housing policy is related to the problem of wrong determinants. Particular cultural housing values of a nation or people are quite often disregarded. In conclusion, he maintains that since the perception and definition of housing problems confronting specific communities is often wrong, appropriate policy formulation, legitimisation and implementation cannot be realised (Adedokun, 1989)

Adedokun argues further that the trend in the developing countries has been to perceive housing policies in terms of laws and regulations without an appropriate conception of what the legal requirements fully imply. This has been accelerated by the inability of most governments to completely dismantle some laws and regulations that were colonially oriented and do not suit either the prevailing conditions or the socio-cultural orientation of given nation States. The majority of such regulations are heavily loaded with concepts which owe their origin to Western culture.

In Kenya, for example, the building standards and by-laws have continued to be

a bottleneck to housing provision. After thirty years of Independence, the country still retains colonial building standards and by-laws. This probably suits those in government who have benefitted from these standards. The majority of the concepts in the by-laws and regulations are foreign and more conducive to Western cultures than the local situation. Meanwhile, the enterprising urban residents continue to construct what for them is socio-culturally acceptable and affordable. In turn, the government refers to their adoptive housing measures as illegal, unplanned and sub-standard. If what Adedokun refers to as 'particular cultural housing values of a nation or people' would be identified, appropriate policy formulation and implementation may be realised. However, capturing cultural values, may be as political and difficult as capturing the national interest within any given context.

Considering the above, the adoption of a socio-cultural approach to housing has to be done with caution, especially in urban areas where ethnic plurality predominates. It may be more applicable to rural areas where communities are still closely knit. However, with the kind of changes taking place in rural areas (for example, land scarcity leading to migration to foreign areas), the approach seems to face a threat. In the developing countries there are a variety of cultures which influence the housing process. More so, the urban areas of the developing countries are composed of very complex networks which the approach in isolation can not easily capture.

Ecological/Environmental protection has become a development agenda as the globe approaches the year 2000. In housing, the approach contends that one does not only have to look at the housing unit and its inhabitants, but has to go beyond the housing unit. It maintains that ecological/environmental factors have a tremendous effect on the setting of housing sites and estates, construction, technical requirements and the variety of materials used, as well as on spatial arrangement, among other things. In the past the approach has mostly been used in rural settings where the ecological conditions often determine the type of

housing and development which take place, in relation to site, location and building materials used. However, with the new trend of environmental protection it is becoming an element of consideration even in the urban areas.

Bugnicourt (1979) appreciates this approach by indicating that environmental variety and the contrasting life-styles of those who thrive on it are undoubtedly important factors in determining the varying types of dispersed dwellings. Despite this perception, the approach may only work if control measures are applied. Gans (1976) indicates that ecological explanations of social life are most applicable if the subjects of study lack the ability to make choices. In this case, the approach assumes a static situation, which is never operational in development. Even within the continent of Africa, where the population is predominantly rural, the ecological/environmental conditions have been disturbed to the extent that one cannot capture their effect, using the approach on its own.

In his critique of the approach Wanjohi (1988) points out that given the changes that have taken place in several societies in terms of new patterns of economic production and social orientation, and given the intrusion of many external cultural influences and improvements in technology, the importance of the approach is likely to be challenged in the developing countries. He views it as a transitory approach which will give way to other approaches as society develops. To this study some aspects of the approach are relevant. This includes the use of appropriate building materials, although the materials are almost depleted and probably cost more and at the same time their sources are often outside the urban areas. These shortcomings are due to the disturbance and subjection of the environmental conditions to human control. A case which only weakens its usage but does not totally dismiss it.

In recent years, environmental issues have become central to development and hopes of conserving and resuscitating some of the depleted natural resources is dominant. In this case, a continent such as Africa, which still has substantial

natural resources can exploit the situation by using a number of natural building material where applicable. Such an approach ought to have been taken immediately after Independence but the Western influence with its distorted perception of development made such options be viewed as backward or 'underdeveloped'. Currently, Africa is being pushed by its economic situation into looking for internal solutions to most of its problems. Whether this will result in an appropriate perception of development, which prides itself in usage of available local resources, is not known.

Basic Needs This approach has been popular even among welfare economists. Its premise is that an efficient urban system should play a major role in delivering basic needs of life (Sandbrook, 1982). It is closely linked to the welfare perception of economists and does not subscribe to the trickle down development approach, which some of the developing countries have been relying on. In poor economies such as many of those in Africa, one finds GNP increasing as the incomes of low income groups stagnate or deteriorate. In this respect, Alderman & Morris (1973) argue that on the basis of cross section data, development is accompanied by an absolute as well as relative decline in the average income of the poor. Inferring that growth alone is not capable of eliminating poverty or reducing the numbers and hence the need for a development approach, which views access to basic goods and services as the objective. Overall, the basic needs approach raises the issue of satisfying basic needs of those who are not able to satisfy their needs through the market. It views access to housing as a necessity of life which must be enabled by the State and/or other development agencies including NGOs. Indeed an attempt to give capitalism a human face (UNICEF, 1987).

The basic needs approach views housing to be for people and not for profit. Within it, housing production organised on profit maximisation is not seen as the way forward but one organised on social needs, which the approach acknowledges as leading to social justice and greater productivity. This approach does not

operate on need being qualified by ability to pay as in the case of the economic determinism approach. However, the current economic trend and the exit of the socialist block seem to be making the total use of this approach difficult. In some of the developed capitalist States such as Britain and USA, the welfare State has been cutting off expenditure on basic needs-oriented programmes.

Despite its problematic nature, when applied, it invariably assists in understanding some of the issues, for example, 'standards' or 'felt needs'. However, the approach has often had problems of locating the right target group. This is because it is based on an assumption that a certain group is unable to access services. An assumption which is not easy to quantify in the developing countries where data is never readily available. The classical application of the approach mainly refers to food, shelter and clothing. However, in recent years, the concept has been broadened to include a full interpretation of life which includes; social, material, culture and political aspects of life (Stewart, 1985).

The Political Economy approach is applied in this study in an attempt to understand urban housing policy in Kenya. There are mainly four strands of political economy; Liberal, Nationalism, Marxism and Neo-Marxism. This study adopts a Neo-Marxist political economy framework. It integrates the relationship between politics and economics (Barrat, 1984; Todaro, 1985) and takes into consideration other aspects, such as social structure and the inherent social relations. Todaro argues that it is concerned with the relationship between politics and economics, with a special emphasis on the role of power in economic decision making. It looks at the social and institutional processes through which certain groups of economic and political elites influence the allocation of scarce productive resources, either exclusively for their own benefit or for their own benefit plus that of the larger population.

This study contends that the political economy approach is able to provide a compromise of the other approaches by utilising the strengths in each, in order to

have a comprehensive look at the urban housing policy process in Kenya. It is capable of explaining a number of issues relating to the housing process which are full of competing interests. Wanjohi (1988), in his adoption of the approach in examining rural housing in Kenya, notes that a single approach analysis is bound to land in greater difficulties in the developing countries, because most of them still harbour several of their traditional orientations and socio-economic activities, along side the externally effected changes in several spheres of life. Therefore, the approach is adopted because it takes into consideration not only economic, ecological (environmental), socio-cultural, basic needs but also the political and institutional factors. In applying this approach, the nature of housing production and the role of the State are discussed.

1.3.1 Nature Of Housing Production

As already mentioned, urban housing in Kenya integrates both formal and informal settlements. The dual nature of urban housing in the developing countries has been analyzed by a number of political economists. The centre of the debate being whether the two have any links and if so of what nature? The informal settlements house over half the urban population of the developing countries and therefore fall within the informal sector of the economy. This sector should not be seen in isolation from the formal sector. A Neo-Marxist political economy perception that views the informal sector purely as a petty commodity production mode, may seem appropriate. Veechibala (1984), points out that, like the dominant mode of production the petty commodity mode is a form of market exchange, in which surplus value of production, regardless of economic significance, is created and appropriated by private enterprises. He further notes that petty commodity production responds to gaps in the demand and supply of goods from the dominant mode, and thus the situation is created due to: difficult access to the goods of the dominant mode of production, which may be as a result of long distance, high level costs, and other inconveniences; high or unaffordable costs of goods from the dominant mode of production and scarcity of goods.

The above factors clearly demonstrate what leads a high percentage of the urban dwellers to resort to the informal sector for accessing housing as well as other basic needs. In 1991 the sector created 60,000 new jobs, accounting for 60% of all new jobs created outside small scale and 25% of all people engaged. This underscores the sectors potential in absorbing the growing labour force (GOK, 1992). In Kenya, most of the low income urban dwellers cannot afford what is produced by 'big capital', even when subsidised by the State. Thus they have to rely on the informal sector. Between 1979 and 1989, the sector accounted for housing construction of between 60 - 80% (Hoek-Smit, 1989). It is, therefore, not ironical but creditable that besides the failure of the Kenya government, like other African governments, to formulate and implement appropriate urban policies, the urban dwellers, especially the poor, still survive. This survival is based purely on their disillusionment with the official peripheral capitalist and entrenched political system, resulting in an ability to create their own system (Informal Sector), able to cater for their needs. It was not recognised as important by the capitalist mode of production until it became a significant reservoir of labour, transmitter of technology, competitor and a consumer of capitalist consumer products.

Capitalist States have been known to be only interested in the aspects of housing which enhance the survival and development of capital. To most Neo-Marxist political economists (Basset & Short, 1980; Rakodi 1986), housing in relation to capitalist development is viewed as;

- a commodity and a source of surplus value for certain forms of capital;
- part of the necessary consumption of workers and as such an aspect of the reproduction of labour power;
- linked with reproduction of social relations of capitalism;
- likely to be an area for social class conflicts and a focus for State intervention.

Burgess (1978) pioneered defining modes and forms of housing markets in the

developing countries. He classified housing by mode and form of production into the dominant capitalist mode of production, which produces the industrialised form of production, and the dependent petty commodity form of production, which produces manufactured and self built forms of housing. In the industrialised form, capital is invested according to laws of capital accumulation, giving rise to particular organisational channels of the production process and a product consumed entirely through the mechanism of the market.

In applying the classical laws of capital accumulation, Burgess' contention may apply. However, housing production and consumption has become more complicated and classical laws of capital accumulation have to be applied with caution. Public housing is not allocated in accordance with the market criteria. While its production is industrialised, consumption is affected by forces other than those of the market (Drakakis-Smith, 1979).

In spite of the relevance of Burgess' classification of housing modes they have not escaped criticism. Johnson (1984) maintains that housing types and their production, should be viewed as 'continua' and the focus should be on the relationship between the capitalist and other sectors and particularly the way in which the future development of petty and quasi-capitalist forms is dependent on and determined by their *relationships* with the capitalist mode. Economic activities should be seen in the complexity of linkages between production and with the capitalist production sector dominating the petty commodity production mode (Moser, 1982). In practise, as with any attempt to divide production into a limited number of categories, they are neither fixed nor totally distinct; instead their characteristics and the relationships among them change over time. One reason for such changes may be the extent to which government policies influence the interconnections between the various modes and forms (Rakodi, 1992).

The close link and interaction which take place between the two modes of production has become an acceptable view. In Kenya, the informal mode depends

on the formal sector for a number of resources and the two cannot be isolated as such. Amis (1986), discussing the case of East Africa, argues that the limits of capitalist proletarianization are important in explaining survival strategies and ultimately political responses. Subsequently, this study contends that a reasonable number of cities in Africa, especially those which fall within countries classified by the World Bank as low income economies, are being maintained by the informal sector. In the area of housing production, about half the population are gaining from the sector. It is a logical and necessary development of peripheral capitalism, whereby the national bourgeoisie, is not formed but struggling to develop. At the same time, both the government and the national bourgeoisie are unable to sustain their international economic networks; which are essentially unfavourable to them and to their national economies, especially the informal sector. As this goes on, cities are rapidly deteriorating, as larger numbers of people resort to the informal sector for accessing services.

The survival syndrome of the urban masses in the developing countries has been exhaustively discussed by Hernando de Soto (1989), using the case of Peru in Latin America. He points out that the sector is the spontaneous and creative response to the States' incapacity to provide the basic needs of the impoverished masses. The situation is no different in Africa, where the personal aggrandizement and perpetuation of the international economic networks overshadows the need to formulate appropriate urban policies. Most African governments, formulate policies which ostracise the urban masses. In cases where appropriate policies are formulated they hardly go beyond the paper they are written on. Overall, policies which favour international economic networks and the local elites are often preferred. This is because of the nature of the coalition of the two groups. Basically, the politics of vested interest prevails in such a situation and it hardly favours the majority of citizens. This is clearly demonstrated in the World Bank-funded SAPs policies, most of them implemented since the mid Eighties.

Besides the above, there is too much government control without the exercise of their responsibilities in form of the provision of all kinds of services, investment to create employment opportunities and a defined participatory policy to promote general development and civic protection required of modern governments. All this has continuously kept the great majority out of the main stream of participation and access to resources. The few who are able to participate and influence the allocation of resources, such as housing, have to depend on other loyalties such as party membership, kinship and other informal methods which bypass procedures. Somehow the poor do not seem to penetrate this network, leaving them trapped at the bottom of the housing ladder (Inamenti, 1987).

Public policies having failed to deal with the poor; the poor have created an alternative mode of provision, referred to in official circles as 'informal'. In some countries it has realised more growth than the formal sector. The potential of the informal sector in Africa was acknowledged as early as the beginning of the 1970s (ILO, 1972; Hart, 1973; Mcgee, 1971). Despite this, most governments did not exploit it, on the basis that it was illegal. This position has been rapidly changing due to the economic constraints which many African governments have had to face and the subsequent push by both the World Bank & IMF for the adoption of SAPs. This move has witnessed the preference of working through the private sector as well as the Non Governmental Organisations (NGOs) and the community groups they support. A trend which seem to be a threat to the role of the State. It is therefore worth examining the role the State is going to take in view of the prevailing circumstances.

1.3.2 The Role of the State

The role of the State is key to the understanding of the urban housing policy process (or non policy process), more so in the light of pressing economic circumstances. The reasons for State intervention in specific activities going on within its sovereignty has never been compromised. However, in most societies,

State intervention becomes necessary in order to take charge of sectors and services which are less profitable (from the point of view of capital) but necessary for the functioning of economic activity and/or appeasement of social conflicts (Castells, 1979). In the urban areas intervention has been mostly in the fields of infrastructure and services, which Castells views as collective consumption, a point disputed by some scholars; for example, Lojkine (1976), and Gilbert and Ward (1985).

Gilbert and Ward argue that State intervention in the areas of services and infrastructure can be aimed both for social (consumption) and economic growth, with increasing intervention being linked directly to production. In their research covering three Latin American cities (Bogota, Mexico City and Valencia), they conclude that social policy has been largely an afterthought. They also point out that it is not possible to have a consensus on what leads to State intervention across countries. Rather, the political and economic environment in each country determines the nature of intervention, and generalisations similar to that of Castells may not be representative. In the area of housing, State intervention has hardly changed the housing conditions of the most needy. Acknowledging this perception, Hamdi (1991) points out that housing policy has been more an instrument of political and social reform than a way to increase the supply of houses.

Globally the State has been analyzed using various approaches which include; representational, instrumentalist, managerialist and structuralist. In these approaches a number of assumptions exist about the State; there is the liberal State, governing in the public interest, but pursuing misguided policies which need to be corrected. In some cases a neutral State is assumed, allocating resources in accordance with technical and rational criteria, such as efficiency and equity. Rakodi notes that often managerialist explanations are advanced for housing problems and the outcomes for housing policy (Rakodi, 1992). She argues that this applies where political or economic elites control the shaping of policies,

local bureaucratic structures are powerful, there is a high level of public intervention in local housing markets, and well developed professionalised housing management. Whereas all these may not be operational, some aspects of managerialist explanation can be applied in understanding institutions and policy outcome. However, this can only be done after understanding why the State normally intervenes in housing provision.

The role of the State has been noted to be key in understanding differential access to housing and other services. As much as the State is expected to be neutral and serve the national interest, as some scholars (Kafandaris, 1980; Turner, 1977) have pointed out, this has not been realised. The State, be it in a capitalist society or a peripheral capitalist society, represents different interests drawn from the society at large. Each of these interests has its own motives which it tries to influence the State to pursue through policy interventions at any given time. Thus, the focus of policy and the subsequent changes if any, mainly reflect the dynamics of different interests within it and the influence of the external environment; as dictated by the global political economy. As the State tries to satisfy conflicting interests, its statements, actions and policies adopted may be contradictory. A case, so far recorded in a number of the developing countries (Gilbert & Ward, 1985; Gilbert, 1986; Gilbert & Van Linden, 1987).

Since the State aims at maintaining the social relations of production in any society, it has to find a way to manoeuvre around the poor because they are essential for reproduction of capital. In this attempt, piece meal unclarified approaches, geared to ensure that the capitalist social relations of production are not negatively affected by the housing conditions of the workers, are undertaken. Explanations linked to the growth and development of capital have been given as reasons for State intervention in the housing sector. Burgess and Peattie give three factors which lead to State intervention in housing, namely; reproduction of labour power, valorisation of land and capital, and legitimisation and the maintenance of social order (Burgess, 1978; Peattie, 1975). In his later work, Burgess notes that

in order to understand production and supply of housing, it is necessary to appreciate the `social processes of its production, exchange and consumption and ... the many class based interests tied to commodity cycle' (Burgess, 1985). Succinctly, the role of the State is figured to be continually to reproduce the conditions within which capitalist accumulation can take place, by both direct intervention in production and ensuring the reproduction of the labour force and of the relations of production (Rakodi,1986).

In a typically classical Marxist political economy stance, Burgess points out that the State's aided self-help policy is merely a means of exploiting the poor and serving the interest of the capitalist. In the light of the development of the informal sector, one would not view the relationship between the State and the poor to be purely exploitative. They do not wholly benefit nor lose but the rhetorical nature of the State in its relationship to them is clearly displayed. Their condition is used to support programmes which only benefit them marginally but benefit other groups almost fully. In any case, capital development is more interested in a minimal percentage of the poor whom, at any given time, facilitate capital accumulation. In the case of the developing countries, and to some extent the developed countries, in the wake of economic crisis, a huge pool of labour composed of comparatively poor individuals exists. Indeed, a healthy environment for promotion of capital development.

The case of surplus labour which the State may not need at one point in its reproduction of capital is key. As the economic situation deteriorates the State seeks to integrate the `highlights' of the urban poor, by absorbing the most dynamic elements of the informal sector. This integration of the petty commodity sector into capitalist production, does not improve the housing conditions of those in the sector but exposes them to be used as justification for misplaced policy focus. In spite of this, the State is answerable to everything that goes on within its sovereignty and subsequently to the citizens. It has an obligation to intervene in housing, which falls among the basic human rights. However, the competing

interests operating within the State do contribute to contradictory policies and statements, leading to inability to pursue stated policy objectives.

Until the late Seventies, the development agenda in Africa was the prerogative of the government and to some extent the formal international private sector. However, in the face of the growing African economic crisis generated by wastage and military interventions, natural and man made calamities, famine and the deteriorating environment, what has acquired the name 'big government', has found it increasingly difficult to meet the development needs of the people. Hence the recognition and incorporation of closer to the ground development agencies, deliberately labelled NGOs, working in every sector of the economy.

At Independence, most governments in Africa attempted to be the sole providers of services to their citizens. Through this approach, they were able to provide a variety of resources mostly imported and jobs mostly in the civil service, low prices for basic goods, preferential access to government projects which favoured particular constituencies (Herbst, 1990). The result was the growth and over extension of the State (Abernethy, 1988). It undertook commitments and responsibilities that it could not fulfil and increasingly could not afford to fund.

In the area of policy, it was reflected in the State's inability to effectively implement stated policy objectives. With the implementation of the World Bank SAPs, most governments have been pushed into changing their development approaches. This has involved eliminating, or at least significantly curtailing governments' ability to offer services and advantages to their limited constituencies, as they had been doing. In this new development, most African States have adopted the SAPs, without understanding or making an effective strategy for the economic role of the State. Subsequently, it is becoming impossible to set the parameters of its political functioning and in particular how it will relate to important constituencies.

If the inherent political changes taking place in Africa are to be understood, the urban economy premised within that context, then it must be given consideration within the corporate nature of the new State. The State is ceasing to be the domineering agent of classical capitalism and taking advantage of the post-1989 changing and expanding phase of capitalism. It is doing this by incorporating other agencies into the development process, as the Economic Commission for Africa (ECA) notes;

'what is required of African governments is to make it possible for the population to interrelate positively with all the development variables: natural and financial resources, development institutions, local and foreign technologies, (ECA, 1983. p. 97)'

The corporate nature of the State does not mean working against capital accumulation. Rather, it is an attempt to ensure that capital accumulation is not threatened by the prevailing poor economic conditions. Capitalism is thus in search of any elements of production which may enhance its survival, even if it means limiting the role of the State, as is happening in Africa. It is therefore important to review the past situation taking into consideration the new developments, in order to be able to design appropriate strategies for development, especially that relating to provision and management of urban services. In this respect, this study has developed two hypotheses as instruments of application in the search for an explanation of State's inability to pursue stated policy objectives of housing the low income groups.

1.4.0 Hypothesis

This study argues that, between policy formation and implementation a number of factors come into play which may affect policy implementation, and may explain the failure or achievement of stated objectives. Thus the working hypothesis is that;

The gap between stated policy and its outcome is a product of the socio-economic and political factors which determine policy outcome at any given period.

Subsequently two hypotheses are generated for the purpose of analysis, these are, that:-

- H1 Housing policies that are not clearly formulated result in inadequate housing for low income groups.
- H2 The success of achieving policy goals of housing depends on the effectiveness of the institutions charged with that task.

Inherent in hypothesis two is that, limited access to housing is related to the strict administrative and financial requirements, as well as a real short fall over demand and that the involvement of international finance in housing reduces the local capacity of housing development, instead of the opposite.

1.5.0 Conclusion

This theoretical and conceptual framework views the commonly used economic determinism approach which leaves housing provision basically to market forces to be limited, especially in the developing countries. Additionally, other approaches such as basic needs, socio-cultural and ecological/environmental also have limitations when used in isolation. This leaves the Political Economy approach as a tool with a near adequate capacity for explaining some intricate issues on housing provision. The approach integrates the strengths of the other three approaches, merging both politics and economics; thereby, bringing out their interplay in the provision of housing.

The nature of housing provision in relation to the role of the State, requires the State to adapt a corporate approach to development. This is contrary to the role most States in Africa had played in the past, merely providing services which were never adequate nor efficient. The pressing poor economic conditions has pushed most African States to integrate the urban poor, by absorbing the most dynamic elements of the informal sector. The State is also integrating different

interests and actors in the provision and management of services. This infers a changing phase of capital development, with ability to search for elements of production which may enhance the survival of capital; even if it means limiting the role of the State.

CHAPTER TWO

OBJECTIVES AND METHODOLOGY

2.0.0 Introduction

This chapter presents the objectives, scope, significance, and methodology of this study. An exposition of the study area is also undertaken. The main goal being an examination of the policy, the structure and the role played by the authorities which implemented the Umoja Tenant Purchase (UTP) Scheme. A number of factors contribute to policy failure or success, but this study contends that the institutional framework, through which policies are implemented, plays a key role in determining policy outcome. In addition, it acknowledges the fact that the policy focus in itself (in this case, the focus on low income groups) is also important in determining the outcome of the objectives.

Thus the intention is to examine the policy, the structure and the role of the implementing authorities and their standards, with the intention of assessing whether the housing needs for low income groups can be met through them, or whether there is need for restructuring and/or extending the existing systems. The investigation covers the key agency, which implemented the UTP scheme and other institutions, which played a role in establishing, developing and applying the policy.

2.1.0 Objectives of the Study

This study aims at answering a number of questions regarding urban housing policy and its implementation in Kenya. It also raises a number of questions, which are subsequently translated into objectives. The first one being 'what is housing policy and how is it established?' In Kenya, there is no current housing policy document. The 1965 Sessional Paper is the only existing document. Policy issues have been handled in bits and pieces within the Development Plans and

government commissioned studies among others. There are cases where Official Decrees are treated as policy. To this study, all these are forms of policy and are worth studying. The second question is, 'what are the institutional obstacles towards achieving stated policy goals?' Institutions have a number of problems which deter realisation of planned objectives. These are mainly bureaucratic procedures, inadequate resources, and in a number of cases, mismanagement. Thirdly 'what is the role of international finance in housing development?' There has been heavy reliance on international finance but its benefits have been marginal to the low income groups, neither has it improved the local capacity. Fourthly, 'what are the socio-economic and political characteristics of the actual beneficiaries of low income housing projects, as opposed to the stated beneficiaries?' Thus, in summary this study aims at identifying and assessing;

- What is referred to as housing policy,
- the institutional obstacles towards achieving stated housing policy objectives,
- the socio-economic characteristics of the actual beneficiaries of planned low income housing,
- provision and management of services in planned low income housing and
- inherent problems of types of tenure in planned low income housing.

2.2.0 Scope and Significance.

This study examines the gap between the Kenya government's stated policy objective of housing low income groups and its outcome. This is done by examining the UTP scheme, a USAID funded project within the capital city of Kenya, Nairobi. It involves assessing the UTP scheme as planned in 1975 vis a vis its situation in 1992; the role played by NCC, Ministries of Local Government, Lands & Housing, National Housing Corporation and USAID. The task is to assess whether policy was appropriate and well conceived, as well as

whether the stated objectives were achieved.

There are several factors, which contribute to the failure or success of any policy. This study contends that the failure to achieve stated objectives of housing the urban poor is determined by four major factors. These include the shortcomings of housing policy at both the central and local government levels; the ineffectiveness of the institutions charged with the implementation of the policies; the limited role of the private sector and the subsequent administrative and financial limitations. However, the study limits itself to the nature of policy itself and the relevant institutional framework through which UTP housing scheme was implemented. This project had been planned and budgeted for and the only aspect left was implementation. Relevant resource allocation aspects, such as land value and acquisition, construction resources and provision of services and infrastructure, had been sorted out. The only remaining input was to ensure that implementation took place as had been planned. Hence the need to examine the policy and the institutional framework of implementation.

A number of studies have been done in the area of housing for low income groups. However, there is still limited materials and knowledge on the nature of policy and institutional framework through which implementation of such programmes takes place. In Kenya, like many other developing countries, the discrepancy between policy objectives for housing the low income groups and eventual outcome is reflected in the mushrooming of unplanned settlements. Studies conducted in the area of urban housing have concentrated either on policy (an assumption being that policy is appropriate) or implementation, and have not made deliberate attempts to merge the two as a continuous process, as this study intends to do. Furthermore, urban areas are constantly changing and hence the constant need for fresh data for policy making, review, and planning. Above all, my desire to try to explain some of the persistent housing problems of the urban low income groups, greatly contributed to the conceptualisation of this study. Kenya's continued housing crisis, despite numerous housing programmes aimed

at low income groups, demands evaluation.

2.3.0 Methodology

Investigation for this study relied both on secondary and primary data. Primary data was gathered mainly from UTP, and the NCC which implemented the project. Additional primary data was collected from MLG, MLH and NHC. Secondary data included recorded data, comprising a comprehensive review of project documents, reports and minutes of the Nairobi City Commission, government official documents, NHC and USAID reports and academic dissertations.

Both structured and unstructured questionnaires formed the main instruments of the survey (see appendix 2.1, 2.2 and 2.3). Structured questionnaires with a few open-ended questions were used for interviewing residents of the case study. Questions included, the extent of the residents of UTP satisfaction with the project in relation to services, rent, relationship with the City Authorities and their landlords (in the case of tenants), as well as the residents' views on provision of low income housing.

The survey of the officials of the Nairobi City Council and the above mentioned institutions relied on unstructured interviews. Discussions were also held with individuals who were conversant with the issues of concern to this study, but did not necessarily belong to the case study or the institutions covered. They included those who had worked in the institutions being covered in the survey but have since retired or left, and others who did not belong to any of the institutions nor the case study.

Samples (for analysis) were drawn from the case study and the key implementing agency, the Nairobi City Commission. Other back-up samples came from Government Ministries, parastatals and USAID. In the case study, the survey

aimed at getting basic socio-economic data on the status of the residents, tenant/landlord relationships, level of satisfaction with the project and their general views on low income housing provision. Information on home ownership was gathered from the resident landlords.

The first stage random sampling of households to be interviewed within the case study was based on plots. A systematic random sampling based on a sequence of ten was undertaken using the lay-out map of the project (see appendix 2.4¹). Subsequently, households interviewed within each sampled plot were based on the duration of residence within the plot. Where a plot had more than one household, only the household with the highest score of years was sampled for interview. On the other hand, sampling of the Nairobi City Commission officials and that of government ministries and parastatals was selective. The relevant questions were directed to bureaucrats, who directly play roles in decisions relating to the issues being covered.

A sample size of 11.2% was taken from the 3,084 plots within UTP. Thus, in total the survey administered a total of 316 questionnaires but only 315 was used for analysis. Among the 315 questionnaires administered, 245 covered the UTP tenants, whereas, 70 covered the resident landlords. The sample was spread throughout the project which is divided in alphabetical order and subsequently numbered for identification of particular units as shown on table 2.1. In each of the fourteen stratus 1/10 was sampled for investigation.

As for the NCC, government ministries and the parastatals, selective interviews and discussions were undertaken. The bureaucrats actually interviewed were identified after a pilot survey of the institutional framework, through which the UTP was implemented. This survey revealed that a number of officials who had

¹The project had three lay-out maps (Zone 1, 2 and 3) but two were in bad condition and could not be reproduced and do not appear in the appendices. However, the three were similar in their planning and lay-out, the best has been given as an illustration.

implemented the project had since left the NCC. The option then taken was to trace them and organise interviews, a goal which succeeded but with difficulty.

Identification Letter	Total Units	Sample Interviewed
A	170	17
C	265	27
D	140	14
E	196	20
F	159	16
G	154	15
H	229	30
J	301	30
K	240	24
L	244	24
M	240	24
N	343	34
P	275	28
Q	128	14
TOTAL	3,084	316

Table 2.1: UTP Scheme Units Surveyed

The data from the case study was analyzed using SPSS computer package. This gave the basic statistics on which most analysis in this study is based. The frequency tables were adopted on a draw perfect computer package, subsequently producing the graphics used in chapter six. Responses from the policy

questionnaires and discussion with a number of key people interviewed were manually done.

2.3.1 Problems of Research

There were a number of difficulties experienced during the field survey. Most of it related to the case study, where interviews had to be undertaken during the evenings and night, except for those who gave appointments, contrary to the above. Problems ranged from insecurity to the content of the questionnaires. Since interviews had to be undertaken during odd hours, the only option of getting the right respondents, both the research assistants and the households covered felt insecure.

Whereas the research had one of the UTP units as an operational base, the interviews had to be conducted by physically locating and going into the units sampled. Transport was available for taking the research assistants into their respective zones, within which they could walk into the sampled units. Being night, some of the unexperienced research assistants felt it was a risky task, knocking on doors whose owners are unknown. At the same time, the sampled households were also not very willing to welcome strangers in the night, especially the male research assistants. As the field survey progressed, two of the three male research assistants had to be replaced by females, leaving only one male, who lived within the area.

It was observed that female research assistants were more accepted by respondents, especially during the night. In many cases, in spite of being night, the respondents thought they had problems and needed help and were very willing to let them into their houses. Whereas, the male research assistants were treated with suspicion and, in many cases, respondents would talk to them with doors and/or gates locked. This frustrated them and the two replaced found it a relief, whereas, the one retained had this comment to make at the end of his assignment;

‘Some problems I met I will live to remember. It offered me an opportunity to gather a good volume of experience, especially in relation to the researcher and the researched. I saw them not as problems but challenges - therefore I am seriously taking on the challenges’².

Some of the respondents, especially resident landlords treated the research assistants with suspicion, as they thought they were ostensibly working for the Government or NCC. Such respondents were often those who had extended their units beyond the original plan, without authority and/or those who had been allocated the units in a dubious manner. In this case, they were not straight forward, especially in answering questions relating to extensions and/or the acquisition of the houses.

Another problem was the content of the questionnaires. Despite having undertaken a pilot survey, there were still some questions which were not clear to the respondents, depending on their level of understanding. For example, the question asking ‘who manages this estate?’, could not be easily understood and time had to be spent explaining the concept. This was also thought to have been influenced by lack of management of the estate, reflected in the poor worn out roads full of pot holes, street lights not in order, clogged drains and uncollected garbage among other things.

2.3.2 Study Area

This study concentrated on Nairobi (see appendix 2.5) due to three factors; first the capital city is the only urban centre which has benefited from all the three major urban development programmes which have been aimed at improving housing and related services; secondly, the city has serious housing problems with about 52% of the population living in unplanned areas; finally, for operational convenience concerning the research. All the ministries and the parastatals, as well as other relevant actors, such as private institutions and NGOs have their

²William Otieno, a B.A. graduate of the University of Nairobi; employment as a research assistant was his first assignment after graduating.

headquarters within the capital city. An alternative choice would have led to administrative and financial difficulties.

Nairobi, being the capital city, has the highest concentration of urban population. Currently, it is estimated to be about 1.5 million, of whom about 52% are said to be accommodated within the informal settlements (see figure 2.1). NCC has had many problems related to the management of the city. In many cases it cannot cope with the provision of services, even within the formal areas. Basically, the dismissal of the elected Councillors and their replacement with central government nominated Commissioners in 1983, was intended to improve the management situation but this was not realised even by the time multi-party elections were held in December 1992. With the return of councillors under multi-party politics, some change may be expected due to inherent accountability, ensured through competitive multi-party politics.

The UTP scheme is one of the housing projects which benefited from a bilateral loan agreement aimed at housing low income households during the Seventies and was implemented by the NCC. Originally it had 3,084 planned units, but since its occupation in 1976, it has experienced continuous transformation. This includes both the completion of the 3,084 units provided in the initial plan, as well as the construction of additional units (popularly referred to as 'extensions') by plot owners. The urban authority (NCC) refers to the extensions as 'unplanned' but they in fact provide housing to a significant percentage.

There were a number of reasons for selecting UTP. The main one being that it is a planned settlement where the government had a clear objective of housing low income households. Secondly, the project was over ten years old and evaluation of policy implementation could be done comprehensively, as opposed to a project which is on-going or just completed. Thirdly, the scheme was funded by USAID and not the World Bank, as has been common with most schemes. Most other studies have focused on the World Bank funded schemes, and have ended up

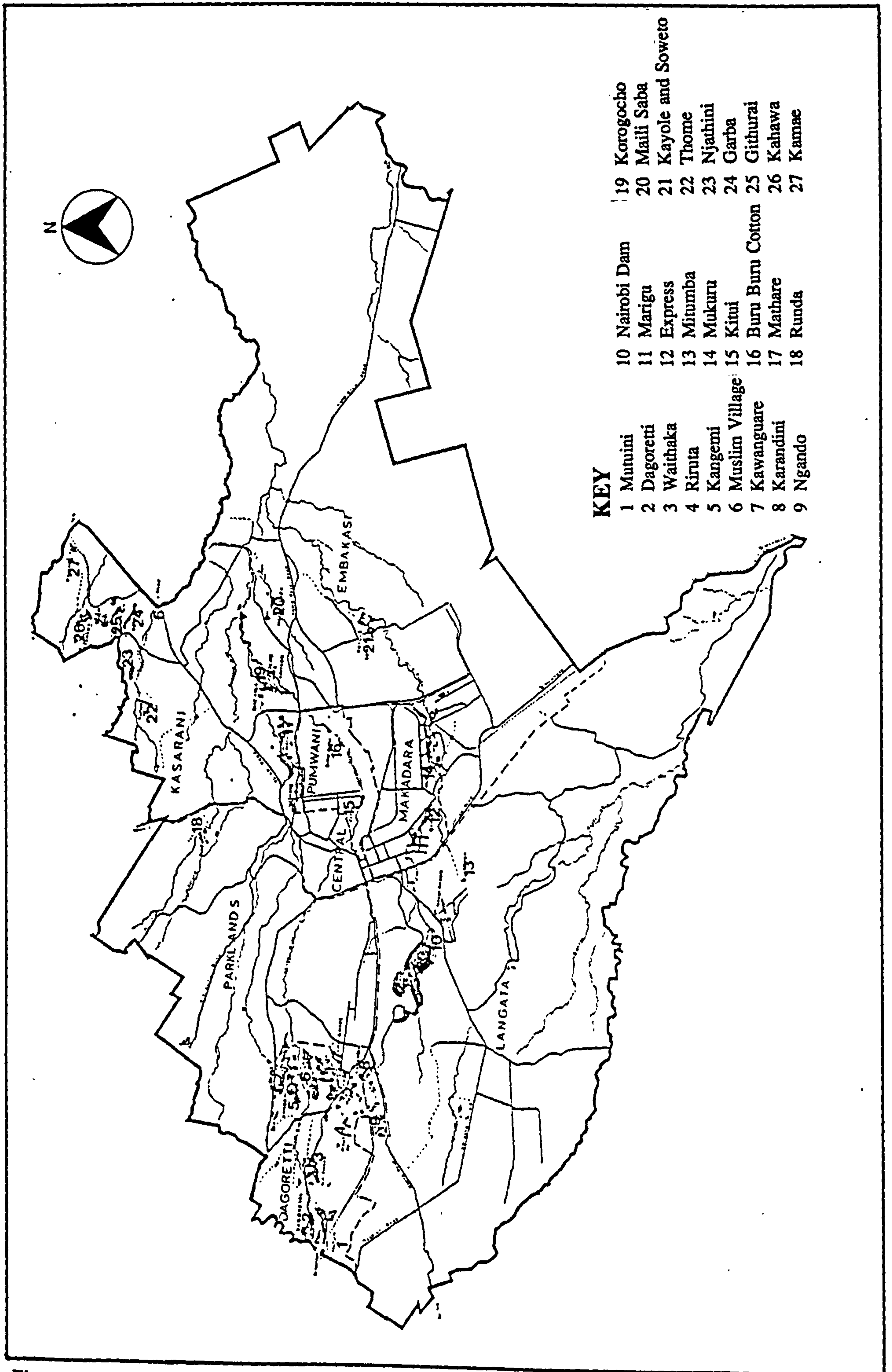


Figure 2.1: Informal Settlements in Nairobi

contending that the Banks' approach was not appropriate for housing those within low incomes. It is thus appropriate to find out whether there are major deviations in a case not funded by the World Bank. Besides the above points, the UTP scheme is currently occupied by comparatively well off urban residents, who pay rents that are unaffordable to the large, low income majority, who are instead likely to be found within the unplanned settlements.

2.4.0 Conclusion

This study does not aim at comprehensively covering the area of State Policy and Urban Housing. It is an area influenced by several variables that a study of this nature can only limit itself to an assessment of selected variables which fall among the many variables contributing to policy outcome. In this respect, it is concerned with the policy focus itself, and the institutional framework through which housing policies aimed at the low income groups get implemented. Since policy cannot be assessed in a vacuum, a case study approach using UTP scheme is applied. Subsequently, the chapter has outlined how the key implementing agency, the NCC and other institutions which played any role in the implementation of the UTP scheme, will be assessed in order to understand policy outcome.

CHAPTER THREE

URBAN HOUSING POLICIES: OVERVIEW.

3.0.0 Introduction

This chapter begins with an introduction of issues in housing development, indicating the diverse interests involved in housing production and consumption and the inherent problems. The African context is presented by highlighting the policies of Accelerated Rural Development and Development of Alternative Growth Centres (AGCs), as a means of curbing movement into the urban areas. A review of policy evolution in Kenya during both the colonial and post-colonial period follows. Ensuing is a presentation and evaluation of housing projects and programmes, implementing institutions, housing provision mechanisms and impacts of housing policies.

3.1.0 Issues in Housing Development

Formulating appropriate housing policies and ensuring that they are implemented remains a global development problem. This is mainly due to the multiple actors involved and their different interests as noted by Mayo;

‘consumers seek adequate housing that does not take up an undue portion of household income. They seek good locations and amenities, secure tenure, access to housing finance and a degree of mobility and choice. Housing producers require an adequate supply of residential land, infrastructure networks, building materials and equipment. They seek easy entry into the sector, plentiful skilled labour, adequate financing, and reasonable regulations. Housing finance institutions wish to compete for deposits on equal terms with other financial institutions to avoid subsidies through the financial system, to lend at positive interest rates, and to be protected by adequate foreclosure laws. Local governments wants to ensure that housing and associated infrastructure are of adequate quality to ensure that public health, safety standards and environmental quality are maintained. Central governments wants to ensure that adequate, affordable housing is available to all, that targeted subsidies are available to assist households who cannot afford minimum housing, and that housing sector

policy is integrated into national social and economic planning' (Mayo, 1991, p. 5).

The above diverse interests integrate a combined process of production, consumption and exchange and reflect an expression in residential space, of political and economic bargaining power of various classes (Sheriff, 1987). Variables with unique features and priorities which are not necessarily the same and it is the state which stands out as the mediator. Subsequently, housing for the low income groups cannot be analyzed in isolation from the way the housing needs of the rest of the society are expressed and fulfilled. They can only be made a priority within the overall housing context, because they cannot compete in the market and require enormous state support.

Contrary to Mayo's contention, the very poor mainly seek housing which they can pay for. Concepts such as adequate housing in good location and amenities, secure tenure, access to housing finance and a degree of mobility and choice as Mayo contend are secondary. On the other hand, most governments, despite their inability to come up with practical approaches aimed at reaching the low income groups, still claim to act in their interest. Whereas this study appreciates the fact that without effective implementation, the decisions of policy makers cannot be carried out successfully (Edwards, 1980); it notes that the policy focus and its main instruments has to be right before effective implementation can take place. There are cases where failure has been as a result of wrong policy focus and/or lack of clarity.

The diverse interests in housing as a process are difficult to compromise and require very articulate policies which have been rare in most developing countries. In coming up with such policies the power interplay which takes place among the competing interests often determine which interest group policy will favour. In many cases the outcome is not in the interest of the low income groups who normally seek basic affordable shelter. In discussing the case of housing low income groups in Tanzania, Sheriff (1987) notes that the policies and strategies

have emerged in favour of the medium and low income wage workers at the expense of the none waged poor.

The proliferation of unserviced informal settlements demonstrates the difficulties of service provision and management. A reasonable percentage of programmes aimed at arresting the problem of urban housing, especially that of low income groups housed within informal settlements have failed in most of the developing countries (Grimes, 1976; Laquian, 1983; Habitat, 1986; Dhanpaul, 1988; Shidlo, 1990; and Shefer, 1990). Dhanpaul in his work covering Asia and Africa indicates that in most of the countries, housing policies have failed. He gives reasons as bureaucratization, adoption of irrelevant standards, a naive understanding of the nature and extent of urban poverty and an architectural and engineering bias in the planning process.

The case of Nigeria indicates that among the major factors responsible for the ineffectiveness of housing public policy and programmes, two are key; lack of incentives for the private sector to participate actively in housing sector and the inadequacy of mortgage institutions in Nigeria (Awotona 1990; Inameti, 1988). Inameti argues that the policies have not made an impact on the problems they were intended to solve due to inadequate resources, unsatisfactory analysis and ineffective arrangements for implementation. Pugh (1990) in his discussion of housing policy in India points out that lack of housing for low income groups can be attributed to mass poverty, weak flows of new (formal sector) housing supply and the absence of any really *effective* policies for low income housing.

Despite the various policy approaches adapted by the developing countries, during the last two decades the housing problem has escalated, leading to the notion of housing rights. Within the context of housing rights, a number of UN institutions and NGOs have called on governments to ensure housing rights, especially of the disadvantaged citizens. UNCHS initiated the move in their resolution 42/146 of 1987 where they stated that all nations have obligation to provide housing and

citizens have a right to expect their Governments to be concerned about their shelter needs (UNCHS, 1991). UN Economic and Social Council Resolutions 43 of 27th May 1988 also called upon 'all states and international organisations concerned to pay special attention to the realisation of the rights to adequate housing in carrying out adequate measures to develop national strategies and settlement improvement programmes within the framework of global strategy for shelter to the year 2000'. Habitat has made several such calls and the International Year of Shelter for the Homeless in 1987 marked a climax to the call and a turning point to most governments, at least as far as including housing policy goals relevant to the low income groups in official documents. The task of adopting and applying such policies is still far from being achieved.

The concept of housing rights is difficult to ensure, especially within free market economies where the market determines the nature and types of access to housing. In any case, housing right can not be achieved by taking governments to courts of law. This is despite the fact that most governments have institutionalised the housing problem without coming up with appropriate measures for solving it. In contrast to human rights, which mostly operates within civil and political rights, housing falls among alternative categories of rights. Right to housing is further hampered by notions that the right is linked with state provision as largely a socialist concept of state sponsored benefit, not something that one could go to court over and claim as an individual right (EAFORD, 1990).

The developing countries have been pressurised by International Agencies to review their housing policies and set up strategies for the year 2000. Whereas this move may be appropriate, it is bound to have a number of limitations in realising the goals it has set out to achieve. This is because the policies are not coming up with commitments as to how to achieve their set goals, an approach not different from past approaches of most governments during the last two decades. Agencies such as the World Bank and USAID believe that urban housing can only be approached through the private sector with an emphasis on home ownership as the

Government takes a marginal role of enablement.

Since the shift from emphasis on project approach to housing the low income groups, to 'creating self supporting housing sector that serves the needs of consumers, producers, financiers and Local and Central Governments; and that enhances economic development, alleviates poverty, and supports a sustainable environment' (World Bank, 1993, p. 52), UN agencies and International Financial Institutions have argued that housing conditions are not simply a reflection of poverty but housing policies. When housing policies are appropriate, the process of economic development and the increasing incomes associated with it create a productive and responsive housing sector which benefits all participants (Mayo, 1991). To argue that housing policies can set a system able to benefit all participants is to escape from the realities of politics, especially that of the housing market. Policies are products of contending forces within a given state and as much as the winning force may not be favourable to the others; it often becomes politically necessary to mention the vulnerable groups. Although Mayo argues that the poor normally bear the failure of the housing market, this study notes that the poor bear both the failures and successes of both the housing and the general market within the economy, depending on what the winning force displays as an option. Therefore, policy cannot be viewed as a static process with constant gains and loses.

It is due to the fluidity of the policy process that the financiers of housing in the developing countries seem to have been disillusioned with the very policy approaches they played a key role in designing. For example, Mayo (1991) notes that, 'the principal objectives for a new and better urban policy are also those for a new and better housing policy, as are the principal features of the strategy designed to achieve them ... focusing on policies and institutions rather than on isolated projects, and attempting to leverage public resources in a way that enables and facilitates the productive activities of many and diverse actors in the urban economy'. This connotes the acceptance that policies pursued in the past have not

been appropriate. We thus have a 'new' reformed position which seeks to integrate all those participating in the housing sector, including informal providers and consumers; who for a long period most governments and international financiers thought would be solved by simply funding and promoting SS, UG and TPs. The 'new' trend is for governments to take an enabling role within the SAPs and let the market play its role, housing the poor among others. In this approach, the conditions of the low income groups are bound to remain the same or deteriorate.

In market-oriented economies, people compete for scarce resources. In the housing sector, providers decide who qualifies for a place to live. This works against the notion that anyone is 'entitled' to housing and gives way to the argument that the competitive system itself determines who will qualify and hence the need for the state to arbitrate, especially for those unable to effectively participate in the market. The rationale of having a government and thus policy, as far as economic considerations are concerned, is to provide a helping hand when market mechanism (price system) breaks down or fails out-right (Fadlalla, 1979). If markets were to function appropriately by assuring optimal and equitable allocation of resources in the housing market, governments would not intervene. Subsequently, this study does not subscribe to the total market approach as insinuated by agencies such as the World Bank and USAID.

The housing Market in many developing countries has failed to provide for the low income groups, a role which has been unsuccessfully taken by respective governments. Classical marxists in their instrumentalist perception of the state dismissed the state as a mere manager of the capitalist interests. This view of the state is not appropriate for understanding state activities in the developing countries such as Kenya. The mere existence of the modern welfare states within capitalist economies contradicts classical marxism. The relative autonomy of the modern state allows it to force through welfare measures which are in the long term to the interest of capital. This is aimed at both ensuring stability and creating a skilled and productive workforce (Hall & Ikenberry, 1989). The problem with

this approach is that it only benefits a percentage of individuals necessary for the reproduction of capital at any given period, leaving a large percentage not catered for. It is in this respect that most governments in Africa handle the urban housing problem indirectly by focusing on policies aimed at deflecting population movement away from the urban areas. While housing provision is limited to those necessary for capital reproduction.

3.2.0 The African Context

Until the mid 1980s, a large percentage of African countries did not formulate urban development policies or housing policies as such but pursued what this study conceptualises as, 'decongestion' policies. Policies applied at addressing urbanisation problems that have mainly two instruments, development of rural areas and alternative growth poles. The aim being to reduce the growth rate of urban centres as well as keeping potential migrants away from them. The method of redirecting the migrants to other areas, which are less urbanised is the core of the two policy instruments. A United Nations survey of 126 countries in 1987, showed that three quarters of the countries covered were pursuing policies aimed at either slowing or reversing migration to major urban centres (Harris, 1988). These policies include mainly the development of rural areas and alternative growth poles as discussed below.

3.2.1 Accelerated Rural Development

In rural development, governments pursue a number of approaches, which include providing better facilities in terms of infrastructure and services and improvement of agriculture. The idea of most governments being a reduction of population movement to the urban areas; whereas it should be the improvement of income in order to enable individuals to spend on their priorities. In some countries, governments have supported well-planned programmes, whereas in others disjointed attempts have been made towards supporting and developing rural

areas. In cases where planned programmes have been undertaken, large amounts of expenditure through international funding have been incurred. Across the Continent, this can be seen in the number of major housing, water, irrigation, electrification and communication programmes undertaken. Many now in ruins because governments did not attend to their management.

Examples of long term rural development exist in Tanzania, Egypt and Botswana. In Tanzania, the Ujamaa villagisation initiated by Nyerere was a deliberate policy attempt to improve rural areas. This ideologically oriented policy of the left covered almost all areas of rural Tanzania. However, its success has been limited due to financial constraints. The same has been going on in Egypt through the development of the Aswan region, where areas such as Assyut and Quena/Naga Hanadi have been identified for future regional planning. The Botswana government through their national settlement policy ('Remote Area Development Programme'), seeks to reduce rural-urban imbalances through allocation of investment and provision of infrastructure in the rural areas (Obudho, 1989).

Rural development as a concept has been successfully used in Africa during both colonial and post-colonial era. It is a strong political and policy instrument in that a large majority of the African population still reside in the rural areas, and the use of the concept rallies support and confidence in central governments. However, it has not been accompanied by Local Government development. During the colonial period, it was mainly geared to areas under cash crop farming, at the expense of peasant agriculture, left to fend for itself. Despite this, urban residents who were not formally employed were expected to go back to the rural areas and be engaged in agricultural activities. With Independence governments have not done any better. Until about ten years ago, when SAPs were introduced, a high percentage of African States still concentrated on cash crop farming for their foreign exchange requirements.

3.2.2 Alternative Growth Centres

The development of rural areas is being supported by concurrent development of Alternative Growth Centres. An approach referred to using different concepts (growth poles, satellite cities, new towns, development corridors, intermediate cities, optimum size cities, small towns, etc.) and viewed as a 'macro spatial planning' process, which varies in name, scope, emphasis and practicality (Rodwin, 1986), but concentrates on the development of intermediate sized urban and regional centres. A number of works for example, Westcott & Obutho (1982), Habitat (1986) and Meekya & Rakodi (1990) indicate that such centres are supposed to provide; markets for agricultural produce thereby increasing incomes, business goods produced elsewhere, small scale food processing, manufacturing and Social interaction and information exchange.

Some of the above views are held by some governments but they have failed to sustain it. So far, the majority of governments have not been able to effectively provide the relevant services and necessary infrastructure, notwithstanding the inadequate sources of economic activities. In this case, the growth poles located in the rural areas are already facing a number of problems related to service provision and management. Aspects which were, and still are, key to major urban areas and have been partly the reason for adopting policies of 'decongestion'. When one reviews the scenario of where the population is coming from and where it is being deflected, the situation becomes more grim. The rural areas and the growth poles are supposed to be provided with basic infrastructure and services in the midst of minimal economic activities.

3.2.3 Implication of the Policies of 'Decongestion'

'Decongestion' policies are largely concerned with the distribution of population, but has little access to, and knowledge of, mechanisms which produce and sustain the distribution. For example, it has limited knowledge on the wide range of

traditions, attitudes, culture etc of the targeted population. Rodwin points out that, public policies often favour big cities, often unfairly and unnecessarily. However, cities have been noted to be the focal points of development and many key institutions, including central government operations, are in most cases located within them.

Experience suggests that except in very special circumstances, spatial planning strategies designed to slow down or change these trends take too much time, are costly and hard to implement. The benefits too, are less conclusive than claimed. Rodwin (1986) argues that the efforts of such policies are too dispersed, as controls on bigger cities continue to prove ineffective and generally inappropriate. To Rodwin, one of the weaknesses of the policy is the development of expensive industrial estates in towns which have little industrial potential. His contention is, therefore, that the policy may only succeed if the scope is limited and methods realistic; aspects which remain to be evaluated for Africa.

When rural policies are analyzed in respect to the urbanisation problems facing the African states, one wonders whether the rationale for concentrating on them, without effective correlated programmes in the urban areas, can achieve much. Success stories of the policy exist in Latin America and India. In Latin America, the annual growth rates of intermediate cities are becoming equal to, or larger than, those of large cities, as in the developed economies (Harris, 1988). India has also experienced similar development (Harris, 1984).

The stagnation of the population of many of the largest cities in India and Latin America, while many smaller cities accelerate, is seen to demonstrate a positive effect. Whereas the two cases provide good examples of success, they cannot be directly applied to Africa, where the number of large cities is very limited. To some extent, where the number of large cities is greater, potential migrants tend to have broader options on where to migrate. This provides a spread effect which may realise a reduction of the growth rate of major cities. Africa, mainly rural,

has restricted options of movement to urban areas, and it will take some time before the situation of both Latin America and India is attained. Most of the countries have only one city (or none) with a population of over half a million (appendix 3.6). This makes the few cities vulnerable to large movements of population, which they cannot contain, and hence the policy of diverting population to areas with less concentration.

No substantial impact of 'decongestion' policies has been felt in the existing major urban centres in Africa. Since the beginning of its implementation, major cities continue to grow rapidly, even as services deteriorate. This calls for more attention from the city managers. However, quantifying the effect of 'decongestion' policies has not been easy due to lack of relevant statistics. The majority of countries rely on census data, collected every ten years. By the time the data is processed, it is often out of date and does not represent the situation. Other relevant basic statistics such as household and consumer surveys are hardly ever done. Planning is therefore based on estimates, which are at times not representative. Despite the lack of sufficient data, the fact that population growth of urban centres is increasing as services deteriorate, remains an accepted fact, continuously leading to the search for more appropriate policy options.

The search for policy options in Africa should be geared first and foremost towards policy options able to sustain the existing urban population in situ. This is due to the failure of rural based policies, which should merely be additional efforts. The urban based focus should mainly include: strengthening urban governments; generating locally based economic activities through low capital intensive manufacturing enterprises supported by expert financing organisations, including the development of alternative methods of service provision. These areas are related, although strengthening urban governments, form a base for the other two. Most urban governments charged with the development of urban areas are indebted, poorly managed and face serious financial constraints. Their capacity to collect taxes, exercise expenditure controls or service public departments, is

therefore limited. Implying a reduced capacity of responding to peoples needs and resulting in an inability to design appropriate and affordable services and infrastructure.

The many problems facing urban governments have not stopped them from spending the scarce available resources on imposing controls hoping to achieve an ideal city. Lippe (1988) notes that the web of rules and regulations used to control the Informal Sector, only helps to force more of the city underground. Instead efforts should be made to encourage the initiative and channel the energy of the poor working in the informal sector into the main stream economy. For indeed they are the main spring boards for generating future employment.

In their efforts towards managing cities, the urban governments have very limited options if they do not recognise and promote the informal sector. A sector currently providing 52% of services, especially in the area of housing and employment opportunities. There should be policies that give clear directions on the formation of partnerships between urban governments and the informal sector. A trend which is currently being considered, but with difficulty due to the conservative nature of bureaucracies in Africa. If such policies are adopted they will provide necessary support, especially in areas which are beyond the reach of the sector. This includes focusing on policy issues such as; land tenure, servicing land, business sites and services, appropriate procedures for improved commercial operation, development of markets, provision of enabling infrastructure, and the regulation, organisation and training of an improved local Government service.

3.3.0 The Kenyan Housing Policy Context

In Kenya, housing has been a key development issue both during the colonial and post-colonial era. However, implementation of stated objectives has largely not been accomplished. It is therefore necessary to understand the policy approaches which have been used and the institutional framework through which they have

been implemented. This is done mainly in reference to the capital city (Nairobi), which has been the national focus as far as policy formulation and implementation is concerned. This analytical review is therefore aimed at placing housing within the context of the city's present development. It discusses the evolution of policy development, housing projects and programmes, the institutional framework for housing implementation, housing provision mechanisms and the impacts of housing policies.

In Kenya, it is difficult to find a well defined policy relating to low income housing. Looking at the situation, the most difficult aspect is whether to adopt what exists on paper or on the ground. The situation can at times be even more confusing by a prevalence of reactive official decrees, which in many cases have to be implemented haphazardly. As noted earlier, in this study, all these forms are important in analyzing housing policy and even in cases where some policy areas, housing being one, remain unattended and without any reviews for long periods, that in itself may constitute policy.

Housing policies, as other sectoral policies are the responsibility of central government. Hence, housing as a sector is not exempted from the three factors which often determine state resource allocation to any sector, namely; social objectives at the national level, the state's political objectives and economic objectives at the national level. Assuming that allocation of required resources are done correctly, the execution becomes responsibility of a multiplicity of agencies; LAs, NHC, private and community groups who act as instruments of policy. The type and extent of control government exercise over these policy instruments can be said to determine policy. Although this sounds as if it is possible to separate policy and administration, it is not the case. The government provides only an enabling framework of policy; its operation lies at the local level. Implying that if administration is deficient, the likelihood is that policy will turn out to be inadequate. In the case of Kenya, both arms share the blame in relation to lack of success in providing low income housing.

A number of studies, for example Kabagambe & Moughtin (1983); Lee Smith et al (1988); Hoek-Smit (1989); Malombe, (1981, 1990), have focused on various problems relating to housing for low income groups. Malombe (1981), points out four factors which limit the success of public policies relating to housing. They include; unrealistic and vague policies, disparity between planning and implementation, unrealistic housing standards and lack of specified policy on finances for low income housing. Lee Smith (1988) notes problems related to institutional framework which include; lack of morale, inability to deliver public services, lack of sufficient, qualified and committed staff, inadequate budget and financial controls. Some of these aspects are also mentioned in an evaluation study of Umoja 11 by Hoek-Smit (1989).

The policy norm in the housing sector in Kenyan seems to be inaction (Noormohammed, 1988). Noormohammed raises the question of whether Kenya has a housing policy or just inaction. He argues that the government has not *applied* itself to housing as it has done in other sectors such as education, health or infrastructure. He gives reasons to be both neglect and lack of follow up. These two explanations infer that stated policy on housing has remained on paper, a contention which may be representative if policy objectives are correlated with policy outcome or actual programmes on the ground. Whereas, this contention may be appropriate, policy should be perceived as action, inaction, intention and sometimes all the three. In the case of Kenya, one cannot argue that there has been totally no action as Noormohammed contends, rather the problem seems to be the lack of appropriate policy focus, a single policy document and the subsequent limited accessibility for particular groups.

The outcome of the discrepancy between intended state policy objective of housing the low income groups, can be said to have resulted in the growth of informal settlements ('unplanned'). This has been referred to as the 'missing link' (Hargrove, 1975, Ham, et al. 1984)) or 'gap' (Edwards, 1980). In Kenya, the informal settlements have managed to exert themselves by filling this so called

gap, and thus winning policy consideration. The determination of planned or 'unplanned' urban settlements is based on housing standards and regulations. Unfortunately, the regulations which date back to the colonial period and have hardly been reviewed, have very high stringent standards based on middle and high income. This has a negative impact on housing the urban dwellers especially, the urban poor who can not afford what is officially referred to as 'an acceptable housing unit.' Mabogunje et al. (1978) argues that the notion of an 'adequate' house is based on standards which represent *aspirations*, rather than realisable goals, and are therefore often totally inappropriate. Such aspirations are often the product of the policy process, where both the policy makers and the implementing agencies play a key role.

Rakodi (1986), in support of the above contention, points out that to define housing need in terms of normative planning standards unrelated to the cost of housing must result in non achievement. Moreover, it is not only cost as Rakodi contends but also the socio-cultural underpinnings which are present in different environments. In the case of most developing countries with a colonial history, housing standards applied are often out of context and therefore can neither be afforded nor adopted by the majority of would be consumers.

Implementability is one test of a good plan and therefore an important aspect of any policy, and yet it often has many shortcomings and the important question is whether a particular policy ever has a chance of being implemented. No matter how good the policies pursued are, little progress towards accomplishing goals may occur, unless there is effective implementation (Edwards, 1980). It is possible to plan well, but to implement the plan unwisely (Giandomenico (1989). Giandomenico further notes that it is difficult to separate policy from administration and that legislative mandates are often vague, ambiguous, or contradictory. There are also no clear standards for administrators and experts to apply and therefore their values inevitably do count a great deal. Subsequently, a situation exists whereby good policy objectives and goals exist on paper but

hardly any means of effective implementation is realised within the policy itself. The notion of responsible government and the fact of urbanization is important in understanding this scenario. The former 'grew up' in colonial times, when housing for the rural people did not appear on the government agenda. The latter, has largely occurred since Independence and there is thus no previous 'model' of how the government should act.

Implementation of policy includes a variety of actions undertaken by different individuals and agencies operating within different environments. Edwards (1980) points out that the actions include; issuing and enforcing directives, disbursing funds, making loans, awarding and signing contracts, collecting data, disseminating information, analyzing problems, assigning and hiring personnel, creating organisational units, proposing alternatives, planning for the future, and negotiating with private citizens, businesses, interest groups, legislative committees, bureaucratic units and even other countries. Pressman and Wildavsky (1973), whose work fall among the pioneering implementation studies, noted that action on policy depends upon a number of links in an implementation chain and the cooperation among agencies required to make those links has to be close to a hundred per cent in order to avoid implementation deficits. The extent and level of communication, resources, dispositions and bureaucratic structure, the actions required, have in many cases been a problem, especially to the developing countries. More so, it has been complicated by the lack of adequate and sufficient local resources.

3.3.1 Housing Policy During the Colonial Period.

In almost all developing countries, rapid urbanisation has been basically a product of colonial development and most current policies owe their origin to colonial policies which restricted movement to urban areas. In Nairobi, the colonial rail complex provided a number of commercial and earning opportunities, some of which were not directly related to the rail network but attracted a number of

individuals to the centre. During this period the residents, apart from the Europeans, were mainly people of Somalia, India and Swahili origins. There were also a few pioneering Africans of non Swahili origin (Hake, 1977). These groups became the nucleus of what was to turn into a large city without adequate and sufficient services. Settlement policies pursued during this period did not require any non railway or government employee within the town and were therefore not officially catered for in planning. This restrictive planning was seen more in housing, where the Africans were disadvantaged. A number of them had moved into town 'illegally' and without any employment and had to fend for themselves. They thus opted to settle in their own way ('unplanned'), either on the boundaries of the town if there were reserves near enough to accommodate them, or in the town itself (Parker, 1948).

As population increased individuals and groups erected structures seen by the colonial governors as unhealthy, poorly built and not up to standard. Such houses became a worry to the governors, who were at that time under financial strain and unable to get support from the railway authorities (Smart, 1950). In typical response, the colonial administrators became very strict on who should reside in Nairobi. Thus repressive policies that included the demolition of houses were adopted, leading to the demolition of the African settlement, Pangani, in 1938. Thus, it can be argued, that the 'official' response to informal African settlements, picked up by the incoming African Government, was equally restrictive at worst and wilfully neglectful at best.

The first colonial policy which had an impact on housing was taken in 1901, when the government outlined policy of land administration within the city of Nairobi. It adopted a racially segregated space allocation for housing. Areas designated within the township for railway complex use were clearly demarcated. The surplus land was taken over by the colonial administrators, and most of it, especially the northern parts, was set aside for the European settlers (Parker, 1948). On the other hand, the Asians were allowed to acquire control of particular areas

(Ngara, River Road and Eastleigh). These areas were at that time outside the town boundary. There was also segregated land allocation in the commercial areas. However, this became functionally difficult because the European administrators and entrepreneurs needed Asian and African customers, if they were to continue in business.

One aspect to note in the above segregative zoning policy is the position of the disadvantaged, who at that time were the unemployed Africans but who today form the group popularly referred to as 'the low income'. During the first half of the colonial period, the Africans were in the process of being introduced to a monetarized economy. They were therefore at the bottom of the income bracket. Besides this, they were hardly considered as part of the urban economy. It is in this respect that Stren (1978) argues that until the end of the inter-war period both central government and local urban authorities in the main towns of Kenya dealt with African urbanisation as essentially a problem of control. He goes further to note that three objectives determined the approach. These included the desire to keep African wages low, segregate African living quarters, and ensure appropriate health standards. These variables are closely linked to each other, since wages determine the other two, and yet the wages were intentionally kept low.

It therefore followed that the Africans could not afford to live in appropriate housing conditions. It was partly due to this that Nairobi Municipal Council (NMC) had to declare Nairobi except Eastleigh as out of bounds for unemployed Africans. Any African living in the township other than in an appropriate African zone without a permit or good reason would be repatriated to their 'tribal' land under the Vagrancy Act, (Parker, 1948). Despite this strict Act, the problem persisted and the colonial government had to formulate a remedial housing policy in 1929. This policy required all employers in the township to be responsible for housing their African employees. During the same period, the government and NMC begun building rental housing for African subordinate staff. Such isolated attempts seem to have been spring boards aimed at integrating the Africans within

the urban economy. Subsequently, a study of African housing conditions which had been commissioned, presented its findings in the form of a memorandum in 1939 (NMC,1939). The findings, not surprisingly, showed that the housing shortage among Africans was very high. About 14,617 Africans and their dependents who worked in Nairobi, were not supplied with housing by their employers, and only 8,916 could be accommodated in the 'native' location. Another finding was that the wages were too low with two thirds of the labour force earning below the minimum wage.

The memorandum recommended that the issue of housing and wages be looked into if the output of the African worker was valued. In response, the government accepted the memorandum and indicated that the 'ultimate solution was the provision of adequate and suitable housing at rents properly related to native income' (Commissioner for Local Government, 1939) There was also an indication that other services such as education would be provided but there was no mention of increasing wages. This positive note led to the setting up of a Committee in 1942, which examined the African housing situation in Nairobi. At the same time a Bill was introduced to set up a Central Housing Board and a special fund to make loans available to LAs. In it, a high priority was given to African housing. This was followed by the construction of 1,170 temporary units for African workers. From this time onwards, housing provision became a crucial government concern, mainly for their own expanding staff.

The 1950s witnessed the onset of progressive housing policies, dominated with specific housing issues such as subsidies, regional allocation of funds, house types, standards and estates planning. This led to Government Commissions and reports looking into housing and the general conditions of the workers. The main ones being; the Ernest Vasey Report (1950), Carpenter Report (1954) and the East African Royal Commission (EARC, 1956). The Vasey Report recommended the encouragement of home ownership, maintaining that it would lead to a stable population and therefore policies which integrate the whole urban population

should be adopted. The Report pointed out that the State could only provide services in proportion to the efforts of individuals. In this respect, its position was that the colonial government should move away from provision of rental units which were being rented out at over subsidised rates.

The Vasey report's position on rental housing marked a departure from emphasis on rentals to home ownership. Certainly a misplaced emphasis carried over to Independence and is still being applied. Whereas it was true that sustaining rentals was expensive, the other option need not necessarily have been total focus on home ownership. The report had a good option but in a wrong context. Most of the African population which the report was aiming at were still basically rural and had no intention of making the urban areas their home but rather a temporary place for making income. One important contribution of the report, which seems not to have been carried over at Independence, is the recommendation on land banking. The report noted that land for African housing (low income group) be set aside in all towns. In such areas plots should be 12 metres by 15 metres and the first lease should be for 40 years extendable for a further 25 years. Additionally, temporary building materials would be allowed for the first ten years after which improvement using standard materials should be undertaken. The aspect of land banking disappeared with Independence and instead land preserved for public use has been sold off, with NCC being the most affected. Despite its shortcomings the Report demonstrated the realisation of the state's inability to provide services without the active involvement of urban communities and the need to understand the characteristics of the urban residents.

On the other hand, the Carpenter Report stressed the relationship between wages and housing. It pointed out that the minimum wage should be able to support a man, wife and two children. Indeed a misconception of the African family, which was averaging eight. The Report also noted that by 1965 basic services such as education, health centres and recreational facilities should be provided within African areas. Of such services the development of adequate housing was seen as

key. Thus the report called for a coordinated and centrally directed housing programme, related to definite objectives of housing the majority of the working population on a family basis by 1965. The EARC mainly did an assessment between policy and economics, within the British controlled territories of East Africa, which recommended the 'removal of any barrier which prevents Africans from full participation in the life of the cradle (urban) of development' (Colonial Government, 1956), at that time.

Thus the colonial administrators' settlement and residential policies were segregative and depended on zoning approaches which basically ignored the existence of the group referred to as 'natives', on grounds that they did not belong to towns. Despite this negligence, 'native' numbers increased on a continuous basis, posing a problem to the administrators. The 'native' position symbolised the origin of poor state or lack of urban housing; a condition which has continued despite numerous efforts to abate it. The position of the disadvantaged, did not improve with Independence as discussed below.

3.3.2 Post Independence Housing Policies

(a) From Independence To 1972

Post colonial housing policies can mainly be categorised into two era; from Independence to about 1972 and the period after. Prior to 1972 the government pursued mainly restrictive policies with emphasis on appropriate planning coupled with demolitions of 'unplanned' houses. An execution of such policies was, for example, witnessed in Nairobi in 1970, when nearly 39,000 people had their 6,733 dwellings in Eastleigh area of Nairobi demolished through bulldozing, under the orders of NCC (Hake, 1977). At the same time, the government was the main provider, especially of low income housing with over subsidized rental housing schemes being provided. With the entry of massive international finance into urban development using housing as a focal point, the approach begun to shift

from restrictive to supportive policies. Thus, since 1972 a gradual move on pragmatic approaches that consider upgrading of informal settlements, in addition to encouraging people's own initiatives to provide themselves with housing through provision of building sites with basic services under the site and service schemes, are being adopted. Notwithstanding, sporadic demolitions do occur and in 1990 a total of 44,000 residents were affected (NCCK, 1991), thus negating much of the Government policy of housing low income households.

Immediately after Independence, a UN mission to Kenya led by Bloomberg and Abrams (1964) was commissioned to conduct a short and long term housing needs survey and make recommendations. This report reiterated the position of other colonial reports of the 1950s which showed that housing for Africans was inadequate and insufficient, and led to extreme overcrowding. In view of the pressing problems, the mission recommended the establishment of a housing authority within a new Ministry of Housing. This led to the establishment of the National Housing Corporation (NHC), replacing the colonial Central Housing Board. It was mainly charged with the development and initiation of LAs' housing programmes. Through it, the production of large scale low cost housing was to be ensured; a role which the Corporation plays to-date, despite the fact that a large majority still remain poorly housed. Subsequently, in 1967, the Housing Finance Company of Kenya (HFCK) was established with the objective of making loan funds available to people wishing to acquire their own houses in the main urban centres.

The above restructuring was made with the overall desire of ensuring that 'every family in Kenya would live in a decent home, whether privately built or State sponsored. The expectation was that the housing units should provide at least the basic standards of health, privacy and security' (Republic Of Kenya, 1974). Despite this desire, the 1965 Sessional Paper on housing remained the only policy guideline, (although it had been overtaken by events) until 1986, when the Kenya government had major changes on economic management. This began with a key

Sessional Paper on Economic Management for Renewed Growth; a paper which displayed a departure from the previous practice of relying on the public sector, for provision of services and economic growth. In the area of housing, this paper acknowledges the importance of the informal sector and gives directions on sale, rental of housing, housing plots, and to the leasing of government lands in urban areas. Its position was that the charges for the above items should be raised, partly because;

'The stated objective of subsidising the urban poor is rarely achieved and partly because the equity goal can be achieved effectively by charging market prices to the few who currently benefit in order to expand provision to the many more who are still in need (GOK, 1986 p.50)'.

The above paper was followed by the 1987 declared year of Shelter For the Homeless, which realised concerted efforts on the government performance towards reviewing its policies. A policy document entitled 'National Housing Strategy For Kenya' was prepared by the Housing Department, for presentation to the UN. In this document, the government refers to its new directions, which aim at shifting its role from 'one of direct developer' of housing for low income households involving moderate subsidies, to one of working with and facilitating the development of housing by private entities charging market prices. This is consistent with the aims of the Sessional Paper 1 of 1986 and has recently been accelerated by the preparation of a housing policy document (Republic Of Kenya 1990), still awaiting Parliamentary approval. Besides these key documents there have also been other studies commissioned to look into the by-laws and general issues relevant for policy review. These include studies by Yahya & associates (1981), Struyk & Nankman (1986) and Agevi (1989). At the same time, the pressure of multi-party politics pushed the ruling one party to review its 1965 manifesto. With the introduction of multi-party politics, a number of changes are expected to take place.

Although one may argue that Development Plans are intentions, supported by

convictions justified by statistics, the Kenya Government Development Plans have remained key reference documents for anyone interested in policy studies. There has hardly been any specific housing policy passed through parliament, except for the above mentioned Sessional paper of 1965. Housing issues, such as those relating to land and planning, have been handled in piece meal approaches whenever deemed necessary. In this respect, it is appropriate to reflect on aspects of the Development Plans related to housing.

The first independent Kenya Government Development Plan (1966/70) showed the government's desire to provide 'decent' housing through both the public and the private sector. This plan came almost at the same time as the above mentioned 1965 sessional paper, which enunciated the housing problems facing the country and how the government planned to deal with them. One negative aspect of this paper was that it also ratified demolition of slums, which eventually became a consistent ugly feature in the housing policy of the independent State. By this time Nairobi had several unplanned housing areas and the policy was used as a tool for bulldozing them; a move which led to the government knocking down more homes than it built. Chana & Morrison (1973) note that, by 1972 housing units in informal settlements in Nairobi had grown to 22,000 and by 1979 the units had increased to 110,000 housing about 40% of the city's population (Amis, 1984). Currently it is estimated that about 240,000 households of the city's population reside in unplanned housing (NACHU, 1990), accounting for about 52% of the total population.

(b) Post 1972 Period

The development of informal housing in Kenya between the mid Sixties and mid Seventies was full of demolition. Haldane (1971) notes that the Nairobi City Council (NCC) continued reducing the number of housing units available by demolition. Despite this, more structures came up. This was a clear demonstration of the housing need, but it took the authorities too long to recognise the efforts

of the informal housing sector. By 1970 the rationale of the policy for demolition was being questioned. In any case, it was based on the premise that the government would manage to reduce rural/urban migration by enhancing rural development and at the same time would manage to provide adequate urban housing. Desires which remain unfulfilled to-date as unplanned areas continue expanding.

Among all the Development Plans, the 1970/74 had numerous housing policy directives. It postponed slum clearance until the housing shortage would be substantially reduced. Apart from this key step the Plan noted that;

'The government housing policy is to utilise all resources available in a manner to achieve the maximum possible improvement in the quality of housing over the plan period. This will be done by expanding and introducing a number of programmes for promoting housing: loans to Municipalities and other Local Authorities for housing, direct construction of housing where Local Authorities cannot do it, pilot schemes in rural and urban areas, participation in the financing of private housing by business enterprises and by individuals, assistance to companies which undertake employee housing projects... research into housing markets and constraints of supply, especially in finance, contracting and building industry as well as in building codes' (GOK, Development Plan 1970/74. p. 514).

This Plan provided the first tentative steps towards what might be called a housing policy examination. However, as can be deduced from the above, the policy was vague and was a non-starter. It was to be achieved through both the NHC and the HFCK in liaison with relevant organisations. By the time the third Development Plan (1974/78) came out, the government agreed that a more realistic housing policy should be pursued. In this respect, demolition of slum/squatter settlements was not only postponed but stopped. In cases where it was unavoidable, it would not be undertaken without providing the concerned households with alternatives. The plan also isolated Slum Improvement as an alternative to demolition. This was a departure from the government's housing policy of 1965, and the 1970/74 Plan which backed the conditional demolition of slums. At the same time, it recognised the futility of slum demolition, an approach which had its origins in colonial development and did not take the interest of the

majority into consideration. The approach was self-defeating and could not be sustained. Whereas the move to stop demolition of slums was a good policy, it has partially resulted in speculative moves by those who have learnt to invest in such areas. This trend is not negative as such, but contributes to the proliferation of unplanned areas, thereby intensifying problems of service provision and management. It has also contributed to the commodification of housing and hence the prevalence of more tenants than owner/occupiers in such areas.

Both the Fourth and Fifth Development Plans (1979/83 and 1984/88) reiterated the government's commitment to increase the housing stock, meet shortfall, and ensure that the produced stock benefits the low income families. However, there was no specification as to how they would benefit. In particular, the 1979/83 Plan indicated that of the existing 440,000 urban households, only about 30% have sufficient incomes to afford minimum cost of conventional housing. The 1989/93 Development Plan dedicates a very small portion to housing but gives directions relating to regulations and building codes. It points out that the government intends to review a number of regulations and building codes under Town Planning, Land and Housing Laws, the Public Health Act and the Local Government Adoptive By-Laws, which are obstacles to rapid housing development. These aspects have been a problem to housing development and should have been reviewed immediately after Independence. However, the government has tended to postpone their review, partly due to lack of financial resources but mainly due to lack of political and bureaucratic commitment of leaders who themselves have an uncompromising view of a modern city, and are luxuriously housed.

3.4.0 Housing Projects and Programmes

Having the above policy directions as a basis, Kenya has attempted to implement a number of housing programmes aimed at housing the urban residents. Such programmes have mainly been dominated by both the World Bank's funded sites

and services and upgrading schemes and USAID's tenant purchase schemes. These programmes have been geared for low income urban households but have not ended up being occupied by them. This has mainly been due to lack of access.

Accessibility is a complex matter. It is linked to affordability, income and preference of any given household. Since the beginning of the 1970s, when the World Bank started the promotion of the policies of sites and services and upgrading schemes, affordability has been a key issue. This is because affordability is taken to be the bedrock of cost recovery and the subsequent expected replicability. The affordability stance assumes that low-to-moderate income households can spend between 15 to 25 percent of their income on shelter and related services (Mayo, 1985). However, Mayo (1987), refers to such assumptions as 'rule of thumb' which is used regardless of a country's income level and ignores the relative income level of the target population within a country. It has thus contributed to lack of access, and Mayo notes further, that only households above approximately the 80th percentile of income distribution can afford to house themselves without subsidies. Subsequently, to this study, an analysis of access to housing, especially in the sub-saharan Africa has to consider not only low income but no (disposable) income or certainly no regular income in terms of repaying loans and other commitments beyond subsistence.

A large percentage of the urban population do not have easily quantifiable incomes and bunching them into such groups merely distorts the approaches to be applied. Fisk (1975), Hicks (1966), and Sundrum (1990) elaborately discuss the problems of income as a variable. Sundrum in particular has elaborated the difficulties entailed in tabulating income in the developing countries. Fisk gives two main reasons: that a number of sources of income are not monetarized but are in kind and at the same time accounts are also not well kept and when available are problematic. Hicks waters down the concept by referring to it as a concept which the positive theoretical economist only employs in his arguments at his peril. What all these points imply is the problematic nature of a concept, which

has been used as a key criteria for assessing the types of housing each household should access. Despite the issue of income, access to housing has been found to be problematic even in cases where the issue of income has been sorted out. One problem area of interest to this study being the bureaucratic procedures and requirements embedded in the institutional framework of implementation; and the mix up of ideologies as manifested in 'Plans' which at times integrate aspects of the Eastern block (before its disintegration), ex- colonial capitalists and their inherent policies.

3.5.0 Institutional Framework for Housing Policy

Apart from the inadequate policy, the lack of success in the area of low income housing is also attributed to the ineffective arrangements for implementation. This is associated with the nature of public administration reflected in the bureaucracy; an administrative apparatus charged with the task of implementing the laws and regulations and related development programmes. Weber characterised an ideal type with written rules, precedence, predicability, consistency, equity, routine, efficiency, technique and a trained workforce.

Whereas the above values may be appropriate depending on the environment within which the system operates, they have been noted to be rarely operational, especially in the developing countries. Albrow (1970) points out that it is at times meant to be administrative inefficiency; a position which to some extent is due to the fact that Weber, who came up with the concept, never defined it but only specified the features as listed above. In Kenya, like other developing countries, the highly structured efficiency-oriented model of administration was adopted from the colonial government and in many cases was not suitable.

The model does not permit greater initiative and discretion at operating levels or greater involvement of clients in shaping programmes of action that accommodate the objectives of government to client needs. Hence the administrator has too

much power, he is a teacher, experimenter, negotiator and technician, whereas the recipient is basically a subject. More so, local experience of effective public participation in development planning indicates that it is difficult, time consuming and expensive. In many cases the disadvantaged and unorganised groups, such as the urban poor who operate within the informal sector and the less articulate rural residents, are hardly integrated in development planning. It is due to this that recent interest in management styles has focused on 'organisational culture' and on the 'loose/tight' model of management (Davey, 1989) thought to be appropriate for achieving 'excellence'. It emphasizes a combination of tight control by central management over strategic directions, with substantial decentralisation of responsibility for day to day operations and resource use.

Hyden (1983), notes that the problems facing the attempts to establish development administration in Africa has not been the persistence but the disappearance of bureaucratic norms and principles. A fact authenticated by an examination of most bureaucracies in Africa. Most of these countries inherited administrative systems which were mainly concerned with law and order and were seen by the Africans as extensively authoritarian. For example, in Kenya, just before independence, the British introduced parliamentary rule, an impartial judiciary and a welfare and development minded administration. Although such introductions were appreciated, they were alien to the African context. They did not take into consideration the traditional cultural norms, African political thought, equality and voluntarism in social and political action as aspects which were inherent in society. Kenya thus started off at independence with a system of public administration which was not clearly understood. Subsequently, most citizens did not identify with it and viewed it more as a source of order and regulations and in some instances as a channel for accessing free welfare and development services. A perception which eroded people's capacity to plan, implement and manage relevant programmes.

A World Bank publication (1983) notes that the Bureaucracy plays a key role in

setting of public policy agenda and in the formulation of policy, even when the actual decision lies elsewhere. Despite this, most bureaucracies have been associated with all sorts of negative connotations which can be summarised with the concept of 'dysfunctions'. A concept applied by Hicks & Gullett (1981) to mean the opposite of functions. Whereas, the bureaucracy should be characterised by specialisation, structure, predicability and stability, rationality and democracy; it has been characterised by unintended consequences such as rigidity, impersonality, displacement of objectives, limitations of categorisation, self perpetuation and empire building, cost of controls and anxiety. In most bureaucracies of the developing countries, procedures of doing things are hardly institutionalised; exposing them to different methods of handling assignments. Some of which are contradictory and/or parallel to the desired goals.

Mehta (1989) in his assessment of the Indian bureaucracy notes that actual achievement of any given programme greatly depends on the general development strategy and related policies as well as the functioning of the administration. Since policy is formulated as a guideline without going into implementation details, it remains the role of the bureaucrats to translate it into an implementable programme. In most economies, the bureaucracy plays such a central role to the extent that development performance has become synonymous with it. However, as Mehta notes in the case of India, most bureaucracies are neither 'goal-directed' nor 'action-oriented'. To a large extent the Kenyan bureaucracy bears a lot of similarity to that of India and this study assesses its potential in translating policy into action and what influences its action or inaction at any given period.

There are a number of variables which contribute to the poor performance of bureaucracy in Kenya. The basic ones being inappropriate policies and lack of adequate required resources. Whereas the former generally retards and frustrates focused development, the latter contributes to a number of related inefficiencies. These include; lack of an effective financial accounting system which is often accompanied by poor planning, misappropriation and embezzlement. In a number

of cases this is reflected in the annual reports of the Auditor General. At the same time the high level man power is not correlated with assignment, implying that the planning system is wrong. Other variables which influence the poor performance of the bureaucracy include; socio-cultural and political circumstances and conditions under which the bureaucracy operates, low morale arising from absence of incentives, hence laxity and inefficiency, corruption and use of public office for personal gain. The end scenario being efficiency undermined and meagre resources depleted.

Of all the problems (poor policy focus, planning, implementation and management, misappropriation, embezzlement of funds and lack of adequate resources) facing the bureaucracy in Kenya, poor policy focus coupled with poor management, largely due to limited resources, seems to be key. These have an influence on the other variables. In many cases, programmes can only be run effectively for about six months after the annual budget allocation, when most programmes come to a halt except those run on donor funds under donor surveillance.

The inefficiency of the bureaucracy has largely contributed to the problem of housing. In many LAs the money collected as rent is never recouped into housing but used by the bureaucracy to supplement other budgetary needs. In many cases the housing estates owned by the LAs such as NCC are never managed in any way and the level of deterioration has been pathetic. Some analysts have tended to link this situation with the fair rents charged. However, when one analyses the bureaucracy rationally, such aspects should score as inefficiencies and not credits.

3.5.1 Housing Provision Mechanisms

Urban housing is provided through various channels which can be categorised into public and private. Direct public intervention consists of institutional housing provided or owned by government institutions such as hospitals and schools or

any other staff housing. There is also pool housing which has been a scheme for housing civil servants but is currently being discouraged. State Cooperations (parastatals) have also been providing housing. The main public agencies translating policy into action have been LAs, NHC and State-linked financial institutions such as the HFCK. LAs implementing mainly low cost housing through the sites and services, upgrading and tenant purchase schemes and the NHC, following the line of LAs but concentrating on lower income mortgage and tenant purchase schemes; whereas HFCK focus on higher income mortgage schemes and direct production of houses by guaranty for clients.

The second category of provision has been through the private sector, which can further be divided into two categories; formal private and informal private. The formal consists of individual efforts to put up houses for owner occupation or for rental; the private company producing large scale housing for outright sale or rental and financial institutions who increase housing stock either by direct intervention or indirectly through loans or mortgage schemes. On the other hand, informal provision is done through spontaneous production of housing. This type of production accounts for about 52% of total production and normally fills a gap which the government refers to as 'housing shortfall'.

It is not possible in this study to discuss all the above forms of housing provision and their channels of delivery. However, since this study has an interest in the provision through LAs and to some extent the NHC, an in-depth discussion on LAs using the case of Nairobi is necessary. Most housing programmes geared for low income groups are normally implemented through LAs and the NHC. Most of the LAs, led by the NCC (which has some of the worst housing problems), have faced a number of problems in an attempt to provide services. Most of the problems seem to be embedded in the institutional framework of implementation, although the LAs have always indicated a lack of adequate financial resources as their major problem. For example, in the case of housing, inappropriate policy focus, the politics of project implementation, failure to review rents, restrictive

by-laws, building regulations and imported concepts of town planning all contribute to inefficiency and poor management.

According to the Local Government Act (1978), the NCC is an undertaker of most services including water which in many local authorities is supplied by the Ministry of Water. The 1989/93 Development Plan (GOK, 1989/93) emphasizes the role of LAs in providing social and community services including housing, education, health and recreation. Notwithstanding, LAs such as NCC lack appropriate housing for most city residents, nor do they have any lucid policies. In most of them, it is difficult to find clear policy guidelines on housing; except in cases where they are undertaking donor-funded projects, which push them to have a clear vision (often shaped by the funding agency) relating to such specific projects. Such policies are in many cases not integrated in their overall policy and planning. To this extent, they are not available to other individuals or groups outside the funded projects. This leaves other types of housing development such as those of small scale private sector without any direction and hence what most of authorities refer to as 'unplanned' development.

It was partly due to the push from the donors which led NCC in 1976 to realise its inability to provide 'decent' housing as popularized during the first ten years of Independence. A realistic look focusing on the housing market as a whole was seen as an immediate need. A study of housing operations (NCC, 1976) aimed at coming up with housing policy for Nairobi was thus commissioned in 1976. The study was undertaken by a consortium of expatriates and had high connotations on the market options of provision, which supposedly was the orientation the expert group had.

The study noted that 'NCC should play the leading role in developing the means to satisfy the overall housing needs of the city and should therefore bring about a rapid acceleration in housing creation'. The financial constraints and uncertainties of NCC was noted and recommendation against opting for a welfare

approach given. Whatever option taken it was not to impose intolerable financial burdens on the city but should as far as possible be self-financing. The beneficiaries 'must as far as possible meet the full cost', since the rates collected by NCC were not capable of significant subsidy. This was as opposed to the past, where NCC desired to keep costs and rents as low as possible with the result that not all the direct costs associated with housing provision were charged to the schemes concerned. An approach hardly able to recover construction costs and other financial implications such as internal design, interest during construction, salaries and the inherent service and infrastructure provision. In view of this, the study recommended that NCC should opt to mobilise private financial and manpower resources for development of housing. This was to be done with caution, since the private sector 'cannot provide properly serviced plots on which to build, especially for the low income households'. NCC should address this issue.

The above study was undertaken at the peak of NCC's involvement on massive housing programmes funded by international finance. The UTP scheme was being implemented, while the Dandora Site and Service Scheme was at the final stages of negotiation with a number of others in the pipe line. By 1979, a year before the completion of the case study, the city had a rental housing stock of 150,245. This included provision by the NCC, private sector, government and corporations, with the private sector accounting for 112,835; whereas the NCC, Government and State Corporations accounted for 19,427, 10,656 and 7,326 respectively. By 1981, NCC housing stock had increased to 32,393 units composed of 19,429 rental units, 12,786 tenant purchase and staff housing totalling 180. Most of the increase of the NCC housing came through international funding with the aim of housing the low income groups.

Most of NCC housing stock was developed before the advent of World Bank and USAID funded projects. A period when implementation and management of housing was done by both City Engineers Department and Department of Housing

& Social Services. The two departments were responsible for implementation and management of housing and the ancillary community facility programmes. As the World Bank came up with their Urban Development Programmes conceived around housing, the development of housing in three major urban (Nairobi, Mombasa and Kisumu) areas of Kenya shifted to a new department, Housing Development Department (HDD).

The HDDs are charged with provision and management of low income rental housing schemes. In smaller towns, where they have not been established, additional staff are recruited in relevant departments to facilitate implementation of the international funded housing schemes¹. To the World Bank, HDDs and the employment of additional staff are seen as institutional capacity building. However, although HDDs are continuously becoming important in low income housing development, they have not been well integrated in the overall working of the Councils' operations. Whereas they are supposed to be project development departments, they remain mere administrators of projects funded by international finance.

The first HDD was established in Nairobi under the Dandora Site & Service (DSS) Scheme. It began merely as a project within DSS but was later upgraded into a full fledged department charged mainly with the implementation of the World Bank site and service schemes and later USAID and EEC funded projects. According to NCC, the primary responsibility of the department is to provide adequate shelter to low income earners within the city (Anyetei, 1990). However, the department has mainly been implementing projects funded through international finance and playing a marginal role in the general area of housing development within the city.

¹UTP was implemented through the City Engineers Department using the additional staff approach. At this point HDD was not fully established; it operated as a project within Dandora Site and Service Scheme.

HDD in Nairobi is headed by a director with a rank of chief officer, assisted by two deputy directors and three assistant directors. The department has four divisions; administration, community development, finance and technical division. The Administration Division is headed by a director and is responsible for directing and coordinating all activities and for efficient administration including programming and budgeting. The above includes overall supervision of consultants and contractors and liaising with financiers relevant to projects being undertaken. The division is also the coordinating arm of the department on all matters relating to execution of projects. It links up with other departments of NCC, Government Ministries, other LAs, Parastatals and NGOs. Internally, it programmes work, trains staff and processes recruitment of staff in accordance with NCC laid down procedures (Anyetei, 1990).

The Technical Division is managed by a cohort of experts (engineers, architects, quantity and land surveyors) and headed by an assistant director responsible to the director for efficient administration of the division. It is responsible for detailed engineering design, tendering of; contracts and construction of civil works, building and land survey in the project areas. Whereas the Finance Division deals with all the department's accounting, preparation and control of cash flow for each project site, financial analysis of the projects and recurrent costs, financial control of contracts, calculation and review of charges, administration of allottees' loans and preparation of documentation for withdrawal. The department also does the application of World Bank and other funding agencies loan disbursements, follow up of allottees' arrears and preparation of financial reports for HDD. In cases of arrears the division forwards to the director allottees who have accumulated arrears for six months. Eviction is only effected after an approval from a standing committee of NCC.

The Community Development Division is headed by an assistant director reporting to the director. The division is responsible for a range of community development activities within the sites and services and upgrading project areas.

The division links both potential and target beneficiaries and HDD. It facilitates self help efforts and transmits information among concerned parties. In the site and service schemes, the division publicises the project, solicits and processes applications, orients and trains allottees prior to settlement and works with families during the construction period. In some cases it assists in the establishment of community organisations and co-operative self-help building groups.

Apart from the four divisions, HDD has a legal support unit headed by a legal counsel reporting to the director and liaising with the town clerk's department in providing legal advice. With the support of law clerks it undertakes the legal tasks of the department which include: advising on legal implications of HDD's housing operations; scrutiny of consultancy, contract, tender documents, preparation of offer agreements of plots to allottees and liaison with the registrar's office in case of deceased allottees. By 1990, twelve years after its establishment, HDD had been key implementer of 23,000 serviced plots and houses, 18 primary schools, six health centres, 7 community centres, 14 markets and four nursery schools. These projects include Dandora site and service, Moses Mudavadi² tenant purchase, Kayole site and service, Mathare Valley North site and service, EEC Ngei site and service and Huruma site and service (Anyetei, 1990). All of them were policy instruments aimed at solving the housing problem of the low income groups financed by international agencies and cost about Ksh. 1 billion.

The other important institution in the area of low income housing is NHC. In most cases it liaises with LAs in housing provision. Like the government and the LAs, NHC does not seem to have clear guiding policies in its operations. An examination of NHC projects in the planning stage and those under construction, as well as the size and their location for the last ten years, shows a big variance

²Moses Mudavadi is the second phase of UTP, which was originally called Umoja Two but was renamed after the death of the Minister for Local Government and UTP, which was originally referred to as Umoja One, got a deletion of one and retained Umoja although the public still refer to both schemes with their original names.

(Annual reports, 1980 - 1990). Implying that those schemes which were planned never got implemented for one reason or the other . In the area of design, although the corporation's policy has been consistent in some cases, it has been compromised. This is reflected in the USAID funded projects being implemented in several small towns. In most of them USAID dictated the design aspects. The design standard accepted was too high for the available resources and NHC had to go back to USAID more than once seeking authority to spend more than what had been agreed on (interview, 1992). Whereas the original unit cost was supposed to be Ksh. 55,000, the total cost was above Ksh. 65,000. This was complicated further by the fact that all units were designed uniformly with the same cost, as if the schemes were to be constructed in the same area. The World Bank funded programmes have not escaped these criticisms. For example, in their support in the area of squatter upgrading, the Bank pinned down the design policy of the corporation and came up with its own recommendation (interview, 1992).

NHC's implementation policy has been weak and open to influence. For example, in the case of squatter upgrading, NHC at times intervenes by providing only infrastructure whereas in some cases it undertakes complete redevelopment. This is coupled with problematic project implementation schedules and cost controls as demonstrated by loan arrears accumulated by the LAs (table 3.2).

The huge loan arrears from LAs is partly a result of weak implementation policy which does not consider post implementation stage, whereas the commitment of payment normally goes beyond twenty years. Since 1970, NHC and LAs have undertaken a number of housing projects jointly, especially in relation to disbursement of funds. However, most LAs such as NCC do not seem to have developed any housing strategy within which the various programmes can be integrated. This has resulted in a number of LAs getting involved in loans undertakings without taking all the relevant factors into consideration.

LA	Ksh.
Nairobi City Council	347,063,658.15
Mombasa Municipal Council	100,998,577.70
Kisumu Municipal Council	119,549,671.10
Other Municipalities	75,953,949.25
TOTAL	643,565,856.20
Town Council	18,009,225.95
County Council	22,173,420.90
TOTAL	683,748,503.05
GRAND TOTAL	1,327,314,359.25

Table 3.2: Loan Arrears Owed by LAs to NHC by 31/12/91
Source: Compiled from NHC Annual Reports and Files.

Although NHC was established to assist LAs in providing low income housing, it has faced serious financial constraints due to its over reliance on international funding and inability to recover loans. Its inability to perform is demonstrated by financial problems and inherent issues such as land and loan repayments. Lack of cheap funds has in recent years forced the NHC to continue relying on the Exchequer for funding low cost housing. But the poor economic situation has led to less funds being provided and thus an inability on the part of the corporation to provide adequate low cost housing. At the same time, concessionary terms of lending by donors has been reduced and the local capital market is too expensive for low cost housing. Loan repayments which could bail out the NHC have been very poor and it cannot establish a revolving fund for housing. The option has therefore been to keep on relying on donor funding as the capacity to repay the loans deteriorates as reflected on table 3.2.

In NHC, LA's joint operations, LAs take the development upon themselves as a loan payable in instalments of yearly quarters. The repayment has been very poor and NHC has failed to evoke the clause in the loan agreements allowing it to take over the houses from LAs. NHC depends on land allocation by the Commissioner of Lands for low income housing development. This is due to the cost implication

of urban land which makes it prohibitive for low income housing development. In recent years, stocks of government land has almost been depleted, especially in major towns. The Corporation seems to be left with no alternative but to purchase private land, with the resultant cost implications on houses built.

The above will push the goal of low cost housing further from being achieved. An objective which is already strained due to the nature of relationship between NHC and LAs. A relationship whereby, except for NCC, NHC builds low cost housing but has no control of what takes place after construction is over. The District Plots Allocation Committee, which NHC attends as an observer, allocates units developed. NHC therefore cannot influence the decision of the committee. In this case, their goal of low cost housing can easily be compromised, especially given the political influence the Committee has. Such Committees are often full of political interplay and controversies which limits goal achievement. The same trend has an influence on the inability of NHC to evoke the clause in the loan agreement, which allows the take over of units in cases where arrears have been accumulated.

3.6.0 Impacts of Housing Policies

The government of Kenya has mainly relied on the policies of providing low income housing through sites and services, upgrading and tenant purchase schemes, implemented mainly through LAs and the NHC. Although these concepts existed prior to the Seventies, they were not undertaken on a massive scale as happened with the intervention of international finance from the early Seventies. Despite the above policy approaches being popular among international financiers and local politicians, they have had both credits and shortcomings at policy level. In Nairobi, where a number of such programmes have been implemented, the housing problem has hardly been curbed.

In all the three policy approaches, affordability determines the eligible target

beneficiaries, which are normally selected before implementation. Affordability in these schemes has been defined within the range of 15-25 percent of household income. However, a study by UNCHS indicates that the determined affordability is normally 'reduced by excessively high building and construction standards, application of rigid requirements for mutual aid by restrictions on the use of houses for commercial and informal sector activities and by limitations imposed on the way in which loans are used' (UNCHS, 1987).

The above aspects have limited the chances of access for low income households within most urban areas of Kenya. Notwithstanding, the fact that it is often those who fall within the 35th income percentile and above who may automatically qualify and probably few who fall above the 20th income percentile is noted. Thus the affordability level as understood and practised in the three policy approaches completely excludes the most needy who fall below the 20th income percentile. The case of the first major World Bank funded site and service scheme in Nairobi (DSS) and an upgrading project in the second urban project (Migosi) is used to demonstrate in detail some of the limitations of these policy approaches. Full cost recovery or near full cost recovery was expected in the DSS and this automatically put off those below 20th income percentile. A high percentage of those who fell below 35th and above 20th income percentile were also excluded from the target beneficiaries. It was felt that such groups could not afford to pay the loan and at the same time construct additional rooms. As opposed to this, there were a number of households who were allocated units but could not afford to promptly pay the loan instalments, nor could they construct additional rooms without external support.

The DSS scheme was planned to benefit households earning between Ksh. 280 and 650 per month. The hope was that they would manage to develop their units to completion and this would earn them additional income by sub-letting. Contrary to this, a study by the Mazingira Institute (1983) found that in the first phase of the project only 45% of the allottees were within the target group. In the

other phases the percentage of those falling within the right target group is even lower. The Mazingira study attributed this to the reduced supervision of the World Bank which opened the way for councillors' intervention in plot allocations. Knowing the nature of the World Bank, one would assume that it did not intervene basically because the bank's interest was not at stake. For instance, in Kisumu Municipality (the third largest urban centre), where the Bank's interest was at stake, it insisted that the original target group be changed due to delays in implementation which had led to escalation of cost per unit (Mitullah, 1984).

Migosi upgrading project in Kisumu drove out the majority of the poor households. The poor who were mainly tenants of both 'traditional'³ and 'emerging'⁴ landlords had to move out as improvements continued. This was due to the high rents charged by the landlords supposedly to pay for services and partly to make profit. In the past, upgrading has been based on the premise that those who live on the plots own the plots and their shelters. Their problem is therefore lack of tenure and provision of services. However, this is not always the case. In Migosi 82% of the residents were tenants, whereas, only 18% were owner occupiers. The policy thus focused on the wrong target group which did not need subsidy. It can only be meaningful if geared to benefit the majority of the residents. If the majority of residents are tenants, it goes without saying that the benefits should go to them at the expense of landlords. This calls for strong political will able to undertake some radical changes where necessary. But which most politicians are not able to undertake since in many cases they have a vested interest. To some extent, this explains the proliferation of informal settlements as the government continues with massive low income housing programmes.

Standards of housing are closely linked to affordability. The requirement for

³'Traditional' landlords were the original inhabitants of Migosi housing scheme or those who bought land in the area before 1965.

⁴'Emerging' landlords are the comparatively wealthier individuals who have been buying land from the traditional landlords since 1965.

comparatively high standards has often led the poor to resort to informal housing which planners, administrators and policy makers may view as sub-standard. A point to note is that standards can only be realistic if the housing and infrastructure meeting such requirements are affordable to the target groups or if the public sector can provide. In the developing countries, the prevailing standards have not been a conscious choice; they have reflected inherited colonial standards and ways of thinking. In some cases high standards have been demanded as evidence of modernization and economic progress; whereas in others high capital cost required to meet high standards are preferable to high maintenance costs (Rodwin, (ed). 1987). None of the above intentions integrate the low income households, clearly demonstrating why they are often excluded from projects claimed to be intended for them. Additionally it illuminates why policy makers have not been active in formulating appropriate standards.

The lower standards applied in both SS & UG schemes have always been negotiated in each case and there are still no national guidelines or rules which individual developers can apply. The standards accepted depend on a given Local Authority since they enjoy a large degree of autonomy on such matters and are free to adopt or not standards proposed by central government. The low income housing by-laws completed in 1985 proposed amendments to the building code and introduced the principle of performance standards. Amendments to the drainage and latrine rules were also suggested (GOK, 1985). To supplement this review was the low income housing report outlining affordable designs (GOK, 1985). Problems still persist and these attempts have been referred to as isolated proposals that have not reached the stage where they are applied at a large scale, while no revisions are being undertaken in important fields such as that of town planning standards (Nankman, 1986).

In DSS, although standards were kept comparatively low, many allottees still found the development too costly. The very fact that standards were kept low brought a dispute between the project designers and the World Bank on the one

hand and the city council on the other. The City Council's Health Department ruled that the entire first phase of the project failed to conform with health regulations and was therefore unacceptable to the city administration. The dispute involved the site of sewers, which was not resolved until several revisions had been made to the city's building code. Other measures for lowering standards involved reduction of plot sizes in order to cut the cost of infrastructure and maximize possible number of rooms per plot to between 5 to 6. The use of murrum for road construction and open drains further departed from the colonial inherited approaches and were all aimed at reducing costs to make units affordable.

At NCC's policy level, attitudes and approaches to building standards are changing but the administrative aspect of it leaves a lot to be desired. For example, NCC has been silent over the housing upgrading activities of Udungu Society of Kenya. A local NGO assisting in the improvement of informal settlements by improving sanitation and housing units without taking the building code into consideration at all. At the Central Government level, consensus on the revision of building by-laws exists but there is no agreement among the concerned parties on how minimal or low the standards should be. This is largely due to elitist approaches to development in the midst of scarcity, which seem to give marginal consideration to majority interest, who happen, at the same time to fall among the low income group.

Affordability, which in many cases is reduced by the standards set, is influenced by the concept of cost recovery. An important prerequisite which has to be assessed by the financiers before agreement on loans can be signed. Prior to en-mass intervention of international finance in the area of housing, most governments in Africa were providing complete houses with all necessary infrastructure and services. This proved unaffordable as economies deteriorated. Instead, the current approach of the State providing land with basic infrastructure and services, while beneficiaries undertake the development of their houses was

adopted. This has been aimed at cost recovery.

There are mainly two methods of recovering costs in low income housing. It can either be done directly by charging the beneficiaries, or indirectly by increasing charges such as water rates or property taxes to the population of the urban area as a whole. Which ever method is used depends to a large extent on the LAs' financial position, and the political commitment to reach the poor. Many LAs have very poor tax collection records and may not rely on the second approach, although it may be best for reaching the low income groups. In some cases, both approaches can be used depending on the items concerned.

In Kenya, effective methods of cost recovery have not been designed, although Kenya has been said to have a better record. In DSS, where the percentage of tenants is higher than the allottees, cost recovery has been very uneven. After the allocation and occupation of 1,033 plots in Dandora phase one at the end of 1976, only 13 plots were in arrears at the end of the first six months. These tenants were evicted. A further 27 and 22 evictions were carried in 1977 and 1978 respectively. Up to this point the amount of defaulters owed was less than 5% of the total due. However, the political interference against further evictions in 1979 greatly led to poor performance in cost recovery. Out of 27 plots in arrears in June 1979, only one was repossessed leading to laxity among allottees and arrears started mounting and by January 1980, 72% of the allottees in phase one were in arrears (World Bank, 1986).

Habitat (1987) argues that cost recovery seems better in SS than UG. However, a consideration of the extent of target beneficiaries participation during initial planning of the two schemes seems to favour UG. In cases where effective community participation is achieved during initial planning of UG, the target beneficiaries may become very active participants of the project which can produce a good record of cost recovery. On the contrary, if effective community participation is lacking the target beneficiaries may not co-operate at all. For

instance in Nakuru (fourth largest urban centre), the beneficiaries of an upgrading project rejected to use services provided in order to avoid making any payments. This was as opposed to planners perceptions which viewed improvements as gifts to the poor which should be automatically accepted.

Experiences of cost recovery has led to the emphasis on active community participation which in the past was either ignored or passive, mostly through in depth studies and surveys. This did not involve consultation and involvement of respective communities in decision making but the experts determining what was right for communities without necessarily getting their opinion. A trend which can be associated with the fear of governments over sharing power with the masses. In many cases communities have been involved only during implementation when their labour or willingness to move for planning purposes is required. It has been contended that the main obstacle to participation of poorer groups in decision making is generally related to the form of power sharing. It is likely to affect adversely the interests of privileged groups and consequently alter the political power relationships in society (Majeras, 1985; Lisk, 1985 and Hughes, 1985).

In most low income housing programmes funded by international finance, community participation has been a requirement by financiers. This has pressurised the government through LAs to recruit trained community development officers, responsible for working with project beneficiaries. In spite of this, community participation is still far from being fully realised. UNCHS points out that it is easily realisable in upgrading projects as opposed to SS and TP schemes. This can be explained by the fact that upgrading schemes are based on well established settlements, whereas the other two bring together a community of strangers. Notwithstanding, most low income housing programmes assume an attachment to the shelter but this is not often the case. In some cases the tenants are willing to move to other areas when demands of particular areas are not conducive. Hence the difficulty of mobilising active community participation in low income housing programmes.

Another factor which affects effective community participation in cases where the beneficiaries are willing to participate is the ignorance of modern approaches to housing development. Projects tend to stress a rapid rate of construction, choice of modern and permanent materials, material loan programmes, technical assistance, and sound construction procedures and methods (UNCHS, 1986). These demands are not inbuilt in self help and mutual aid which most urban poor households are versed in. UNCHS notes further that demands of low income programmes ignore the approaches which the low income groups are used to, such as the use of galvanised iron sheets, old oil drums which can be flattened out, discarded wood from crates and old cardboard. It is not the ignorance of the approaches but rather the inability of building regulations to accommodate what is practical and affordable.

In Nairobi like other urban centres, community participation has not been effective in spite of several government attempts to make it work. This is mainly due to lack of interest among the 'target beneficiaries'⁵, tenants and ineffective community mobilisation approaches. In DSS, community participation has been through building groups which are organisations of comparatively poor households which could not afford to develop their units through their own savings. The objective of building groups which was conceived by the project team and not the beneficiaries, was to develop two rooms on each member's plot. The building groups did not integrate all households which were unable to develop, this left some poor households who could not even afford to join the building groups relying on borrowing from the welfare fund which was another idea of the project team. Initially there was hope of building groups as an effective self help approach, able to assist allottees complete their units. Nevertheless, increasing costs due to inflation made it difficult for group members to attain their goal.

⁵The actual beneficiaries are often not the target beneficiaries. In many cases they are individuals who have adequate resources and do not need support systems which call for community participation. On the other hand, the few who fall within the target beneficiaries may either be too few for active community participation, with others simply selling out their units as a source of income and escaping from the project requirements.

Generally, the group members were poor and group membership per se did not increase their incomes while building costs continued to rise⁶. A similar approach has been on trial in Moses Mudavadi tenant purchase scheme without any success.

Community participation can only be enhanced and not instilled as has been happening in most low income housing programmes. Taking the case of USAID funded Umoja Two tenant purchase scheme, where the condominiums are very congested with a shared court yard. The project planners and implementers thought that having associations for each condominium would lead to effective community participation, which would in turn ensure the upkeep of the units and the general welfare of the occupants. Contrary to this, an evaluation of the project shows that very few allottees are conversant with the associations; whereas the tenants have no idea of what they are or what they are meant for (Matrix Development Consultants, 1988). If effective community participation is to be achieved in a project like Umoja Two, the focus has to shift from allottees to tenants. In this respect, the legal constraints and the mobile nature of tenants have to be taken into consideration.

3.7.0 Conclusion

The difficulty entailed in compromising the different interests and actors dominant in the production and consumption of housing has been noted in this chapter. In spite of this obstacle, most UN agencies such as Habitat have been pressurising governments to treat housing as a right, ensuring that all individuals have access. However, this goal has limitations, especially when the economic conditions of the developing countries are taken into consideration. The very recent shift of UN and international funding agencies from a project approach emphasising housing for individual households to creating a self-supporting housing sector that serves

⁶Interview with Monica Mutuku, one of the founders of the building groups. She worked for NCC for over twenty years as a Community Development Officer rising to the position of head of HDD's Community Development Division before an early retirement. At the time of interview (May, 1992) she was in charge of UNICEF's Kenya programme on Urban Basic Services.

all the interests and actors involved, shows an acceptance that the State has limitations in making housing accessible to all citizens.

It is noted that the broad policies applied by most African States, with the aim of curbing population movement to urban areas in order to reduce urbanisation problems, have had limited impact on population movement. These policies are seen to have been influenced by colonial policies, which restricted movement into urban areas. In Kenya, they have not improved the living conditions in the urban areas, as demonstrated by the poor environmental conditions in the informal settlements. To some extent, these policies contradict the priorities, values and approaches which the ordinary urban residents hold and utilise. This exposes the discrepancy between what policy makers and planners have in mind and on paper and what is on the ground.

The Kenyan urban housing policy evolution is assessed showing the link between colonial and post-Independence policies. It is noted that the position of the disadvantaged who during the colonial period were the unemployed Africans, became the low income groups with Independence. This occurred in the midst of fluid housing policies integrating, action, inaction, intention and at times reactive policies. In all these forms of policy, the position of the low income groups has not significantly changed. Implying that the State's emphasis on housing the low income groups has been unnecessary and the current shift, focusing on the broad economy and subsequently the housing sector may not have a significant impact.

The policy failure is reflected in an examination of the projects and programmes undertaken by the State and its implementing arms, manifesting inability to reach their targets. Mainly due to the inefficient implementing agencies coupled with their inability to design appropriate housing strategies and methods for policy implementation. Their total reliance on funds from the international funding agencies for the development of low income housing is seen to usurp their ability to mobilise local funds for the development of housing.

CHAPTER FOUR

URBAN GROWTH AND MANAGEMENT IN KENYA

4.0.0 Introduction

This chapter reviews the global nature of urbanisation pointing out the high growth rates leading to problems of service provision and management. The evolution of urbanisation and urban development policies in Kenya are presented, stressing both colonial and post-independence urbanisation as well as the three key policies aimed at abating urbanisation problems, of service provision and management. Subsequently, the management of urban growth in Nairobi is discussed, including the history of Nairobi, the state of services and the implication for low income housing.

4.1.0 Overview of Urbanisation

Urbanisation has been viewed as the a basis for most urban problems, housing included. It is therefore appropriate to place housing within its context. In its original setting, urbanisation was a sign of progress, expected to generate employment and income. This is because rapid urban growth accompanied economic advancement. However, urbanisation in itself cannot assure economic growth at an adequate pace (Peterson et al, 1990). As the world continues to experience rapid urbanisation unmatched with both employment opportunities and incomes, this process has become a myth. An examination of patterns of growth indicates that the developing countries have experienced rapid growth as compared to the more developed countries (figure 4.2). Whereas in the past sixteen years the urban population of the developing countries as a whole has been growing at around 3.5%, the growth of the world's poorest, mostly in Asia and Africa, has been close to 5%.

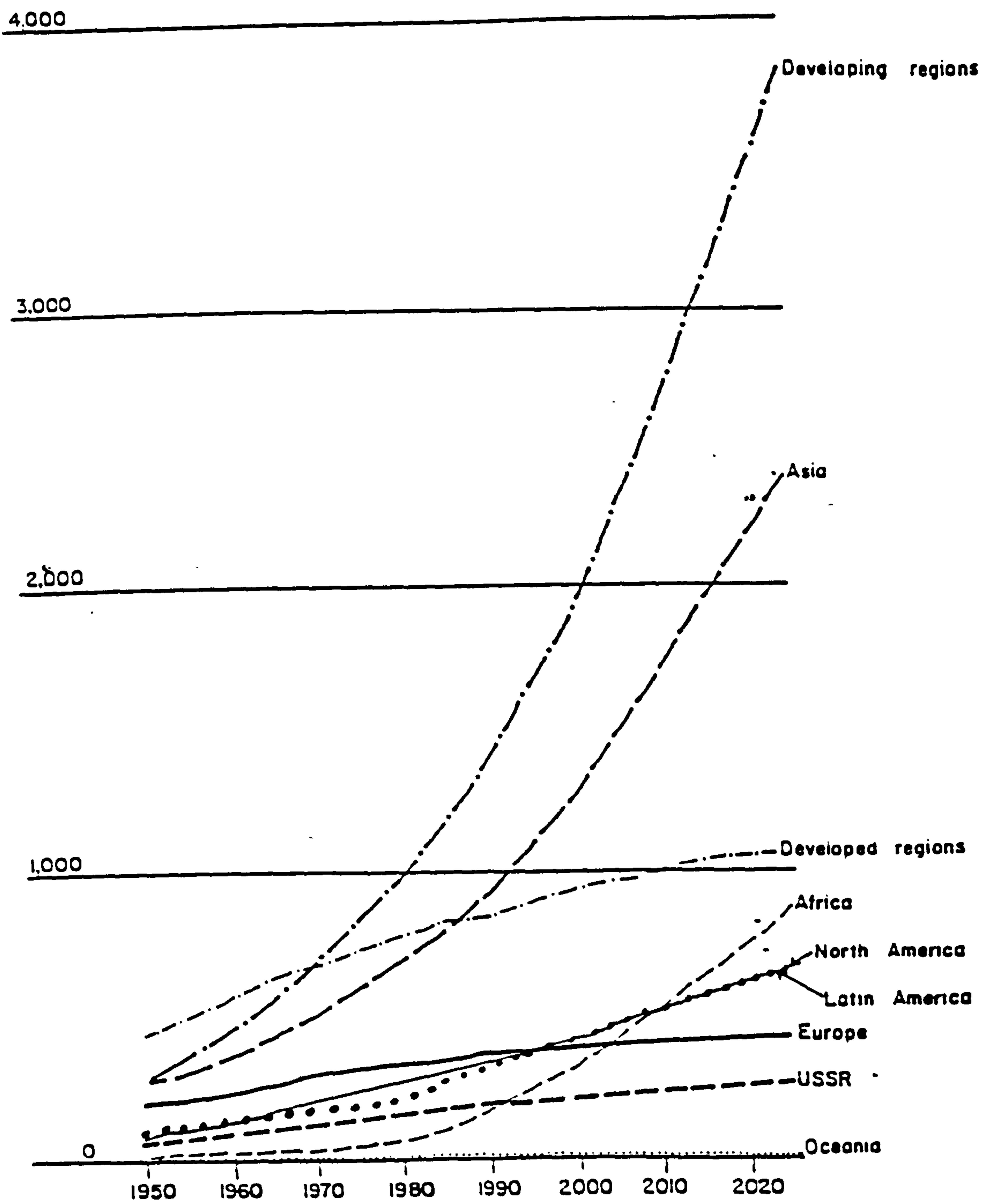


Figure 4.2: Urban Population Trends by Regions, 1950 - 2025 (millions)

Source: UNCHS, 1987, p. 27

The gap between levels of urbanisation in both the developing and developed countries is narrowing with the developing countries taking an upward trend as the developed takes a downward trend (UN,1986). It is projected that between 1985 and the year 2000, the world's urban population will increase by a further 871 million, of which 760 million will be in the developing countries. An analysis of the UN statistics notes that in 1991 the urban population of the poorest countries stood at more than 5000 million, accounting for nearly half of the urban population of the developing countries. By the year 2000, the urban population of the poorest countries may double and by the year 2020 it may be in the order of 1.8 billion people, 1.2 billion would be living in the urban areas of China and India (Obudho, 1991).

African countries fall among the developing countries noted to urbanise at historically unprecedented rates (Todaro, 1985; Rodwin, 1987; Stren & White, 1989). In 1960 only 20% of the total population of these countries were urbanised. In 1980 it had increased to 27% and UN projection indicates that by the year 2000 it will be 39% reaching 59% in the year 2020 (UN, 1986). The annual growth rates differ across countries, between 1980 and 1987, the urban annual average growth for the continent was estimated to be 5%, about double that of the world of 2.7% (Obudho, 1989). Examples of Tunisia, Ghana, Kenya and Tanzania show that between 1980 and 1987 their annual growth rates were 2.9%; 4.1%; 8.6% and 11.3% respectively (see appendix 3.6)

Scholars contend that the position of urban systems and centres in the developing countries are reflections of the role that the national states play in the international economic system. They are thus determined by the world political economy, a system which subordinates the peripheral capitalist states (Frank, 1967; Amin, 1974; Wallerstein, 1974; Cohen, 1981; Armstrong and McGee, 1985). Although consensus exists on the urban centres forming an institutional and structural link between the developed and the developing countries, there is no consensus on the

product of this link. There are those who argue that the link is characterised by exploitation of the developing countries. For example Amin (1974), sees their role as that of promoting and siphoning out the accumulation of capital. In this case, the urban centres do not have the potential of promoting and developing national capital, which can compete internationally. Roberts, on the other hand, acknowledges the potential of the urban centres to develop national capital. He maintains that the link is causing the integration of third world countries, creating rapid independent capitalist development and has set a process for industrialisation (Roberts, 1978)

Roberts' contention belongs to the school of thought that dominated the development arena in the developing countries for many decades. It had an orientation of classical Marxist ideology, which saw the African states moving into an integrated capitalist development, where industries would dominate the economy. This school of thought contends that the impetus for urban growth is industrialisation, as did happen in Western Europe and other parts of the Western world. These countries which experienced early industrial development had their capitalist interests extended beyond their national boundaries by acquiring colonies; such colonies became sources of cheap raw materials which sustained many of their industries. A development which the developing countries have never had and may never have.

As reflected above, industrialisation (for example in Britain) to a large extent realised the development of large scale machine production (Clampman, 1932). This development reduced the capacity of small scale industries, and triggered the exodus from rural to urban areas. Eventually, the production of raw agricultural products shifted from the rural areas of Britain to their colonies. This is quite different from the developing countries, where urban areas largely owe their origin to the development of capitalism through colonialism. They were basically administrative and collection centres for export products, mainly raw agricultural

or mineral products. It was therefore not possible during the colonial period to generate any national capital within urban areas through industrialisation. When Independence was eventually achieved, the few industries which developed were owned by international capital. Most of such industries retained very little of the capital generated in their countries of operation. This trend still continues through multinational corporations, as well as by the unequal terms of trade (Trainer, 1989).

Thus, urbanisation in the developed world was shaped by the availability of job opportunities within industrial urban centres. Contrary to this, most developing countries had a different sequence whereby movement was not triggered by industrial development in the urban centres. For example, within the African states it is rare to find people moving to the urban areas due to the demand for labour. Their movement is often based on anticipation of better economic opportunities but often it is frustrated. The unfulfilled hope resulting in large numbers resorting to the informal sector of the urban economy. A sector which provides both services and employment to most of the urban poor but until recently was given marginal consideration by most governments, partly due to their view of the 20th century Western model of development.

The issue of poverty is central as one discusses urbanization in the developing countries, especially Africa. Whereas urban areas are traditionally meant to be centres of economic wealth, in Africa they are becoming centres of poverty. This is demonstrated by the proliferation of informal settlements where services are lacking except for few basic ones such as water points. Most inhabitants of such areas are employed in the informal sector where incomes are so low that they are hardly adequate for subsistence. Thus, the picture in most of the African cities are the unmet needs of the rapidly growing numbers which in turn is reflected in serious physical, social, economic and political pressures on the population.

As much as one would wish to see the human resources available in the urban areas turned into economic power, it has not been possible. The majority of the urban residents make incomes that cannot sustain them and their families. This is why they opt to stretch their meagre resources by staying in informal settlements. Areas 'unplanned' according to city authorities and are mostly not entitled to any service provision. Such areas have very poor environmental conditions and the residents are prone to numerous diseases linked to the poor environmental conditions. Although, there are cases where such areas are as old as the city, the city authorities tend to ignore them or give them very minimal services. This, in many cases, is done after intervention by International Agencies and NGOs.

The rapid growth coupled with poor urban economy is reflected in unemployment, under employment, inadequate and insufficient services and the proliferation of unplanned settlements (Onibukun, 1989; Mitullah, 1990). These aspects have led to a dismal situation as the number of families who are desperately in need of survival strategies increase. As Africa approaches the year 2000, it is estimated that more than 30 of the 51 countries will be unable to feed their population due to the poor economic conditions (Redclift, 1987).

The dismal scenario in African countries should not be taken to be only in the area of governing cities. Indeed it is part of the broader economic crisis facing most countries within the Sub-Saharan region. A World Bank Report (1989) notes that 'Sub-Saharan Africa as a whole has witnessed almost a decade of falling per capita incomes, increasing hunger, and accelerating ecological degradation, the earlier progress made in social development is being eroded, overall Africans are almost as poor as they were thirty years ago'. This outcome has been influenced by the global environment characterised by recession, inflation, protectionism, falling commodity prices and growing debt burden (Winsome, 1987).

Whereas this study is not aimed at discussing the political economy of development, it is worth noting that the poor economic performance of the developing countries is a product of multiple variables. These include ecological disasters (especially for Africa), colonial background, external and internal factors. Any attempt to explain the problems of the developing countries, using a single variable approach is bound to either fail to capture the real situation or end up with a distorted perception.

The poor urbanisation trend in the developing countries has resulted in the attention of most development agencies, especially international finance and United Nations organisations, shifting from financing programmes and projects to institutional capacity building. Stren (1989, p. 20) indicates that the focus is evident in a new generation of World Bank urban projects, which include support for 'improvements in national housing finance schemes; urban management and planning; local government revenue generation, budget procedures and decentralisation of national government authorities over cities'.

Stren is sceptical about the role of international organisations such as the World Bank in this endeavour. He notes that the programmes and projects implemented during the Seventies, through the same approach did not succeed much. It is ironical that the World Bank which has often played a key role in determining which way for Africa, is currently viewing most past approaches and development goals as wrong. In its current Housing Policy Paper, the Bank notes that 'the scale of the bank's interventions in the past has been narrow to have a major effect on the performance of the housing sector in the developing countries' (World Bank 1993, p. 52).

The World Bank had to wait until the African states had completely sunk to come up with their Structural Adjustment Programmes (SAPs). A policy strategy being imposed from outside on existing political structures; which lays emphasis on

public finance, monetary policy, prices and markets and completely ignores basic survival which is currently the key problem in Africa. Whether the institutional capacity building currently being undertaken by international organisations under SAPs will succeed or not is debateable and a matter of time.

The urban governments need to improve their development and management capacity. This would be more meaningful if it were internally initiated and funded. An approach which can bring change but has been obstructed mainly by the world political economy and the fear of politicians of possible loss of power and inability to come up with an alternative approach. With limited external influence supported by a strong and benevolent urban government, both service provision and generation of economic activities can be addressed with greater reality.

In many of these countries, urban services have deteriorated, whereas in some cases required services are totally unavailable. In Kenya, the deterioration of services and/or the lack of it is reflected in the rapid growth of informal settlements and the poor management of the available services. This is in spite of the attempt aimed at providing 'decent' housing, especially for the low income groups. The focus has been on the promotion of large scale public housing programmes such as SS and UG, funded mostly by international finance. These programmes have been based on the assumption that if enough houses are built, there would be no housing shortage but enough have not been built - and the few built have not been accessible to the target group (Laquian, 1983). Evidence from a number of countries point out that housing need is far from being met (Habitat, 1986; Rodwin, 1987; Shidlo, 1990). The current trend of thought is that only the people themselves can arrest their housing problem since the state cannot afford to do it. Instead the state should concentrate on enabling aspects such as encouraging the establishment of less expensive building materials, land/plots and planning procedures among other things.

Most problems of urban growth and management in countries such as Kenya can only be understood with a good understanding of both local and central government and their role in development. Services or lack of services is a good manifestation of local, city or Central Government performance. It is the latter, or lack of it, that lies behind the poor services and there are numerous reasons behind it which this study will not delve into but are worth mentioning. For example, the centralisation of power by national Governments in the capital city and the lack of understanding of the importance of the role of LAs is problematic. This has often been aggravated by the lack of resources resulting in use of patronage for accessing services and urban wealth. Overall, the imposition of and continuing prevalence of 'democratic' procedures/institutions and a one-party system that did not fulfil its function leading to; lack of accountability and corruption, the going along with the above state of affairs by Western (and other) nations due to the past cold war preoccupations.

The result of the need to cope with all the above problems and legacies and interventions has meant confusion of city and regional government manifested in the lack of services. But even then, the most important 'service' that of aiding employment; of generating income growth through (if necessary) exploitation of labour to make capital, that can in turn be taxed for reinvestment in national, regional and city infrastructure has not been effectively carried out. This scenario is improved in Asia, where some governments have set their population to work and have reaped the benefit. As for Africa, there has been constant deterioration of services reflected in the inability of LAs to perform most of their functions.

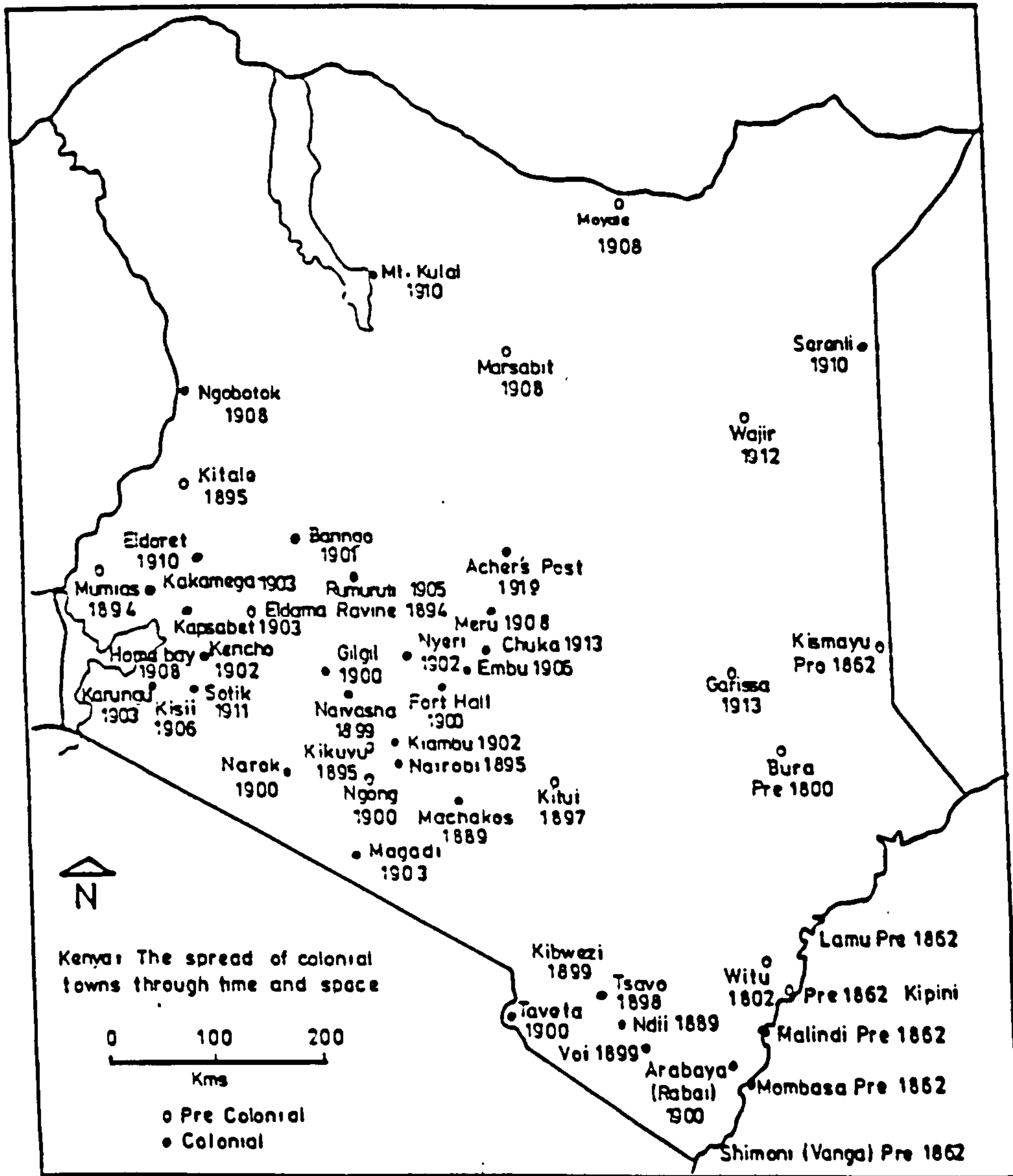
Although managing urban growth is a global problem, the case of cities in most of the Africa countries has been worse with many of them experiencing constant deterioration. Thus, the poor state of urban growth and management can be correlated with the lack of urban services, as Onibokun describes the situation in Nigeria;

‘The most noticeable and enduring problem is the absence or inadequacy of necessary supporting infrastructure and social amenities in most urban areas. Water supply, sewers, roads, electricity, health facilities and social services are heavily overloaded and unreliable. The environment is dangerously polluted - each increment of urban growth leads to further deterioration of the environment. A high proportion of roads are in disrepair; garbage is irregularly collected and poorly disposed of; piped water is generally a scarce commodity, as over twenty five percent of urban dwellers depend on wells and streams. A very significant portion of urban dwellers use crude and unhygienic methods for the disposal of their liquid waste. Electricity remains a luxury in many homes as even those homes connected to a network cannot predict regularity’ (Onibokun 1989, p. 71).

As much as the above description may seem odd, the majority of African urban centres suffer from at least three quarters of the above problems. This varies across the continent, with the situation being worse among the economies grouped by the World Bank as ‘low income economies’. In these economies urban development has relapsed to the extent that the comparatively better off households opt to seek for private services. Overall, the inability of urban governments to develop and provide services for areas, which have risen spontaneously, has had a spill over effect on the other areas of the city, as demonstrated in the case of Kenya.

4.2.0 Colonial Urbanisation in Kenya

In order to understand the housing problem in Kenya, one needs to grasp the urbanisation trend and how it has been managed. En-mass urbanisation in Kenya dates back to the 19th century colonisation of the country by the British (figure 4.3). During this period the construction of the railways, aimed at opening up the country in order to allow the various British Companies to operate successfully, led the development of a number of trading centres. Such centres acted as supply and resting points and as the political and socio-cultural centres for respective regions. Often they sprung up on roadsides and the railway network (Soja, 1968;



Map 4.3: Pre-Colonial and Colonial Urbanisation in Kenya

Source: Obudho, R. A. 1981, p. 16

Obudho, 1975) and were evenly spaced, with most of them being between one hundred and one hundred and twenty five miles apart (Obudho, 1990). Subsequently, apart from the coastal towns, they became the initial stage of urban development in Kenya. However, Obudho notes further that they had a weak influence on local economic factors and hence their limitation in generating wealth. An explanation of this may lie in their being based on the transportation and administrative network, as opposed to local economic activities.

The hinterland of Kenya did not have urban centres as such, what existed were the periodic markets, which are noted to have started appearing during the latter part of the 16th and 17th century (Kraph, 1960; Obudho & Wailer, 1976). Most of them were based on caravan routes linking the coastal towns with the hinterland. Thus they provided resting places, replenishment of supplies and information on commercial conditions in coastal markets and further trade inland. Although these centres seemed to have inherent dynamics for urban development, they disappeared with the coming of colonisation. It is difficult to give a comprehensive explanation as to why they never developed into full fledged urban centres. However, one possibility is that with the development of colonial communication systems such centres could have been left out, as business resorted to the more advanced colonial system. Hull (1976) has indicated that the missionaries and colonial administrators completely ignored the African spatial system which had existed for a long time. Had these areas been integrated into the colonial economy the scenario would probably be different.

As opposed to the hinterland, urbanisation within the coastal region of Kenya dates to the period prior to the 9th century. Hull (1976) has noted that more than forty distinct administratively autonomous market towns thrived along the coral stranded coast and on the offshore islands before the European conquest. Malindi, which is the oldest town within the region, dates back to 470 A.D. Between 1900 and 1960, the colonisers introduced three types of central places. Towns, or *bomas*

as they were referred to during that period, are essentially the present urban centres with a population of 2000 and above. The other two were the trading centres and periodic markets. Both the towns and the trading centres were new introductions, whereas the periodic markets had existed in various parts of the country prior to colonization of the mainland. Obudho (1990), in his analysis of the nature and extent of pre-colonial urbanization, indicates that there were a number of compact settlements that could be appropriately referred to as urban centres. They were contact spots for intra ethnic groups and non Africans. At the same time they played the role of ceremonial and commercial centres of exchange.

The key function of the colonial developed urban centres were economical in nature. They were intended to administer or facilitate the export of raw materials and the import and sale of manufactured goods. In this context, urban centres became the domain of the colonial masters and a few individuals who provided them with support services. The rest of the African population were restricted from staying within them. It was indicated that 'the African reserves were... the proper place for the Africans whose presence in the towns were no longer required' (Kenya Colony & Protectorate, 1934). This left the majority of the African population in informal settlements on the peripheral areas of the urban centres.

4.3.0 Post Independence Urbanisation

Since Independence (1963) the rate of urbanisation has increased. This correlates with the general national population growth rate, which has been higher than that of the neighbouring East African (Table 4.3) countries. During the last two decades, the urban population has been growing within the range of 6.4 to 7.9% per annum. This is twice as fast as that of the developing countries' average. This is in tune with the overall population growth rate, which in 1979 was 3.8% p.a.,

making Kenya one of the countries with the highest population growth rate in the world (Kenya 1984, p. 143).

Obudho (1979) indicates that urban population in Kenya has grown faster than the total population. Whereas the annual growth rate was 3.4% between 1948 and 1979 and an estimated 4.1% between 1979 and 1985, the share of urban population increased from 7.8% in 1962 to over 18% in 1990 (Obudho, 1990). This has been clearly reflected in the growth in the number of areas designated as urban centres. In 1948 when the first census was undertaken, there were only 17 urban centres with an aggregate population of 286,000, representing 5.3% of the national total. This population was concentrated mainly in the two urban centres (Nairobi and Mombasa) and accounted for 83% of the total urban population.

Year	Kenya	Uganda	Tanzania
1950	5.6	3.4	3.6
1955	6.4	4.4	4.2
1960	7.4	5.3	4.8
1965	8.6	6.5	6.6
1970	10.2	8.0	6.9
1975	12.0	9.8	9.2
1980	14.2	11.9	11.8
1985	16.7	14.4	14.8
1990	19.2	17.2	18.2
1995	22.7	20.3	21.6
2000	26.2	23.5	24.9
2005	29.9	27.1	28.6
2010	33.8	30.8	32.4
2015	37.8	34.7	36.4
2020	41.8	38.7	40.4
2025	45.7	42.7	44.4

Table 4.3: Urbanisation Growth Rate in Kenya, Uganda and Tanzania
Source: UN, 1988. p. 28

By 1962 the urban centres had increased to 34 with a total population of 671,000 being 7.8% of the total national population and an annual growth rate of 6.6%. At Independence in 1963 the urban population accelerated such that by the 1979 population census, there were 90 centres with a population of about 2.3 million. Analysis of the 1979 census indicated that between the inter censal-period of 1969 and 1979 the urban centres with a population of between 2,000 - 4,999; 10,000 - 19,000; 20,000 - 99,000 and those of above 100,000 had growth rates of 5.7%, 7.1%, 5.7% and 5.6% respectively. In spite of this, about two thirds of the urban population still came from the major municipalities of Nairobi, Mombasa and Kisumu.

Whereas the above growth rates points out that smaller centres experienced higher rates, Nairobi still remained the prime urban centre offering more opportunities for potential urban migrants. The 1989 provisional census data shows that there are 74 urban centres with an estimated population of 3,430,500. The urban population increased from 2.3 million to 3.8 million, giving an inter-censal growth rate of 4.8% and 19% proportional share of the total population compared to 15% of 1979. During the inter-censal period the number of urban centres with a population of 10,000 and above increased from 25 to 45. Nairobi maintained 36% of the total urban population as in 1979 (GOK, 1991).

There are a number of factors which influence the rapid growth rate in Kenya. One being the mortality decline, which is as a result of the decrease in infant mortality from an estimated 184 deaths per one thousand in 1948 to 76 in 1986. Whereas this reduction applies to the whole nation, when specific areas are taken into consideration, some regions still experience comparatively low infant mortality. The second factor is the rapid socio-economic development especially in areas of education, agriculture and availability and accessibility of medical facilities. Whereas these factors affect the overall national growth rate, the urban growth rate is accelerated by both rural-urban migration, urban natural growth rate

and in some cases extension of urban boundaries.

4.4.0 Urban Development Policies and the Management of Change

At Independence until the beginning of the '80s, emphasis was on 'decongestion policies' of developing rural and alternative growth centres. The 1970/74 Development Plan stated that 'the key strategy was to direct an increased share of total resources available to the nation towards the rural areas' (GOK, Development Plan 1970/74). Not much was realised during the Seventies but as problems intensified, the Government came up with more vigorous rural based policies. The majority of policies implemented since 1983 have had the intention of the 1970/74 Plan as their basis; the aim being to encourage growth in smaller centres and the rural areas. For example, the adoption of District Focus for Rural Development (DFRD) in 1983, Rural-Urban Balance Strategy (RUBS) in 1984 and the development of Rural Trade and Production Centres (RTPCs) since 1987. These are efforts aimed at the achievement of balanced development in both rural and urban areas.

4.4.1 District Focus For Rural Development

DFRD is a policy, whose key objective is to decentralise planning from the central government based in the capital city, Nairobi, to the districts. It aims at promoting rural development by making District Development Committees (DDCs) responsible for rural development planning and co-ordination. Inherent in this role are: project implementation; management of financial resources; overseeing local procurement of goods and services, the management of personnel and provision of public information (GOK, 1987; Habitat, 1986). Before this policy, planning was centralised with very little coordination with districts. It was believed that it resulted in plans which were not feasible, and in turn rural development was stunted, leading to exodus of population to the urban areas.

Adequate research has not been done, so it is not possible to ascertain how effective this policy is in effectively mobilising and developing local resources for the generation of local capital. On the same note, it is not known whether it is curbing population movement from the districts. These are aspects which can only be adequately analyzed with time.

4.4.2 Rural Urban Balance Strategy

RUBS is currently the policy focusing directly on urbanisation. Its thrust is neither in the urban nor the rural but aims at achieving growth and development in both areas. As opposed to the regionally oriented DFRD strategy, which has the objective of encouraging local participation in planning and management, RUBS calls for co-ordination of development in both urban and rural areas. Sessional Paper Number 1 of 1986 outlined the objectives of RUBS as: reduction of population concentration in larger cities, promotion of growth of secondary towns and other alternative growth centres through the development of agriculture, encouragement of production linkages between agriculture and other sectors of the economy, between rural areas and local service centres, market towns and secondary towns. The overall objective being to enable all regions to access renewed economic growth which is the core of the sessional paper.

4.4.3 Rural Trade and Production Centres

Since the introduction of the policy of RUBS, a policy shift has occurred. Emphasis has moved from small towns to RTPCs. Centres aimed at becoming 'nuclei of economic activity, providing markets and outlets for farm produce and serving as centres for the purchase of farm inputs and other goods and services' (GOK, Development Plan, 1989/93). In theory, such centres were assessed to have potential for supporting agriculture and other related activities. However, most of them have shortcomings, especially in relation to infrastructure.

RTPCs fall under the concept of Alternative Growth Centres (AGCs), as discussed in chapter three, are an important component of RUBS. During the 1960s and 70s AGCs in Africa were expected to play an important role in what Kiamba (1990) refers to as 'limited decentralisation, limited concentration' strategy for urban development. Kiamba notes that the Centres were expected to provide many intermediate functions including: diffusion of development impulses, innovations and social change down the urban and regional hierarchy; promotion of national spatial integration via a spaced population; provision of high order services to the population; more equitable distribution of services (among urban and regions) resulting from the alternative growth centre strategy and the inherent development of employment opportunities. The rationale being to retain population in such areas. RTPCs, whose choice is based on a set of empirical criteria combining low rates of urbanisation with high rates of agricultural and livestock productivity (GOK, 1987), are part of AGCs. These strategies seem appropriate but unfortunately they do not go into details as to how the goals will be achieved.

Initially the AGCs were to be developed from larger settlements that lacked one or two key elements of basic infrastructure, such as adequate road links or a market place. However, this has not been closely followed, especially in cases where political balance within a district has to be kept. An example being Kapsowa, which replaced both Tot and Tabach which had been chosen based on criteria of agricultural and livestock productivity. Another problem which the development of RTPCs has faced, as noted by the planning officer¹ interviewed, is the option of most LAs to go for structures such as markets, slaughter houses, and bus parks at the expense of programmes which increase productivity. Additionally, in most of the centres, the relevant infrastructure and services have not been provided and most potential migrants would not opt to move into them. Thus migration to the major cities, such as Nairobi, continues in Kenya, as in

¹Mr. I. G. Kamande, Planning Officer, Ministry of Planning and National Development. Interview, 1/2/93.

other African countries.

The continuous growth is causing pressure on most services. In spite of an increment on expenditure on social services during the last twelve years, the situation is still far from being arrested. During the last five years the new policies under SAPs have thrown the situation into chaos and the government has had to rely on community efforts for service provision. In the area of education, Parents and Teachers Associations (PTAs) have to design their own approaches of developing and managing the schools. As for health, families have to pay some fee and in some cases purchase drugs, which previously were provided without any payment.

What is currently going on in the area of health and education has been going on in the area of housing and there seem to be no major changes. If at all, the government needs to learn some lessons from the housing sector, which has managed itself for several decades. In most urban areas of Kenya, a large number of households live in housing not provided by LAs or Central Government. For many years most LAs failed to recognise the informal settlements, a position they had to back out of as unmanaged urban growth became uncontrollable.

4.5.0 Management of Urban Growth in Nairobi

Urban management basically involves control and allocation of resources, co-ordination, project programme completions on schedule, communication and overall ability of institutions charged with the tasks to perform. The 'decongestion' policies implemented in Kenya since the beginning of the Seventies has not reduced urban growth nor solved the problems of service provision and management. Rapid growth has continued with Nairobi taking the major share of urban growth. In 1948 the city had a population of 118,976 this increased to 266,974 in 1962. By 1969 it was 509,286 reaching 827,775 in 1979. The

provisional figures for the 1989 census indicate 1.35 million, a population size given by the government estimates for 1988. The annual growth rates between 1948 - 1962, 1962 - 1969, 1969 - 1979 and 1979 - 1989 were; 5.9, 9.7, 5.1 and 4.8 respectively. Within the informal settlements, the growth rate has been higher (between 4% and 6%), with some areas such as Kibera recording a growth rate of 12.1% per annum (Nachu, 1990).

4.5.1 History of Nairobi

Nairobi is one of the colonial cities which sprung up as a railway depot and later became the administrative and economic base for the Imperial Government. Its structure and management at Independence was thus shaped by its colonial origins, segregating residential zones and service provision on a racial basis. The settlers acquired the best hilly parts of the city to the west, north and north west, whereas the Africans were squashed into the eastern part of the city, with minimal services provided.

At inception in 1896, the authorities did not envisage problems of managing the city but as the population increased the need to have a management team became necessary. This led to the establishment of the Township Committee in 1900 with only six members. This marked the birth of Local Government, which has had a bleak future in relation to management of the city. In 1919, Nairobi was upgraded to the status of Municipal Council but without the full mandate of running services. At this time the city still considered only those employed by the railway or related imperial institutions as belonging to the city. Such individuals were provided temporary accommodation and were not expected to stay with families. The rest were seen as surplus and were not catered for in planning. By 1935 the Municipal Council took over children's welfare services and clinics from the Colonial government, and in 1934 it took over the African maternity hospital (Lee Smith, 1989).

By 1948 the necessity to have a comprehensive plan for the city had been conceived and a Master Plan was prepared. This plan gave minimal services for Africans, as African opposition grew with the economic expansion and further growth of settler power. From 1948, when the implementation of the Master Plan began, a lot of changes occurred in the management of the city, especially in relation to the provision of services. Marginal recognition was given to the city residents who had earlier been seen as surplus to the city requirements. A number of reviews of the problems facing Africans, who by 1948 comprised of 54.1% of the population, were undertaken. In 1950, at the height of the Nationalist movements, Nairobi achieved the status of a city and in 1962 the first African mayor was elected.

Independence witnessed the gradual transfer of management of the city from the colonial government to the African managers. Nairobi became a model city to most leaders and citizens. Most industries, infrastructure and services continued to be concentrated in the city, thereby attracting huge numbers of migrants. Over the years, this led to problems of coping with urban growth, its management and the inherent problems. Despite this, its outstanding position as a primate city, national metropolis, dominant industrial and political centre linger and greatly contribute to population increase today.

Problems related to service provision continued with Independence and in 1973 the city came up with another master plan; the Nairobi Metropolitan Growth Strategy (NMGS). A strategy conceived in the wake of uncoordinated planning based on sectoral issues and full of political rhetoric. Meanwhile, the informal sector was rapidly growing, absorbing the migrants, with the City Planning Department unable to cope with the growth. NMGS was undertaken by the Nairobi Urban Study Group (NUSG), formed in 1973 with funding from UNDP and charged with the responsibility of coming up with a strategy of arresting urbanisation problems.

The plan hoped to integrate employment and housing areas and a corresponding alleviation of transport problems. Twenty years later, these goals are far from being achieved. The decentralisation of industries from an additional four locations, apart from the existing industrial area, has not occurred. Instead land sub-divisions have occurred in such areas, to the extent that only upgrading may solve the situation. Industries are very few within the zones and most residents have to travel out of their distant residential zones for employment. UNCHS notes that;

The forward planning of urban growth in which sites and services development was to play key role in ensuring a well organised environments, has been overtaken by events. Since 1980 most areas designated for metropolitan growth have been subdivided into plots by co-operatives and companies, sometimes according to approved plans and sometimes not. While Dandora has supplied 500 plots per year since 1975, it is estimated that private sub divisions in the metropolitan area may have created 5000 plots per year in the same period' (UNCHS, 1987, p. 10).

Although master plans are not the best way to manage rapidly changing situations as in Nairobi, they are meant to guide development. In the case of Nairobi, the MGS has not been observed nor have planned options been provided. The option left may be massive long term problems of regularisation and upgrading, because the development has been entirely unco-ordinated and implemented without any kind of planning (UNCHS, 1987). The performance of the City Planning Department (CPD), established in 1981 as one of the recommendations of the NUSG, has been appalling; especially in the area of land allocation and housing development. A comment which applies to most departments of NCC, which for a long time have been run on a patron-client basis, with most key officers relying on 'god fathers'² and ignoring the public interest.

The serious malaise of planning in the city is seen in the area of housing

²Management whereby one does not bother about professionalism or planned goals but other higher placed individuals who ensure that they keep their job.

development by private formal developers. The city has allowed a number of housing estates to come up under private development without provision of any social facilities. In some cases not even land is left for future development of such facilities and in cases where land is left, nobody seems to have an idea of how services will be developed. This has placed such developments in a situation similar to that of the informal settlements. The only difference is that some of the residents of such areas can afford private services or are able to use their influence to access NCC services elsewhere. Overall, these developments have complicated the development and management of services since the city cannot cope with their rate of development.

The population size of the city has been controversial with different institutions giving different figures, thereby making it difficult to plan. NCC, which should have the most up to date figures, has in many cases maintained a higher figure. In 1988 when the government estimates showed 1.35 million, the NCC estimates showed two million (NCC,1988). If the provisional census data is correct then the city estimates are far from the truth. However, the NCC maintain that their estimates includes the transient city population. A population which does not reside within the city boundaries but is either employed within the city and/or uses services within the city.

The rapid expansion of the city since Independence is partly a product of the ease of movement of the African population after Independence, improvement of health services and the new government's employment policies, which expanded African representation in government and industry in Nairobi. The Independence policies did away with restriction of movement of the African population. This led to en-mass movement into urban centres. For example, two thirds of the population living in Nairobi at the time of 1979 census were born elsewhere.

Spatial expansion of Nairobi has been accelerated by the extension of boundaries.

The city began in 1896 and by 1900 covered 18 sq km, increasing to 25 in 1920 and to 688 in 1963 (figure 4.4). This consisted only of the city centre and the immediate surroundings and was administered by the Nairobi City Council. It covered a very small area, which included mainly the central business district and its environs. The environs had the residential areas for Africans and Europeans clearly marked.

The adjustment of provincial boundaries at Independence (1963) extended the boundary to cover a total area of 688 sq km. This led to areas such as Embakasi where UTP is located, Dagoretti, Karen and Kasarani being brought within the city boundaries (Morgan, 1962, p. 98.) Whereas this extension of boundary was seen as a credit and prestige to the city, adequate thought was not given to its implication on the provision and management of services. It meant an additional assignment to an institution which was already experiencing problems of service provision and management. At Independence rural-urban migration was seen as the major cause of urban population increase. In response 'decongestion' policies were undertaken with a hope of reducing urban population and problems. However, in recent years urban population increase has been seen not only to be influenced by rural-urban migration but other factors, such as natural urban population growth due to improvement on health facilities and urban-urban migration. Despite these additional factors rural-urban migration is still thought to contribute to a high percentage of urban population increase.

Rural-urban migration is a response to a number of variables; land scarcity, rural poverty, rural-urban income differentials, urban monopoly of modern sector employment opportunities and the greater availability and quality of urban services (UNICEF, 1989; Obudho, 1988). During the 1970s many studies based on census and labour force confirmed the essential economic rationale of strong rural-urban ties and why and how migrants are attracted to towns especially,

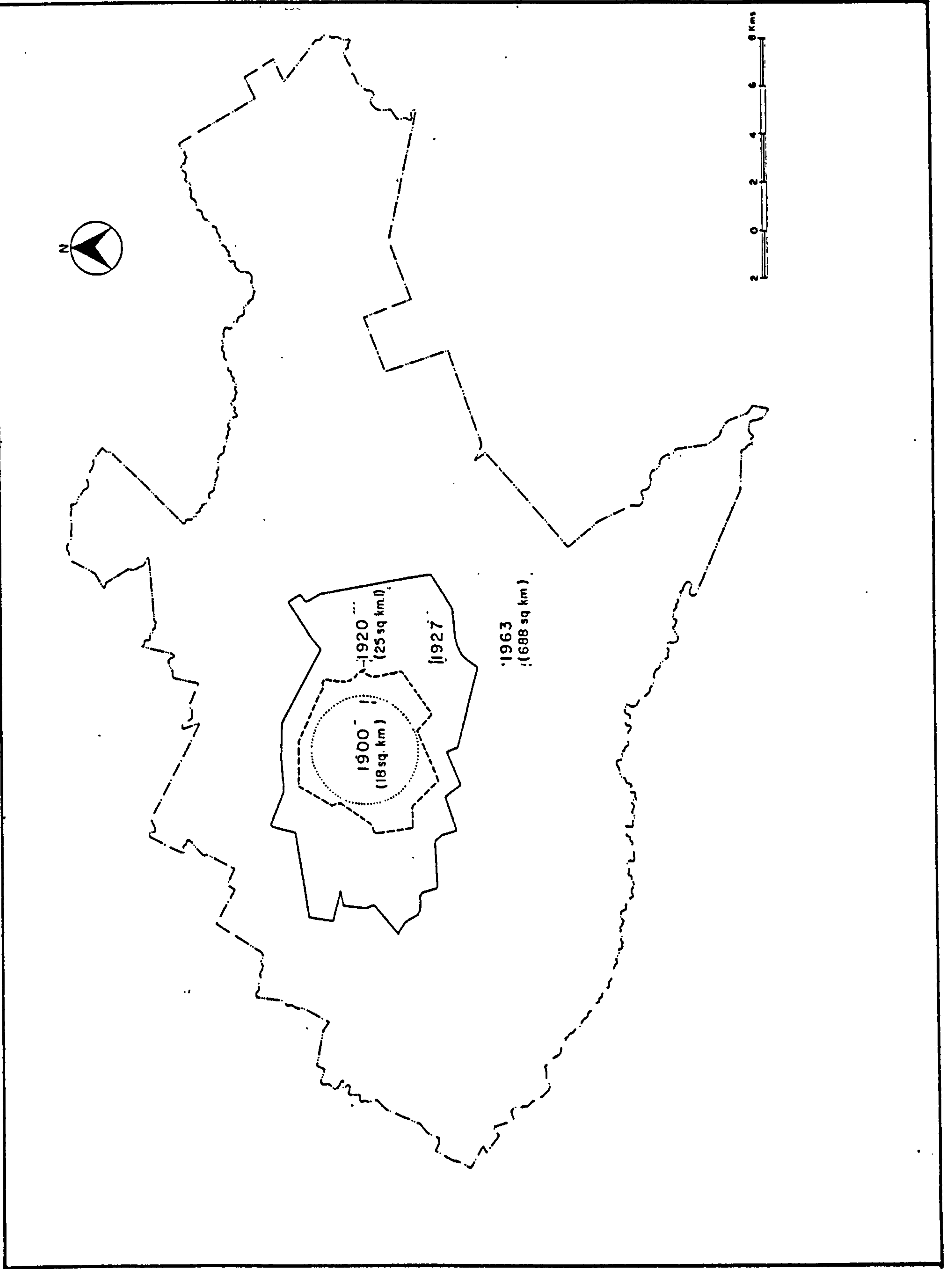


Figure 4.4: Growth of Nairobi City Boundaries (1900, 1920, 1927, 1963)

Source: Mazingira Institute, 1985

Nairobi, despite the growing urban unemployment (Collier & Rempel, 1973; Oucho et. al, 1983; Marc Ross, 1975).

Rural homesteads are both a point of origin and ultimate destination for many urban migrants, who form a circulating pool of labour and whose sojourns are undertaken to generate family income. In a sample survey of residents of two public housing estates in Nairobi, most residents were born in rural areas and few of them considered Nairobi as their home (Marc Ross, 1975). This contention still prevails, although the percentage of those born in Nairobi and those having lived in Nairobi for over ten years has increased over the years.

The majority of migrants maintain close links with their rural kin. A 1971 survey in Nairobi covering middle and low income households found that 90% of the males sent remittances, averaging 21% of their salaries to rural wives, parents and relatives (Johnson & Whitelaw, 1974). Another survey of male migration between Maragoli in Kakamega district and Nairobi found that 92% of the migrants visited their wives who were left in the rural areas to manage the holding at least once a year (Moock, 1978). The dual nature of the urbanite in the African context is an important element in the rural-urban scenario. Most planning and regulations of African cities such as Nairobi assume a complete urbanite, whereas studies have shown the dual nature which should be catered for in planning. In the area of provision of services such as housing, the need to understand the relevant forms of service provision requirements is basic and yet it is rarely done.

Most low income residents of cities such as Nairobi need basic accommodation within the city as they generate income for survival not investment. This is further complicated by both monetary and non monetary remittances they make to their rural areas. By 1983 about 27% of urban earnings were transferred to the rural areas (Oucho et al. 1983). However, this percentage is thought to have drastically reduced due to the prevailing economic pressures (Oucho, personal

communication, 1993). It thus seem that urban households are increasingly going to find it difficult to be urban home owners. This does not imply a conclusion made by Danida (1986), that many urban residents are migrants and have no intention of remaining urban dwellers. A number of factors influence the option of staying within an urban area and prediction can only be made when such factors are taken into consideration.

Notwithstanding, Government policies which insist on making individuals home owners may not be appropriate, especially to the low income groups. A status their kind of income and economic activities cannot access for them. The outcome has been a production of services which only an insignificant urban population consume. As the significant population resort to informal modes of production and consumption, manifesting the urban crisis facing most African countries.

Lee Smith indicates that 'to a large extent, the urban crisis in Africa can be measured by the failure to cope with the informal sector, while useful urban reforms have been those which are designed to accommodate or aid the sector' (Lee Smith, 1989). In Nairobi, failure has been seen in both the formal and informal sector. NCC does not only have problems of managing the informal sector but also the formal one. The rate of deterioration of existing services is difficult to cope with. In the area of rental housing owned by the city, maintenance was struck off budget before the Eighties. Development of more units for rental or home ownership has been forgotten except in cases where international finance has packages for the city. Meanwhile, the city continues to mismanage its resources, leading to inability to provide adequate and sufficient services.

4.5.2 State of Services

The city suffers from inadequate and inefficient provision of services. In most

cases local authorities in Kenya such as the NCC are held up in a vicious circle; the Councils lack revenue, and cannot provide adequate and efficient services. The provision of services is affected by the poor management common in most LAs and because of poor management revenue collection is poor and LAs therefore lack revenue. This vicious circle has been very difficult to break. However, the World Bank (1990) notes that the bulk of city's effectiveness lies in the performance of routine tasks of service provision and maintenance such as refuse collection and road repairs. For these, the major tools of good financial management are *appropriate* measurement of demand, standard setting and unit costing (emphasis added).

In cases where services are provided there is hardly any maintenance. Examples in service areas such as water, refuse removal and housing, demonstrates the pathetic situation. Water had been a problem for the city until the World Bank provided funds in 1978. The agreement was that NCC should have a water fund accumulated from the consumer charges and the surplus should be used for renewing water supply infrastructure. From the fund the city authorities were allowed to borrow if need be not more than eight million Kenya shillings. However, the poor and corrupt financial management, which led to the dissolution of the Council in 1983, had mismanaged the water fund to the extent that by the time it was dissolved they had borrowed about two hundred million Kenya shillings. As this took place the water services were deteriorating with colonial pipes not maintained constantly bursting as extension of the water supply took place. Residents are often subjected to water shortages, low pressures, wrong billing and poorly maintained systems which are in many cases a nuisance.

Refuse removal has perhaps been the most poorly handled. It is closely linked to water in that the two services share a bill and it is assumed that once a water meter is installed refuse will be collected. However, refuse removal is a rare service which the city authorities do at their own will in a very erratic manner.

Uncollected refuse is a common sight in both the city residential areas and sometimes even in very prime areas of the city centre. In the residential areas the tendency has been to dump refuse on the road side to await collection whenever possible. This results in a vicious circle whereby the city collect refuse from the unplanned roadside dumps, as planned residential dustbins fill up and head back to roadside dumps. This scenario is due to inadequate and insufficient collection vehicles. There are never enough and the few which exist are poorly maintained and therefore rarely collect refuse. On the other hand, the consumers do not know who to complain to since they have lost confidence in the city managers.

In the area of housing, poor provision and management is demonstrated by the fact that, despite international financial support, the city authorities have failed to provide the right type of housing for low income groups. Nor have they been able on their own to replicate the programmes. Areas most hit within the city are the low income planned areas and the informal settlements. The city has undergone a situation whereby other worse off informal settlements have sprung up as they improve older and known informal settlements such as Mathare Valley. Currently, the city has about 78 informal settlements housing about 240,000 households with a population of about 1.2 million. As noted for the population of the city, these estimates are controversial and the point to note is the magnitude of the problem which may not be statistically quantifiable.

4.6.1 Implication for Low Income Housing

In spite of urban areas being generally favoured in terms of the accessibility and quality of services, growth is limiting availability. The urban population has almost doubled but development of infrastructure and service provision has lagged. This has produced a widening gap between need for and supply of essential services such as water, refuse removal, sewerage, housing, health facilities and schools. In a number of cases the urban residents, especially the low

income groups have to fend for themselves or utilise services (for example health, education and water) not planned for them. NCC has not only failed to provide required services, but even the maintenance of existing services has been poor. It is thus common to find roads, housing estates owned and managed by the Council, health and education facilities among other things, poorly maintained in cases where they are available.

Of the problems facing the NCC, housing is one of the most evident. At the same time, most services available or desired are inherent in housing. The increasing cost of building materials, high building standards, poor credit facilities and shortage of urban land have made conventional housing increasingly expensive (Ndinda, et al. 1989). In turn, most households live within informal settlements which lack almost all essential services. In such areas sanitation is normally very poor causing environmentally linked ailments. In 1979 it was estimated that 35% of all urban housing was in the informal areas. Estimates currently put the figure at about 52%. The scarcity and inflation push rents upward and make low cost housing the only alternative for the middle-class and well beyond the reach of the urban poor.

The housing conditions of low income groups or informal settlements in Nairobi cannot be generalised. It is also not possible to pin point the city regulations relating to them. This is because, whereas the city regulations do not allow any intervention in areas which have been developed without their authority, there have been isolated cases of minimal provision of services and development of infrastructure. This is more prevalent in old established informal settlements. To some extent, this can be associated with the Central Government policy which often by-passes that of the city managers. Once the government stopped the policy of demolition of informal settlements, the urban authorities whose by-laws and other related planning regulations remained unchanged, were caught up in a dilemma. Thus both occasional support and harassment can be experienced.

Support normally includes refuse removal whenever it is posing a health hazard, provision of water points and mobile outreach clinics. Whereas, harassment comes in form of eviction and/or demolition. Support is usually provided on a skeleton basis and is never planned, and hence their negligible impact as the urban poor struggle to manage their basic survival. Although environmental issues have been noted to be key to livelihood, when the case of the urban poor is taken into perspective, one may conclude that it is secondary as far as their priorities are concerned. Therefore, it becomes the key responsibility of other development agencies, government included, to provide the necessary support needed to ensure appropriate environmental conditions.

In a survey done in 1983, only 58% of all urban households in Kenya were found to have sanitary facilities that may be fully acceptable. Similarly, only 44% of households were using electricity. A recent study by Nachu (1990) points out that in Nairobi most informal settlements have inadequate and insufficient sanitation facilities. Most of them are constructed in poor locations due to lack of land and hardly have any infrastructure or services. In such developments the city by-laws and regulations are hardly taken into consideration. For example, the city by-law which requires that one latrine and one ablution be provided for each family or group not exceeding six persons and that latrines be located thirty feet away is far from being achieved. Instead they are located as near as ten feet away and in some cases they are only separated from the housing unit by a wall (Nachu, 1990).

Despite the survival difficulties faced by the urban poor, it has to be noted that some residents of informal settlements with the support of the City Authorities, NGOs and International Agencies have been very active in improving their environmental conditions. In Nairobi, this has been accelerated by UNICEF supporting both the NCC and the NGOs working with given communities. In this respect, two divisions (Pumwani & Kibera), which have the highest percentage

of informal settlements, have been the focal points of such efforts. In these areas, for example Kibera, UNICEF (1990) has noted that toilet facilities are poor with 99% of the population relying on pit latrines, which are shared with as many as twenty households but have no organised method of emptying. At the same time the majority of the households use open drainage with sources of water being community taps and water vendors.

The concerted efforts of the inhabitants of informal settlements with support of other agencies, have been aimed mainly at primary health care (PHC). In the 1989/93 Development Plan (GOK, 1989/93), the government indicates its commitment to PHC, stressing the need for health care strategies with inherent approaches for the provision of essential health services that correspond to basic needs, universally accessible and allow for participation of the communities themselves. This position has been reiterated and elaborated by UNICEF (1991).

The core of PHC programmes has been first and foremost the creation of awareness (where it does not exist) and the inherent community mobilisation. Resulting in the construction of pit latrines, drainage and sometimes compost pits. In cases where there are no compost pits, burning is used as a method of refuse disposal. Although such efforts are contributing towards the goal of a clean healthy environment, a lot remains to be done and this study contends that both the Central Government and the City Authorities should take the lead in this task. As unplanned settlements spread, the threat of diseases looms, as UNCHS notes;

'The diseases of shanty towns tend to be the diseases of poverty. Respiratory infections such as bronchitis and pneumonia are prevalent in conditions of overcrowding, where up to ten people may share a single, badly ventilated room. Water supplies and sewage disposal systems are generally inadequate, leading to diarrhoea and dysentery, both of which can take their toll of young children. Infestation with parasitic worms can reduce the vitality of the community. Anaemia and tuberculosis are usually common and are accentuated by widespread malnutrition. In areas where shanties are built over swamps or near to water, malaria can be a major cause of death' (Habitat, 1990, p. 8).

The above quotation gives a good summary of the environmental implications of the informal settlements in any given urban setting. As it notes, the nature of the housing units contribute to the poor health conditions; this is accelerated by the availability of unplanned water supply and sanitation. Water supply and sanitation is always a requirement where settlements develop and according to the United Nations, 1981 - 1990 was designated as the International Drinking Water Supply and Sanitation Decade. A period within which it was expected that almost all settlements should have adequate and efficient water supply and sanitation; goals which are still far from being realised.

Whereas this study appreciates the United Nation's goal of availing water and sanitation to settlements, it also acknowledges that without an efficient plan and management the very provision often becomes the source of health problems. In many cases informal areas are provided with water points and sometimes pit latrines, however, in most cases this is done on an isolated basis with no clear plan on how waste water will be disposed. At the same time, non conventional cheap methods of draining waste water which are often used have been known to be too expensive to maintain. Reed (1991) indicates that small amounts of water may be disposed of in the pit or by soakage into the ground on the plot, but in general, some form of sullage drain network is necessary. He goes further to note that sullage drains are notoriously difficult to maintain. They frequently become blocked by food waste or refuse and act as breeding grounds for flies and mosquitos. An occurrence prevalent even in the planned low income areas.

In Kenya, the environmental implication of unplanned settlements have been pointed out to result in the predominance of diseases related to poor sanitary conditions such as intestinal parasitosis. A study undertaken in Kibera, in Nairobi, showed that up to 42% out of a total sample of 105 children under five years had parasitic infestation. This trend is common within the informal settlements which lack some of the most basic services. In this respect, the task of urban authorities

and other development agencies should focus on a search for strategies aimed at improvement. However, before this can be done there has to be conducive policies within which such improvements can be based. In this respect, one can argue that the environmental implications of the informal settlements cannot be understood without having a clear perception of their legal status. Essentially, they should be examined within their context of evolution, and the type of policies which have supported them.

Shabbir (1987) lists five stages in the evolution of public policies governing such settlements. The first stage is that of none recognition which leads to clearance and forced migration; this stage is long past in the case of Nairobi. The second stage entails marginal recognition involving slum clearance and public housing. A stage which normally turns out to be inadequate due to large public subsidies required and the inability of government to keep up with the demand. The third stage is an acceptance of their existence, which is often followed by positive government actions involving initiation of service provision with elements of cost recovery. The fourth involves policy shifts aimed at mobilising financial and 'sweat equity' investments by low income residents to improve their own settlements, with government providing that which people cannot provide for themselves, for example, trunk infrastructure. The final stage is a full recognition of the legitimate role of low income settlements in urban development. This is accompanied by a variety of policies governing land delivery, building and infrastructure, standards, land use, long time financial and cost recovery and the role of the private sector.

An analysis of the above shows that unless an informal settlement has passed at least the first two stages improvement may be quite difficult. For the case of Nairobi the settlements differ and one can almost find all representations of the above five stages. However, one positive aspect is the Central Government policy, which has evolved through all the above mentioned stages, except for the last two

stages, which are still to be fully achieved. Practical aspects of this evolution are seen in both the sites and services, upgrading and tenant purchase schemes which are being developed through joint efforts of beneficiaries, NCC, Government Ministries, parastatals and international financiers.

4.7.0 Conclusion

A critique of the urban development policies pursued by the Kenya Government shows their inability to solve urbanisation problems as reflected in the management of urban growth in Nairobi. The proliferation of informal settlements with inherent service provision and management problems continue, as policies focusing on rural areas with an aim of solving urbanisation problems continue to be emphasized. This approach is closely linked to the colonial policies which restricted movement to urban areas, providing services only to those employed in the formal sector, albeit inadequate.

The city of Nairobi operates on a vicious circle, whereby provision of services is affected by poor management and because of poor management revenue collection is poor and hence no revenue. In this vicious circle, the low income groups are most affected and the brooding idea of privatization of services may worsen their situation. Most low income households rely on public services offered in neighbouring residential areas. A shift to basic services being offered through the private sector will imply no access to any such services. It therefore seems that the current trend of turning to the private sector for service provision will require an intensified role of the State or other agencies such as NGOs and communities themselves.

CHAPTER FIVE

PLANNING & DEVELOPMENT OF UMOJA TENANT PURCHASE.

5.0.0 Introduction

This chapter discusses the planning and development of low income housing using UTP as a case study. A brief on the concept of planning and its technicalities vis a vis the human dimension is outlined. A background of the project, covering the negotiation between the funding agency (USAID) and NCC among others, follows, bringing out the limited planning on the part of NCC, which left USAID to come up with what they perceived appropriate for low income households in Nairobi. A discussion of project objectives and implementation which was marred with numerous problems, partly due to the creation of the Project Management Unit (PMU), is also undertaken.

5.1.0 The concept of planning

Planning as a concept occupies a special place in most of the developing countries. However, the rhetoric of planning and the act of planning are not the same, and while the former is common enough throughout the third world, the latter is not always present (Jackson, 1970). Planning as an ideal assumes the application of rational and ordered choice to development activities, especially economic affairs. It is taken to be 'an organised, intelligent attempt to select the best available alternatives to achieve specific goals' (Waterson, 1965). If this premise is assumed, then the logical sequence of planning may include; selection of general objectives and their subsumed goals and targets, identification of available resources to serve the selection of appropriate means, including various types of policies and measures for mobilising the available resources and the determination of the best combination. This leads to formulation of more specific programmes within the general plan and finally, the provision for the plans implementation. As opposed to this contention, planning never works as smoothly

as would be expected.

The above has been considered utopian. It assumes optimal goal attainment, through ensuring that the combination of means, that will realise an objective at least possible cost, is possible on paper but difficult to practise. Planning is probably much more a practical art involving choices among fewer alternatives, ends and the selection of 'available', 'appropriate' or 'satisfactory' means for the realisation of goals. Hence, Herbert (1965) observes that 'human beings must 'satisfice' because they have not the wits to maximize'. This may be the alternative for planners operating in plural societies dominated by scarcity of resources, lack of information and clearly defined roles. In satisficing, planning becomes a technical, political and organisational activity involving three basic elements; selecting objectives, identifying possible and practical alternative means and securing the coordinated action and co-operation judged satisfactory for the realization of planning aims. The latter involving mainly administrative and political problems in the co-ordination of plan implementation.

Communication between different actors in the planning process as well as problems of authority, in guiding and influencing the present and the future actions of individuals and groups involved in or somehow related to planning and development activities, is therefore important (Jackson, 1970). Since planning involves problems of communication and authority, it ceases to be solely a technical process and domain of experts. Plans are 'political programmes' and therefore planning is part and parcel of a country's 'political process'. If planning organs are to cope successfully with their task, they have to 'largely become negotiating and almost diplomatic agencies of government (Myrdal, 1968). To be effective, implementers must be skilled in the art of politics and must understand well the environment in which public policies and programmes operate (Grindle, 1980). The inherent task being how best to co-ordinate and control actors in the development process in such a manner that the plans' objectives are achieved.

In the above discussion of planning, two models arise. The first one with an assumption of a rational man able to comply with well-conceived plans: Its basis being plan design rather than the implementation, and so long as those concerned in the implementation process are properly informed of the planned goals and content; it is assumed success will be realised. This model never occurs in practise since human beings do not necessarily operate in this manner. A large percentage of human beings act according to more private, selfish and base motives (Jackson, 1970). The second model to securing coordinated action in planning is the classical option. In this model, the planning agency should be endowed with sufficient hierarchical authority to command compliance from actors in the planning process (Dahl et al, 1963). The Soviet Union before its demise provided a good example of a command economy handled through the application of hierarchical authority.

Most developing countries such as Kenya apply the hierarchical authority model, but it is not as effective as it was in the Soviet Union with the party ensuring compliance with the plan and planners. In the developing countries, the concentration of power is lacking and therefore ensuring compliance is more complicated. There are cases where concentration of power and authority in central political institutions is not used for compliance but to defeat plan objectives. There has to be a designed method of achieving compliance with the stated policy goals. For example, the support of political elites and the compliance of implementing agencies, of bureaucrats charged with carrying out programmes, of lower level political elites, and of intended beneficiaries, has to be acquired (Grindle, 1980). In some cases, planners have to ensure that the wishes and needs of other critical decision makers are accommodated, even when they are not in the interest of planned goals, as will be demonstrated in the case of UTP. Grindle further notes that, opposition of those who may harm the programmes must be turned to support and those excluded who might sabotage the programme have to also be amicably handled.

The above implies much bargaining, accommodation and sometimes conflict. Subsequently, an interest in what is planned vis a vis the outcome has to also explore the negative externalities, which may result from the attempt to achieve the planned objectives (Macoloo, 1989). Additionally, an assessment has to be made of the central focus of the planned objectives, in the case of this study, the objective of housing low income groups. Most low income housing programmes in Kenya have been highly influenced by the international agencies funding them. There is thus a predominance of the agencies influencing planning, at times with only partial consideration of the local context.

UTP fell among USAID funded programmes aimed at producing low cost expandable housing for ownership by low income groups. The initial target was that the houses produced should not exceed Kenya pounds 1,200 per unit, with selling price of Kenya pounds 1,600. Allottees were to construct additional rooms and improve the quality of finish of the houses. Generally, evaluation studies put emphasis in different areas, the goal of assessing UTP after about fifteen years of implementation is mainly to examine the policy gap between what was planned and what has been achieved. However, before discussing the implementation, a clear understanding of the background of the project is essential.

5.2.0 Background of UTP

UTP housing scheme lies on the eastern part of Nairobi city (figure 5.5) and is about six miles from the city centre. During the initial planning, the area seemed quite far from the city centre, due to lack of other developments around the site. Since the 1980s, several developments have taken place around and beyond it, to the extent that it is no longer considered far. The scheme benefited from the extension of NCC boundary during 1963 and recommended by the Nairobi Urban Study Group in the 'Nairobi Urban Planning Strategy'. This was an appropriate approach, especially for land banking. The extension of the boundary was aimed at providing more land for both residential and industrial purposes. The hope was

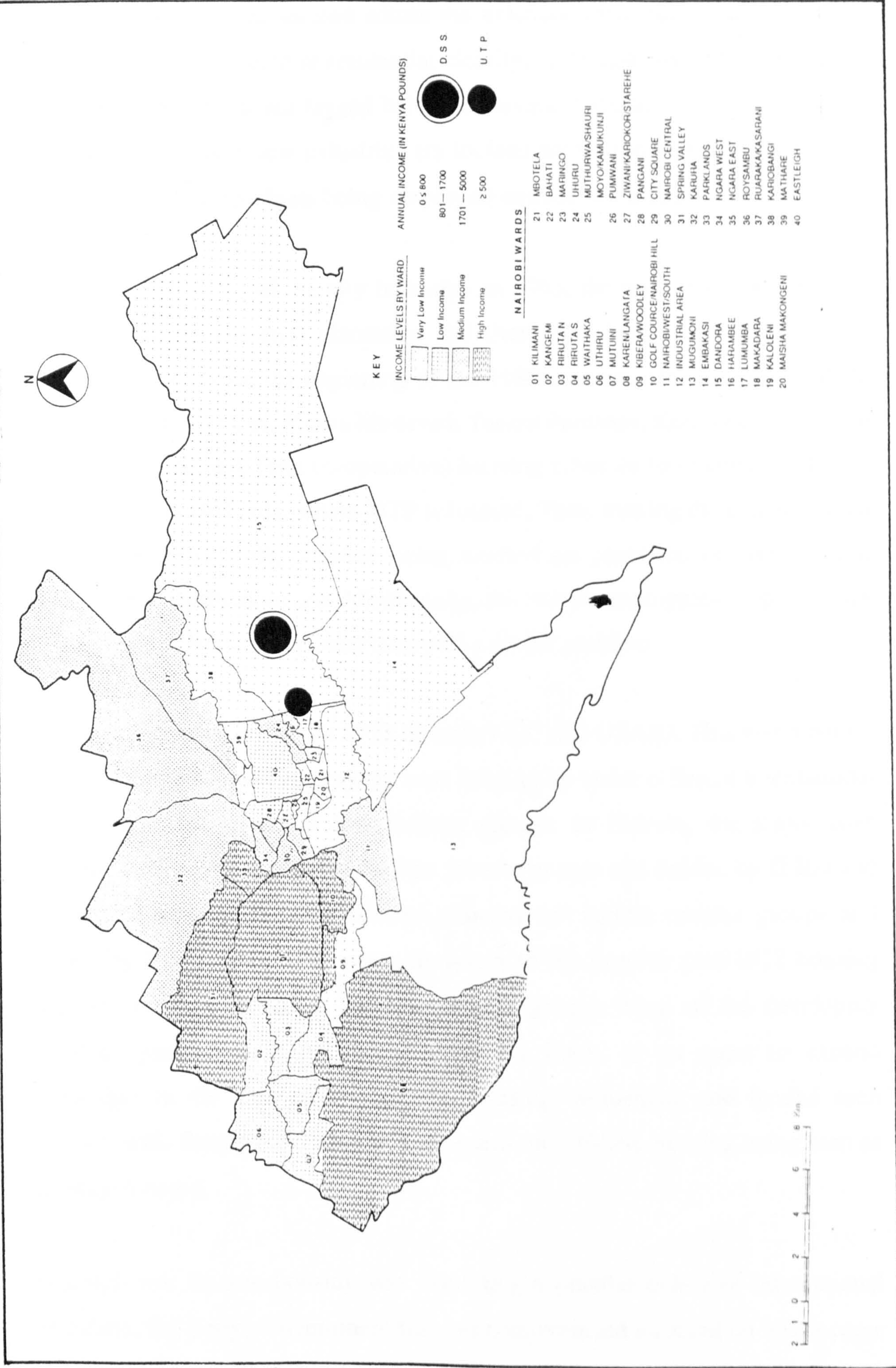


Figure 5.5: Income Levels by Ward, Showing Location of UTP

that industries would be located within the extended areas and residents would find employment within their residential vicinity. Although this was a good plan, industrial development has lagged behind as several housing developments have occurred. So far, very few industries are located within the extended areas with the majority of the residents being employed outside the areas.

Prior to the extension of the city boundary in 1963, the project site was part of a large Greek-owned sisal plantation and there was hardly any development around the area. Since the beginning of the 1980s, several (for example DSS & Kayole Sites & Services, Moses Mudavadi Tenant Purchase, Komorock Mortgage Housing Scheme and Tena co-operative) housing schemes have come up within the eastern extended area, where UTP is located. Thus, making the extended area heavily populated, with pressure being exerted on provision of services and development of infrastructure. Additionally, the lack of employment opportunities within the area has made public transport a major problem.

UTP was conceived in March 1975 by both NCC and USAID. This was a period when a number of housing projects were coming up under different international funding agencies aimed at low income groups. In Nairobi, the major ones included DSS scheme, planned for low income groups and funded by IBRD and BuruBuru mortgage housing scheme planned for middle income groups and funded by CDC. Thus, UTP owes its origin to the popular post-1972 housing policies in Kenya aimed at the low income groups. Most of the developing countries pursued such policies. The World Bank, in its quest to expand investment in the area of low income housing, influenced and funded such policies; with Turner's and Abrams's approach on self-help housing being seen as the way forward.

Although low income housing was becoming a popular policy of international financiers, the Kenya Government had not compromised its stand on low income housing, similar to that developed in DSS by the time implementation of UTP

begun. This delayed the implementation of DSS, which was negotiated earlier than UTP but implementation only begun in 1978, when the first batch of UTP units had been occupied. Although UTP was claimed to be low income housing, it applied restrictive high building standards and hence its immediate ratification for implementation. An assessment of the Kenya Government position showed that pressure from both USAID and the World Bank between 1972 and 1974 was crucial in resolving the Government of Kenya's housing debate in favour of programmes for low cost housing (USAID, 1979). A situation which explains the double standard policy of low income housing as demolition of settlements for low income households continued.

Despite commitment on paper to provide housing for the low income groups, the practise after Independence until 1974 was the provision of middle and high income housing. Most high level national government decision makers did not originally support the idea of low income housing through progressive development, such as the site and service schemes. Implying that 'during implementation of policy, benefits eluded low income target groups and were allocated instead to the political and economic elites, most closely tied to government' (Temple & Temple, 1980). By the time UTP and DSS were being negotiated hardly any schemes developed were accessible to the low income households. Although these schemes have not achieved their goals as such, they demonstrate reversal of policy interest (at least on paper), although with numerous problems around unclarified issues, such as housing standards and the type of infrastructure and services to be provided.

It can be argued that the acceptance of housing programmes in the name of low income groups was due to the prevailing economic conditions; making it difficult for the Kenya Government to reject housing funds from institutions which were already providing the country with a number of development funds. For example, in the case of DSS, the Kenya Government opted not to reject finance for a project that the World Bank, which provided the country with much development

finance had indicated, was in the best interest of the country (Temple & Temple, 1980). Whereas the acceptance provided funding for housing projects it came in an haphazard manner to the extent that proper planning was not possible. The external push to accept low income housing projects, partly explained the lack of consensus on the guiding principles of urban development, especially in the area of housing.

By 1976, when implementation of UTP began, NCC had provided 20,667 housing units. These included 16,599 rental units, 2,900 tenant purchase schemes and 1,198 and site and service schemes (Coopers and Lybrand, 1975). Malombe (1990) notes in her study that NCC prior to 1975 concentrated its resources on tenant purchase schemes (table 5.4) which were not only few, but were constructed at a slow pace. Although UTP was the major tenant purchase scheme in terms of the number of units provided, since its partial completion in 1983 there has been less programmes of its type being undertaken. Instead the focus has shifted to sites and service and upgrading schemes. This is despite the latter two schemes being seen as providing more grounds for sale of plots due to secure tenure which tenant purchase schemes such as UTP should not provide until completion of payment. However, comparative research has not been undertaken to compare the rate of sale of plots in the three programmes.

Tenant purchase schemes in Kenya owe their origin to the Vasey report of 1950, which recommended the expansion of home ownership among Africans. The assumption was that it would contribute to the creation of stable urban based families. This was aimed at ensuring the availability of labour for capital development and had very little to do with housing low income households as has since been adopted. However, within NCC, it led to tenant purchase schemes accounting for two thirds of the total capital expenditure on housing by 1972.

<i>Estate</i>	<i>Date built</i>	<i>No. of units</i>
Jamhuri	1969	156
Pumwani Relief	1970	216
Pumwani Redev.	1968 - 1969	100
Harambee Phase 1	1968 - 1970	154
Uhuru Phase 3	1968 - 1969	236
Kariobagi Phase 3	1968 - 1969	206
Kimathi	1969 - 1972	345
Uhuru Phase 4	1970 - 1972	294
Kariobagi Re-Cast	1970 - 1971	67
Kariobagi Phase 4	1970 - 1972	390
Mathare Valley	1972 - 1973	557
Kariobagi Phase 5	1973 - 1974	28
Harambee Phase 2	1973 - 1974	151
Umoja	1976 - 1978	3,009
TOTAL UNITS		5,753

Table 5.4: NCC's Tenant Purchase Projects

Source: Malombe, 1990

Since 1972 international finance geared for expansion of capital has actively participated in housing development by exploiting the gap in 'low income' or 'near low income' housing. Whereas it is true that the housing problem was

mounting, the inner investment motives of international finance such as USAID and the World Bank should not be overlooked. To a large extent, they determined the nature of programmes undertaken and the innate conditions. Thus UTP was implemented under the USAID Housing Guaranty (HG) loan programme. According to USAID, it was developed as part of US foreign assistance programme in the early Sixties in response to the rapidly mounting worldwide shortage for adequate shelter (USAID, 1983). More so, this was in line with the type of programmes USAID was pursuing during the 60s.

In Kenya, the USAID HG programme begun with the implementation of Kimathi housing project; the first HG project in Africa. This was a pilot demonstration of home ownership for NCC, which as early as 1929 had mainly been developing rental housing. Kimathi thus became important to NCC, and its planning and design approaches became models in similar projects undertaken later such as UTP. Although Kimathi was conceptualised in the wake of serious housing problems for low income groups and was supposed to be geared for low income households, the Government of Kenya decided that it should be for 'middle income families'. This was to be expected since the Government still held to the myth of a 'decent house', whose characteristics were not clear and in many cases were not locally determined. Having the knowledge of the deteriorating economic situation, they came up with a focus on a target group they considered would be able to pay back their investment. The aim being basically housing economics and not sympathy or interest in the poor as often quoted. As USAID launched its en-mass intervention in the area of housing in Kenya they noted that;

'The most important objective of the AID guaranteed loans is to help the GOK implement a housing policy with emphasis in favour of the poor, by demonstrating that lower cost houses can be built - despite the rises in building materials and other construction costs. The accomplishment of the objective should have a significant impact on GOK housing policy, particularly with respect to lower income housing. It is highly unlikely that the lower income housing programme would proceed as projected without the input of the programme. With HG funds, however, the programme... should be able to give an impetus and establish a new direction for GOK's

policy for lower cost housing' (USAID, 1979 p.93).

The above statement came at a point when U.S.A's legislation had adopted new directions. In it, USAID was directed to aim its programmes at the improvement of the lives of the poorest of the people. A position also perpetuated by the then president of the World Bank, McNamara. Capitalism was expanding and at the same time attempting to acquire a human face; a task not conducive to its laws, hence contradictory. Notwithstanding, from a policy perspective it seemed clear, at least on paper, that UTP was aimed at the low income groups. The aim was that the project 'should as near as possible reach the lowest income level of the regularly employed persons'. This position demonstrates the inherent economic interest which is intertwined with a willingness to support low income groups. The economic interest of USAID is made very clear by the concept of the 'regularly employed', a notion which excludes the majority of the low income groups who mostly depend on self and casual employment.

It is not clear whether GOK or NCC during the conceptualisation of UTP had an adequate perception of the characteristics and magnitude of the low income group. If they had, they would have known that the concept of 'the regularly employed' integrated very few if any of the low income groups in Nairobi. At the same time, the relevant Central and Local government apparatus of implementation was still conservative; its policy and planning approaches dominated by an emphasis on standards at the expense of providing appropriate housing.

When NCC made a submission request in 1973 of 10 million Kenya shillings for three basic house models costing Kenya pounds 1,000; 1,200 and 1,600, the project had not evolved beyond the 'concept' stage (USAID, 1979). As is expected of an investor, USAID conducted a 'pre investment survey' in 1972, which concluded that a 'percentage to be determined of houses costing not more than Kenya pound 1200 should form the bulk of the project. The team felt that NCC estimates were costly and worked on reducing the cost by changing certain design

details relating to floor and roof. The changes included an incorporation of an increased amount of later self help construction. It was expected that after the changes a large proportion of UTP project would have selling prices of between Kenya pound 800 and 1,100, which were thought to be affordable.

The survey also indicated that the project should not only be in Nairobi but cover other urban areas. It therefore became an entry point for USAID into housing development, which has since extended to massive urban development programmes only comparable to that of the World Bank. The product of this entry was a HG loan of US\$ 15 million to be divided between NCC and NHC. NCC was granted US\$ 10 million (referenced HG 003) to enable the implementation of UTP, whereas NHC had US\$ 5 million (referenced HG 004) for other urban areas.

The interest rates for UTP were set at 10% and this became problematic with the Kenya treasury. The regulation at the Central Bank was that all foreign loans should not have an interest rate exceeding 9%. Although this was a period of high interest rates due to the oil crisis, other international financial agencies funding housing programmes, such as IBRD and CDC, were quoting subsidised rates of between 7% to 8% and it became very difficult for the concerned authorities to understand such a deviation. This delayed the completion of loan agreement procedures and it was not until June 1975 that NCC and USAID signed the final project contract and NCC, as the sole implementing agency, was left with the task of implementation, experiencing numerous problems including constant surveillance from the funding agency.

5.3.0 Project objectives

The objectives of UTP was to implement an affordable tenant purchase scheme in the eastern part of Nairobi, located on vacant public owned land. The basic house design was an 'expandable house' but the plan was drawn for a three room

house plus kitchen, bathroom and toilet. 75% of the units were to be built of only single rooms and the allottees through self help would gradually develop the units to completion. The houses were grouped in blocks of 5, 6 and 8 units in a hexagonal grid, so as to provide vehicular access to each plot (USAID, 1979). Although there was only one drawing, the one-room version was called house type 01, two room version, type 02 and three room, type 03 (Figures 5.6, 5.7, 5.8). Their development was to apply restrictive building by-laws and therefore the standard of services such as roads and markets was high; the expectation being that the cost of building would be lower and would accommodate the low income group. The income group to benefit was to fall within 3rd and 5th decile of income as shown on table 5.5.

Income	Annual Household Income		Annual income required
	1975 Ksh.	1976 Ksh.	
30%	11,019.00	12,561.00	
Lower			13,760.00 (type 01)
Middle			(Ksh. 1,146 monthly)
35%	13,446.75	15,329.00	
			16,160.00 (type 02)
			(Ksh. 1,346 monthly)
			16,726.00 (type 03)
			(Ksh. 1,394 monthly)
40%	15,874.50	18,097.00	
45%	18,302.25	20,865.00	
50%	20,730.00	23,633.00	

Table 5.5: Income Groups of Target Beneficiaries

Source: USAID, 1979

The above chart assumed that, using 1976 estimated household income, type 01 house could be purchased by a family with household income of the 23rd - 33rd percentile bracket; Type 02 by a family with household income of the 36th - 37th

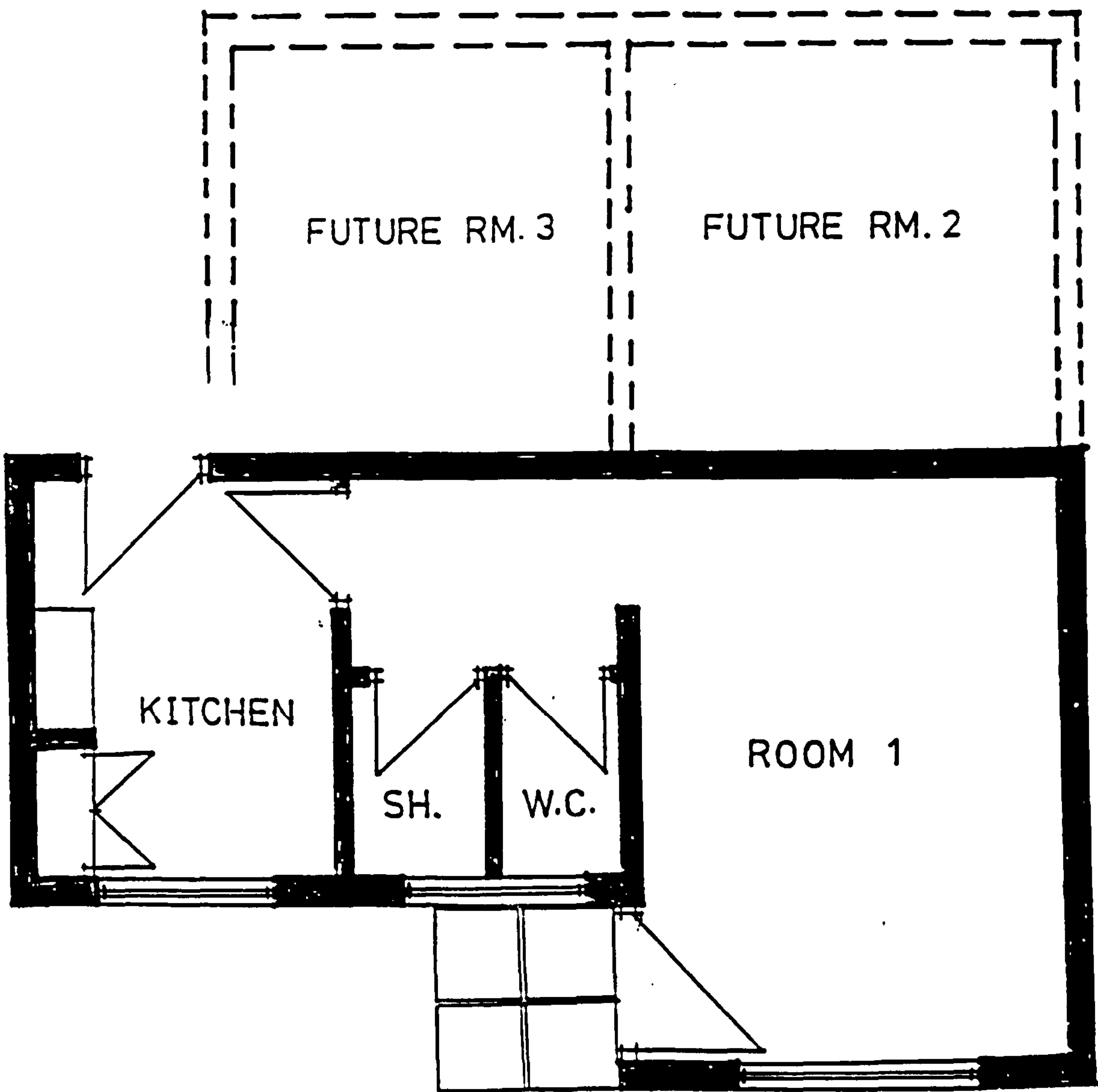


Figure 5.6: UTP Expandable House Plan, Type 01

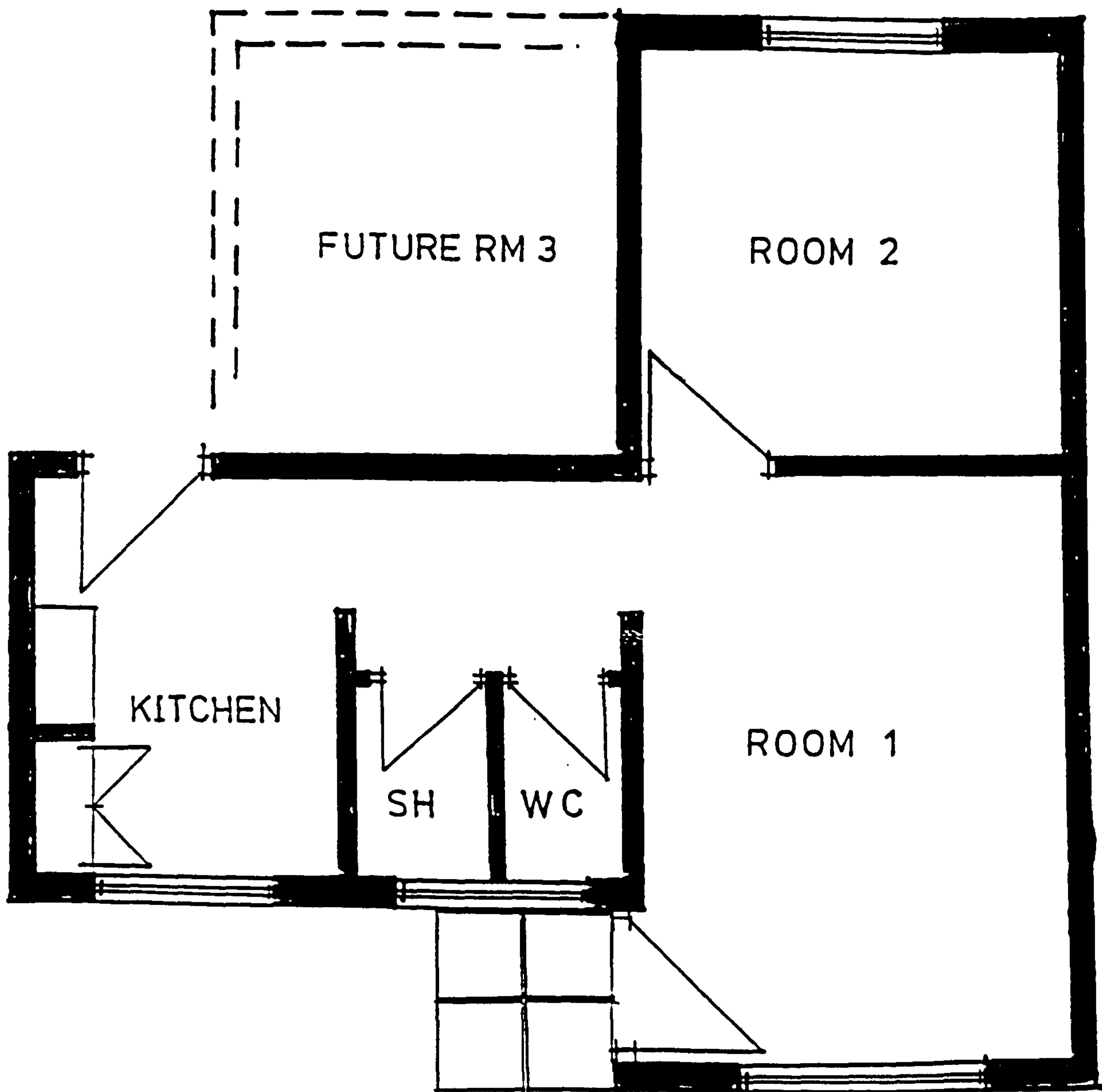


Figure 5.7: UTP Expandable House Plan, Type 02

percentile bracket and Type 03 by a family with household income of 37th - 38th percentile bracket (USAID, 1979 p. 100). These affordability statistics, based on a number of assumptions on income, started faltering hardly one year after the first batch of units were occupied. A follow-up evaluation commissioned by USAID in February 1978 covering 335 households revealed that incomes of residents had increased (table 5.6).

Household Type	Allottees Ksh/monthly	Non Allottees Ksh./monthly
01	1,156	1,502 (29.9% higher)
02	1,293	1,826 (41.2% higher)
03	1,279	2,255 (76.3% higher)

Table 5.6: Income Groups After One year of UTP Occupation.
Source: USAID, 1979

At planning stage, it was not clear how many houses in total were going to be produced. USAID's evaluation indicated that the numbers of the units were not definitely known until the very end of the project, when the money had been stretched to its limit (USAID, 1979). A point which is reflected in the inconsistency of the quoted number of units in different documents. The initial agreement documents indicate total number of 2,563 units, whereas other NCC documents indicate 2,924 (table 5.7). Two other works indicate 3,009 (Malombe, 1990) and 2,400 (Kiamba, et al. 1988) respectively. On the other hand, the NCC project site office, which is part and parcel of NCC, deals with 3,084, a figure assumed and applied by this study.

Type	Planned	Delivered
01	870	2123
02	1305	637
03	725	164
Total	2,910	2,924

Table 5.7: Planned & Delivered Units
Source: USAID, 1979

This inconsistency came about due to USAID's insistence on a reduction of type 2 and 3 and an increase of type 1. As reflected in table 5.8, there was an addition of 144 units of type 01 and a reduction of 51 and 71 of type 02 and 03 respectively. This total of 2,924 still leaves the presence of a number of units unexplained, especially when the statistics from the site office are used. NCC's decision to develop a further 170 units outside the plan and on unfavourable sites brought more confusion.

The 170 controversial units ought to have brought the total number to 3,024 but as argued above, the actual number of units remained unclear. The details of how NCC reached a decision to add the extra units is also not clear but from the minutes of the Council, one gets the impression that the additional units were a creation of the project director in collusion with other members of the Council, mostly members of UCC. The units caused intensive disagreement and the Ministry of Works had to intervene and a sub-committee of the Council was appointed to look into the matter. The bone of contention being adverse effects their location had on other infrastructure. Some of the units were constructed on top of a 375 mm diameter foul sewer, others encroached on the foul sewer way-leave whereas the rest were constructed on a line 150 mm diameter PVC water main. Roads to serve the units had been constructed directly on top of a 200 mm PVC water main which was laid just a meter from the power line way-leave (NCC, Minutes 5/7/79).

One would assume the above occurred without the participation of professionals, but lay men seeing land lying idle. This may not be the case, rather, it seemed that most of the competing interests which needed units were not satisfied and the extra units would easily serve that purpose. After protracted debates the units were developed but with an adverse effect on the project. It was resolved by the Council committee that the project pay for the inconveniences caused. The sewer was to be realigned at the expense of the project at an estimated cost of Ksh. 100,000.

Due to the fall in gradient, the 375 mm diameter sewer had to be replaced by 450 mm diameter sewer. A 3 meter way-leave had also to be provided necessitating the demolition of one building. The 150 mm and 200 mm diameter PVC water main had to be realigned at a cost of approximately Ksh. 434,200 and the cost had to be borne by the project. In addition, the cost of service connections to the additional units amounting to 85,000 was also to be met (NCC, Minutes 5/7/79). An interview with an architect¹ revealed that professionalism is at times not respected within NCC. He gave the example of UTP where the Engineers determined housing and architects only came second, pointing out that often professionals have to resort to funding agencies when things get out of control. Another example was in Moses Mudavadi (Umoja Two), where the architects did not recommend a fire place within the one room condominiums but the Engineers insisted and currently the residents use them not for cooking but as storage points.

The other component of the project was a planned inner core where larger plots were to be sold at market rates but this got delayed for over ten years and was only beginning during field work for this study. The original plan was that the surplus derived from the plots would be used to cross-subsidize other plots belonging to low income groups. This approach was also used in DSS, where 5% of plots were intended to benefit all other income households through sale at market rates. The surplus generated was to cross subsidize about 50% of the plots which belonged to those in the lowest income decile (Malombe, 1990). However, in the case of UTP, the inner core plots have had numerous problems relating to allocation delaying their development and thus failing to serve the intended purpose.

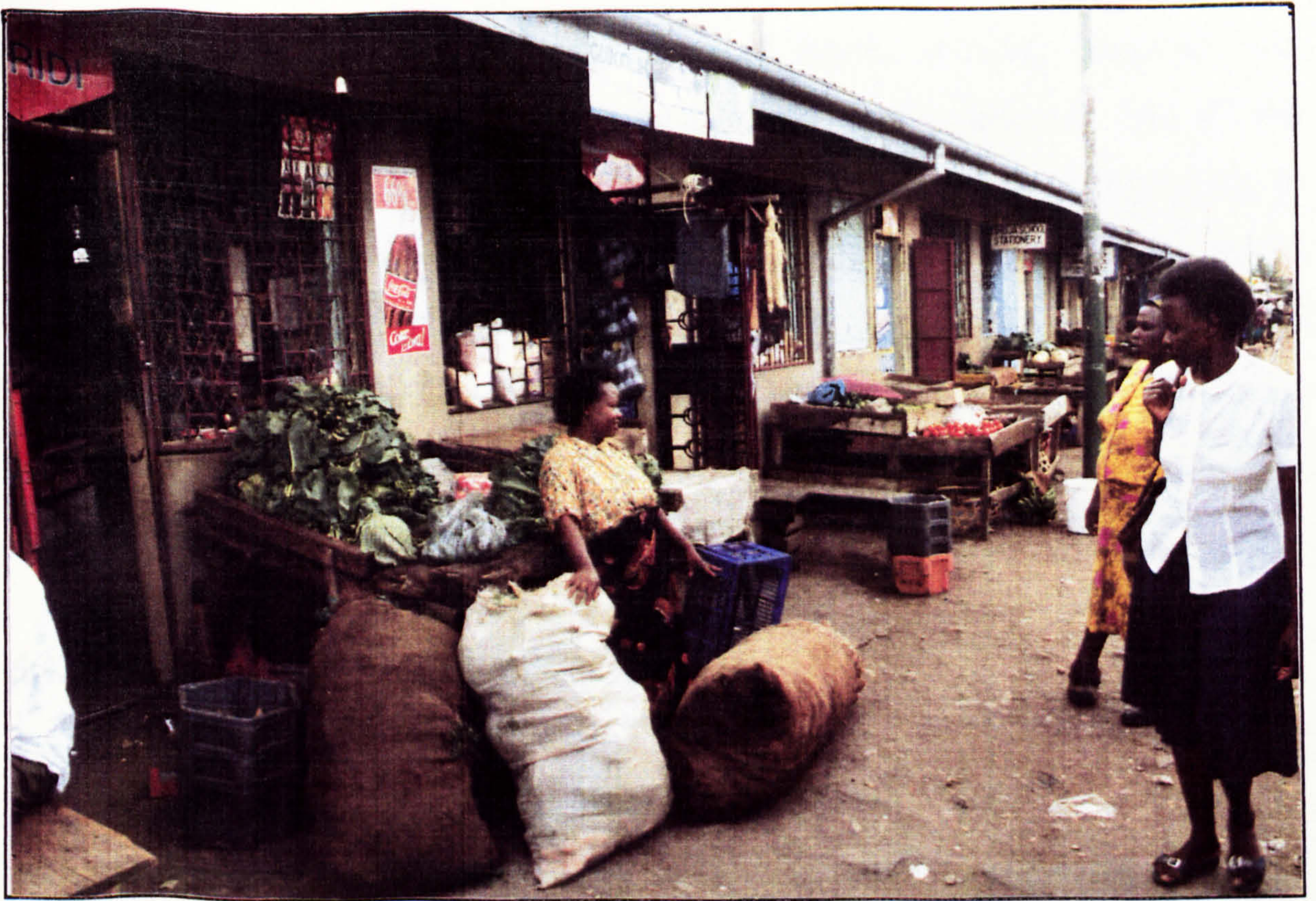
According to contract agreement, AID's funding was supposed to be used for the development of the houses, whereas NCC was supposed to finance community

¹Mr. Mumo Mwendwa worked as an architect with Mutiso Menezes, a private firm awarded the tender for Umoja Phase Two (Moses Mudavadi). At the time of interview (2/2/93), he was operating his own firm.

facilities which were specified as; market, primary, secondary and nursery schools and a health clinic. These facilities were not budgeted for at the initial planning stage and by the time the first group of houses were occupied, there was no single community facility in place. The primary school (work was interrupted after a contractor abandoned it and another had to be contracted) was the only facility under construction, whereas others were still in design stage. The difficulty envisaged in squeezing budgets for community facilities led the town clerk to point out to USAID that in future all such projects must have community facilities associated with them right from the very beginning and that the council must have the funds appropriated right from the beginning to ensure that the facilities are built. These are aspects which NCC ought to have considered at conceptual stage and the town clerk's statement is an acknowledgement of the haphazard and inadequate planning which goes on within NCC.

NCC only managed to provide some social facilities planned (but not budgeted for) two years after the houses were occupied. Facilities which USAID evaluation (1979) indicated were of very high standards. For example, the market had enclosed tiny stalls with electricity, which did not serve the purpose of many small scale entrepreneurs they were meant for. The design was poor and many entrepreneurs who retained their stalls display their commodities in front of the stalls (Figure 5.9) and charged high prices in order to pay the required rental fee. Whereas, the rest who could not afford to pay monthly rent of Ksh. 230 had to opt out, with some moving into informal trade around the planned market.

Despite the fact that UTP was conceived when pressure was mounting on governments in the developing countries to produce low cost housing, the details of their nature remained obscure. Thus the objectives of UTP from the point of view of NCC was not clear at the conceptual stage. It was born out of the fashionable concept, housing for 'low income groups' conception of the early 1970s. A fact supported by NCC's submission of a very general request for funding. It did not go beyond a rough estimate of the unit price of the planned



Figures 5.9a and 5.9b: UTP Market Stalls with Commodities Displayed Outside.

housing. Aspects such as standards, type of house, building materials and provision of services were not considered during conceptualisation. This left the funding agency with no adequate local knowledge; with an upper hand in determining what was appropriate. Although the idea of low income remained unclear to NCC, to USAID, it was the type of house the target group they were focusing on could afford and thereby be able to repay the loan. They had to be sure that who ever gets allocated a unit is capable of making tenant purchase repayments, the only way to ensure recovery of funds.

5.4.0 Implementation and Political Alliances

Prior to the study by Pressman and Wildavsky (1973) on implementation, most political science work concentrated on studying how policies were made. Pressman & Wildavsky's study revealed that governments were better at legislating than at affecting desired changes and this was resulting in what Dunsire (1978) refers to as 'implementation gap'. Since then, a number of studies have focused on implementation bringing out the inherent difficulty in achieving planned goals. Problems of implementation seem more rampant in the developing countries where most programmes, especially those aimed at the low income groups, have failed.

Most political activity in the developing countries is focused on the output stage of policy making with very marginal information about the input stage. This is as opposed to most of the developed world where it takes place at the input stage. As indicated earlier, the distinction of the policy process between policy and its implementation is quite fluid. However, as much attention on specific policies in the developing countries comes at the implementation stage and is dominated with bureaucratic politics, it is appropriate to examine the output stage. In this stage, internal dynamics, pressures and complex patterns of interaction characterise policy. Thus, implementation of projects such as UTP witness individual and collective demand making, the representation of interests, and an emergence of

resolution of conflict.

Out of the competing interests, power seem to be concentrated in the bureaucracy, leaving various interest groups out of the game and hence Rigg's contention; 'since the clientele is unable to organise or exercise political influence to modify the rules, its primary strategy involves direct pressure upon the officials concerned with policy implementation, to secure a suspension of the rules or speed the provision of authorised services' (Riggs, 1964 p. 271). In most cases limited interest groups are involved in policy formulation but once formulated and its product displayed publicly, it becomes a contested product. This trend has been more pronounced in projects funded by international finance, because such projects are more public as opposed to some which remain known to only officers of the council.

Implementation of UTP was riddled with disagreement and crisis which cost officers concerned summonses, court charges and even dismissal. Basically, the bone of contention lay in the distribution of power within the newly created UTP Project Management Unit (PMU) and the City Engineers Department and their supporting agencies which included the Town Clerks Department, UTP Council Committee and USAID. Depending on which support either the City Engineer or the UTP project director and their institutions had, the two never got along until the City Engineer fought with the project director, got divorced from the project and ended up in prison for fighting with the project director. Years later, the project director was accused of corrupt practices resulting in dismissal and court charges.

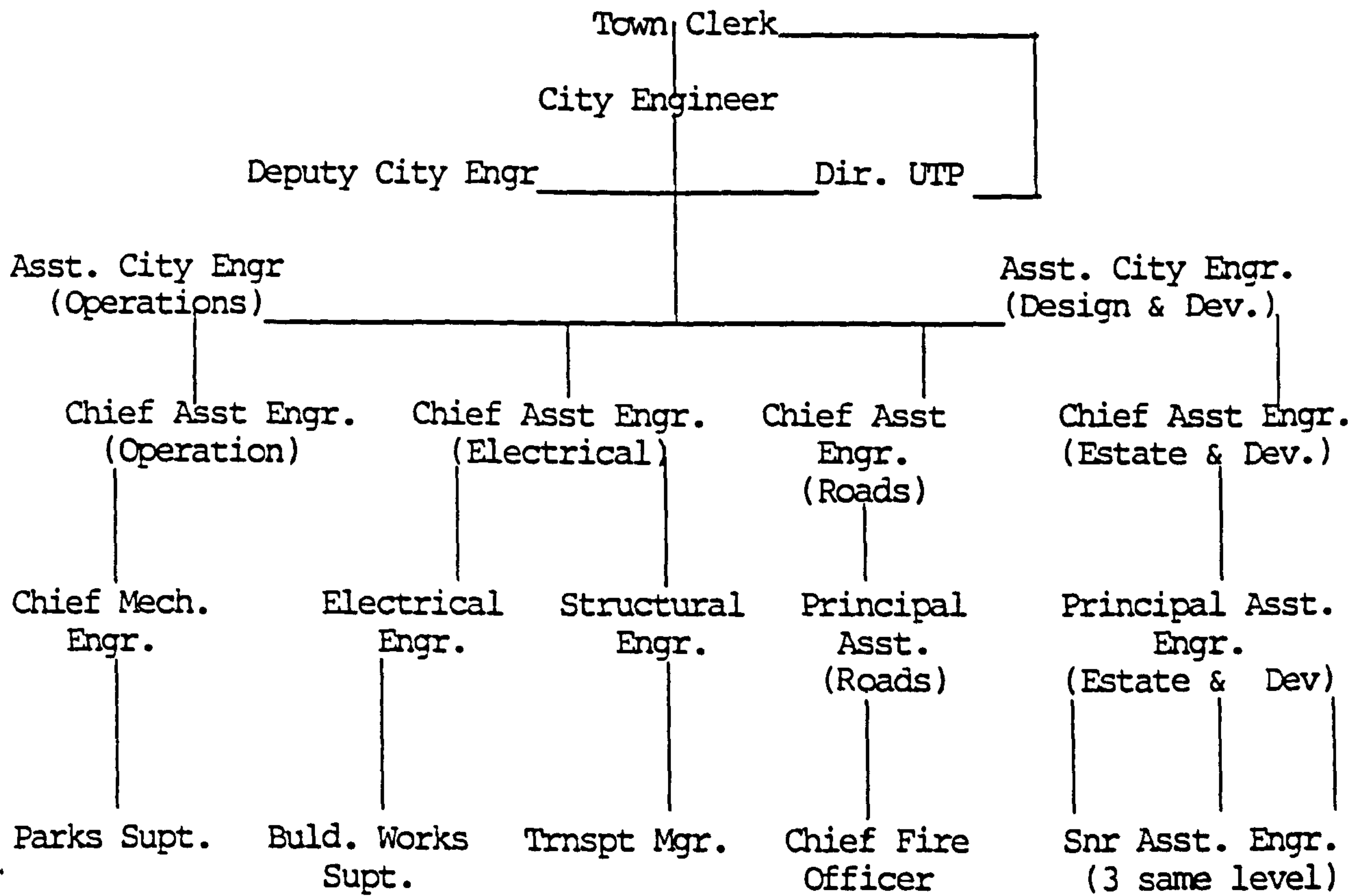
Unlike Kimathi, UTP was undertaken publicly with all the contracts going through the normal NCC tender procedures. It was probably the largeness and the finances involved that led to the many problems and controversies during its implementation. At the same time it was a period of escalating interest rates which to a large extent remained unpredictable. More so, NCC was bogged down

with standards, which often made it difficult to reach a realisable goal relating to the low income groups. It was therefore very difficult to come up with what the Central Government had failed to define, except for pointing out that the houses should be 'decent' and for 'low income groups'; concepts which never had the same meaning across the bureaucracy and individuals charged with implementation.

5.4.1 Establishment of PMU

Prior to 1972, publicly funded projects and programmes were implemented through the normal government bureaucracy. However, as low income housing policies began to be funded and implemented en-mass through international funding, 'new' institutions began to emerge within bureaucracies. They were seen by international funding agencies as options to the existing bureaucracies which were branded inefficient in relation to the successful implementation of development projects. Notwithstanding, the 'new' institutions were still operating within the broad framework of government bureaucracies and not much could be achieved.

PMU was a product of the idea of the 'new' institutions and it is relevant to understand its establishment before discussing the implementation of UTP. Basically, UTP was implemented through the NCC's City Engineers Department (figure 5.10) but with an additional clause that created a new institution whose power was not clearly defined and became very problematic to project implementation. PMU was headed by a director answerable to the City Engineer. The director had a project team composed of individuals with different professional backgrounds, drawn from various existing NCC's departments, mostly from the City Engineer's Department. The project director was answerable to the Engineer but had some form of autonomy, although the nature of autonomy was not specified.



Key: Asst. - Assistant; Engr. - Engineer; Dev. - Development;
 Est. - Estate; Snr. - Senior; Mech. - Mechanical; Supt. -
 Superintendent; Buld. - Building; Trnspt. - Transport.

Figure 5.10: City Engineer's Department, Organisational Structure, 1978

According to USAID, NCC delegated authority for implementing UTP to the project director. His appointment was discussed in Washington, and it was duly authorized by the NCC and subsequently approved by GOK (USAID, 1979). AID's evaluation undertaken at the height of implementation problems, insinuated that the project director had powers to run the project but it did not point out how the issue of being answerable to the City Engineer would be catered for, while at the same time being fully in charge. However, it only pointed out that the creation of PMU 'intruded into the functional areas of existing city officers' and thereby conceding the existing problem created by the establishment of PMU.

The creation of PMU was extensively supported by USAID. RHUDO, the arm of USAID which deals with housing, 'was supportive of encouraging NCC to give the project director responsibility and authority for all aspects of the project implementation from planning and design through buyer selection until dwellings were occupied and tenant purchase agreements completed' (USAID, 1979). The statement was never clarified to specify how such power would operate in relation to the Engineers' Department under which PMU operated. It was left loose and could be interpreted by individuals holding positions as they wished. During the Field Survey, it was noted that most details of project implementation relating to the operations of the two institutions were sorted out as they arose and eventually led to PMU being divorced from the City Engineer's Department, after hardly one year of implementation.

By mid 1976, after nine months of implementation, the director of PMU had become so powerful and autonomous that the City Engineer was requesting clarification as to whether the PMU director reported to him or not (USAID, 1979). This led to NCC's decision that the director of PMU take full control of the project and should not report to the City Engineer. A point which ought to have been clarified during the establishment of PMU and contributed to fights that led to the City Engineer losing his post in February 1977, as he served a prison sentence of two years for having fought with the director of PMU.

Whereas there were a number of issues in which the City Engineer's Department and PMU could not agree, the first main disagreement rose over the number of total staff to be employed. Staff employment within the City Council has often been political as different individuals and groups try to influence the process. This was demonstrated in the case of UTP where an agreement on the total number to be employed could not be reached, although in the Project Agreement Documents, the number was clearly spelt out.

Although USAID's evaluation seems to view the events leading to the City Engineer losing his post as a matter of personality conflict, it seemed more of an institutional problem caused by lack of clarity on issues relating to lines of authority (power) and to some extent personal interests of the parties involved. This was accelerated by political interplay from various interests including USAID. Whereas the move by USAID to ensure that PMU was autonomous to facilitate their project objectives without going through the red tape of NCC bureaucracy, was beneficial to them, it did not serve in building a framework for implementation of the UTP scheme, instead it destroyed the existing one. USAID's on and off intervention, through collusion with the director of the project and the town clerk at the expense of the City Engineer drastically affected implementation.

The establishment of the PMU under the Engineer's Department did not originate from NCC. What NCC had in mind during inception seemed to be more of an additional staff to strengthen the already existing NCC's City Engineers Department charged with the implementation of housing programmes. USAID seemed to have exploited the situation as the project implementation progressed. A step which eventually led to their influence in having NCC Council ratify the disassociation of PMU from the City Engineers' Department (figure 5.11). For example, the influence of USAID was reflected in a meeting where the City Engineer was put under pressure for not ratifying tender awards; he had to be shown a letter from the local USAID representative threatening to cancel the

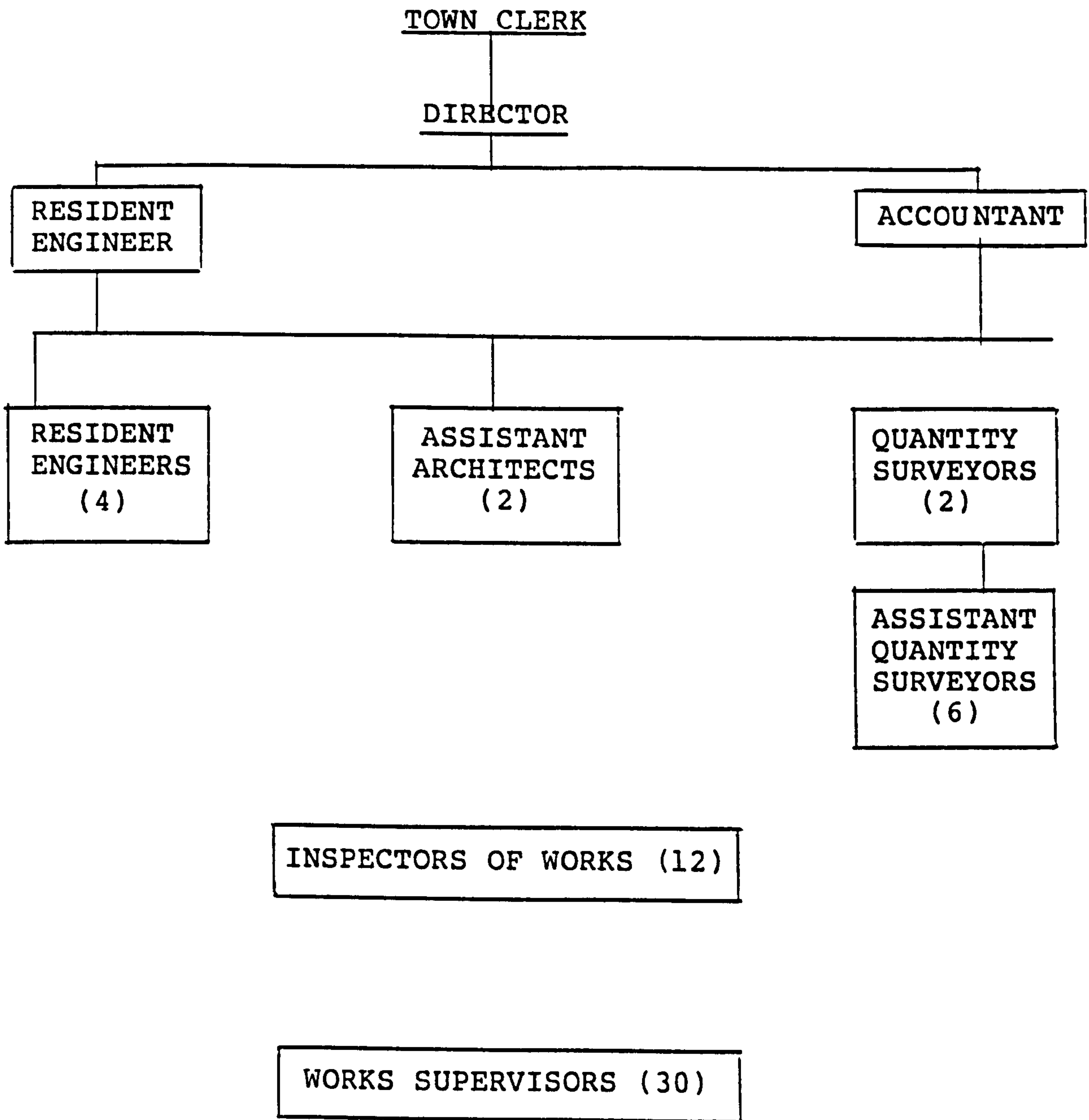


Figure 5.11: Organisational Structure of PMU, 1978

housing loan, if tenders favoured by the representative were not accepted by the council (Weekly Review, 1976). The issue here is not whether PMU ran autonomously or not but rather the role it played in enhancing goal achievement and strengthening the capacity of NCC to implement UTP efficiently.

5.4.2 Contracts and Tendering

Grindle (1980) indicates that who should receive public contracts is normally an area of conflict and the inevitable desire of various interested parties to influence such decisions. This was demonstrated at the beginning of UTP implementation which begun with the tendering of contracts, where the two opposing institutions could not agree. For design and administrative purposes, UTP was divided into four contracts referred to as; CE:7/1/1/75, CE:7/1/2/75, CE:7/1/3/75 consisting of 542, 785 and 610 housing units respectively. The number of units in the fourth contract, CE:7/1/4/75, remained undetermined, causing the inconsistency of the actual total units to be developed as already mentioned. By the end of 1975, the first two contracts (CE:7/1/1/75 and CE:7/1/2/75) had been awarded to Lalji Bhimji Sanghani as the main contractor and work had begun. Each was to cost Ksh. 15.6 and 21.4 million respectively.

Available project documents seem not to be clear on how the awarding of the first two contracts were done but the awarding of the third contract became the key problem of the implementation. In tendering for the third contract (CE:7/1/3/75), four tenders were received with N.K. Brothers, Lalji Mhimji Sanghani, Coronation Builders Ltd and Patrickson Coxon (1971) Ltd bidding Kenya shillings 18,887,461.95; 18,297,474.30; 21,370,452.20 and 22,834,093.33 respectively. Among the above, Lalji Mhimji had won the first and the second contract and was still working with the project team. Although the firm's bid was the lowest among the four, it was rejected on flimsy grounds based on errors in the Bill of Quantities. Instead of giving a consideration to the second lowest bidder, fresh tenders were invited where Sanghani bid again at 19,986,213.80; Coronation

Builders Ltd, Patrickson Coxon (1971) Ltd bid 18,531,790.73 and 19,986,213 respectively. Coronation Builders Ltd got the contract under suspicious circumstances. An analysis of their bid by interested parties such as the City Engineer, showed that it was a duplicate of what Sanghani had submitted in the first bid and was rejected. The City Engineer viewed this as a foul play by those who were involved . He suspected that somebody must have leaked to Coronation what Sanghani had in the first bid and condemned the second tendering as dirty and threatened to report the matter to higher council authorities.

The City Engineer did not win this battle, before he could take any action he was abruptly summoned by the UCC warned of delaying project implementation and subsequently ordered to produce the tenders for the third contract. The UCC, which was being chaired by the Deputy Town Clerk, indicated to the City Engineer that USAID was threatening to withdraw funds if the council could not ratify the contract which the local representative had also favoured. The Engineer tabled the tenders to the committee but with a rider that 'construction of this tender is not recommended' (Council Minutes, August 1976). An action which clearly showed the extent of poor working relationship between the Engineer and other forces within and outside the council. The rider was seen by the Deputy Town Clerk as sabotage to a project he personally played a role in negotiating. However, UCC went ahead and awarded the contract to Coronation at a fee of 234,416 higher than that of Sanghani. This was despite the Engineer's efforts to convince the committee that Sanghani, besides being the lowest bidder, had by virtue of their work on the first two contracts, gained considerable experience on the project, but his view did not prevail.

Tendering problems continued in the awarding of subcontracts on civil engineering, where the Engineer awarded the contract to Messrs Highways Construction for 2,678,327 with an error margin of plus Kenya shillings 120 based on the recommendation of the NCC quantity surveyor. The PMU director insisted that it went to Messrs Ahmed Khan, who bid Kenya shillings 2,678,327

with an error of minus 10,503.20. As the tug of war between the two went on, the director suggested that a correction be made on the two submissions and the City Engineer, knowing what the correction had cost in awarding the contract to Coronation, rejected the move. However, a combined contest by the director, the town clerk and 'USAID, who was increasingly becoming the major adviser of the town clerk on most aspects of the Umoja scheme' (Weekly Review, 1976) did not go far. The Engineer seemed to have been determined to make his case this time and he took the issue to the tender committee which backed his tendering to Highways Construction and the tender was awarded, but the committee put a rider as the engineer had done in the awarding of the third contract, 'should there be any surcharge on this sub-contract the city engineer be personally held responsible' (NCC Minutes, August 1976).

The opposing camp, determined to do away with the engineer in a UCC meeting held on 3rd August 1976, not only divorced him from the running of the project and placed the director in total command but also condemned him for having awarded the contract to Highways Construction. Under minute two, the Town Clerk outlined some of the administrative problems that had arisen due to the creation of PMU. In consideration of the Town Clerk's presentation, the committee noted that if the administrative arrangements continued, the second phase of UTP consisting of about 4000 units might be plagued with more handicaps leading to delayed take off. The meeting thus resolved that 'the City Engineer be divorced from the administration of UTP in order to afford him more time for other Council works in his department'. The same meeting noted that the project director be requested to immediately take charge of and responsibility for the administration of UTP, and he be given authority to mobilise staff in getting Umoja Housing phase two off ground (NCC, Minutes 3/8/76).

The minutes of the council leading to the above resolutions are not expounded but discussion with ex-council officers during field survey pointed out that they involved irregular deals with contractors and subcontractors, especially on pricing

and method of sub contracting and more so the role of the director vis a vis the City Engineer. The Engineer was angered by the resolutions of the committee and protested by tabling a report to a works committee meeting during the same month. In his report, he reviewed the assignments his department was given in respect to UTP, indicating how within nine months they had managed to complete 80% of the work. The review pointed out that only 20% of the work was remaining and the department had expected the whole UTP implementation to be complete six months earlier than expected. He gave an elaboration of the episodes involving his department which led to the department being divorced from the implementation of UTP when more than three quarters of the work had been done. In all, the engineer detested the allegation that he was hampering the progress of implementing UTP, the rider statement of surcharge relating to tendering to Highways Construction and the decision to divorce his department from implementation of UTP.

To the Engineer, 'the continued existence of the department was at stake'. He noted that 'the City Engineer is not a person per se, but an embodiment of multi disciplines and skills that he is supposed to lead, guide and direct in a professional reciprocal manner throughout the pursuits assigned or mandated to the department'. The insinuation was that the events surrounding UTP constituted a crisis detrimental to the department. The events contributed doubts as to the integrity of the engineer and his department. A position which, according to the engineer, meant both the department and the engineer could not be relied on. The engineer concluded his report by calling for an investigation by professional persons (architects, engineers, quantity surveyors etc) conversant with matters in question, adding that the attention of Central Government should also be drawn to the crisis, otherwise the truth may never come out and the whole council will be held responsible; not only for condoning malpractice but also for continuance in trusting a person whose performance may be doubtful (Weekly Review, 29/11/76). Thus, insinuating the lack of objectivity and professionalism operating within NCC. Despite the blame and being ostracized from UTP, works amounting

to millions of pounds was still entrusted to the department, showing the level of inconsistency in NCC operations.

Despite all the above problems, the City Engineer's Department could not be totally divorced from the project. The UTP Council committee still needed a constant link with the department, more so as the staff working in the UTP project were mostly drawn from the Department. The option taken by the UTP Council committee was to deal with junior officers and the Engineer lamented that 'the whole Umoja scheme, which was intended as a model for low cost housing, had changed and was never likely to meet the noble target and objectives that were so near and real' (Weekly Review, 29/11/1976). This statement was a visible tip of the administrative shortcomings of project implementation.

5.4.3 Allocation Process

The problems of allocation of resources within the city are not new; it is one aspect of management the city has had to cope with since Independence. In 1976 a report commissioned by the City and other international agencies noted that while the rationale for pricing public housing as cheaply as possible is to try and keep it within reach of the lower income groups, in practise a very different situation exists. The report noted that, the acquisition of a council plot or house for purchase or rental is seen not simply as a means of providing shelter for ones's family, but as a valuable commercial asset and a major potential source of income (NCC, Minutes 5/3/76).

By 1980 it had become clear that the housing allocation process within the city favoured the middle and the upper income groups so that poorer people did not receive many of the units appropriate to them except as sub tenants paying market rents several times higher than the official monthly cost (Temple & Temple, 1980). This has been one way in which Nairobi's public sector housing programme has served the city's middle and upper income groups better than the

poor. Although better off people have been noted to prefer to buy homes if possible, while poorer people have preferred rental units, the government has been planning and developing housing based on home ownership for the poor. Thereby not taking into consideration the fact that renting a house or buying is closely linked to income (Temple, 1974), and is not necessarily dominant among the low income groups.

In UTP, as the problems between the PMU and the Engineer's Department reached a stalemate leading to the City Engineer being divorced from the project, the selection of allottees for the units ready for occupation became another controversial political issue. Allocations of any nature be it a plot, shop, market stall or a kiosk space are normally very controversial and time consuming to the council due to competing interests involved. The legal officer in the Ministry of Local Government noted in a conference organised for chief officers and commissioners of NCC that allocation of plots is a key issue in NCC, which has raised a lot of public outcry. The manner in which plots, stalls, and houses are allocated leaves a lot to be desired. There has also been illegal repossession of plots; court cases where injunctions are issued by the courts against the commission and payment of damages to the aggrieved parties (Thairu, April 1992). This occurs mostly in cases where NCC has to deal with other legal entities but when it comes to projects solely run by NCC, such as UTP, the trend is different, since potential allottees and/or allottees rarely take NCC to courts of law.

UTP allocations were not any different but peculiar in that they remained known not to the public but to USAID and NCC. This was unlike other projects such as the DSS scheme, where the allocation process was made public in the daily press and at the same time interviews were conducted for applicants. By the end of 1976, NCC had printed application forms for the first lot of UTP houses to be occupied. About 30,000 forms and explanatory brochures were issued from City Hall between February 2nd to 28th March and were supposed to be returned in

the same place between 9th February and 8th March 1977. In the explanatory brochures, NCC noted that, 'the scheme is meant to cater for lower income group families, who can certify to the satisfaction of NCC that they will abide by all rules, regulations and by-laws of NCC in respect of this scheme, they will occupy the dwelling units as their principal place of residence, a dwelling unit will not be purchased for purposes of speculation and that they do not own any other property in Nairobi. Further more an applicant has to be permanently employed in Nairobi and preference will be given to those who live with families in Nairobi' (NCC, 1978). Most of these rules and regulation are based on honesty and faith, which are not easily ensured when operating on an environment dominated by scarcity. At best, they create loop holes for irregularities.

The rules governing the allocations were set around six issues (NCC, 1978); terms, relationship, residence, subletting and assigning, completion and repayment period. The lease was for fifty years and the relationship between the Council and the Tenant Purchaser was to be governed by the tenant purchase agreement and the lease document. Until the Grant of Lease in accordance with the Tenant Purchase Agreement, the Tenant Purchaser shall covenant to reside in the premises. During the first five years of the Tenant Purchase Agreement, there shall be no sub-letting of the premises or any part thereof or the assigning of the rights under the agreement. Applicants allocated the one and the two roomed houses were expected to develop the unit in full and the repayment of Tenant Purchase Agreement was 25 years. There was also the allocation procedure released by the project director (see appendix 5.7).

The processing of applications involving queuing for forms and their return had all security measures ensured. The aim being to guarantee that procedures were followed and irregular practices reduced. The procedure was that once the application period was over, a preliminary count would sort the applications into complete and incomplete. Subsequently all the completed applications would be sent to the project director, ready for the allocation process.

The approach of complete and incomplete application forms raised eye brows and criticism in the press, when the city came up with 15,000 out of 24,000 applications as incomplete, ineligibility being the main problem, accounting for 11,000 cases. It further led to doubts on NCC's impartiality related to allocations. The applicants were competing for about 2,484 units and 5,304 had qualified and would have to go through the ballot. If the aspect of eligibility was true, then the element of the applicants capacity to fill forms must have been key. Filling forms is one skill which remains obscure to a large majority of people, even the most educated. Since in UTP there were no interviews, as did happen in DSS, once the forms were rejected there was no other forum for making a follow-up. It simply meant one had lost 25 or 50 (depending on time of allocation) Kenya shillings, which was the application fee and had failed to fall among those to be considered for the project. The other four thousand were either above or below the required income bracket or duplicates (some people submitted multiple applications).

Consideration for allocation for those who had complete applications was done both manually and by use of computer. The two approaches were to produce lists of 'qualified' and not 'qualified'. The two lists would be compared and once there was an agreement, the list would be tabled to the project committee and once ratified, the computer would then select allottees randomly. The system seemed so well designed that one would expect it to work very impartially but the practice was not as clean as planned. In the implementation agreement between NCC and USAID signed in 1975, the allocation adopted by NCC was to be approved by USAID; but the city authorities were the first ones to try and jump it. NCC authorities attempted to have 25% of the UTP units allocated to NCC staff. In this endeavour, they had to go through USAID who rejected the request, noting that;

'I am sure that the council, as we have seen, will continue to be, subject to many powerful pressures to allocate houses to specific worthwhile lower income family groups. We are completely convinced that it is not appropriate to start making exceptions to the procedures established by the council' (USAID, 1979 p.103).

The request to jump the regulations was only the tip of the iceberg. Once the computer procedure of selecting allottees for the first group of houses was over, NCC 'refused' (as USAID's evaluation puts it) to make allocations and yet immediate allocation was necessary to 'roll-over' the money invested in them into others units still to be developed. The main problem was the Councillors who were threatening to disobey the allocation procedures set forth in the implementation agreement for UTP, disregard the municipal officers and make their own allocations. This was partially a protest at their turned down request to have special preferences on allocation. They had to back off after an indication by USAID that any breach of the contract relating to the allocation agreement would lead to no further funds being disbursed.

The request to allocate UTP units to staff of NCC without necessarily going through allocation procedures and the threat of Councillors to go against the procedures are only examples of open activities which can be averted and need not be dangerous to the project. The most detrimental to project implementation are the type of activities which may not necessarily surface but are bottlenecks to the goals and objectives. For example, when the U.S General Accounting Office attempted to review the Umoja applicants through a random selection after allocation had been done, applicant 007679, ballot position 383, and applicant 020857, ballot position 439 revealed that the incomes were revised (by NCC officials) following a second scrutiny of forms (USAID, 1979). Such cases are normally hidden in the allocation process and can be very difficult to expose since they remain an outcome of internal networks which safeguards its own survival.

The above may explain the amount of reallocations which took place between 1976 and 1977 questioned by USAID, but were successfully defended by the project director in collusion with councillors, later charged for corrupt practises relating to tendering and allocations. 'Organised repossessions' are not unheard of. For example, in DSS allottees' who were in arrears (the normal limit being six months), had their plots repossessed and sold on to other individuals in league

with councillors and others (UNCHS, 1987). During 1979 strong representations had been made on repossessed plots and after consultations the affected tenants/allottees were reinstated. Whereas rules are supposed to apply to all, there are often exceptions involving political manoeuvres which outweigh rational laid down bureaucratic procedures.

It was clear that in UTP, among those allocated units there were a number who should have been disqualified but, because they either knew their way through the council and managed to give false information on their application forms or had backing from powerful individuals, qualified for houses. Such cases sometimes involved individuals managing to get false pay slips in order to qualify, whereas others with influence waited for plots being reallocated under suspicious circumstances. During the field survey, it was revealed that a number of plots within the inner core had been allocated to councillors and influential individuals, who twelve years later could not remember the details they gave². Such cases accounted for some 'ghost' allottees who NCC failed to trace when the project was 'resuscitated' in 1992.

The desire to access low income housing projects by wrong groups often result into understating income, and applying irregular means. This happens in situations where the respondents are aware of the gains involved. A monitoring study on DSS showed that people understated their incomes in order to be eligible (Mazingira Institute, 1983). Whereas phase one of DSS had a higher percentage of the target group, the other phases which had interference from councillors had lower percentages. Hoek-Smit's (1989) evaluation of Umoja 11 indicates that 80% of those interviewed in her sample earned less than Kenya shillings 3000 but

²During the allocation of plots within the inner core, most councillors allocated themselves several plots using different names, some of which were family members, relatives, friends and in some cases ghost names. The dissolution of the council in 1983, followed up with different commissions until the multi-party politics of 1992, disrupted the existing network of the councillors and when most of the councillors dismissed in 1983 were nominated as commissioners in 1992 with the aim of the then single ruling party being to win their votes, revelations of what had happened with the inner core plots came out.

notes that the response should be considered tentative. The reason being that those interviewed were aware of the income limit and gave responses suitable to the situation, while in reality the case may be different.

5.5.0 Conclusion

The problems experienced during the implementation of UTP are associated with the lack of efficient project conceptualisation, planning and inability by the NCC to respect project Agreement. A consequence further complicated by the establishment of the PMU without a clear portfolio, leaving a number of issues to be handled as project implementation progressed. Thus, exposing the project to rampant politics dominated by councillors, in collusion with the PMU director. Therefore, it is argued that although there were a number of intervening variables which affected the project implementation, the creation of PMU accelerated the problems. Its creation without going into details on how it would operate within the City Engineer's Department, became the centre of implementation problems.

CHAPTER SIX

UMOJA TENANT PURCHASE IN THE 1990s

6.0.0 Introduction

This Chapter discusses the main findings of the field survey of UTP. The first part includes a socio-economic profile of the respondents and a discussion of the provision and management of services. These issues are analyzed in respect of both the tenants and the resident landlords. An analysis of issues affecting each of the two groups such as; the relationships between tenants and their landlords, how tenants located their houses, rents paid and attitudes on rent-related issues is undertaken. Finally, the position of the resident landlords and their views on home ownership is discussed. Included are the allocation process and the development of the units to completion as well as the extension of the units beyond the original plans. This empirical analysis of what was planned and what is in place is done in order to abridge the two and prepare ground for analyzing the intricate issues of this research in the following chapter.

6.1.0 Socio-Economic Profile of Respondents

Socio-Economic characteristics of the urban residents has been an important variable used by planners, administrators and policy makers while designing housing programmes. Whereas this takes into consideration the characteristics of the target beneficiaries for housing programmes, little remains known on the characteristics of those who actually benefit from such programmes. To some extent, this is because the *actual* beneficiaries are often not the target beneficiaries. The few who happen to be the *actual* beneficiaries, hardly stay within such projects and hence the difficulty in knowing their socio-economic profile. In the case of UTP, the findings show that the socio-economic characteristics of the *actual* beneficiaries are quite different from that planned for the project (ref: chap. 5.3.0).

6.1.1 Employment and Household Income

Residents of UTP were found to be professionals with various backgrounds employed mainly within the formal sector of the economy. Education, accounting, management, sales and marketing professions dominated the list¹. This is unlike most low income areas, where residents are often involved in informal employment. For example, in a study conducted in one of the *real* low income areas of Nairobi, Pumwani Majengo, it was found that 61.5% of the residents were employed whereas 38.4% were not. Of those employed, 19.3% were in casual and temporary employment, 45.3% self employed and the remaining 35.4% were permanently employed in either the public or private sectors of the economy (Kiamba, et al. 1988).

As opposed to the Pumwani Majengo finding, households in UTP scheme were employed in both public and private sectors with a low percentage undertaking self employment. Among the tenants 42.8%, 48.5% and 8.7% of the valid cases interviewed were employed in the public, private and self employed respectively. Whereas among the sample of landlords 55.4%, 29.2% and 15.4% were employed in the public, private sector and self employed, respectively. A total of 18.6% of landlords interviewed were self employed whereas 1.4% were both self employed and employed with only 10.% being unemployed. Among the tenants only 9% of the valid cases were self employed with 0.8% being both self employed and employed and 4.5% unemployed. The few unemployed were either landlords earning rent income, individuals who had resigned awaiting other appointments or seeking appointments. There were very few who were basically jobless and not in the process of getting any form of employment.

Research findings show that between November 1992 and April 1993, UTP was occupied by households which may be referred to as falling mostly within and/or

¹ The dominance of particular professions can be explained by the methods used in locating accommodation which was mainly through friends.

above the middle income group. An assessment of incomes during the field survey showed that about 71.4% of the tenants were earning between Kenya shillings 2000 and 8000. Among this percentage, 29% earned between 5000 and 8000. A significant sample size of 11.8% earned above Kenya Shillings 11,000. On the other hand, the resident landlords seem to earn slightly lower incomes with 67.1% earning between Kenya shillings 2000 and 8000. Among this percentage, 20% earned between Kenya Shillings 5000 and 8000 whereas 11.4% earned above 11,000 Kenya Shillings as shown in figure 6.12.

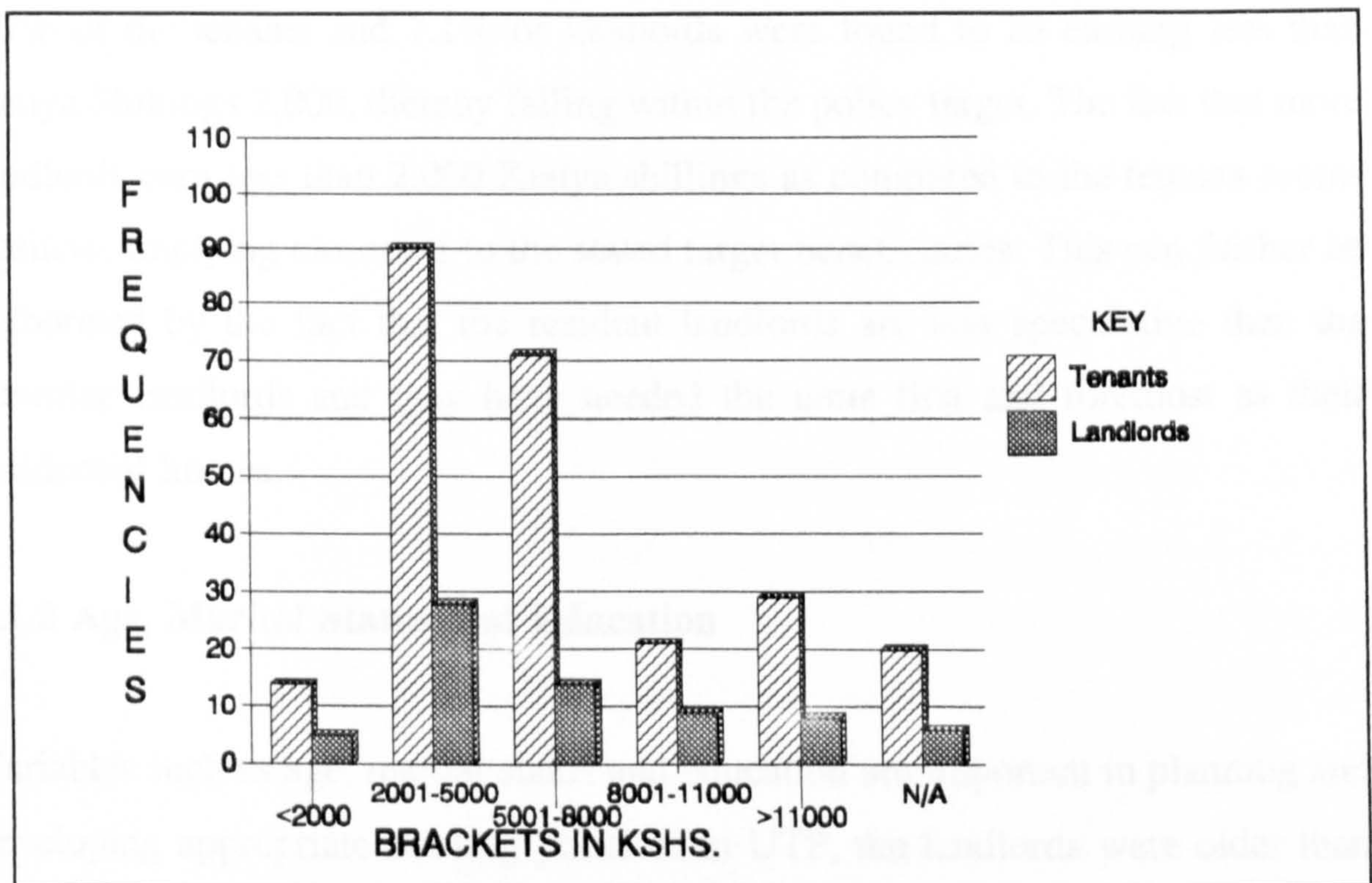


Figure 6.12: Income Levels of Tenants & Landlords
Field Survey, 1992

As reflected in figure 6.12, the incomes of the two groups are not far apart, although the tenants seem to earn better incomes on a comparative basis. The above findings are similar to the findings of HRDU (1989) in their case studies of Third Urban Projects in Kenya which included both upgrading and the site and service schemes. HRDU's findings show that most houses were occupied by higher income groups, falling outside the original project document targets. In one of the projects (Race Track), 65% of the occupants were earning above Kenya

Shillings 2000 with about 32% earning above 8000. Both UTP's and HRDU's findings contrasts sharply from findings of Kiamba et al (1988) which showed that the average income of Pumwani Majengo residents was only Kenya Shillings 1,060, with 14% of the households earning less than Kenya Shillings 500 and only 11% earning Kenya Shillings 2000 or more (Kiamba, et al. 1988).

In UTP, the case of higher income encroachment is high; a significant percentage of 11.8% and 11.4% of tenants and landlords respectively, were earning more than 11,000 Kenya Shillings, falling on the higher level of high income category. Only 5.7% of the tenants and 7.1% of landlords were found to be earning less than Kenya Shillings 2,000, thereby falling within the policy target. The fact that more landlords earn less than 2.000 Kenya shillings as compared to the tenants seems positive, implying closeness to the stated target beneficiaries. This can further be elaborated by the fact that the resident landlords are less speculative than the absentee landlords and may have needed the units first and foremost as their residential homes.

6.1.2 Age, Marital Status and Education

Variables such as age, marital status and education are important in planning and developing appropriate housing policies. In UTP, the landlords were older than the tenants and had less years of education as displayed on Figure 6.13. The mean age for landlords was 39.27 with a standard deviation of 6.83 with the minimum and maximum age being 25 and 55 years respectively. Whereas that of tenants was 31.33 with a standard deviation of 5.69. The minimum and the maximum was the same as that of the landlords. The higher mean in the age of the landlords is logical, especially when the issue of accumulated savings for housing is taken into consideration.

The majority in both samples were married and had families. 92.9% of landlords were married with only 7.1% being single, whereas 75.1%, 22.9%, 0.8%, 0.8%

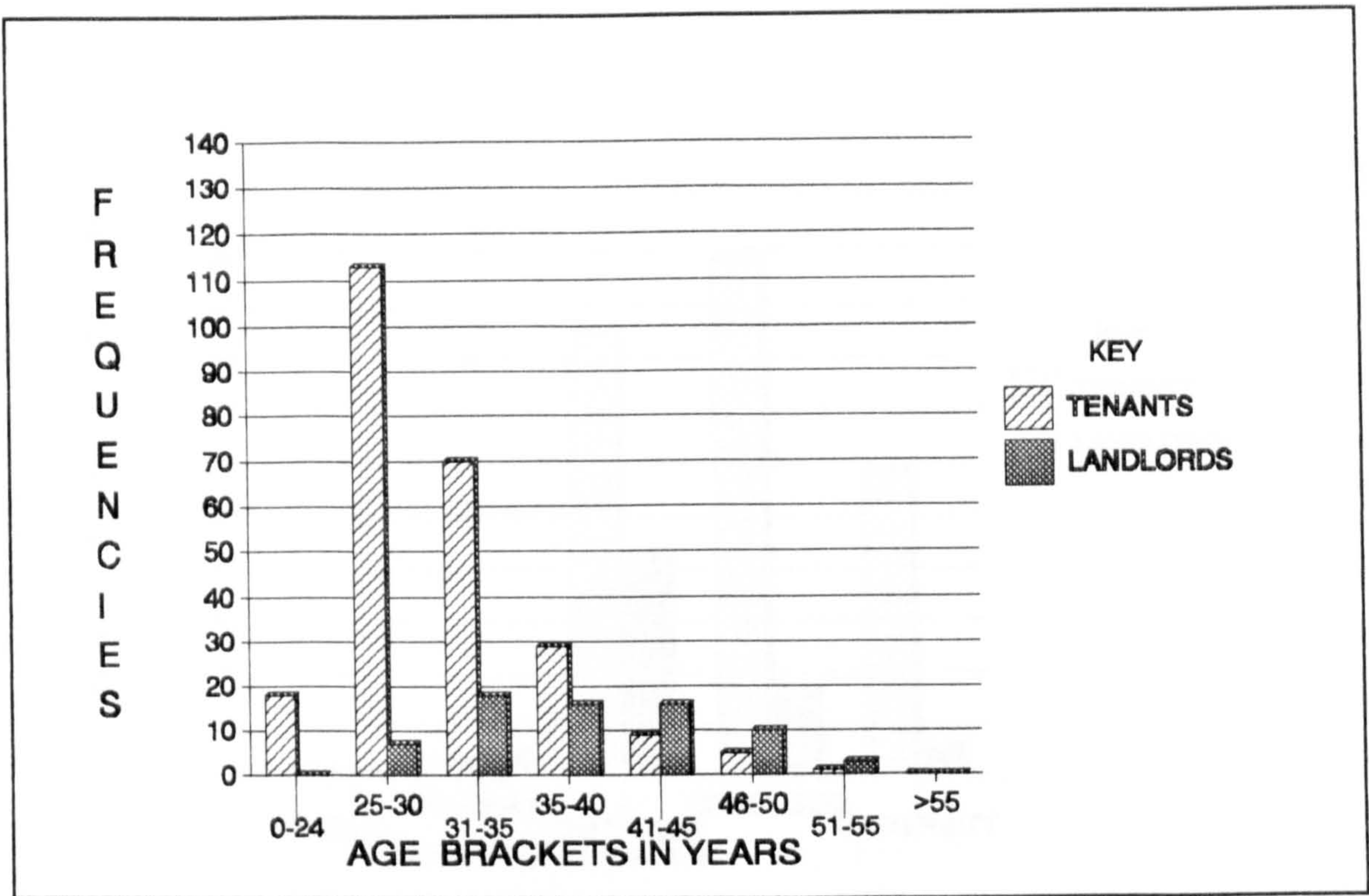


Figure 6.13: Age Structure of Tenants & Landlords
Field Survey, 1992

and 0.4% of tenants were married, single, widowed, separated and divorced, respectively. The average number of children for the landlords was 3.83 with a standard deviation of 1.70, whereas that of the tenants was 3.85 with a standard deviation of 2.55. Both had a minimum of 1 and maximum of 9 children. There were cases where the whole family was not staying together in UTP. In such cases, the other members of the family were staying in the rural areas or in other towns.

The tenants educational background was concentrated in upper secondary and university, whereas that of the landlords was concentrated in lower secondary with only 24.3% and 7.1% respectively having upper secondary and university education (figure 6.14). This is in contrast to the educational status of most low income households who are mostly engaged in small scale enterprises. A survey conducted in 1986 of such activities showed that 23.5% had no education, 63% had primary education, 25% secondary and only 2.7% completed secondary, post secondary or university (Ritter et. al. 1986).

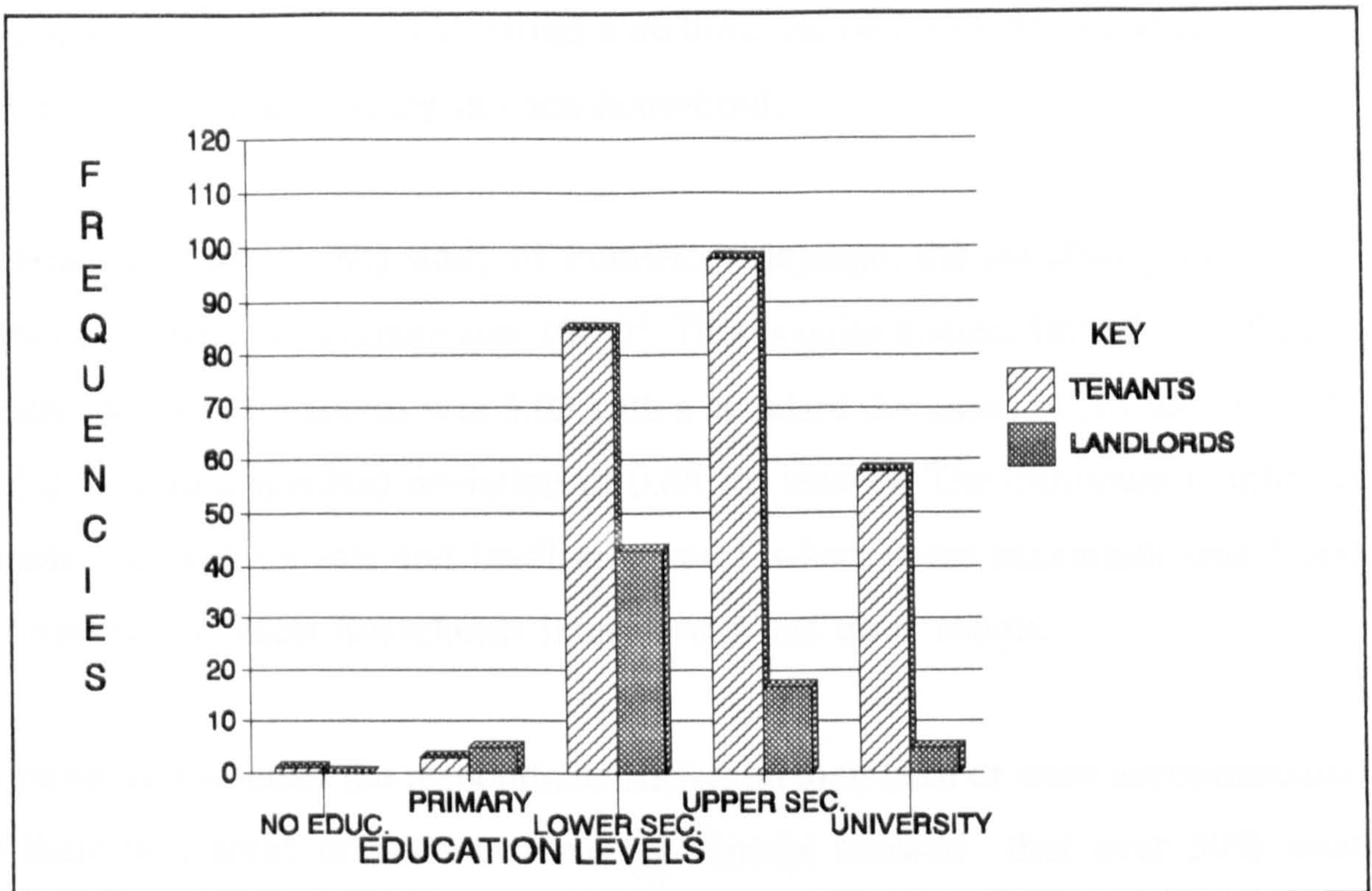


Figure 6.14: Education Level of Tenants & Landlords
Field Survey, 1992

6.1.3 Accommodation Networks and Period of Stay Within the City

The length of stay within the urban areas and how migrants are accommodated has been of interests, especially to sociologists, and is currently becoming important to planners, administrators and policy makers. Arguments have often been raised over the transient nature of migrants, thereby dismissing serious efforts of planning with them in mind. Despite this, most African cities experience large movements of population into the urban areas, which the authorities have failed to cater for in terms of services. This has resulted in the development of informal networks, aimed at filling the gap.

In UTP, both the landlords and the tenants did not only stay with their families but other kinsmen. For the tenants, the average number staying in each household interviewed was 4.68, with a standard deviation of 1.99, a minimum of 1 and maximum of 8. On the other hand, means for the landlords was 5.39 with a standard deviation of 1.85, a minimum of 1 and maximum of 9. The number of

people staying in a household varied with time and hence the importance of using the average number staying in each household.

In Kiamba et al's (1988) study of Pumwani Majengo, the occupancy rate was 4 persons per room of average size 100 ft². This is quite distinct from the UTP case, where the mean for rooms was 3.03 with a standard deviation of .95 for landlords and 2.61 with a standard deviation of 0.68 for tenants. The minimum number of rooms² for both tenants and landlords was 1 whereas the maximum was 5 and 7 respectively. Most households interviewed had three rooms.

A probe into whether the respondents stayed on their own or were accommodated in their first areas of residence within Nairobi showed that over 50% were accommodated. Whereas the remaining percentage accommodated themselves. Among the tenants, 51.6% were accommodated whereas 48.4% accommodated themselves, and for the landlords, 57.1% and 42.9% were self accommodated and accommodated respectively. This demonstrates the informal network support system existing for housing the new urbanites. Although the difference between the length of accommodation for landlords and tenants is minimal with that of the landlords being higher, it could imply a reduction of chances of being accommodated for new arrivals. Partly explained by economic pressures and the continued deterioration of kinship ties as society becomes more secular.

An examination of the areas in which the respondents had been first accommodated shows a predominance of low income areas. Accommodation had been mainly offered by relatives and to a marginal extent friends. As shown in the average number of persons per household, the residents are perpetuating the trend by accommodating others who are not yet able to accommodate themselves, especially during the early days, months or years in the city.

²In considering the number of rooms in a unit, all rooms (including seating room) were considered except the kitchen, bathroom and toilet. The outcome of more than three rooms for some households in the survey is explained by the development of extensions which enabled some households to rent both the main house and the extensions or parts of the extensions.

The research also revealed that the length of stay within the city is becoming higher with a high percentage of the landlords and tenants having lived in the city for over ten years as reflected on figure 6.15.

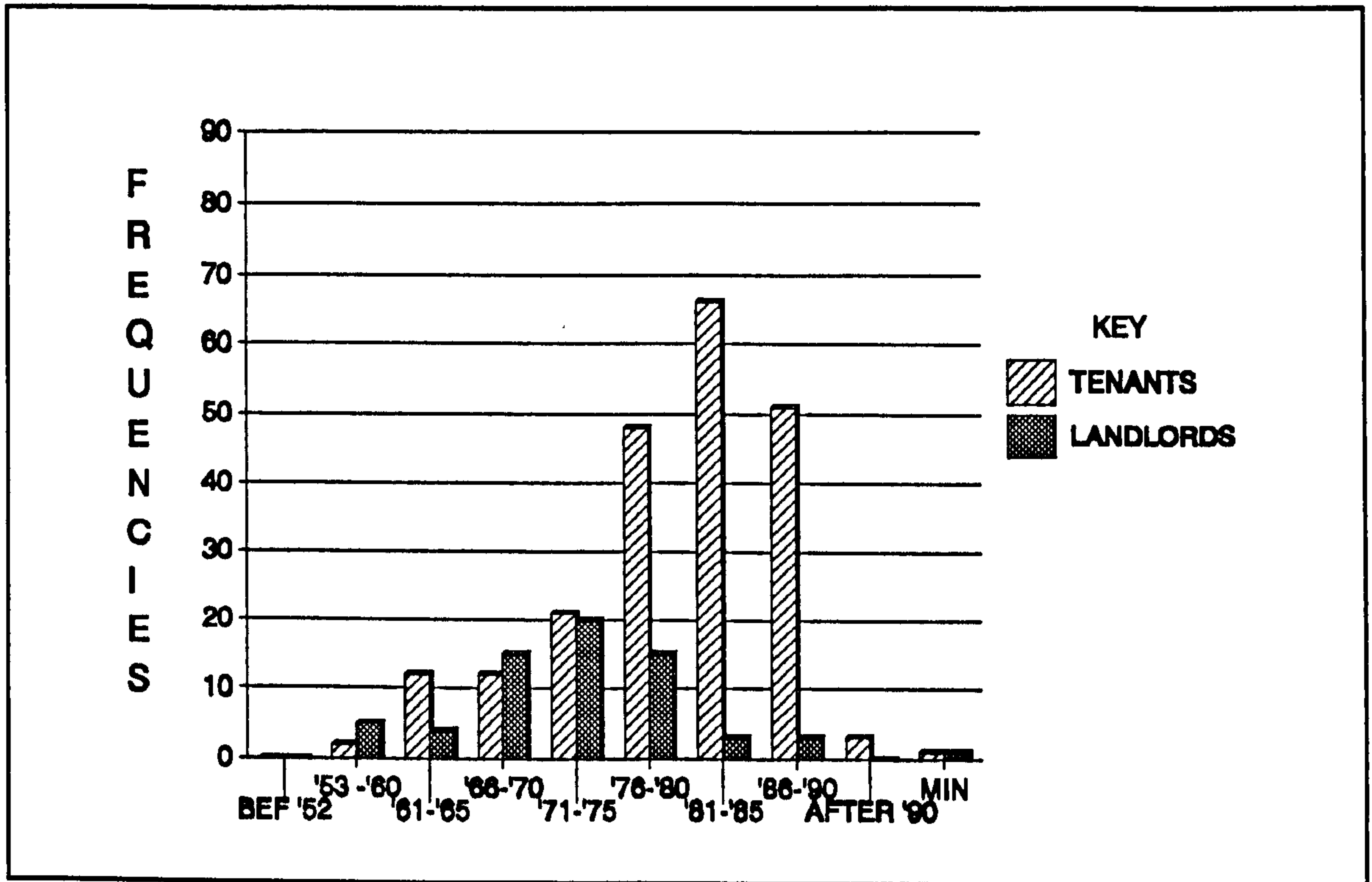


Figure 6.15: Year of Arrival in Nairobi
Field Survey, 1992

Additionally, 11.8% and 5.7% of tenants and landlords respectively indicated they were born in Nairobi. The predominance for a longer period of stay and birth within the city has implications for planning which are worth noting. Field data shows that 11.8% of the tenants were born in Nairobi with 47.7% having come to the city during the 80s. This comes to a total of 59.5% of the tenants having lived in the city for over ten years. This implies a non transient population as opposed to the theories of urbanisation which dominated urban development in Africa during the Sixties and the Seventies.

6.1.4 Factors Influencing Choice of accommodation

Planners had designed UTP with all the hope that it will be a good place to reside

in but this intention has mixed response from the respondents with more landlords preferring to live in the estate than the tenants. 70.6% of landlords preferred to live within the project whereas 29.4% did not prefer living within it. The main reason for preference to live was given as home ownership (29.4%) followed by good environment (23.5%).

A combination of affordable housing unit, security, proximity to work place, adequate services, good environment and location came third (20.6%) followed by good housing unit and affordable unit (5.9%, 5.9%) and adequate services (2.9%). The remaining combinations³ scored 1.5%. In the case of tenants, a combination of affordable rent, security, adequate services, good housing unit, environment and location dominated (20.6%), followed by good environment (15.1%), affordable rent (14.7%), adequate services (9.5%) and good housing unit (8.3%). The remaining variables and their combinations scored less than 3.4%, while the remaining percentage had no response.

A further probe into the factors respondents normally consider when looking for a house showed a predominance of a combination of factors among both landlords and tenants. The combinations included; affordable house, security, adequate services, good housing unit and environment with the scores of 76% and 90.2% among landlords and tenants respectively. Apart from security and adequate services, which scored 1.4% and 4.3% respectively there were no other variables considered in isolation among the landlords. Among the tenants only 0.4% and 1.2% respectively considered affordable rent and adequate services in isolation to all other variables when looking for accommodation within the city. This observation in the sample shows an element of an upper class interest as compared to the cadre the project was meant for, a group that often consider only rent and to some extent proximity to their places of employment.

³The variables used for preference included; rent, mortgage, security, proximity to work place, proximity to city centre, adequate services, good housing unit, good environment, home ownership, and location of the estate.

6.1.5 Household Expenditure

In the implementation of most housing programmes, income is often used as a determinant of ability to afford housing. A debateable position which runs throughout this study. In most cases households spend more than they claim to earn. This has made expenditure an important variable for assessing how much income circulates within a given household. There are cases where expenditure

ITEM	Tenants				Landlords			
	M	SD	MIN	MAX	M	SD	MIN	MAX
EXP1	2,742	1,311	0	7,000	3,059	1,473	600	7,500
EXP2	763	888	0	6,000	924	996	0	5,000
EXP3	247	463	0	3,400	444	1,821	0	1500 0
EXP4	1,626	2,822	0	23000	2,246	3,300	0	2000 0
EXP5	169	240	0	3,261	234	229	45	1,500
EXP6	165	114	0	800	245	331	0	2,000
EXP7	476	718	0	4,000	189	396	0	2,000
EXP8	2,192	576	500	4,000	363	543	0	2,500
EXP9	565	831	0	5,000	385	594	0	2,000
EXP. 10	203	611	0	4,990	194	493	0	2,500

KEY: M = Mean SD = Standard Deviation MAX = Maximum MIN = Minimum EXP = Expenditure. 1 family subsistence; 2 personal transport; 3 dependant's transport; 4 dependant's education; 5 electricity; 6 water; 7 saving; 8 rent; 9 entertainment and 10 miscellaneous.

Table 6.8: Expenditure of Respondents
Field Survey, 1992

is used as a proxy for income. In UTP, household expenditure was high with subsistence taking the highest percentage of income as reflected in table 6.8. Subsistence is an outstanding item of expenditure which most households do not only have to budget for, but spend on. Although in most cases it is not easy to determine exactly how much a household spends, it has been noted to take a higher percentage of income across income groups. For example, among the very low income groups in the Pumwani Majengo study (Kiamba et al, 1988) it took 42.9% of monthly income.

The second highest household expenditure in UTP was rent followed by dependants' education. With the implementation of IMF/World Bank Structural Adjustment Programmes (SAPs), the three items of expenditure are becoming almost unaffordable to both the middle and high income groups as the low income groups move into informal settlements, reduce their daily family subsistence requirements and struggle to educate their dependants.

6.2.0 UTP: Provision and Management of Services

The provision of essential infrastructure and services to settlements is, next to land, the most important obstacle to meeting the shelter demand for all income groups (Van Huyck, 1987). Due to pressing economic conditions, most public institutions have had problems of providing adequate and efficient services and during the last decade there has been a move to 'contract out' services. Although this is still minimal in Africa and has often covered mainly the areas of education, health, communication, urban transport, water and sewage (Roth, 1987), it is becoming increasingly common in USA and Western Europe (Ascher, 1987).

Although arguments have been raised that most urban residents are more than willing to pay market rate for adequate services (for example, Stren, 1989), for most African cities only an insignificant percentage of urban residents fall into this category. Infrastructure and services are an important aspect of housing and

should normally be planned and provided concurrently. However, this has not always been the case. At the same time, in cases where provision is done, it is often inadequate and insufficient as reflected in the case of UTP.

6.2.1 Rating of Services and an Assessment of their Management

Provision of services and their management has been a major problem to most cities in Africa as indicated in chapter four. Despite this, services are never given serious consideration during the planning of housing projects. In cases where they are planned and provided they are neither adequate or sufficient. As reflected in Chapter Five, services were the last to be provided long after settlement had occurred in UTP.

In the second phase of UTP, when the project faced cost overruns, the level of community facilities to be constructed was scaled down and the finalization of the originally proposed plans made contingent upon the availability of funds. Thirteen years after project completion, services and their management still seem to be a problem and the residents are not satisfied with them. Most services were rated as average or below average (see figure 6.16a and 6.16b), revealing the middle class oriented views. A clear indication of the implication of lowering standards for a wrong group which prefers higher standards.

Figures 6.16a and 6.16b reveals the low level of satisfaction with services. Refuse removal ranked lowest among both tenants and landlords whereas transport and security had low rating. The poor rating of refuse removal seem to be a predominant outcome which would be expected in most city residential areas. In the neighbouring UTP phase two, a study (Hoek-Smit, 1989) carried out indicated that the most serious concern was drainage and lack of garbage collection among others things.

An overall assessment of the project showed more preference by the landlords as

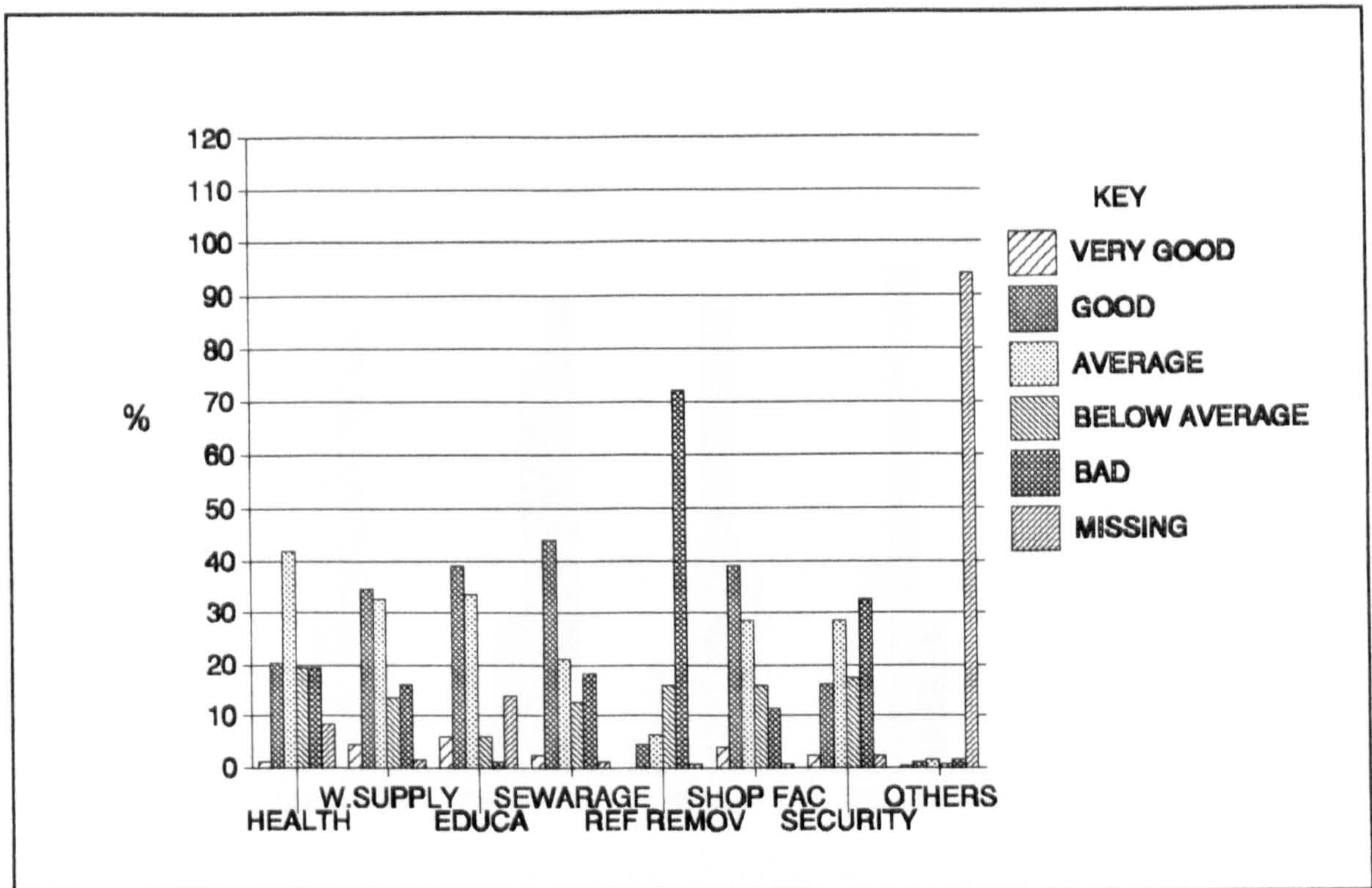


Figure 6.16a: Rating of Services by Tenants
Field Survey, 1992

opposed to tenants. The majority of the tenants felt that the project was below average or unsatisfactory, whereas the landlords felt it was average or above average as reflected on figure 6.17a and 6.17b.

The attitude of the tenants compares favourably to a study undertaken in Metropolitan Lagos (Festival Town), aimed at assessing attitudes of users towards public housing estates constructed between 1970 and 1980. In this study, 69.6% had low level of satisfaction in relation to the location of the project. Response to services and management showed that 50.3% had low level, 37.9% moderate and 11.8% high level of satisfaction (Awotona, 1990). The poor state of the housing estate was blamed on the city authorities with many respondents pointing out that the city authorities play absolutely no role in managing the estate.

Among the landlord respondents 32.9% indicated that NCC plays no role whereas 8.6% did not know. Another 37.1%, and 20% indicated that the city authorities manage the environment and services respectively, whereas 1.4% of the sample

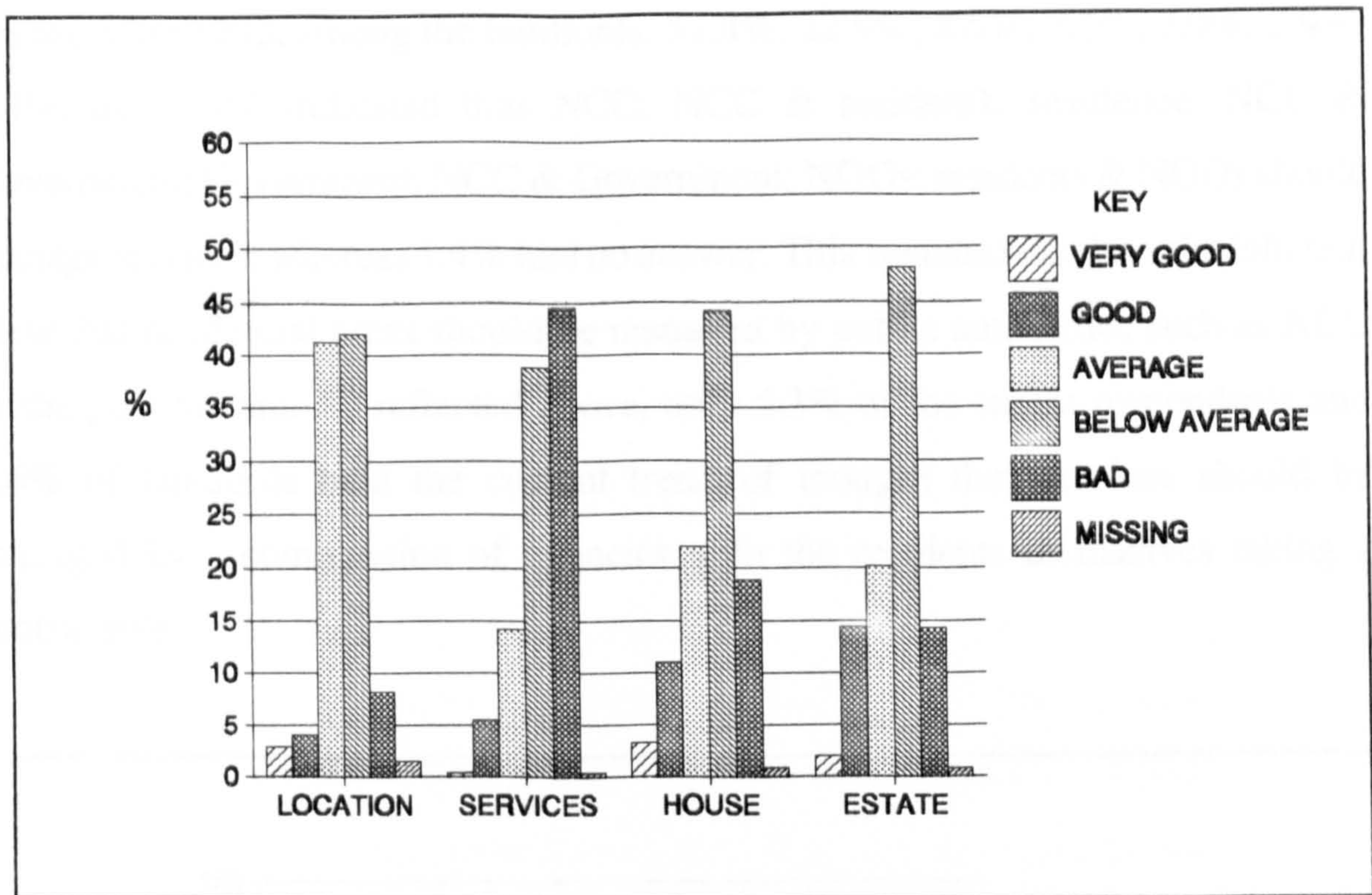


Figure 6.16b: Rating of Services by Landlords
Field Survey, 1992

had no answer. Among the tenants, 57.6%, 25.7%, 10.6% and 0.8% indicated that NCC provide services, play no role, manage environment and evict tenants respectively. The rest did not know (3.5%), had no answer (1.4%) or other variables (0.4).

Despite noting the inefficiency of NCC, the majority of the residents still felt that they should be responsible for service provision and management, whereas others felt it should be a joint effort of residents, NCC, NGOs and government. A percentage of; 41.2, 18.4, 11.4 and 11.4 indicated that NCC; a combination of residents and NCC; a combination of NCC and government; NCC, residents, government and NGOs should manage the estate, respectively. The remaining tenant response which were not dominant included 5.3%, 4.1%, 3.3%, 2.4%, 0.8%, 0.4% and 0.3% opted for a combination of residents, NCC, government, and NGOs; NGOs; residents; government; NCC and NGOs; NCC, government & NGOs; government & NGOs and no answer, respectively.

On the other hand, among the landlords, 51.4%, 22.9%, 8.6%, 7.1%, 2.9%, 2.9%, 1.4%, and 1.4% indicated that NCC; NCC & residents; residence, NCC & Government; Government; NCC & Government; NGOs; residents & NGOs should manage services; whereas 1.4% had no answer. This scenario displays the inherent view that residential areas should be managed by public authorities such as NCC or the government. As reflected above, only 5.3% of the tenant respondents and 8.6% of landlords held the current trend of thought that services should be managed by a combination of agencies with the residents themselves taking a central role.

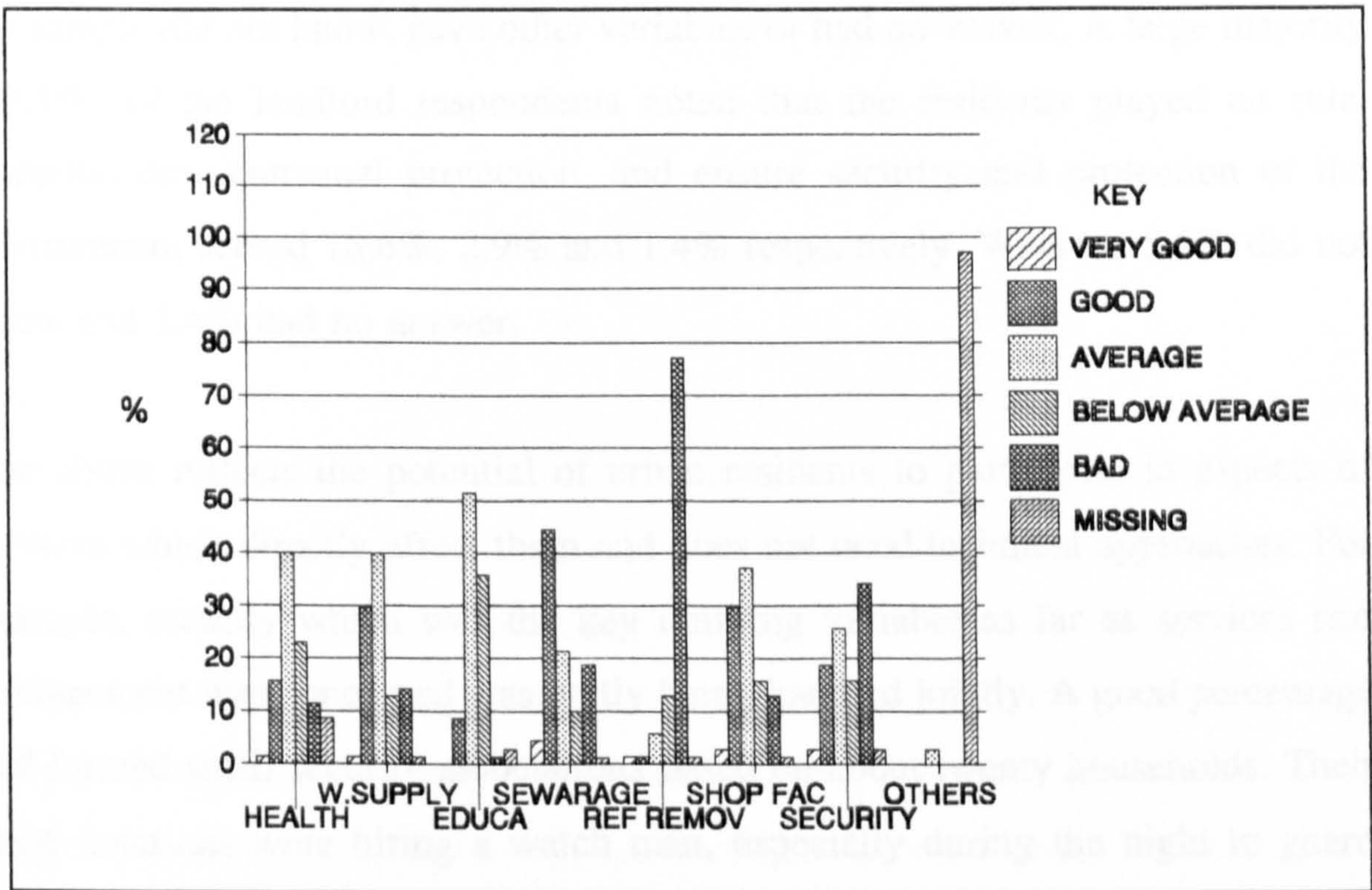


Figure 6.17a: Overall Assesement by Tenants
Field Survey, 1992

6.2.2 Community Participation in Provision and Management of Services

The view that public agencies should provide and manage services was very much influenced by the introduction of service charge by LAs in 1989. A charge which most city residents detest because it is not reflected in the services provided. Since its introduction, there has been no significant change in the management of

services and yet it provides additional income of about Kenya shillings twenty million to the NCC treasury every month. Further discussion with the residents showed that the service charge had reduced their willingness to effectively participate in managing the estate. In view of the economic difficulties facing most cities, one would expect the beneficiaries of public housing to consider options of managing the services and environment. However, as the data from UTP reflects, this does not seem to be forthcoming, except on the area of security. Of the tenants interviewed, 57.6%, 21.2%, 11% and 1.2% respectively indicated that the resident community played no role, security, protected the environment, ensure security and protection of the environment, whereas 9% of the sample did not know, gave other variables or had no answer. A large majority (67.1%) of the landlord respondents noted that the residents played no role. Security, environmental protection, and ensure security and protection of the environment scored 18.6%, 2.9% and 1.4% respectively. Whereas 8.6% did not know and 1.4% had no answer.

The above reflects the potential of urban residents to participate in aspects of services which directly affect them and does not need technical approaches. For example, security which was the key unifying variable as far as services and management was concerned was partly being handled jointly. A good percentage had formed small security associations based on about twenty households. Their main functions were hiring a watch man, especially during the night to guard against possible burglary. In the area of sanitation, a number of residents either individually or in small groups clean up areas around their houses.

They dispose the refuse either by burning or dumping by the road sides, as opposed to the desire of the city authorities. Apart from these small beginnings residents have no organisation as such. Not even in phase two of UTP, where planners went ahead to plan for condominium associations, does one find active involvement of the resident communities.

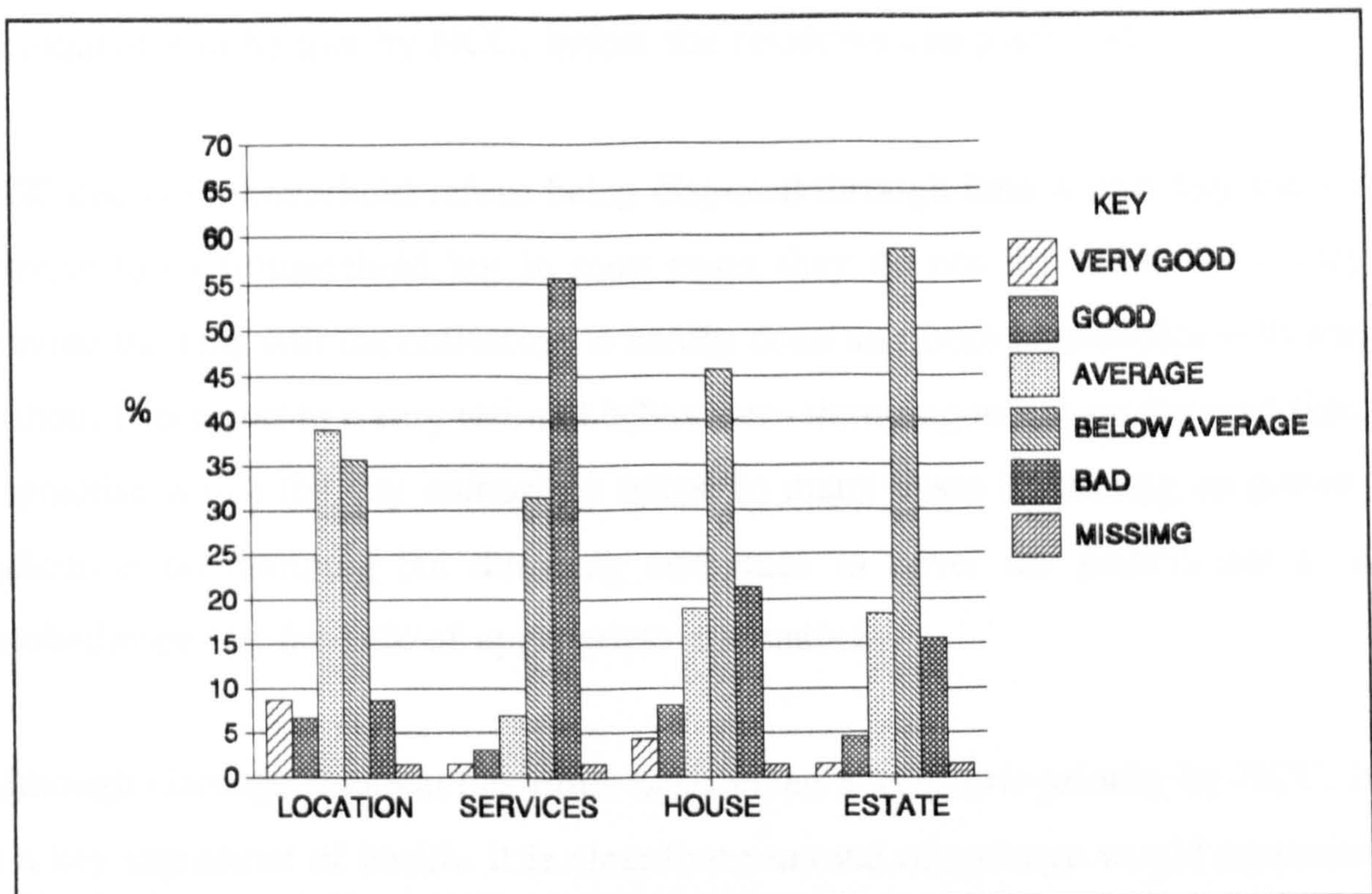


Figure 6.17b: Overall Assessment by Landlords
Field Survey, 1992

It has been difficult to actively involve communities to participate in the provision and management of services. In many cases community participation is designed and controlled by public agencies and sometimes NGOs. Gilbert and Ward (1985) in their case studies of cities of Bogota, Mexico City and Valencia point out that the State has developed highly effective methods of channelling and controlling participation in the sense of growing control by the poor people over the resources and institutions that determine the quality of life. Their study has doubts whether class solidarity can develop around neighbourhood servicing issues.

The lack of effective community participation in low income settlements has also been associated with the different interests involved in such settlements (Saunders, 1979; Edwards, 1982). For example, the interests of tenants and that of the landlords are quite different and it is not easy to get common grounds of rallying them into community participation. There are also a number of functions that the residents are just not able to perform. Taking an example of refuse removal, assessed by the residents as the worst managed, one finds that there are

prerequisites to be met by NCC, before the residents can participate.

NCC insists on household refuse being disposed through bins which they should provide to each household but in most cases they do not. In cases where they provide the bins still the collection is hardly done and both households with and without bins resort to a very rational behaviour - dumping refuse on the road side. A practise which the city authorities detest in many cases by putting up posters indicating no dumping but dumping continues to cover the posters not as a disobedience but for lack of appropriate alternative.

Although Garbage removal has often been given a very low priority by NCC, it is a key ingredient of health. It is clear that removal of garbage would minimise the quantity of dangerous pollutants or pathogens in the environment and contribute to good health. Although hardly any research has been done in Nairobi to show the extent of exposure of large numbers of people to pathogens and toxic substances, such as household and industrial wastes being dumped in open spaces within and near residential areas, its hazards are well documented elsewhere.

6.2.3 The Role of NGOs in Service Provision and Management

NGOs have been known to be contributing a lot to urban development, especially in the area of welfare services. In most cases they are active among the marginalised low income groups operating mostly within the informal sector and at the same time living in informal settlements. This partially explains why there are less NGOs working with communities in UTP. In planned low income areas such as UTP, there are cases whereby the residents are not able to separate public services and that of NGOs; except where the NGOs are working through churches.

The role played by the NGOs was marginally acknowledged in UTP, especially in the area of welfare services. The sample size of tenants had less recognition of

the role NGOs play than the landlords with 80.5% indicating that they play no role. Only 7.3% and 6.5% indicated that they provide welfare services and counselling. The rest of the sample said they assist in the area of education and environmental management with others having no response. Among the landlords, 54.3% said NGOs play no role and 15.7% did not know. Another 15.7% indicated that they provide welfare services. The rest of the sample indicated that they provide education, manage environment, provide welfare and counselling.

6.3.0 Tenure Status of Respondents.

The nature of tenure is important in determining the prevailing interests in public housing and how to plan and manage services. In the case of UTP, planning was done with home ownership in mind. However, as indicated earlier, only 22% of the residents are home owners, while 78% are renters. It therefore suffices to examine the condition of this predominant group before analyzing that of the few resident home owners. The discussion on tenants include their relationship with their landlords, methods of locating their housing units, rent paid and related issues as well as the type of tenure preferred. In the case of the resident landlords, the issues in question revolve around the allocation process and the development of housing unit to completion. Included are the views of the landlords on NCC's planning regulations and whether they followed them as they developed extensions after completing the original planned expandable house.

As shown earlier, the resident home owners had no better impression of the project than the tenants. This partly explains why, even in cases where the expandable house had been completed and an additional extension developed in what the planners thought would serve as open space cam garden, the landlords still did not reside within the units.

6.3.1 Tenancy

Renting by comparatively better off groups has been noted to be dominant in subsidised public housing. This was demonstrated in UTP where the majority of residents were tenants paying comparatively high rents. Rents varied according to the type of house and the time it was occupied. This demonstrates the level of commodification of housing which has been noted to be prevalent in Kenya (MacoOloo, 1989) and specially Nairobi (Amis, 1983). It has not only affected public housing but also private (formal and informal) as shown in the case of Pumwani Majengo, where 78% of the residents were tenants, 15% sub-tenants and only 7% resident landlords (Kiamba et al, 1988).

A positive aspect of commodification of housing was the good relationship between tenants and their landlords. 95.1% personally knew their landlords, 87.3% paid their rents directly to the landlord and 86.6% reported any maintenance (maint.) problem directly to the landlord as shown on figure 6.18. The good relationship was expounded by 79.2% respondents indicating that they have not had any problems with their landlords. However, 20.4% of the respondents had experienced problems. The problems were mainly lack of maintenance and increase of rent. Some of them had also experienced eviction by either NCC or landlord and disconnection of services such as water and electricity.

Although only 20% had experienced any problem, considering the nature of the problems and the inconvenience and impact they have on the tenants, they are worth discussing. Evictions and disconnection of services often affect the tenants although they are aimed at the landlords who are the allottees and have a contract with NCC. Due to the earlier requirement that allottees should stay in their units, most of them have water and electricity bills mailed through their addresses.

Subsequently, they hand them over to their tenants, while others get the money from tenants and pay the bills themselves. Another percentage of landlords integrate the water and electricity bills in rent. All these approaches drastically affect tenants who are never sure whether the bills are paid or not until they

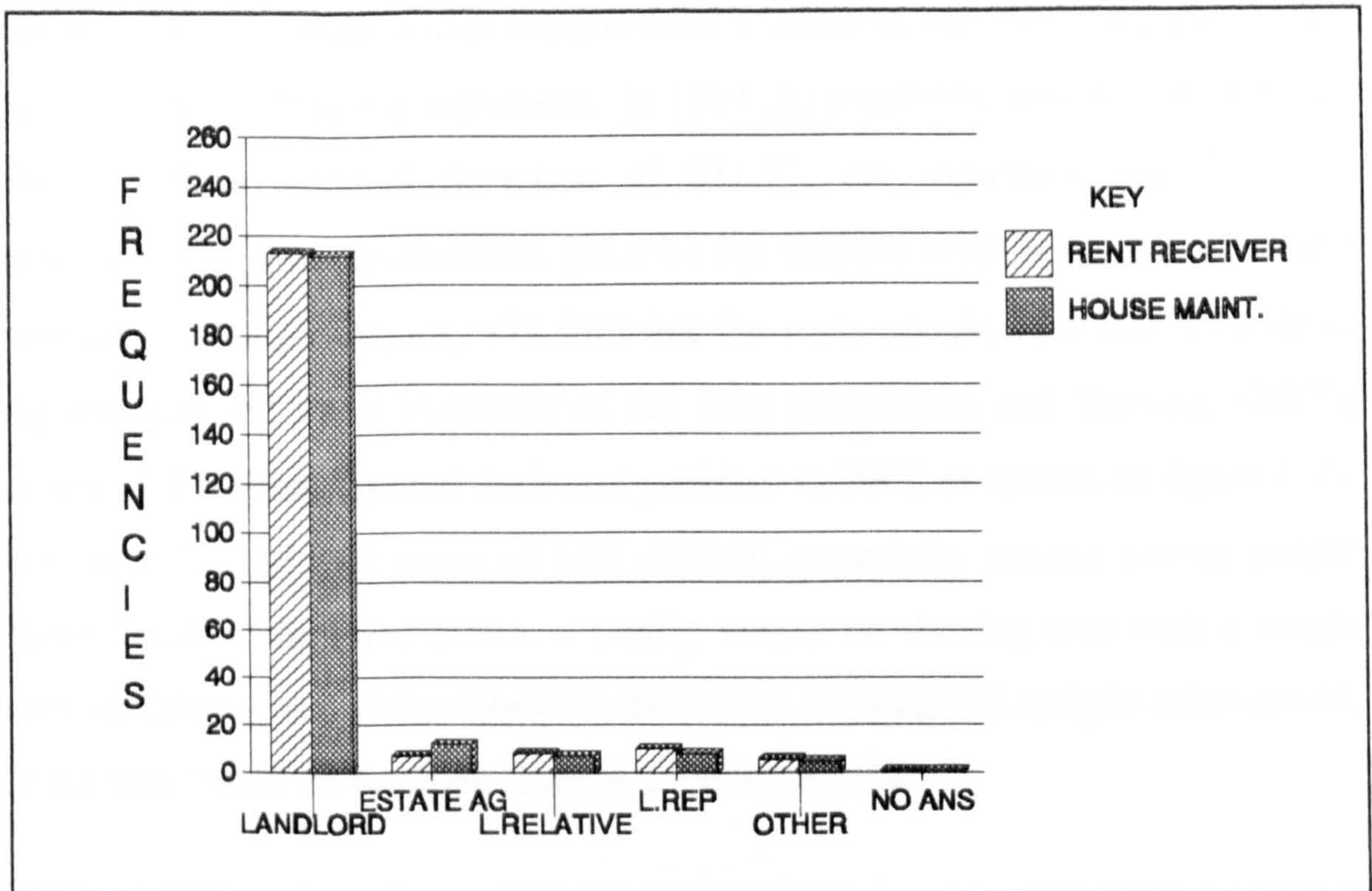


Figure 6.18: Rent Receiver and Maintenance
Field Survey, 1992

experience either eviction or disconnection of services. In cases where landlords have accumulated arrears and the house has to be repossessed the tenants suffer without recourse since they have no contract with NCC. In many cases they also have no contract with the landlords. This exposes them to the mercy of the landlords, depending on whether the landlords make their tenant purchase payments and are at the same time not planning to throw them out whenever they wish.

Although most of the tenants knew their landlords, they did not go through them in locating the houses. The majority (65.8%) of the tenants located their houses through friends with only 7.4% having gone through the landlords. Going through relatives ranked second (12.3%) as method of locating a house. Few respondents had used housing agents (6.6%) and the daily media (4.9%) whereas 2.9% applied other methods.

Rents in UTP have been rising rapidly, among the respondents 62.7% had

experienced rent increase within the last three years with some respondents having experienced more than one increment. In 1991 the mean rent was Kenya shillings 1,991.03 with a standard deviation of 531.37, the minimum was 750 and maximum 3000. Most respondents (63.1%) felt that the rents being charged were exorbitant. Although majority (72.5%) felt the rents should be lower than those being charged and knew existence of the Rent Restriction and Tribunal (RRT), very few (5.1%) had reported their rent problem to RRT as shown on figure 6.19. There were few (9.8%) cases of rent sharing, especially among young people without families. In some cases, a family would be sharing rent with a single person subletting one of the rooms in the house. Among the sample interviewed, no case was found of families sharing a house or rent.

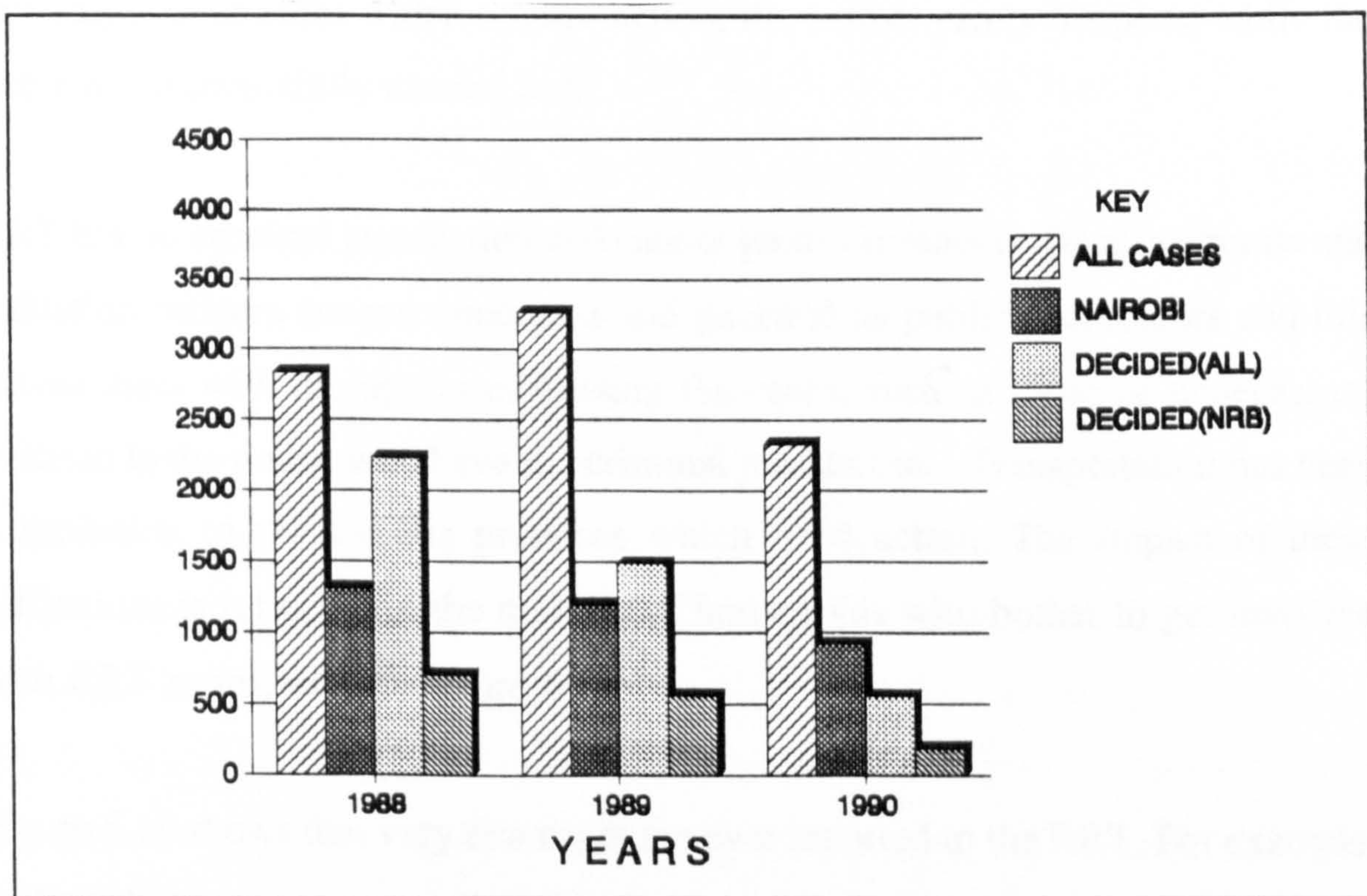


Figure 6.19: Reported and Decided Cases by RRT

Field Survey, 1992

A probe into whether the tenants had complained about the high rents had almost an equal response with 53.4% having complained and 46.6% not having complained. An explanation of their response showed varied responses ranging from fear of eviction, lack of response from the landlord to the acceptance that

rents in the city are generally high and it is worthless complaining. Accumulative percent of 86.1 felt that the rent in 1992 should be 1,800.

RRT does minimal services to those with problems relating to rent. Basically, the tribunal was established to resolve disputes between tenants and landlords residing in premises whose rent was Ksh. 2,500 or below. Prior to 1981, it covered only premises whose rents were Ksh. 800 and below. Its performance has been very poor due to poor staffing, extreme shortage of housing, leaving tenants in a poor bargaining position and increased housing costs which puts investors off investing in rent collaborative premises. Discussion (Wainganjo, 1992)⁴ during the field survey showed that the institution lacks relevant resources required to perform its tasks. To operate effectively, it needs inspectors to conduct on the spot checks and investigation of cases which require action; the former rarely happens, while the latter is unsuccessfully carried out.

RRT has no criminal jurisdiction and cannot punish offenders. Its inspectorate and valuation officers are not appointed and gazetted as public prosecutors and this leaves them with the option of passing the cases, such as those of unnecessary eviction to the police who have the criminal jurisdiction. Transportation has been a limitation to the various premises which need action. The impact of these difficulties is reflected in the number of households who bother to get involved with RRT as reflected in figure 6.19.

Figure 6.19 shows that very few cases are ever reported to the RRT. For example, in Nairobi there are normally numerous cases of rent problems and yet in the three years shown, the reported cases are hardly 2000. Rents have generally been high and in tune with the inflationary rates, rising interest rates which are currently decontrolled as well as high prices of land and building materials. The high rents also reflect high demand and commercialisation of housing. Hence high

⁴ Mr. Waingajo had worked with the RRT as an administration officer for over two years and at the time of the interview was in charge of the Nairobi office.

displacement of tenants from formal housing to informal settlements.

Many landlords do exploit the housing shortage and thereby overcharge, as the tenants fear of possible eviction limit their ability to file cases against their landlords. This implies that rent control is a contradiction when other aspects which go with it such as land values, interest rates and building materials are decontrolled. This partly explains why RRT has only been effective in business and commercial premises leaving the residential premises unattended. Thus, it is noted that rent should be directly linked to the policies being pursued and the subsequent number of units produced, otherwise it does not make sense to control rent. In any case, such controls are not effective and hence the failure of households to report cases.

The impact of rent control manifest itself in the deteriorating housing stock within the city. Most Las have kept rents for their housing stock much below the market rates and their attempt to increase rent has often been reprimanded by the Central Government. Any increase of rents, especially that of NCC and other Las has to be approved by the Ministry of Local Government. NCC had been trying to increase rent for its housing stock since 1987 but only succeeded in July 1992, with the increases ranging between 50 and 100 percent (Field Survey, 1992). Although the increase statistically seem high, it should be noted that most NCC housing stock are rented much below market rates. Central Government has in many cases blamed them for lack of maintenance, not taking into consideration the fact that the rents charged are not even sufficient for management. It is therefore out of step to expect NCC to maintain the available housing stock unless they are able to mobilise resources or get assistance from the Government and/or other agencies.

The desire and intention of owning a home in an urban area was predominant among the UTP tenants with 2.5% of the sample finding owning houses elsewhere in Nairobi. A search to find out whether the respondents wished to own houses

in Nairobi gave a positive response of 98.4%, whereas an assessment on whether the respondents have ever applied for any government aided scheme such as UTP showed that 44.6% had done so, whereas 55.4% had not. This shows that there is an effective demand of home ownership among the residents of UTP and policies of home ownership aimed at this group may have chances of succeeding. Additionally, the majority of the respondents were formally employed and had regular quantifiable income, aspects which have been requirements for accessing low income housing but not operational among the *real* low income groups.

Housing finance has been said to be a major bottleneck in accessing housing. An investigation into where the respondents would seek financial support indicated that 32.7% and 43.7% respectively would seek support from the public and private sectors. 8.6% pointed out that they would use informal networks in their search for financial support whereas 13.5% did not know with 1.5% having no response. The fact that the majority of the respondents did not opt for the public sector seems to be an indication of disillusionment with the performance of the public sector. A sector whose performance has been deteriorating with only few benefiting.

In order to give a further assessment of Government intentions and/or policies, respondents were asked to comment on the government policy of housing the low income groups. A total of 62.1% felt the policy was good whereas 37.9% felt it was not appropriate. A request for an elaboration of the above outcome got a negative response with 65.7% opting not to give reasons for their stand on policy. The positive responses included; low income groups cannot afford the houses developed (19.6%), very few benefit from such schemes (1.2%), the process of access is tedious (0.4), makes home ownership possible (11.8%); whereas 1.2% gave other reasons or did not know.

Lack of access has been a major problem in most public funded housing projects. A search aimed at finding out the problems the UTP respondents faced in their

attempt to access government aided schemes was carried out among those who gave a positive response. It showed that 15.1% failed due to their income bracket, implying that they were either above or below the bracket. Others indicated inability to get application forms (4.9%), failure to raise deposit (0.4%) and irregularity in application procedures (6.9%). The latter included corrupt practices where one had to pay a token before being given a form and with a promise that the form will be given some preference during processing of applications.

Most low income public housing programmes undertaken since 1972 assumed that low income households prefer to own houses. However, the *real* low income groups do not have the relevant requirements perpetuated for home ownership. Contrary to this, the middle and upper income groups who occupy houses meant for them have the desire for home ownership. A question asking the tenant respondents of UTP the type of an urban house they would prefer indicated that 65.7% and 27.4% respectively prefer tenant purchase and a plot to develop their own houses. Only 4.1% indicated they would prefer rental housing while 1.2% preferred buying with cash as opposed to getting involved with loans. 1.6% of the sample had no response.

A further probe among those who opted for tenant purchase in order to find out whether they would prefer to rent out or sublet revealed that 53% preferred not to sublet whereas only 7.8% preferred subletting in order to be able to make the loan repayments. The 53% gave reasons such as self satisfaction and ability to maintain the house better as well as being able to earn owner/occupier house allowance from their employers. These responses reflect the interests of middle and upper income groups who in many cases do not prefer rental housing or subletting accommodation. They only opt for such alternatives in cases where their financial capacity does not allow them to take the preferred choice, which is often home ownership.

6.3.2 Home Ownership

Home ownership has been argued for the urban poor in the third world countries to be the final stage in a long process, whereby they move from being sheltered or accommodated individuals into being sub-renter then a renter and finally the owner of a home (Malik, 1992). In Kenya, home ownership has been perpetuated since the Vasey report of 1950. It is therefore important to assess some of its advantages and disadvantages for those who have experienced the move, using the case of UTP. Apart from owning units in UTP, 9.9% of those interviewed had other houses in other areas of the city, an outcome which the city authority requirements attempted to avoid during allocation. The requirement was that applicants should not own any other house in Nairobi and, as expected if the target beneficiaries were to be drawn from the most needy, the element of multiple ownership would be greatly reduced or not be there at all. An assessment of the houses the individuals owned before UTP showed that they were not subsidized, exposing the problematic nature of directing subsidies to the right group.

In the sample of respondents interviewed, there was a significant percentage of non-original buyers. This illustrates the rate at which publicly funded housing schemes aimed at the low income groups change hands. The HRDU (1989) study has also indicated how plots change hands in low income planned housing schemes using the case of secondary towns. An outcome known to be predominant in many developing countries. In Kenya, housing units meant for low income groups have been known to start changing hands immediately after allocation. In Nairobi, the situation is worse due to speculation based on high rates of return on housing investment.

Most (71.8%) of those interviewed had been tenants before, while 26.8% had never been tenants. This implies that they either came to Nairobi after having accumulated enough resources to enable them be home owners or they stayed

with other people until they moved into their own houses. The latter is not prevalent except in cases where next of kin has inherited the property and in the sample only 5.8% acquired their units through inheritance. The rest of the sample (94.2%) had either bought or were buying. The majority of the landlords stopped being tenants when they were allocated units in UTP, as reflected by the 71.2% who started purchasing their units between 1976 and 1982 as shown on figure 6.20.

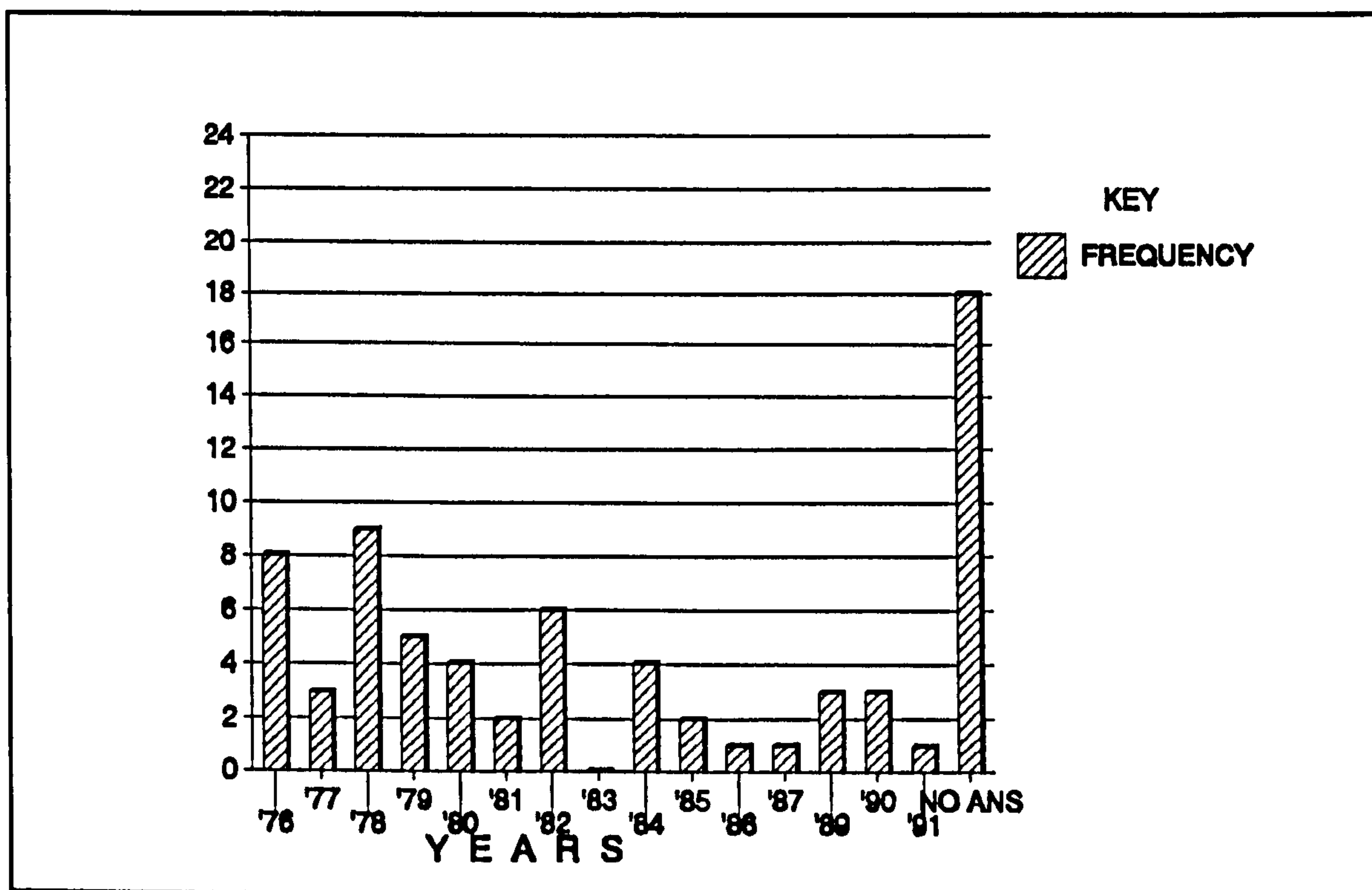


Figure 6.20: Year of Unit Purchase
Field Survey, 1992

The cluster on figure 6.20 is unique; it does not synchronise with the time allocations were done as such. If cumulative percentages are considered, one finds that only about 60% fall among the initial allottees whereas the remaining 40% would be assumed to be second buyers with a few who may have inherited the units. However, in a more direct question asking respondents whether they were the original allottees or they bought from somebody else, only 21.2% indicated they had bought from somebody else whereas 78.8% said they were original buyers. This outcome had been anticipated during the pilot survey and

hence the question asking allottees to specify the year they started buying their units.

The case of UTP demonstrates the extent of commodification of the units which has taken place since the initial allocations. The high rate of no response on this question relating to the year of purchase partially explains some cover up the landlords would like to make, especially those who may have got the units after repossessions or under suspicious circumstances. For example, in a neighbouring site and service scheme (Kayole), where the period of sale of the units has not expired, a number of individuals have bought plots from the original allottees by simply signing affidavits. Such individuals in many cases are not willing to discuss many details of their investment and in any case, it is difficult to locate them, for in all the legal documents they act in the name of the original allottees until the 'no sale' period expires.

6.3.3 The Home Ownership Process.

As noted, home ownership has been advocated for solving the housing problems of the low income groups, but findings of this study shows that the process is tedious and expensive for low income households. Among the landlords in UTP, the process was found to integrate a number of issues relating to the administrative, financial and self sacrifices the landlords had to deal with before finally occupying their houses. Before the allocation of the units or buying for those who were not original allottees, individuals had to deal with a number of institutions which mainly included NCC and in some cases their employers, or cooperative societies.

Asked to point out some of the administrative difficulties they faced in dealing with NCC's bureaucracy, a significant percentage (42.9%) indicated they had no problem whereas the second largest percentage (24.3) experienced some problems, which included; difficulty in getting application forms, short time for raising

required deposit and cumbersome bureaucratic procedures, as reflected on figure 6.21. Corrupt practices are often pin-pointed in the newspapers as rampant in the administrative structure of NCC as discussed in Chapter Five. Although it did not come out as a predominant factor in the sample interviewed, this study notes its importance as a variable. The not applicable cases refers mainly to those who did not go through NCC who at the same time fall among the second buyers. As indicated earlier, most of them went through either their employers or cooperative societies, aspects which are out of scope for this study.

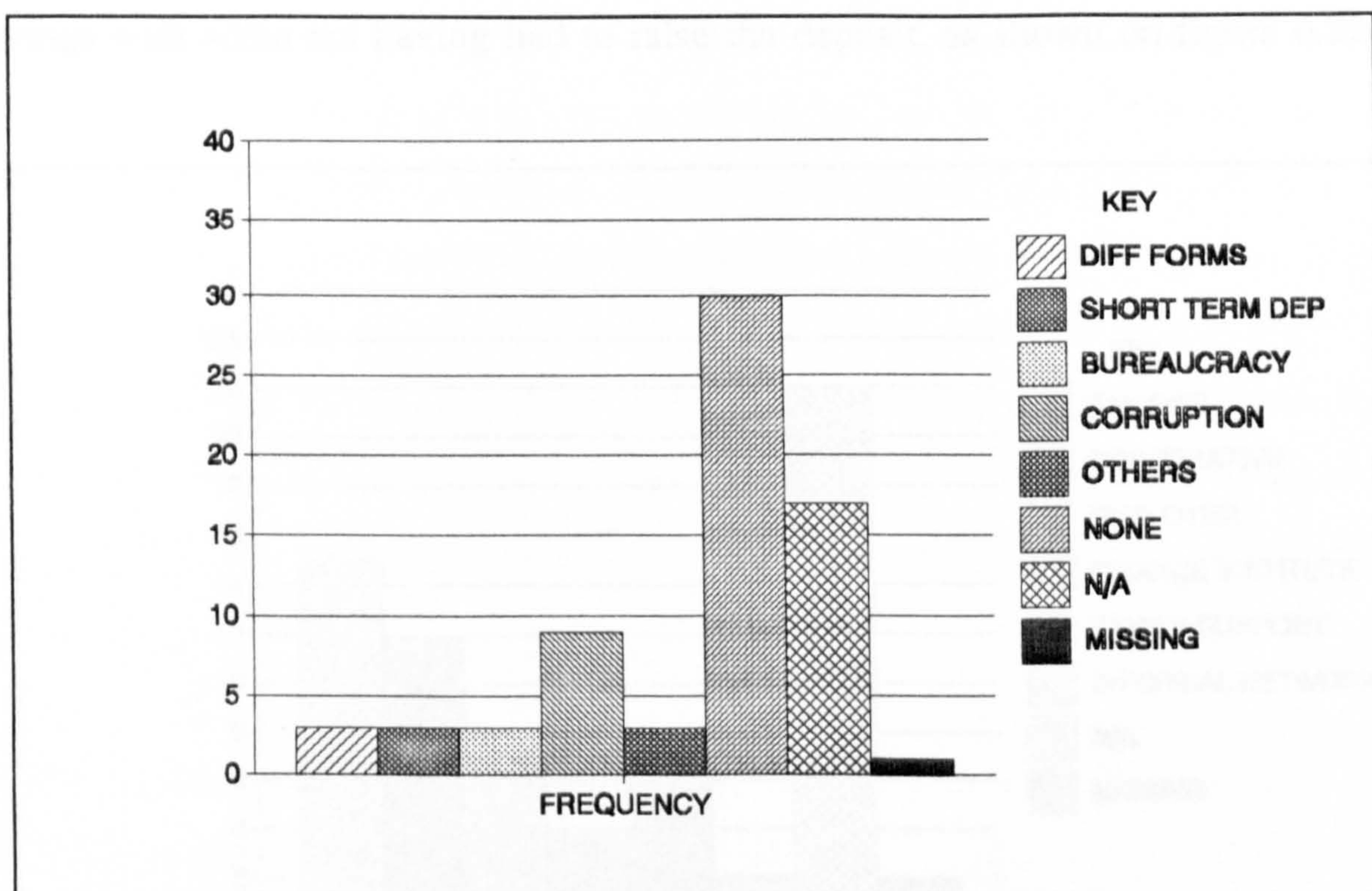


Figure 6.21: Administrative Problems Encountered by Landlords

Field Survey, 1992

Diff - Difficulty Dep - Deposit

The sources of housing finance have been key in housing studies. Renaud (1988) argues that in the developing countries, concern has been more on how resources can be made available for low income housing, leaving out the development of effective financial systems and/or intermediaries. Neither has the concern been on the constraints financial institutions face and which may contribute to the inability to provide the type of loans which policy makers say they should provide. It has been difficult for most countries to solve the three conflicting issues in housing

finance, namely; affordability for households, viability for the financial institutions and resource mobilisation for the expansion of the sector at national level. Thus in the developing countries, housing finance has been left, largely to the market forces, cooperatives and informal networks.

The above is demonstrated in UTP where most respondents got financial support in form of loans either from their employers or cooperative societies; institutions known to have suitable access procedures to their clients. On the other hand, their sources of finance for the down payment were mainly cooperatives and individual savings with some not having had to raise the deposit, as shown on figure 6.22.

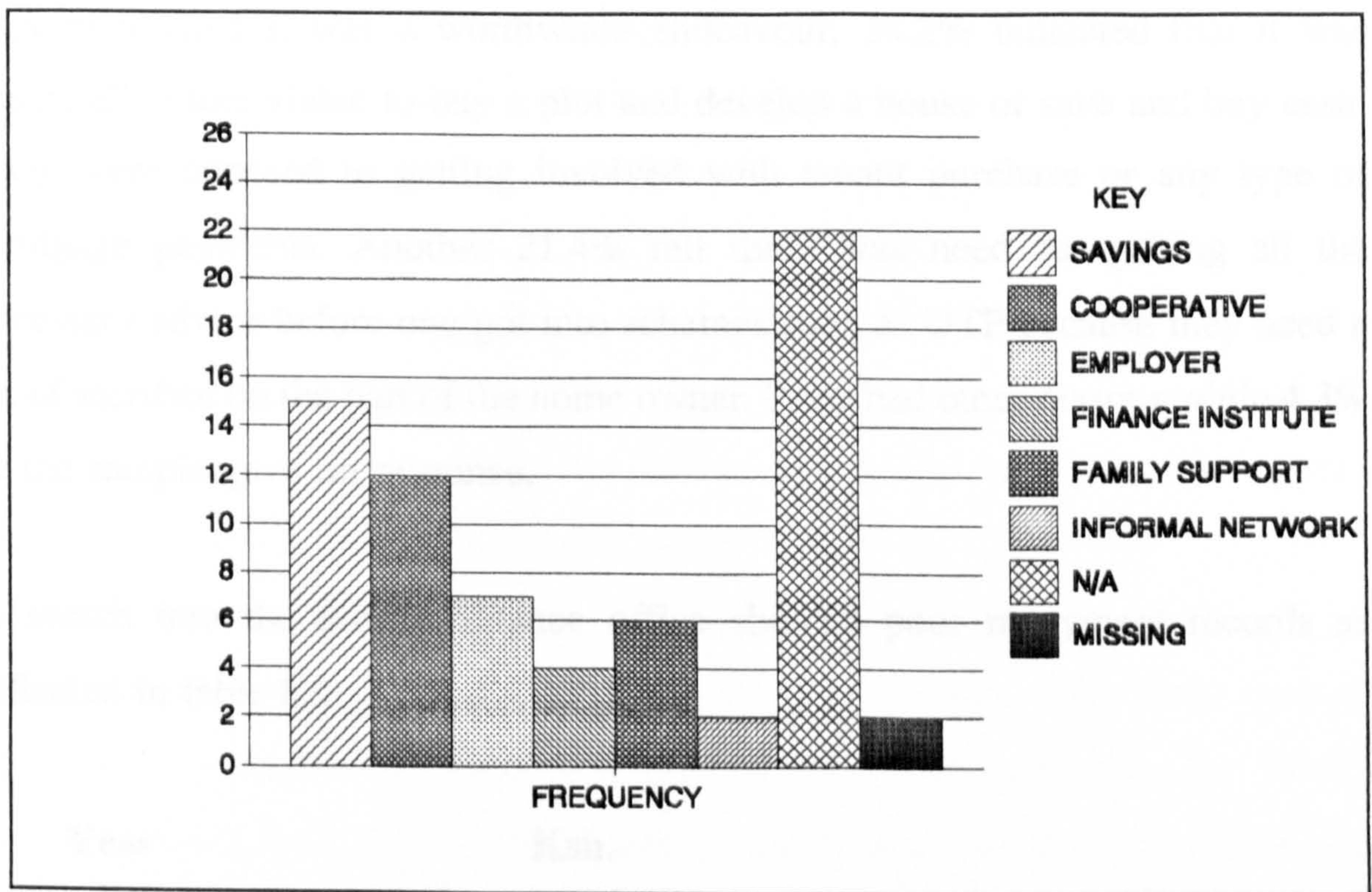


Figure 6.22: Sources of Down Payment by Landlords

Field Survey, 1992

Savings and cooperatives seem to be the most common methods of accumulating money for housing investment. The 31.4% who did not have to raise the deposit fall among those who bought their units with cash through their employers or cooperatives. There are possibilities of individuals who could have accumulated adequate finance to be able to purchase their units on a cash basis. However, such

cases would definitely be way above the required target group at the planning stage as was reflected by the number (39.7%) of those who had already paid off their units. As for those who were still paying mortgage, there was a cumulative percentage of 70.3 paying Kenya shillings 750 or below. The lowest mortgage payment was 400 and the highest 2,800.

Most respondents were paying their mortgages to NCC (35.7%) or a cooperative society (11.4%) with the higher rates being mainly payments to cooperatives and/or employers. The problems of paying mortgage and the difficult process of home ownership came out clearly when the home owners were requested at the end of each interview to give advice to potential home owners. Whereas 32.9% only mentioned it was a worthwhile endeavour, 34.2% indicated that it was financially more viable to buy a plot and develop a house or save and buy cash. They were opposed to getting involved with tenant purchase or any type of mortgage payments. Another 21.4% felt there was need for getting all the necessary advice before one got into schemes such as UTP because they need a lot of sacrifice on the part of the home owner. 7.1% had other reasons while 4.3% of the sample gave no response.

A search into the project finance office showed poor repayment records as reflected in table 6.9

Year	Ksh.
1991/92	38,741,361.20
1990/91	43,768,362.25
1989/90	32,427,596.95
1988/89	23,797,269.70

Table 6.9: UTP Arrears, 1988 to 1992

Source: Compiled from Summary of Accounts as per ledger, NCC UTP Project Office.

Discussions with the officer in charge (Mr. Kinani) indicated that very few allottees were regular as far as tenant purchase repayments were concerned. The

dismal scenario in tenant purchase repayment records was linked to administrative, political and economic variables. As per NCC regulations, allottees who accumulate arrears amounting to six months should be evicted and as discussed earlier, this eviction often falls on tenants. According to Mr. Kinani, accumulation of arrears has to be handled with caution and has no standard format for those affected. Each case has to be handled taking into consideration the factors contributing to lack of repayment.

Mr. Kinani noted that sometimes there are genuine cases where households have lost their employment or have fallen into some financial crisis. In such situation, the Umoja Finance Office probes the case and appropriate repayment methods are set. However, this method was found not to be very acceptable to the NCC authorities, especially HDD. Notwithstanding, it seems the right approach for those who are most needy, for as noted during the interview, eviction and subsequent repossession is a great loss that no household would wish to fall into, unless they have absolutely no alternative. Additionally, the politics of repossession has it that the repossessed units are often sold to NCC staff or their close associates at throw away prices. Inferring that the low income groups have higher chances of making an exit than other income groups.

The interviews also revealed that those who had bought their units through cooperative societies or employers were more conversant with the Tenant Purchase conditions and other payment aspects such as land rate, rent and insurance than those who had bought from NCC. Some of those paying Tenant Purchase fees to NCC were ignorant of a number of important issues such as interest rates and balance of payment. They noted the lack of clarity as relates to mortgage payment whose balance kept increasing as interest kept rising. Subsequently, they suggested that NCC should be giving an annual statement of the accounts and the rates of payment should be made stable with some suggesting that the government should support such efforts. This demonstrates the traditional perception of the government as a provider of public goods and the

ignorance relating to publicly funded low income housing development programmes.

Interviews with NCC authorities dealing with the project indicated that they had limits to how far they can go in satisfying the allottees as far as Tenant Purchase repayment issues and information are concerned. In connection with annual statements on their accounts, the city official interviewed indicated that they only give such statements to those who request them due to the administrative costs involved. This seems an appropriate approach when the cost of management is taken into consideration. However, NCC's shortcoming is their inability to provide relevant information to the allottees, a task at times complicated by the unauthorized change over of ownership.

A question relating to whether respondents had problems completing their units, showed that, among the valid cases, 41% had problems whereas 58.8% did not have any problems. The problems indicated were financial, dumping ground for excavated soil and lack of cooperation from NCC. Of these problems, dumping ground seemed to have been a major bottleneck and it is demonstrated to date by the extent of excavated soil blocking the foot paths and some times spilling on to the roads. Transporting excavated soil away from the project site is an expensive endeavour which increases the cost of development. In UTP, this was further complicated by the prevalence of black cotton soil requiring excessively deep foundation. For the few who could afford to dump excavated soil elsewhere, there was no specified dumping site and they took options convenient to them.

6.3.4 Home Owners and Transformation of UTP

The overdevelopment (extensions) of planned public housing has become an issue of concern with the debate revolving around their acceptability and how best to accommodate them. In many cases they totally transform residential areas from the original plans. They fall under what has recently become an area of concern

to students and scholars of housing studies; referred to as 'transformation studies'. The few studies done (for example Graham et al, 1991 and Oxman et al, 1986) have mostly concentrated on planned housing occupied by owners or tenants of public institutions. They have argued that extensions are efficient providers of extra housing and inherent extra rooms for households at little or no public expense, and have economic potential. Subsequently, they contend that they should be catered for in planning to enable households to alter and/or extend their homes, so long as safety is ensured.

As opposed to the above argument, in a case such as that of UTP, where the majority of the residents are neither owners nor public tenants, the case may be different. UTP is occupied mostly by tenants who make no decisions relating to the types of developments going on in their neighbourhood or within the very units they rent. In this case, the extensions in UTP have nothing to do with user satisfaction but commodification of housing, serving dual purposes of investment and additional housing stock. The home owners who mostly do not stay in the area have undertaken several moves relating to the development of the area beyond the original plan and intentions of planners. An overview of the area shows several different house plans (figures 6.23, 6.24, 6.25, and 6.26) with a reasonable percentage of flats which were never planned. The most visual aspect of extension and re-planning are the additional development which have taken place within the same plots - popularly known as 'extensions' (as illustrated in figures 6.23 - 6.26). The extensions are homes to a number of households and their monthly rentals are not significantly different from those of the main house based mostly on the original plan.

Extensions are a reflection of the housing problem leading to over development of the existing planned areas. They occupy areas left by planners as open space in the back and front yard with others developing flats based on the original plan design. In the original plan, open spaces were provided with an intention that they will be used merely as open spaces for different purposes; for example kitchen



Figures 6.23 and 6.24: Samples of Extensions

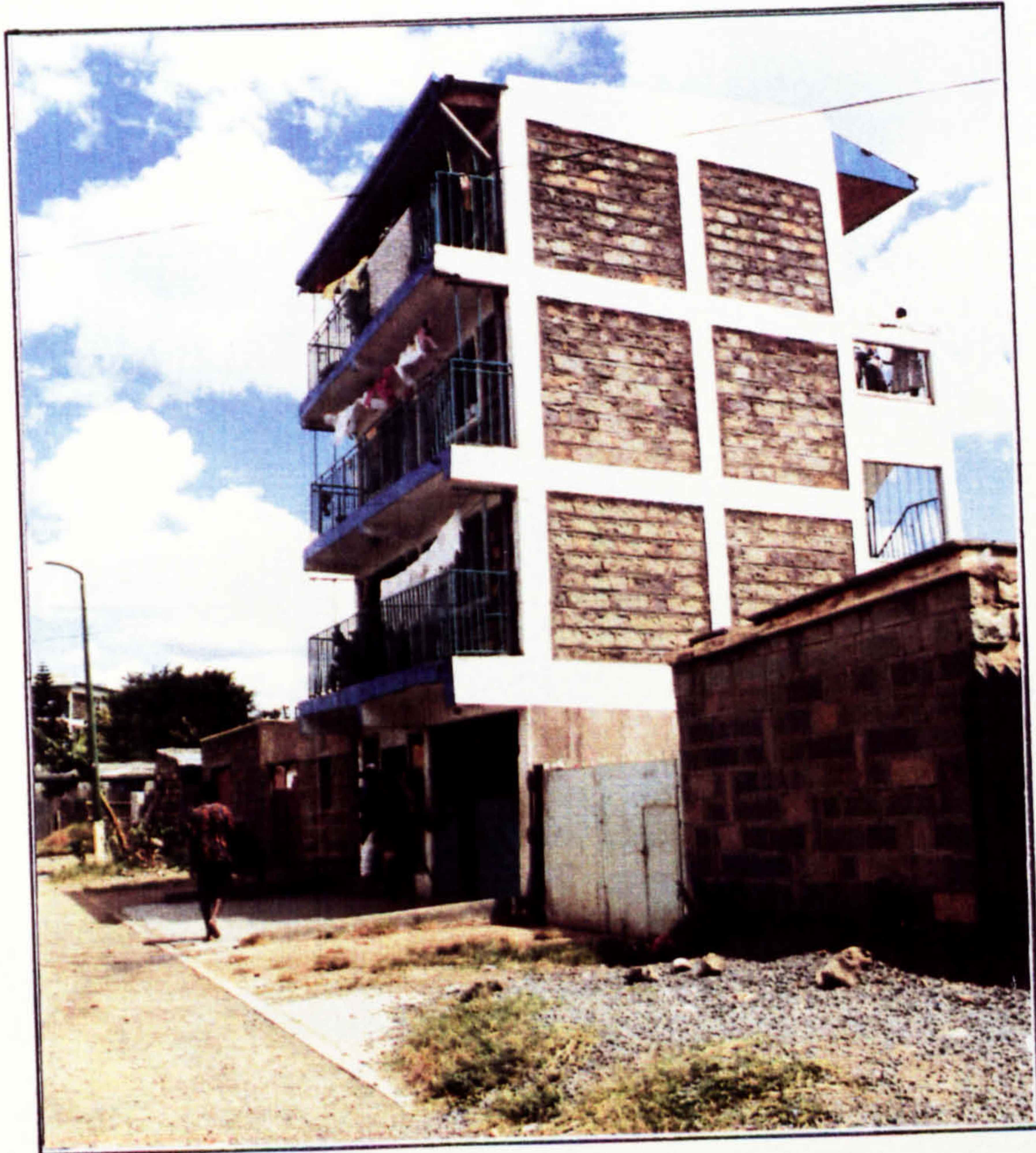


Figure 6.26: Sample of Extension



Figure 6.27: Sample of Extension

Figure 6.27 and 6.28: ITC Front View with Original Design Plan

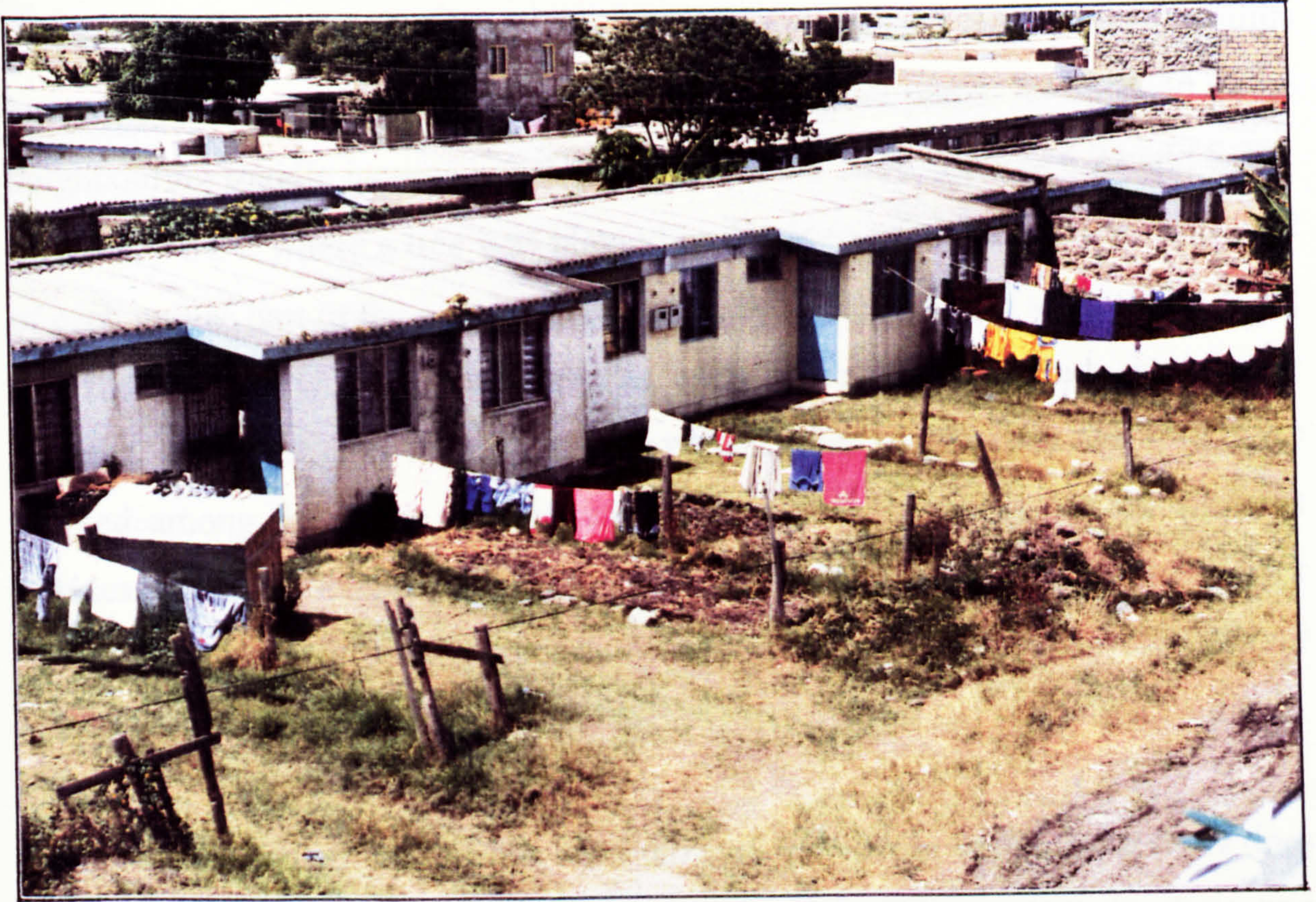


Figure 6.27 and 6.28: UTP Front View Units with Original Design Plan

gardening or flower gardens for improving the environment. So far very few units have retained the original or model close to the original plans. As opposed to the neighbouring middle income housing scheme, Buru Buru (figures 6.27 and 6.28), funded by CDC where a tree was planted in the open space within the front yard of each unit as part of the project, UTP had only space left. The assumption being that the allottees would utilise them as open space and/or kitchen and flower gardens. However, the theory of commodification of housing seem to have worked among the home owners who have mostly opted to use the plots as business grounds. There are also a number of houses which have their parts (or whole) converted for other purposes, mainly small scale businesses such as hair saloons, retail shops and health clinics.

Commodification of housing has been rampant in Nairobi and in most cases does not take the interests of the users into consideration. For example, in phase two of UTP, where condominiums were planned with an enclosed court yard and additional open space at the back yard, nearly all owners, residents as well as absentee landlords, mentioned that they would like to extend their units into the open space if they were allowed to (Hoek-Smit, 1989).

The above exposes the contradiction between people's concept of space and its use value and that of the planners, whose objective is to define and control space. In UTP, among those interviewed, 61.4% had extended their units beyond the original plan whereas only 38.6% had not. Since this is a practice seen by NCC as illegal, the field survey probed how the home owners sorted it out. Among those who had extended their units, 56.1% attempted to get authority from NCC while 43.9% did not bother to seek any authority. Among those who sought authority only 18.6% got it, whereas the rest had their applications ignored or rejected. This did not stop home owners from developing their extensions. An overview of the whole project portrays extensive capital investment. As reflected in the samples of extensions, there are a number of high rise buildings coming up in the area which are so commercially oriented that they distort the whole



Figure 6.29 and 6.30: UTP Units in Relation to Buru Buru Middle Income Housing Scheme

environment. What remains unclear is whether NCC allows such developments or not and the criteria applied in ratifying them.

The development of extensions contradicts the stringent building regulations set by NCC. Among the resident home owners interviewed, 51.4% were aware of NCC's planning requirements, 30% were not, whereas 18.6% decided not to answer the question. An outcome suspected to have been influenced by their guilt over development without NCC's authority. Among those who were aware, the majority (35.3%) felt they were normal NCC requirements whereas a significant percentage felt they were too strict and limiting (16.2%). For the remaining sample of 48.5%, the question did not apply.

The question asking whether UTP had solved the problem of housing low income groups got a negative answer of 65.7% and a positive answer of 22.9% with 11.4% reserving their response. Those with negative responses pointed out that the low income earners who reside mostly in informal settlements cannot afford to reside or pay for schemes such as UTP. It came out quite clearly from them that they placed themselves in a distinct group as compared to the low income groups. They were sure of the fact that they were not low income and had even an aspiration of purchasing houses in more prime areas of the city.

6.4.0 Conclusion

This chapter has presented and discussed the conditions of both the tenants and resident home owners in a scheme planned and subsidized with a goal of reaching the low income groups. The socio-economic characteristics of the residents show their comparatively better life standards than the *real* low income groups, implying that they should not be the beneficiaries of a subsidised scheme. Due to their high expectations, supposedly linked to their high income and standards of living, their assessment of their living environment was average or below average. An outcome which further demonstrates the inherent problems of subsidising the

wrong groups who visualize themselves as deserving higher quality of housing, infrastructure and services. At the same time they were sceptical on the ability of low income groups to access housing schemes such as UTP, thereby clearly isolating themselves from the low income groups, as they were wrongfully claimed to be.

Notwithstanding, the analysis of the resident landlords exhibit the problems households face in their quest for home ownership which are mainly financial and administrative bottlenecks linked to the institutions they have to deal with. Housing finance in terms of mortgages and Tenant Purchase Payments are often arranged in public housing, but as this study shows the element of down payment or deposit has been an obstacle to a significant percentage of potential home owners. Most individuals have to rely on their personal savings or cooperatives. In Kenya, most cooperatives are based on formal institutions which are often out of reach for the low income groups. Subsequently, the low income groups seem to have hardly any options for raising required down payment, for they are also known to have very limited personal savings.

The inability of the low income groups to access UTP, as planned for them, was demonstrated by the overdevelopment of the area, showing extensive capital investment involved. NCC has been unable to control the developments taking place and it was not possible to come to conclusions on the criteria used for ratifying the various types of developments, especially among those who got authority to overdevelop their units. If extensions were able to house some low income households, their development would be seen as positive to the project goals, but their rents are not significantly different from the originally planned expandable unit.

CHAPTER SEVEN

THE POLITICS OF UTP IMPLEMENTATION.

7.0.0 Introduction

This chapter discusses the problems encountered during the implementation of UTP by examining the Kenya Government's low income housing policy basis and its institutional framework of implementation. The unrelated policy emphasis on the low income groups as their condition deteriorate is presented and the politics of policy implementation set within NCC bureaucracy analyzed. The limitations of the institutional framework highlighting the lack of adoptive regulations, management structure and inherent personality conflicts, institutional requirements of access and the role of financial resources in institutional performance are addressed.

7.1.0 Policy Biases

After examining the Kenya Government's stated policy objective of housing the low income groups, this study maintains that the policy goals have not been achieved. The problem being the policy itself partly due to its focus on home ownership and a reliance on quantifiable regular income as a method of pre-qualification; and the institutions charged with implementation due to their inability to set the right strategies and how best to achieve them. The failure of the policy was clearly brought out in almost all interviews carried out among senior government officials, examination of various policy documents and the case study.

Some of the catch phrases used by Government officials in responding to the question asking whether the policy was successful or not included, 'undue

emphasis on home ownership but has not worked' (Njau, 1992)¹; 'low cost housing is an illusion'(Njora, 1992)² and 'they claim to have a policy of upgrading but no successful projects are known'³. Comments of this nature from individuals who have been in touch with the situation for over two decades give a pointer of the inherent difficulties. Similar views were also held by the resident landlords in UTP who noted that it is almost impossible for the low income groups to own or rent houses in UTP.

The debates surrounding the lack of success in achieving government objectives of housing the low income groups has often blamed the implementing institutions for being ineffective. However, it should be noted that although the institutional framework has its share of blame, as will be discussed, it is often exposed to impossible situations when the policies are unclear and/or not feasible. As the argument runs in this study, policy is a process and setting distinct levels between policy and its implementation is not only difficult but unrealistic. Notwithstanding, in examining the Kenya government's policy focus on the low income groups, this study partially isolates those actions, statements, decrees and stated objectives of housing the low income groups by the Central Government Ministries vis a vis those of Local Government and other institutions charged with implementation as distinct levels of the policy process. At these two levels, the key policy issues relating to planning and development of low income housing are discussed using the case of UTP, this section being dedicated to the Central Government.

¹Gilbert Njau worked with NCC for over twenty years and was the director of HDD before being transferred to the housing department within the Ministry of Lands and Housing. At the time of interview (April, 1992), he had retired from civil service and was actively involved in development research and evaluation.

²John Njora had also worked for NCC for over twenty years in different positions rising to the position of deputy Town Clerk. At the time of interview (April, 1992) he had been transferred to act as the Town Clerk of Nyeri Municipal Council.

³Monica Mutuku worked for NCC for over twenty years as a Community Development Officer rising to the position of head of Community Development Division within HDD before an early retirement. At the time of the interview (May, 1992), she was in-charge of UNICEF Kenya programme on Urban Basic Services.

The case of UTP shows that as opposed to policy statements and documents which focus on the low income groups, only an insignificant percentage of the low income groups benefit. Thus the Kenyan Government's intention of housing the low income groups has not been demonstrated in UTP. The main reason being the inappropriate policy instrument of housing the low income groups through home ownership, the lack of clearly outlined targets at policy level, how to identify them and a subsequent lack of consensus among political and administrative officials, as will be discussed later.

In order to come to terms with the Kenya government's rhetoric of housing the low income groups, it is appropriate to understand the environment within which it operates and the ideology which sustains it as discussed in Chapter Two. The nature of housing urban dwellers is closely linked to the prevailing ideological orientation of the State. In Kenya, the State perpetuates peripheral market ideology in spite of rhetoric of housing the low income groups. In this respect, both market ideology and government regulation protect the private economic sector rather than meeting housing needs. The inherent assumption being that the private economic sector is more efficient and accountable than the public sector. Peripheral capitalist economies such as Kenya, often have no choice but to respond flexibly to the market by internal changes even if it is pernicious to citizens. As opposed to this, the advanced capitalist states are better insulated from international economic shocks and are often tempted instead to seek to change the rules of international economic life. State power depends, at least in part, upon the intelligence, nimbleness and skill of political actors - if social actors are given particular cards much depends upon the way they play them (Ikenburry, 1986).

In view of the above, the state should work with and ensure coordination among the various participating institutions and/or individuals setting strategies before coming up with policies which remain relevant to only those who participated in their formulation. During the field survey a question aimed at finding out the level

of coordination among the various institutions participating in housing development showed a poor record of coordination. Implying that efforts aimed at achieving goals are not integrated; an outcome which results in duplication of efforts and waste of resources. A response from a former senior Planning Officer within Ministry of Local Government, Mr. Omwando, summarises the situation, 'there are no links in things happening'⁴.

The above response was among the twelve responses based on a score of five (very strong, strong, less strong, weak, very weak), given by senior government officers on the question asking them to indicate the degree of coordination among the various institutions participating in housing development. Among the twelve, seven indicated very weak, three indicated weak, while two respondents indicated less strong and strong respectively. The lack of co-ordination leaves each institution focusing on whatever it deems right or nothing. A scenario exhibited in NCC where there is currently no housing strategy but reception and implementation of projects funded by International Finance.

On a comparative basis, the housing sector has been poor in coordinating its activities. Habitat (1991) observes that housing requires co-ordinated action at the highest National level on a considerably broad range of issues than simple public housing production. Both the Ministries of Lands and Housing and Local Government are supposed to be central movers of housing activities, a role which they have failed to effectively perform. An officer of the Ministry of Lands and Housing interviewed indicated that 'there has been lack of clear focus on low income groups but pronouncements'⁵. He associated the lack of serious commitment on housing policy to the inability to isolate it as a priority, indicating

⁴Mr. Z.P. Omwando worked with both the Ministries of planning and National Development and Local Government as a senior economist planner and actively participated in the structuring of a number of low income housing programmes during his assignment as the head of planning section within the Ministry of Local Government. At the time of interview (April, 1992), he had retired from civil service and was employed as a senior consultant with the Erbert Foundation.

⁵Interview with Mr. E.M. Onyango, housing officer, Ministry of Lands and Housing.

that it does not feature well in government budgets.

The inability to isolate housing as a priority is closely related to the different interests involved in its production and consumption. In Kenya, the state has relied on the application of rhetoric to appease the low income households, while at the same time leaving important aspects of housing production and consumption to the market forces. This partly explains why there has been a constant reduction of the Gross National Financial Allocation to Ministry of Lands & Housing for public housing development programmes as shown on table 7.10

Financial Year	Gross Dev ⁶ . Estimate (Ksh)	Gross All -cation ⁷ Actual	Gross Nat. Dev. Budg ⁸ (Ksh)	% of Actu -al All to Nat.Dev.Bu ⁹
1984/85	15,665,000	12,161,943	343,430,327	3.4
1985/86	15,100,000	8,550,000	338,771,293	2.2
1986/87	10,740,000	8,275,000	488,910,115	1.7
1987/88	8,417,800	6,167,150	613,665,344	1.0
1988/89	12,576,590	18,048,442	806,144,409	2.2
1989/90	10,414,000	11,180,000	922,079,201	1.2
1990/91	7,259,000	9,167,000	898,632,482	1.0

Table 7.10: Gross National Financial Allocation to housing.
Source: Extracted From Government Development Estimates.

The Kenya government has been pursuing and reinforcing the notion of home ownership among the needy urban dwellers without coming up with local strategies of identifying them. The operating assumption in this trend is that

⁶ Gross Development

⁷ Gross Allocation

⁸ Gross National Development Budget

⁹ Actual Budget Allocated to Building

popularisation of home ownership makes people become bonded to the dominant values of society, as articulated by the market. This theory applies more to the developed capitalist economies where its authenticity is currently being questioned. For example, in Britain, the approach was pursued by the Thatcher government and led to an increase in the percentage of home owners who the government viewed as potential supporters of the conservative government.

However, the whole process started backfiring just before the demise of the Thatcher government. A high percentage of home owners were faced with repossessions which continued as the global recession hit Britain. This paints a gloomy picture for a peripheral capitalist economy such as Kenya, where incomes are low, rental tenure dominant and the relevant institutions are either not fully established or ineffective.

It is almost out of step to perpetuate home ownership as a key approach of housing the poor who are merely struggling for basic survival. Most urban households are renters with irregular incomes and it makes sense to focus on the renting market which is currently dominated with inadequate and insufficient housing. Their key problem being lack of infrastructure and services and to some extent the housing units. To the Government, such housing should be improved and/or demolished. Whereas some improvements have been going on through upgrading, its premise has been on home ownership and hence its failure demonstrated by proliferation of such areas. To this study, the improvement of the so-called 'unacceptable' housing should not be tied to home ownership but to improving and adding housing stock.

So far, the experience of basing housing policy on home ownership has been detrimental to low income groups. Although analysts may argue that in Kenya housing policies are in place as compared to other African countries, the focus on low income groups is far from being achieved. Although the government promotes home ownership probably due to lack of resources for other types of

housing provision such as rental schemes, it does not support or facilitate the private sector developing the type of rental housing which house the low income groups. Most of the needy fall under provision currently being made by the private informal sector, with NCC's old rental stock supplementing them. To a large extent, the rental market (formal and informal), has been providing housing but it has lacked government support and hence is expensive (formal) or inadequate (informal) for the most needy. For the units within the formal market which may be affordable to the needy, the government insists on controlling rents and thereby killing incentives of replication by the providers.

The outcome of government policy has been an increase of publicly aided housing stock as the low income groups continue to reside in what the state views as 'inadequate' housing. In the policy approaches of reaching the poor, the higher income groups have been over subsidized for what they can afford. For the few low income groups who get to the schemes, the level of exit is high as they get bought off in order to channel gained resources in other priority areas of survival. In the case of UTP, about 40% of landlords fell among none original allottees. If the assumption of appropriate initial allocation is adopted, then one can argue that about 40% of the low income group have made an exit, thereby defeating policy goal.

An assesement by this study shows that to a large extent the nature of adopting low income housing programmes is not different from that of any consumer products; whereby the identification of a potential market is mainly done by the investor based on profits anticipated. In the case of housing, Kenya has witnessed financial agencies such as USAID and the World Bank, as discussed later in this chapter, presenting housing schemes ready packaged. Since the government has failed to mobilise local resources for welfare related services such as low income housing, it is often tempted to accept packages which may not necessarily be appropriate within the local context or in their definition of policy focus. Thus 'there is very little evidence that housing policy failure can be attributed to lack

of commitment on the part of governments, for policies not conceived cannot be deemed to fail' (Adedokun, 1989). Adedokun argues further that, even countries where government statutes and laws do not cover housing, governments still act in a manner which suggest that they consider housing to be an essential part of human economic development.

A look at most of the low income housing schemes adopted by the Kenya government shows enormous outside intervention. As reflected in the case of UTP, this included the conceptualization of who the low income groups are, which section of the low income groups should be the focus and finally which sector or group should get government subsidies. In most cases the international agencies do not encourage subsidies and even if they do, governments often cannot afford them. To sort out this and ensure that profits are not lost, the international agencies usually adapt cost recovery principle from the beneficiaries of housing and related infrastructure. In this scenario, the role of government is questionable. The rules of investment states that any rational investor has to ensure that the environment is conducive before investing. In this case, hardly any blame can directly be laid on international finance, except when they lead the band wagon claiming to house the low income groups within a context where identifying the low income groups using regular quantifiable wage income as a variable does not work.

Since the mid Eighties, pressure to change development approaches not based on the market solution has been coming from international financial agencies who fund most African States and are after ensuring that their investment is safe. Thus, in the name of SAPs, most African States are now caught up in a situation whereby the rhetoric of doing things for the people has to change into enabling people to do things for themselves in order to be in tune with the global political economy. Indeed, a difficult task for a Peripheral Capitalist State which still needs not only to enable but in some cases *provide* for. A more sensible option seem to be a mixture of both, since it is only where everything is in place that

governments may have the option of taking a back stage role. Moreover this vision has not come from the African context but the International World, a fact which limits its ability to be transformed into action.

The enablement role as presented by UN agencies and International Finance and adopted by the Kenya Government implies a re-examination of housing policy and the institutions dealing with housing. On a practical note, it means strengthening some institutions which have the potential of reaching the low income groups but have not done so in the past. Such institutions include NACHU and probably the cooperative bank of Kenya, whereas the typical private sector institutions are left to cater for the higher income groups who have the requirements needed for market participation. The private sector in Kenya has the potential of serving those able to participate in the open market but to focus on the poor the Government has to intervene, especially in relation to giving incentives to the relevant actors in the housing sector.

The very nature of the low income groups, characterised by irregular incomes within the informal sector of the economy, has worked to their disadvantage. The key requirement in almost all the policy instruments is that the low income groups should have a regular income over a period of time in order to qualify for consideration. Almost 80% of the so called low income households are disqualified by this requirement. This leaves about 20% who may qualify but the procedures inherent in accessing the schemes through the allocation process drastically reduce their access.

As shown in Chapter Five, no consideration on the constitution of the low income groups was given by NCC before submitting their funding request to USAID. The only catch-word used was 'low income'; its character, nature and how it will be identified remained unknown. Meanwhile, USAID was using idioms such as income percentiles and brackets, concepts which at that moment were foreign to NCC and Kenya in general. As argued in the theoretical chapter, the interest of

capital lies in activities and individuals which enhance capital accumulation. In this respect, the percentage of low income group considered in the USAID funding was that cadre that was relevant to capital accumulation and had nothing to do with the low income per se. This intention was clarified by USAID by pointing out that their focus was on the 'regularly employed'. A group which obviously does not fall within the local context of the most needy - no wonder the concept 'poor' hardly appears in USAID documentation and yet it may be most appropriate for the local context.

The definition by USAID of what constituted the low income group did not contribute to the right policy focus. It only went further to prove the ineffectiveness of regular income as a yard of measure. It was hardly one year after occupation of UTP that an evaluation of USAID showed that the incomes of households occupying the scheme were higher than anticipated (ref: table 5.6). This is in addition to the fact that those who were considered as qualified composed an insignificant percentage of the *real* low income group.

The contention of the Kenya Government since the 1950 Vasey report has been that home ownership leads to a stable population able to provide the needed labour for capital accumulation. This contention may have been right during the Fifties but its current validity is questionable. The peripheral nature of capital development in Kenya has created a big pool of surplus labour in the urban areas. Subsequently, the promotion of home ownership within such a context has to justify the existence of such population, a task which the government has not considered. As opposed to the government, international financial agencies such as USAID are clear on the portion of the urban dwellers they want to support.

This study has found that home ownership is not appropriate for the low income group because only a very small percentage benefit. In fact in most projects the policy goal of having households staying in their houses has not been achieved, instead such houses have turned out to be good investments to those with higher

incomes. In the case of UTP, two thirds of the units are rented out to those with higher incomes. Hoek-Smit (1989), in her study of Umoja two notes that within the context of low income housing market it is unrealistic to expect a high level of owner occupancy, when approximately 80% of the urban households are renters. This study acknowledges Hoek-Smit's perception that a single focus on owner occupied housing without the support for other tenure among the low income groups may not be the right policy option for Kenya. It is even questionable how the government arrived at the emphasis on home ownership, whereas the majority of urban residents are staying in rental housing which lack basic services and infrastructure. At the peak of the popularization of home ownership in 1983 only 1/5 of residents in Nairobi owned their houses, demonstrating that it was not a dominant tenure and thus not a State priority . A correct policy emphasis should start with what is available, be it on standards or developing additional housing stock.

To the low income groups whose first home is often seen as the rural home and the urban unit as a second home, the idea of home ownership in an urban context seem far from being achieved. This has left the low income groups who have been pushed off the market to be content mostly with being tenants within the informal housing sector. While programmes meant for them, such as UTP, are occupied by households with comparatively higher income and who do not prefer the units or the services provided. At the same time, the low income housing programmes have become desirable investment and speculative moves by higher income groups have contributed to their being inaccessible to the *real* low income groups.

7.2.0 Limitations of institutional framework

Development failures and frustrations have often been explained by the absence of institutions capable of formulating and implementing appropriate policies and plans (UNCHS, 1987b). This observation has become more representative since

the beginning of the Eighties, when failures of most institutions has led to a re-examination of development approaches, after disillusionment with creation of 'new' institutions. In the implementation of UTP, the creation of PMU and the ensuing disagreement based on lines of authority retarded the implementation with some aspects being completely abandoned.

Kenya has a number of institutions dealing with housing but their efficiency has been questionable. As for NCC, the failure has been remarkable to the extent that the council had to be dissolved for inefficiency in 1983 and it was not reinstated until the multi-party elections of December 1992. The most puzzling aspect being that the alternative management created by the government between 1983 and 1992 made no difference and scholars of local government were left wondering what could be done to make the system work. A Local Authority such as NCC has numerous powers of authority to cope with and in many cases it is difficult to know who determines key events, activities and policy. More so, policy is a product of political decisions made by both identifiable and unidentifiable actors, the latter being largely applicable to Kenya. Despite this, blame on inefficiency is often directed to the city authorities. The 1989/93 Development Plan notes that;

'the problems faced by local authorities have mainly stemmed from their inability to manage available resources efficiently, their failure to follow laid down procedures in staff recruitment, discipline, dismissals and the shortage of qualified staff in technical areas such as management, accounting, engineering, etc. The ministry of Local Government and Physical Planning also lacks adequate technical staff to provide the requisite guidance and coordination' (Government of Kenya, 1989, p. 231).

The above quotation gives a good summary of what the Government perceives as the problems facing Local Authorities in Kenya but it does not explain why laid down procedures are not followed and the inherent lack of discipline. At the same time it is not useful in explaining why projects which have all the above elements

catered for do fail to achieve their goals. A number of government documents and scholars have criticised LAs but have failed to identify the key problem. To a large extent, this is because the Central Government shares the blame and in some instances has triggered the problems leading to inefficient management. Kasfir (1983), in discussing the decline of Local Government in Tropical Africa, notes that 'top government officials took authority away from Local Governments under the illusion that they were thereby acquiring more power. They discovered instead that they had gained the negative power to prevent other political actors from taking independent initiatives, but not positive power to implement policies that would improve social welfare'.

The withering away of Local Government has been witnessed in Africa with some countries, such as Tanzania actually abolishing the institution during part of the 1970s. In other countries such as Nigeria, Municipal governments saw many of their functions taken over by parastatals and Central Governments Ministries. Even Kenya, which maintained a commitment to Local Authority, curtailed some traditional sources of revenue as new responsibilities were added to them. The negative intervention of the Kenya government has been clearly demonstrated by the unnecessary management changes which take place in most LAs. For example, the capital city has been subjected to several such changes, especially the period between the dissolution of the council in 1983 and the Multi-Party elections of December 1992 as reflected on table 7.10.

Most of the Town Clerks take such short periods in the office that it is difficult to assess their success and failures. An assessment by this study shows that during the implementation of UTP, politics seemed to have overshadowed professional staff at NCC with councillors determining most of what was going on. It is also the impression of this study that the several management teams which the city has been subjected to, have been merely political games and had very little to do with improving management. An alternative explanation would be the inability of Central Government to ratify employment of individuals with adequate

<i>Name</i>	<i>Period in office</i>	<i>Reason for exit</i>
Mr. Kimani Waiyaki (B.A., M.A)	1964 - 1965	dismissed through political pressure from the mayor and councillors, council dissolved
Mr. D.M. Whiteside (Solicitor)	1965 - 1967	temporary appointment on expatriate terms before a local town clerk could be located
Mr. J.P. Mbugua (B.A., M.A.)	1967 - 1976	The longest serving town clerk. Resigned as political pressure was mounting in the council
Mr. S.J. Gitonga (B.A., LLB)	1976 - 1980	Dismissed due to political pressure from the mayor and the councillors.
Mr. G. Wanjie (Advocate)	1980 - 1983	Dismissed at the dissolution of the council by the government for incompetence and malpractice
Mr. S.T. Gitonga (B.A, LLB)	1984 - 1987	Dismissed in a big sweep of chief officers from city hall for inefficiency
Mr. J.N. Mbugua	1987 - 1987	Removed along with other senior officers with no clear reasons
Mr. Musyoka-Annan (LLB, Advocate)	1988 - 1989	Removal along with other senior officers with no clear reasons
Mr. S.K. Kariuki (LLB)	1989 - 1990	Seconded to NCC from Ministry of Local Government
Mr. J.N. Thairu	1990 - 1992	Removed without clear reasons
Mrs Z. Wandera (LLB)	February 1992 To Date	

Table 7.10: Turn Over Rate of Town Clerks in NCC

Source: Compiled from Ngaine, 1989 and Field Survey Interviews, 1992.

capacity for management and/or influence the employment of individuals without

adequate ability. The latter seem predominant within NCC where the interplay of interests of both the Central Government and NCC itself has been contradictory, thereby retarding effective management.

Whereas manpower is a key resource to any institution, it brings into an institution the complexities of human beings, each with their own mind, emotions, potentials and capabilities which are not necessarily compatible but differ from individual to individual (Ngaine, 1989). The rapid changes therefore contribute to lack of continuity, especially on projects under way. It may be feasible to implement a development programme under one leader as opposed to several as has been within the city of Nairobi. During the field survey the legal officer of the Ministry of Local Government¹⁰ pointed out that the problem of NCC has been more political than administrative. She noted that the different officers circulating within the council as commissioners or chief officers were not committed to management but personal benefits. Asked to comment on the efficiency of elected councillors and Government nominated commissioners, she noted that, whereas councillors are answerable to the electorate, the commissioners are answerable to 'god fathers' and in many cases do not have the problems of the city at heart. In some cases they are outsiders who do not reside within the city and are thereby not qualified to act on behalf of the city residents.

During the 1970s most scholars believed that problems of LAs were basically lack of financial resources, and adequate qualified manpower but this view has changed tremendously. This change has come with the failure to successfully implement programmes which have been fully budgeted for and aspects such as qualified skilled personnel sorted out. The common practise being the hiring of additional staff with qualification at times better than those of the existing staff. Whereas this study does not object to the financial and manpower difficulties most LAs face in managing development programmes, it argues that a high

¹⁰Miss M.W. Thairo, Legal Officer, Ministry Of Local Government. Interview, 12/1/93.

percentage of the problems can be solved without necessarily pumping in more funds and hiring more staff as has been reflected in projects funded by International Finance. This view was also found to be predominant among ex-officials of NCC which include Mbugua (op. cit) among others. The implication of this being that there is substantial unutilized and misdirected energies within LAs in Kenya which, if well used and managed would realise some goal achievement.

The misdirection of energies has been demonstrated in a number of areas of which allocation of plots, houses, business premises and recruitment of staff have been major. It has been noted that the fight among city officials seem to be a pre-occupation with who gets what plot rather than the question of planning and reserving land for development. It is not unusual to find public land for social amenities such as schools, health centres, road reserves and playing fields allocated to individuals and pressing needs of public interest ignored. At the same time recruitment within NCC is seen in terms of getting a person a job in the city rather than the creation of an environment which generates employment (Mbugua, 1992). This could explain the fact that between 1976 and 1983, the city's labour force rose by 42%, from a total staff of 12,000 to 17,000. This increase had very little to do with efficient management, and during the same period services deteriorated as gross mismanagement continued, leading to the dissolution of the council in March 1983.

Mbugua (1992), in discussing LAs using the case of Nairobi, points out that what is required is not an overhaul of legislature but improvement in the mode of operations and implementation obligations under the law. Mbugua's observation is that LAs in Kenya have often operated on extreme ends. Either they make themselves slaves to the law or completely ignore them. However, Mbugua notes that members of the councils or commissioners and the senior officials must themselves bear responsibility for failure or success of the institution of Local Government.

The case of housing provision is worse with the few stock owned by NCC being handled contrary to public interest, as their condition deteriorates due to lack of proper management. Besides, NCC has almost stopped planning for housing development since the intervention of International Finance, as each financier intervenes with pre-packed housing approaches. Exposing NCC to adopt particular packages without going into details; just to find that appropriate implementation cannot occur due to a number of shortcomings which ought to have been dealt with before adopting a particular programme. An evaluation study of Umoja Two (Hoek-Smit, 1989) indicates that there has hardly been any strategic planning for housing within the city and no other projects or activities are planned after completion of the on-going World Bank and USAID housing programmes. It relates this to a lack of planning capacity within HDD, a point which this study does not subscribe to. The capacity exists but it is either not utilized appropriately or not utilized at all. In any case, many projects have failed even when the capacity has been assessed to be available and all requirements for goal realisation put into place, as did happen in UTP.

The case of UTP demonstrates some of the administrative problems highlighted above. Unlike most other low income housing programmes NCC had undertaken, NCC was the sole implementing agency of UTP. This makes it difficult to apportion blame to other agencies, except the funding agency (USAID) which had to intervene on several occasions and may share some blame as will be analyzed. The failure of NCC to successfully implement development programmes, more so housing, can be assessed at three levels using the case of UTP, namely; lack of adoptive regulations, management structure and inherent personality conflicts, requirements of access and contributions of financial resources. As presented in chapter five, these four variables greatly influenced the actual implementation of the UTP and partly contributed to its failure.

7.2.1 Lack of Adoptive Regulations

Regulations or standards in housing are normally focused on infrastructure, plot size, density and layout, building and plot coverage, physical and social environment, security, public transport, social institutions and facilities. The concern for these aspects, especial the design standards has been an important factor in the development of low income housing, leading to heated debates among contending views. UNCHS (1987b), notes that high standards are mostly advocated by politicians ostensibly to provide decent homes. Whereas low standards are sometimes advocated by foreign organisations and many technicians, apparently to ensure affordable houses. NCC, like other LAs, still adhere to the colonial regulations which have long outlived their use. This is reflected in unrealistic restrictive regulations and standards which the LAs cannot even ensure but are bottleneck as far as the provision of affordable housing is concerned. Often NCC views housing accommodating the low income groups as 'unacceptable' but they have failed to come up with practical alternatives as those currently accommodating the low income groups.

The development and/or review of regulations in Kenya is undertaken by many institutions as already indicated (ref: chap 3; 4.7.0). The many institutions involved infers a complicated network needing good co-ordination among participating agencies. However, this has not been the case, findings of this study points out that there is very weak co-ordination among agencies dealing with housing. In the case of by-laws the experience has been lack of consensus over how low the standards should be. The Ministry of Health has often been the problem since its position is stricter when it comes to lowering health standards.

The standards and regulations within the city were found not to be in harmony with the developments taking place. This is despite several efforts aimed at making them feasible. For example, over the last ten years the Ministry concerned (Lands & Housing) has used a lot of resources in reviewing the standards but no

tangible results seem to have come out and they are still far from having an impact on LAs. In 1980 the ministry completed a study on 'provision of low income housing by-laws'. In 1983 an inter-ministerial steering committee was formed to implement the recommendations of the above mentioned study. By 1986 revised By-Laws was already completed and forwarded for legislation procedures. At the time of field work it had not gone through and another task force had been formed to steer the legislation procedures and any necessary amendments relevant for legislation¹¹. A USAID official¹² commented on the long period it has taken the Government to review and amend the relevant legislations; arguing that so long as the Government is not ready to reduce planning and building standards, housing for low income groups will be not realised.

The complicated network of institutions involved and inherent weak co-ordination contributes to lack of speedy action. An example was given during the field survey of the inability of the Attorney General's Chambers to advise the task force on legislation procedures whenever the sessions are on. It was noted that the Attorney General's chambers had no adequate staff to assign on a full time basis to the task force on legislation procedures, especially when it is on full time session. Another problem has been the ministry of Local Government which is often short of legal personnel and therefore cannot assist the LAs adequately. At the time of the survey, the Ministry had one legal officer who could hardly cope with the legal issues involved. An interview with the Legal Officer¹³ revealed the difficulty in coping with her assignment involving advice and support to all the 135 LAs in the country. She noted that whereas there were many councils, she worked single handed and at times has to informally request assistance from the Attorney Generals Chambers. The need for a Legal Department within the

¹¹Interview with Mr. E.M. Onyango. op.cit.

¹²Howard Sumka. Interview 26/1/93

¹³Miss M.W. Thairu. Legal Officer, Ministry of Local Government. Interview 12/1/93

Ministry had been acknowledged by the Department of Personnel Management but the Kenyan Treasury rejected it due to lack of funds.

Within NCC, the Planning Department has been the most difficult in ensuring revision of adoptive regulations. The department is very conservative and did cause delays in the implementation of the DSS scheme. The contradiction is that the same department has failed to control development within the city to their required standards and those developing the so-called 'unacceptable' housing do not follow the department's requirements. Further contradiction exist in NCC as an institution. NCC has not come out openly on acceptable limits for low cost housing, at the same there is silence on a number of unacceptable activities, implying lack of policy. Instead, a project- based approach which limits benefits of relaxed standards to only project beneficiaries has been applied. In this case, individuals who are keen on developing low cost housing have no policy to go by. A trend which leaves them with no option but to develop housing using their own standards as shown in the case of extensions in UTP.

Field data presented in Chapter Six shows how 61.4% of the sample size of home owners have re-planned their units by developing extensions without necessarily going through the city authorities. Although 38.6% of the units still maintained original plans, extensive development was going on and the number of units retaining the original plan is bound to decrease. The rapid development without taking city regulations into consideration is closely linked to the incapacity of NCC to revise, and ensure that the regulations are followed. The general public, with an interest in housing as a good, has learnt that NCC cannot revise or enforce the regulations. In some cases the very officials go against the regulations or condone it and this creates a culture of disobedience and indiscipline in relation to regulations. In UTP, among the 56.1% of the resident landlords who sought authority to develop extensions, only 18.6% got authority. The basis of this could not be found and it can only be assumed that there are no set requirements for aspects not officially ratified by NCC.

Revised by-laws could mean a compromise of some aspect of health and the built environment as well as low initial investment but high maintenance cost. Nevertheless, the fact that over 52% of households already live in units whose standards are much below what the reviews would come up with, weakens the above arguments. NCC has to come up with an approach which does not exclude over 52% of the city households, but integrates them into the overall development of the city. According to Mr. Njau, a former director of HDD, the by-laws are not the key problem but the officers dealing with them. He argues that the relevant officers are often not willing to use their discretion at making rational decisions which they can then push for council approval under adoptive by-laws. He notes that in cases where some officers have done this, positive results have been achieved. Examples were given on the area of adopted roads where planning regulations have not been followed to the letter and have been accepted by the council (interview, April 1992).

Reduced standards may entice private developers who seem not to be willing to invest where the returns are low due to inhibitive by-laws. It has been argued that the capital returns are higher and faster in low income housing and if regulations were right, investors would focus on the sector. An architect developer interviewed argued that if one invests 3 million Kenya shillings in high income housing, the capital is recovered after 16 years if rent of 15,000 Kenya shillings is charged per month. On the other hand, an investment of fifty thousand Kenya shillings can be recovered in 7 years if a rent of between Kenya shillings 600 and 1,200 is charged per month¹⁴. Currently, those who opt for the latter investment are the small scale informal developers who invest in informal settlements. This is mainly possible because they operate outside all regulations and are not subject to any taxation. In this case, their investment contributes positively to low income housing, especially to the urban poor. Whether such individuals will find revised standards relevant or will be pushed off the market is a question for research.

¹⁴ Mumo Mwendwa, Architect. Interview, 2/2/93

7.2.2 Management Structure and Personality Conflicts

The management structure which implemented UTP was not efficient and this was not due to lack of adequate skilled man power as is often alleged for the developing countries. The question of manpower and the management structure was compromised before signing loan agreements. Thus, the institutional failure of NCC to implement UTP successfully cannot merely be explained by lack of adequate skilled staff. The staff assigned the implementation of UTP had been assessed before implementation started and inadequacies seen corrected by hiring more staff headed by a director whose appointment was ratified by USAID. This was done in the name of strengthening the existing institution to perform better.

There seems to be explanations beyond the availability of a management structure equipped with qualified personnel. Adequate management structure in terms of personnel was in place and still several aspects of the project went so wrong that thirteen years later, some components which ought to have been completed are still under consideration. The worst aspect being the creation of PMU which was expected to improve project management but became the key problem of implementation, raising a number of questions relating to the establishment of 'new' institutions.

PMU was established under the influence of the USAID to facilitate project implementation but its creation became the spring board of most problems related to implementation. Its establishment brought both management and structural problems, based at times on personal conflicts, which could never be solved and finally resulted, first in the engineer being pushed out of the managed team, subsequently being imprisoned and later, the dismissal of the director as he faced corruption charges. The establishment of the unit was not an idea from NCC but that of USAID aimed at by-passing bureaucratic levels and procedures. In USAID's conception its creation would first and foremost ensure that AID's funds were used appropriately and cost recovery achieved. Subsequently, it would

facilitate the implementation and improve the level of success. AID's interest may have been ensured but project success was never achieved, a fact also acknowledged by USAID (USAID, 1979).

The Government of Kenya's 1989/93 Development Plan point out the inability to follow laid down procedures as a key problem in LAs. On the other hand, restrictive laid down procedures, when followed to the letter, become a bottleneck to development and this is the dilemma which the LAs are caught up in. When it comes to implementation of programmes funded by international finance, the situation is more complex, since the LAs have to strike a compromise between following procedures to the letter and flouting them in order to satisfy the demands of the funding agency. In this move, one is bound to have numerous problems since not all parties involved in implementation will have the same values attached to the compromise. This explains the major split in NCC as implementation of UTP continued under PMU with the engineer divorced from the project.

Whereas it is possible to note that PMU had a number of problems, it is most difficult to pin point the nature of the problem and its source. For example, in examining both the PMU and the City Engineers Department one is left wondering who to blame for most of the problems. It is not the task of this study to judge which department or unit was right or wrong but to present an analysis of the shortcomings which contributed to the problems; leaving the judgement to the reader. As noted in Chapter Five, the establishment of PMU was not given an adequate consideration by NCC and a number of issues, especially relating to the lines of authority, which is often the core of bureaucracy, were left hanging. This was as opposed to ethics of bureaucracy which most LAs have to go by, except in exceptional cases. In the projects funded by international finance the practice seem to be a deviation from the norm since there are no clarified procedures and system of dealing with them. A situation complicated by each international funding agency having its own requirements on management structure and lines

of authority.

A survey of NCC during the field work and discussion with ex-officials who participated in the implementation of UTP failed to reach a conclusion on how the idea of PMU was developed and adopted. However, an assessment shows that the idea was not given adequate consideration by NCC. This could have been intentional or an oversight. It is not clear why NCC did not clarify how PMU and the City Engineer's Department would relate to each other. The only indication was that the director of PMU would fall under the Engineers Department. This could imply either total autonomy or semi-autonomy depending on how one interprets it. This fluid approach was applied as suitable to the various interests involved, until the divorce of the City Engineer from the project, and subsequently the dismissal of the project director as he faced court charges of corruption.

The fluid approach created a situation whereby issues which ought to have been clarified before implementation got clarified as implementation proceeded. This does not infer that all the details ought to have been clarified since, argued throughout this thesis, policy is a process and keeps on shaping itself until completion of its goal. Notwithstanding, issues relating to lines of authority have to be clarified when dealing with big bureaucracies such as that of NCC. For example, how does one compromise the fact that the City Engineer was thrown out of management of a project that directly falls under his department? Did this imply that UTP was being implemented outside the normal city regulation or did it imply that the role of the City Engineer had been taken by both the PMU and the town clerk's office? Whichever the answer, something had gone very wrong to warrant the action and the city engineer put it very clearly in his report; 'the scheme was no longer going to achieve the goal it was planned for'.

Personality Conflicts

Personality conflicts based on protective interests of individuals and their wish to

remain in their official positions is noted to be a major problem in managing LAs in Kenya. 'LAs need more than help and one big problem for NCC is personalised projects - fame of the person who did it as opposed to professionalism and objectivity'¹⁵. Basically, this is the element of money, projects and public image which has penetrated even Central Government. Some scholars refer to this as personal interests but this seem to isolate the individual from the institution and the overall structure of development which is often not the case. For example, Tony Judge (1981), in reflecting on his position as the Chairman of the Housing Management Committee of the greater London council between 1974 and 1977, points out that a vast bureaucracy is concerned more with self perpetuation than with either efficiency or humanity. This is a comment directed at bureaucracy within a developed economy, where the expectation of efficiency is higher than that of the comparatively less developed economies.

Within the NCC bureaucracy, it is almost impossible to identify the meeting and breaking point of personal and institutional interests. The analysis of UTP shows that if an officer is able to rally majority support of the contending forces within a Local Authority, the chances of achieving their goal and that of the institution, be it right or wrong, is enhanced. The problem in this approach is that in most cases the personal goals are presented in such a way that they manifest as that of the institution. Whenever there are in fights such as that experienced between the PMU director and the City Engineer, each party presents the case as that of the institution. How then does one separate the protective personal interests from that of the institution and how does one ensure that the personal drive does not bypass the institutional drive? These are the dilemmas of most bureaucracies, especially those operating within an environment of scarcity as is the case in Africa.

In assessing projects funded through international finance one would expect a

¹⁵Mumo Mwendwa, architect. Interview 2/2/93

reduction of personal drive due to the availability of the required resources but this is not always the case. An explanation of this is thought to still lie in the scarcity theory which has created the culture of mismanagement, exposing the council to competition among contending forces. It is the contention of this study that in an institution where clear policies are in place, strategies have been set, required resources are available and the officers are well paid, the levels of protective personal interest reduce and subsequently efficiency may be enhanced.

Implementation problems of the UTP scheme started with a mere disagreement on the progress of the project and the number of supervisory staff required. Three months from beginning of works of the first two contracts, a meeting to review the progress of implementation showed a great rift between the newly created PMU and the City Engineer's Department. In assessing the progress of project implementation, the City Engineer felt that it was good and the contractor needed to be given credit. This view was not shared by other parties which included the project director and USAID. This early disagreement on the performance of the project seemed basic, but it was the beginning of what became a long bitter battle costing individuals warnings, court summonses and even dismissal. To project implementation, it was disastrous with some aspects of it totally being abandoned.

The disagreement on the progress of the project arose over the number of supervisory staff required at the site. Whereas the PMU director and USAID wanted a total of 75 staff, the City Engineer thought otherwise and insisted on retaining the total number of 59, as indicated in the Project Agreement Documents. This included one project director, two assistant architects, one project engineer, two quantity surveyors, six assistant quantity surveyors, four resident engineers, twelve inspectors of works, thirty works supervisors and one accountant (USAID, 1979; p. 81).

The option taken by USAID and the director of PMU was to go straight to the Town Clerk who ratified the request and recruitment of the required extra staff

took place without the involvement of the Engineer. This seemed a bad precedence and should have been avoided. It contributed to problems of management, especially the budgetary aspect. A USAID project monitoring team from Washington visited the project and registered doubts about the recruitment. The team felt that it was a heavy burden on the project (Weekly Review, 1976). This gave support to the Engineer's position and thus intensified the disagreement. From this incident, the Engineer's Department and PMU lost amicable working relationship and the potential to operate as an implementation unit. While the Town Clerk's Department continued to ratify the decisions and actions of both the PMU and USAID, without taking a neutral assessment.

If one was to go by the planned goals, it would seem the engineer was right in his rejection, but the fact that USAID's local office also ratified the move makes it more complicated. Further more, a supervisory USAID team from Washington shared the position of the City Engineer thereby strengthening the premise. Whereas it is not possible to give a clear cut position on this issue of disagreement, at least one shortcoming can easily be identified - the inability of both the PMU director and USAID to compromise with the City Engineer on issues of disagreement. Their option of avoiding the City Engineer and using the Town Clerk's office for ratifying decisions was not healthy for the bureaucracy in its project implementation. It set a poor precedent which became a source of many other problems of which the rider statements (ref: chap. 5.4.2) of both the engineer ('construction of this tender is not recommended') and the UCC ('should there be any surcharge on this sub-contract the engineer should be personally held responsible') demonstrated the extent of personality and/or interest rift.

In both cases of the rider statements, implementation went ahead but was subjected to individuals and not the institution as such. Under normal circumstances the Engineer has to ratify all tenders of works before they are presented to the relevant committee and whether they are ratified or not, blame goes to the department and not to the engineer as an individual. As reflected in

the rider statement relating to the Engineer, he was personally going to be held responsible and it becomes difficult to assess whether these were individual or institutional interests being pursued and punished. The rift finally led to the City Engineer as a person being divorced from the implementation of UTP but not his department. The project implementation team still had to deal with the City Engineers Department but through junior officers.

The rift produced a management contradiction which was not healthy for the project. It was quite inconsistent to divorce the City Engineer from the implementation of a key housing project which his department was implementing, and at the same time retain him as the head of the Department. It became a blessing in disguise when the Engineer fought with the project director and ended up in jail, thereby making an exit. With such type of wrangling, one expects to find a number of daily activities and/or development goals either going wrong or not well conceptualised. It is therefore not strange that NCC has had problems of conceptualising a number of issues intricate to housing the low income groups, notwithstanding, its inability to have a strategy for housing and identify who the low income groups are within the city.

Assessing the above situation, the element of professionalism, vis a vis none professionalism, is exhibited. According to Chiuri¹⁶, the director of UTP was neither a technical nor professional person but a politician from Pakistan who closely colluded with councillors in doing wrong things. He noted the case of the development of the 170 additional units and the allocation of the core units to 'ghost names' which the survey found out that the councillors could not remember ten years later, as they got reinstated as commissioners to give support to the ruling party as multi-party elections advanced. Essentially, councillors had a lot to gain from the director of PMU as opposed to the engineer who was answerable

¹⁶Mr. C.M. Chiuri was employed (1976) by NCC and posted to the City Engineer's Department when the implementation of UTP was about to begin. He worked within the Department until July 1992 when he was promoted to head HDD, as the director, Mr. Mugo, got promotion to head the Housing Department within the Ministry of Housing and Lands. Interview 3/2/93.

to the council and had to defend the interests of a Department which was not temporary as was PMU. The shortcomings of UTP are demonstrated to-date and the Engineer's Department inherited them and has to cope with the situation which could have been avoided.

7.2.3. Institutional Requirements of Access.

Access to urban resources and services is a problem for the majority of low income households and despite the goal of most governments to improve the situation, it remains problematic. Although most governments have the goal of providing adequate services to their citizens written down on policy papers, it has been difficult to practice within environments dominated by scarcity of resources. The hardest hit are often individuals who have no influence which is closely linked to ability to wield power which in turn is achieved by having access to resources. Implied is the fact that low income groups and/or individuals lack resources and subsequently have no power or influence. How then, are they expected to have access or is it a zero sum game? This study cannot compromise this situation and this section only presents some salient issues which ought to be taken into consideration when dealing with access to housing by low income groups.

Most governments perpetuate a position that all citizens should live in 'acceptable' housing defined by set standards which are often unrelated to the capacity of those who need housing. Most of such definitions never go into details on how housing produced through such standards can be accessed, especially by the low income groups. Nor do they appreciate the fact that problems of access to urban land and shelter in most African cities is ultimately linked to the whole question of processes, standards of urban planning (HRDU, 1989) and income.

Kenya is among the countries which have over the years been concerned (at least on paper) with the 'right' amount of resources to be allocated to housing to

provide all households with 'decent' homes in the right location at all times. A correct policy direction if resources are mobilised and allocated to housing but as indicated earlier, this goal has remained a rhetoric as the GDP allocated to housing dwindle. Statistics from the Ministry of Lands and Housing budget on housing show a tremendous decrease since 1988/89. During this budget period the budget was Kenya pounds 30,000 and during the following budget (89/90) it was 23,000, falling to only 15,000 during the 1990/91 (GOK, 1992). These figures imply a reduced access rate for those in need of housing, not necessarily the low income groups.

The Kenya Government, in the goal of reaching the low income groups, operate on some assumptions which are of concern to this study. One of them is that most urban households have regular quantifiable income and are conversant with the concepts inherent in housing provision. Often this is not the case, a large number of households have no access to what is claimed by government to be accessible to them. For some who may qualify as per income, raising the required down payment has been a bottleneck. In this sub section the case of UTP is used to demonstrate the problems of access. At the same time, the limitations of analyzing problems of access using centrally planned Government low income housing programmes is also acknowledged and the fact that most of the programmes exclude the most needy noted. As opposed to the rural areas where there may still be possibilities of getting building materials and labour without incurring any cost; in the urban areas, cost has to always be incurred except in cases where those who have arrived are still being accommodated as they look for income generating activities. Thus, unless one is still accommodated (ref 6.1.3), one has to either be paying rent or mortgage. The exception being those who have completed their mortgage payments, bought cash or inherited housing units. To pay mortgage or rent, income has to be available and hence the rationale of the income requirement. A fact which this study does not dispute. However, the aspect of regular and quantifiable income which most low income households in the cities of developing countries do not have, is disputed.

In many cities of the developing countries, a large proportion of urban households rely on the informal sector for both income generation and provision of services. Whereas the sector has been appraised as providing employment and services, its opportunities are still extensively irregular with incomes being almost impossible to predict over a given period of time. In Kenya, especially Nairobi, it has been noted that about 52% rely on the informal sector. This is more explicit in the area of housing where it is estimated that the population residing in informal settlements range from 600,000 to 1.2 million (USAID, 1991). In this case, any appropriate planning should plan and design strategies which accommodate such households, but this has not been the case. All low income housing strategies are designed with the assumption of regular and quantifiable wage income over a given period, which in many cases exceeds twenty years. An approach which not only excludes those in the informal sector but also a significant percentage of those formally employed.

An analysis of data from UTP shows that among the tenants residing in UTP, 44.6% had attempted to access at least a centrally planned Government aided low income housing scheme without success, whereas 55.4% had not. The general feeling of the sample was that low income households cannot access low income housing programmes. A response shared by both tenants and the resident home owners. The 44.6% of tenants who had applied indicated various reasons for failure of access, which included; failure to qualify due to income bracket (which could have been higher or lower but the survey did not probe this detail), failure to get application forms, raise deposit and irregularity in application procedures.

Problems of access are not only experienced during pre-qualification as the tenants experienced but also after qualification as the case of the resident landlords demonstrate. They noted the problems of access they faced on their road to home ownership. This insinuates that even in cases where one has managed to go through the income qualification and other requirements, there are still a number of difficulties (ref: figure 6.21) and drop out rates continue to be

experienced. Down payment for tenant purchase and cases of corrupt practices was noted by UTP resident home owners. Although the latter did not score high points it has been a significant variable, however, many respondents often are not willing to discuss it. In total, 58.8% of resident home owners interviewed pointed out that they had difficulty in raising the required deposit.

Taking the situation of the low income groups into consideration, this study notes that raising required deposit is even more problematic. They may be able to afford mortgage payments but in many cases cannot raise the required lump-sum for down payment. In UTP, savings and cooperative were key sources for down payment. The low income groups who mostly operate within the informal sector, have been known to have very limited savings or none (Mitullah, 1991). Often they allocate most of their income to subsistence. In this case, strategies have to be designed for handling the down-payment which in recent years has also become a problem among higher income groups.

The positive side of availability of down payment is demonstrated in UTP through resident home owners who raised their deposits by accessing financial assistance through co-operatives, employers and financial institutions (ref: figure 6.22). These sources of funding can only be operational to those who are steadily employed or have significant savings. This leaves out a high percentage of low income groups who have to resort to both family support and informal networks which are often limited. In the case of UTP the two sources only contributed to 8%. Moreover, housing requires long term funding which the unsteady incomes of non wage low income groups cannot satisfy. Thus, the issue of access to housing should not merely be reduced to having an ability to pay mortgage or tenant purchase but should also concern itself with the down payment.

Unique aspects of access have also been found among those who have qualified and managed to raise the down payment. The HRDU (1989) study gives explanation of limitations of access to low income housing after basic

qualification as per income and other related processes. It argues that if the developers charge highly for development, profit and risk undertaking, development costs go up and those in residence have to have comparatively higher incomes than the planned target. Alternatively, if repayments of recovery costs appear too high even before property is developed, the tendency will be that those who cannot afford will sell. Hence, the position of the study is that in determining affordability criteria, it is not only the cost of land servicing that should be considered but also included should be the cost of a basic room which the beneficiaries would be expected to occupy while developing other rooms. To this study, if the focus on low income groups has to rely on home ownership then the issues of down payment and escalating interest rates have to be taken into consideration. As demonstrated in the case of UTP; 40% of the original allottees had already made an exit. Although the reasons for exit could not be assessed, chances are high that the majority who have had to sell belong to comparatively low income groups and could have had other financial priorities.

7.2.4 Financial Resources & Institutional Performance

The availability of required financial resources is basic if an institution such as NCC has to perform. However, mobilisation of resources has not been efficiently done with poor collection of taxes, fees and cost recovery of projects being predominant. This has left the council with heavy reliance on International Finance with all its inherent problems. The housing sector is one area which has been subjected to almost a total reliance on such funding. This study notes that this outcome has not been positive for local mobilisation of required resources for housing development. A reflection of this is seen in the reduced rate of low income housing production using local financial resources, as over reliance on International Finance continues. This is demonstrated by the fact that, the last housing development (Huruma and Kariobagi South) undertaken by NCC using local funds was in 1979.

Housing finance is a major variable in determining the trend of housing provision. Renaud (1987) acknowledges that 'there has been a trend to explain the current condition of housing finance system by factors such as the literacy level, the income level, savings rates and the availability of managerial skills in providing financial services', but points out that the actual structure and performance of housing finance institutions is more directly shaped by three immediate and decisive causes: the past and current financial policies followed by a country, its housing policies, and the functioning of its economy. Whereas this study is not on housing finance, which has been well covered elsewhere (for example, World Bank, 1990; Renaud, 1988), the above observation applies to most of the developing countries where macro issues of the housing sector are often hardly tackled as Governments adopt micro project approaches through International Finance.

As argued throughout this study, housing has many aspects which fall mainly under three categories; consumption, production and investment. The three do at times overlap but in the case of the low income groups, the overlap is rare, except in cases where the house is also used as a production base. Most low income groups, need housing basically for shelter and in some cases opt to undertake income generating activities around or within the home. In this respect, the low income groups rarely use housing as a commodity as most higher income groups do. Subsequently, an approach with an emphasis and/or motive of investment may have limitations of reaching the low income groups as has been experienced in most of the developing countries.

The role of international finance in housing development in the developing countries has been key since the beginning of the Seventies and needs a special mention. Most International Funding Agencies have presented their entry into housing development as a move towards changing the conditions of the urban poor. However, their desire to penetrate what they refer to as a 'low income housing market' has been noted and has very little to do with changing the

conditions of such households. International financial agencies often come out clearly on their explicit goal of investment, whereas the development aspect remain more of a political rhetoric. Despite this, the contribution of international finance in housing development, especially as relates to increasing stock has to be acknowledged. In most LAs, financial resources are limited and majority of them have failed to mobilise local resources and have heavily depended on international financial systems. Since the beginning of the Seventies, these agencies have greatly contributed to capital development in housing within major towns of Kenya. Through their funding, improvement of available housing stock and additional housing development has occurred. In turn, access to housing by various income groups has been enhanced. Notwithstanding, the initial goal of reaching the low income groups is far from being achieved.

In Kenya, like most other developing countries, housing development has been dominated by both the World Bank and USAID. Both DSS and KTP formed entry points for the World Bank and USAID, respectively. During their initial entry into housing development they placed emphasis on their goal of reaching the low income groups, specifically in Nairobi, where the first projects were located. The Bank (World Bank, 1986) noted that the broad goal of DSS was to demonstrate the feasibility of providing affordable housing services to the lower income groups in Nairobi on a large scale and at lower costs than those of previous projects implemented by the Government and NCC. The programme included provision of trunk sewer infrastructure and an inherent technical assistance aimed at improving Governments's project implementation capabilities and helping formulate future shelter policies and programmes.

In recent years, the Bank's emphasis has shifted from isolated micro projects to macro National and city-wide scale necessary to influence the broad policies and the institutions that govern the performance of the urban economy. In doing this, the Bank aims to address broader objectives of economic development and macro-economic performance (Mayo, 1991). On the other hand, USAID intervention in

Kenya started with KTP Scheme with a stated objective of encouraging the Government of Kenya to implement its policy for low income families but the very project was converted to middle income. The project was to act as a pilot demonstration of a home ownership programme for NCC which had in the past been developing mostly rental housing.

As reflected above, both these two key agencies have had the objective of improving housing provision with the aim of reaching the urban low income groups for over twenty years and it is the concern of this Section to try and explain why there has not been any major change in the housing conditions of the low income urban dwellers. Additionally, an attempt is made to bring out some of the contradictions and inconsistencies in their policies and funding behaviour and the inherent failure of both Central and Local Governments to change the situation. One aspect noted is the fact that in all the key housing policy approaches undertaken by the Kenya Government, International Finance has had on extensive influence. UNCHS (1987b) in discussing housing in Kenya notes that by 1980 the World Bank had not only persuaded the Kenya Government to allow squatter settlements in place but had in fact committed the Government to improve them. Subsequently, whether they have been moves towards the right direction or not, the funding agencies share responsibility and the current situation under the SAPs, which lays total blame on Governments, is not quite representative.

Under the SAPs, the contention is that development within countries such as Kenya prior to SAPs (mostly before mid 1980s) was rooted in development strategies that ignored economic efficiency and international competitiveness, and that drew finance from abroad while distorting the domestic financial system (Bartone et al, 1990). Indeed, a correct observation, especially in the area of housing development. Notwithstanding, it is the same international financial agencies that supported the past approaches who are currently making these observations which may have been obvious when they were conceived but due to

the nature of the global political economy were pursued.

The problematic nature of International Finance, especially that of the World Bank was highly criticized during the 1970s. Whereas prior to 1973, the Bank had mostly focused its attention on power and transportation loans, the Nairobi speech of 1973, by the Bank's president, Robert McNamara, was a land mark in the Bank's activities. McNamara highlighted the dimensions of world poverty, and the little done in the previous two decades to increase productivity in the poor countries (McNamara, 1973). McNamara's perception on poverty got translated into World Bank's policy papers focusing on areas such as rural development, basic education, basic health and low cost housing. Thus begun the emphasis on the poor without actually knowing who they were, leading to inability to reach them.

Among the first critiques of International Finance in relation to the focus on the poor using the World Bank was Aart Van De Laar. In his analysis, the Bank operated under very serious institutional constraints and an emphasis on the poor would not be feasible. Strong focus on the 'absolute poor' would imply concentrating on a limited group of countries. Only by adding the 'relative poor' can a much wider geographical spread be justified, albeit only partially (Aart Van De Laar, 1976). Essentially, this argument is opposed to the inherent assumption in International Finance or the World Bank/USAID that their activities are capable of adopting socialistic approaches capable of changing the conditions of the poor. With the emphasis on the private sector as opposed to the public sector, International Finance has displayed a number of contradictions. These are reflected in what International Finance says should be done, and what it can do or does.

Frances Moore also dismisses the ability of International Finance to change the situation of poverty within the developing countries. He maintains that, International Finance always aims at expanding private investment and it does not

seem feasible that poverty, per se, can be eradicated or improved by use of International Finance (Moore, 1982). The history of the developing countries has shown that most International Financial agencies do channel profits from the developing countries to their metropolis. At the same time, it only participates in activities which enhance capital accumulation and not the reverse. Why then do countries such as Kenya expose themselves to this situation? A simple answer lies in the nature of global political economy which the developing countries have to understand, manoeuvre around and cope with.

The nature of global political economy is such that no nation escapes its impact which in many cases is positive to the developed countries and disastrous to the developing countries such as Kenya. The central force in the global political economy is the ability to mobilise and have resources within a country's control which it can then manipulate in a manner suitable to its economy. Since most of the developing countries, especially within the sub-saharan African, have not managed to mobilise adequate and sufficient resources, they have become subjects of manipulation. In this respect, international funding geared for housing development should be understood within the context of the overall global political economy.

Since the 1964 UN study (Bloomberg, et al., 1964) on housing in Kenya, The International Funding Agencies have been very active in the housing sector. The study had concluded that the housing goals could only be met at that time through the assistance of foreign capital. The USAID housing Guaranty Programme was specifically recommended. Kenya has thus experienced very active involvement of both USAID and World Bank in shelter provision. Their resources have mainly been directed at provision of infrastructure and limited services. In recent years, USAID funding has expanded to include bus parks, markets and slaughterhouses under Kenya Small Towns Shelter and Community Development Project.

Whereas this dependence has resulted in an increase of the number of units

produced it has not solved the plight of the low income groups. According to the former director of HDD of NCC, heavy reliance on international funding cannot solve the housing problem. However, he noted that great hope lies on the mobilisation of local resources. An approach which the department had put to test but due to the financial problems of the NCC, the 53 million Kenya shillings which had been generated was diverted to other expenditures with the hope of recovery (Mugo, 1992). But at the time of field work, there was no indication as to when the amount which was intended for a housing fund would be reallocated.

International financing has been problematic to NCC, mainly due to lack of co-ordination among themselves, government ministries and other development agencies working in the area of housing. Basically, they have tended to rely on consultants often appointed and/or approved by the funding agencies without first coming up with a relevant package for their institutions. Subsequently, project funds get depleted without relevant project packages. Apart from the fact that such consultants may not come up with relevant projects, the approach perpetuates dependence and inability to plan and design appropriate housing development programmes. An outcome which is not conducive to development, especially when the fact that the goals of International Finance are not necessarily those of the countries being supported is taken into consideration. Field survey revealed that most funding agencies have their origins as their points of reference, making it difficult to integrate some relevant local project components as seen by implementing institutions. For example, in UTP, the lack of consideration for services at the planning stage led to the project starting as a 'half project' - planned housing without services.

The inflexible terms of International Financial agencies was noted during the field survey. It is often linked to the desire to achieve acceptable cost recovery. Discussions with a number of policy makers indicated that it is both positive and negative. The positive aspect being that it ensures that project objectives are not floated by the relevant officers; whereas the negative aspect is that it does not

give officers dealing with the project a leeway to handle objectives in a manner suitable to the situation and the inherent institutional framework.

It seems the LAs have no way out, unless they are able to generate local resources for housing development. This step seem feasible and should be considered by both Local and Central Government. Although discussions with the majority of both LAs and Central Government officials showed that the future of housing development would be gloomy without international finance, most of the officers felt that there are possibilities of generating funds locally. According to them the main area of focus would be joint ventures between the public and private sector. This would be supplemented by a co-operative approach. An approach which needs relevant government policies in the areas of pension funds, insurance policies and building societies. These institutions hold some financial reserves which could be pumped into housing, more so with the current situation where the government has continued to cut down its GDP allocation to housing.

Generally, the emphasis of LAs on housing finance has not been quite appropriate. Mbugua (1989) argues that over-emphasis on raising additional funds for housing has often been done at the expense of an investigation of how circulating funds could be recycled much faster. Subsequently, Mbugua notes that 'in practical terms, recycling of for example, a 25 year external loan (as is often the case) five times would very nearly produce five times as many units for the same money'. As Mbugua put it, 'this must be an easier way to finance more houses than to hope for five-fold increase in new funds'.

Mbugua's contention is realistic but it is not problem free. Housing finance drawn from International Finance has many components which may not necessarily result into liquid cash. As experience shows, it is often the infrastructure and technical assistance whose liquid cash may be actually accessed. Whereas the remaining component may be available in the form of deposits paid by allottees and to some extent material loans. In this respect, converting the million Kenya pounds

provided by International Finance into housing finance for additional housing development has a number of prerequisites of which loan recovery from the allottees, which has had poor records in most developing countries, is basic. Subsequently, it needs a well-coordinated macro policy in the housing sector.

Another problem of International Finance in relation to institutional performance is the new procedures and/or institutions it creates for bureaucracies which are already clogged up. Most International Financiers require governments to adopt their designed methods of planning and managing projects. A task which requires additional inputs in terms of time, personnel and finance; aspects which most financiers opt to fund, without giving consideration to its impact. Whenever this occurs, the existing institutions face management difficulties which cannot merely be resolved by paying the cost of additional inputs as reflected in the case of PMU.

The case of UTP demonstrates what International Finance can do if not well conceptualised. As shown in chapter five, USAID had tremendous influence on the project during the planning stage and this continued during and after implementation. At the planning stage, USAID insisted on establishment of PMU without clarifying its role or assessing what impact it was going to have on the existing departments of NCC. Their aim being to have a unit which would ensure that their objectives are achieved irrespective of the prevailing institutional ethics and constraints. It is such a type of approach to project planning and implementation, that greatly contributed to problems of implementation.

7.3.0 Conclusion

This chapter has brought out the problematic nature of the Kenya Government's policy basis of housing the low income groups as well as the inherent obstacles in the institutional framework. At policy level, the Government's intention of housing low income groups has not been demonstrated. Instead the Government

has been adapting programmes conceptualised by international funding agencies without sufficient assessment, thus limiting success. One aspect of this approach has been the adoption of the policy instrument of housing the low income groups through home ownership; without having clearly outlined targets at policy level, how to identify them and the lack of consensus among political and administrative officials over the issue.

Policy outcome was also found to be influenced by the lack of coordination among participating agencies, especially Government Ministries and agencies. This demonstrates the failure of the State to work through and with other centres of power in order to ensure policy success, thus leading to duplication of efforts and waste of resources. Subsequently, the problems of policy at Central Government level are shifted to the implementing institutions such as NCC, who are required to implement policies which have not been well conceptualised.

The institutional problems of implementation revolve around lack of any housing strategy within NCC. This has contributed to inability to develop appropriate methods of housing the low income groups, reflected in the inability to mobilise local resources for the development of low income housing as over-reliance on international funding continues. An approach adapted by NCC from the funders with hardly any assessment on the appropriateness of its various components; especially its focus on home ownership and related methods of identifying the target beneficiaries.

The power interplay which goes on, during the tendering of contracts and allocation of housing, conceptualised and funded by international financial agencies, has also been problematic. Due to the lack of any institutionalised methods of implementing low income housing programmes, the implementation of UTP was largely subjected to individuals as opposed to the implementing institutions. The implication being lack of continuity, once the individuals were out of office, leading to inability to successfully implement the project.

CHAPTER EIGHT

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

8.0.0 Introduction

This last chapter gives a thematic summary of the study on State Policy and Urban Housing, drawing conclusions and recommendations. The themes include; State, housing and development; housing policy, urban growth and management; planning and development of UTP, empirical survey of UTP and the politics of policy implementation. The conclusions link up the first five chapters of the study and the last four, pulling out some emerging trends in the area of low income housing. Whereas, the recommendations are made at four levels, namely; areas for further research, Central Government, NCC and other actors (individuals, communities, groups and NGOs).

8.1.0 Summary

The housing problem reflected in the continued development of low income housing but without houses for the low income groups is presented and analyzed in this study. The introductory chapter states the problem, noting that the mere development of additional units in the name of the poor or low income groups has not led to the units being accessible to them. This has resulted in a concentration of such groups of people in informal settlements. Areas which lack most basic services, and since 1974 the Government has been trying to support without success.

8.1.1 State, Housing and Development

The conceptual and theoretical issues and debates on housing provision and consumption have been discussed in this study. Both formal and informal housing are placed within the context of urban housing and the concept of 'unplanned' in

reference to informal settlements dismissed. Rather, the level of service provision is seen as a basis of the differences between the two settlements. The Abrams's and Turner's self help approach to housing based on dwellers controlling their homes, which influenced most state planned low cost housing, arguing that the state is too bureaucratic to be efficient in providing *peoples* housing is assessed.

In order to understand the behaviour of the State in relation to housing provision, development ideology in Kenya is discussed. It is noted that the peripheral capitalist nature of Kenya's economy has not evolved to achieve a full capitalist state. Thus, both typical and none typical capitalist development are prevalent. This has implication for housing provision and consumption, since a compromise between market forces and welfare needs of those unable to compete in the market have to be considered. Whereas, the State claims to ensure this through housing programmes geared for lower income groups; this study argues that the State has not been focusing on the lower income groups but using them through rhetoric to pursue the interests of the better off groups in order to access international financial assistance.

In order to grasp the State contradictions, the evolution of thinking on development and its relevance to housing is analyzed. The classical approach to development which views development in terms of economic growth measured in GNP is seen as inadequate. Instead, the position of the opposite school of thought which perceives development as a multidimensional process is utilised. It conceptualises development from various perspectives and disciplines; underscores the importance of basic needs such as food, shelter, clothing, health and education. This is in addition to economic growth and political realisation which enhance individual development.

The definition of development to the disadvantaged rural and urban poor is that process which involves promotion of their well being through active participation; a dynamic process geared towards maximum utilisation of resources within their

reach. Such a type of development is expected to strengthen people's ability to move from one quality of existence to another higher level of life. It is this definition that those who develop and/or stay in informal settlements in Kenya conceptualise as they struggle to house themselves. In this respect this study contends that what has taken place in Kenya during the last twenty five years in the name of development has ostracized the *people* from development. Traditional societies have been broken up and migration to the urban areas has made people dependent on the state and therefore 'unemployed' and unable to access what the state refers to as 'adequate housing'.

Applying the political economy approach to housing provision and consumption, the nature of housing production is discussed. It includes the dominant capitalist mode, which produces the industrialised form of production and the dependent petty commodity form of production which produces manufactured and self built forms of housing. These distinctive modes of housing production have been subjected to criticism. The main argument being that economic activities should be seen in their complexity of linkages between and among production modes. In practise, the modes are never fixed or totally distinct, instead their characteristics and relationships change over time. Subsequently, both the formal and informal modes of production should not be seen in isolation; rather the informal mode should be seen as responding to the gaps created by the formal sector and thereby being closely related.

The role of the state is assessed noting how the state over extended itself during the first twenty five years of Independence. It undertook commitments and responsibilities that it could not fulfil and increasingly could not afford to fund. With international intervention through the World Bank/IMF SAPs, the state is continually being pushed to change its behaviour, by giving up some commitments and responsibilities as well as incorporating other development agencies which in the past the state gave marginal recognition. This is seen as a corporate approach whereby the state as a representative of capital is in search of

any elements of production which may enhance its survival, even if it means limiting its own role as is happening in Africa under SAPs.

8.1.2 Housing Policy, Urban Growth and Management

Housing is placed within the context of urbanisation by presenting the rapid growth of urbanisation and its consequences in the developing countries with an emphasis on Africa, specifically Kenya. It notes that the position of urban systems in the developing countries are reflections of the role that national states play in the international economic system, pointing out the difference between the nature of urbanisation in the developed countries and that of the developing countries.

The depressing economic situation of the African states and that of Kenya resulting in deterioration of urban services is discussed, pointing out the several approaches indirectly applied to reduce the rate of urbanisation and the integral urbanisation problems. The basis of the approaches being accelerated rural development aimed at improving the conditions in the rural areas in order to retain population.

It is pointed out that the poor performance of countries such as Kenya is a product of multiple variables which include ecological disasters, colonial background as well as other external and internal factors. Hence, any attempt to explain the problems of development and urbanisation as such using a single variable approach is bound to either fail to capture the real situation or end up with a distorted perception.

With specific reference to Kenya, a historical context of urbanisation and urban development policies is given. It is noted that except for a few coastal urban centres, en-mass urbanisation took place with the onset of colonialism. However, the period also witnessed restrictions on movement to urban areas, as a measure of curbing population growth. With independence restrictions were waived and

massive Rural to Urban movements occurred putting serious pressure on provision of urban services.

In order to reduce population growth in the urban areas, the Kenya Government, like most other African countries, first concentrated on policies focusing on rural areas with an aim of retaining population in such areas. Policies which this study refers to as 'decongestion' and have been assessed to have failed. Since the beginning of the Eighties this approach has been supplemented with other approaches such as the Rural-Urban balance which aims at looking at both urban and rural areas as one system and the development of RTPCs. It is noted that the search for policy options in Kenya should be geared first and foremost towards policy areas which sustain the existing urban populations within the urban areas, with rural based options supplementing such efforts.

The management of urban growth is presented, pointing out that the policies of 'decongestion' have not reduced urban growth or solved the problems of service provision and management. In Nairobi, NCC continues to be trapped up in a vicious circle whereby, due to poor management, revenue collection is poor and the Council therefore lacks revenue and thus cannot provide adequate and efficient services. In relation to service provision, this has resulted in the pathetic consequences of urbanisation despite many programmes aimed at changing the situation, reflected in the proliferation of unserviced informal settlements. The problems are partly associated with bureaucratization, adoption of irrelevant standards, naive understanding of the housing problem as well as the planning biases. These factors have consequently led to unsatisfactory analysis of the situation and inherent ineffective arrangements for managing urban growth.

Housing policy in Kenya is discussed, acknowledging that formulating appropriate policies and ensuring that they are implemented remains a global development dilemma. In Kenya, well defined policies relating to low income housing hardly exist. In cases where policies exist they remain on paper. A contention which is

representative if policy objectives are correlated with policy outcome or actual programmes on the ground. The study contends that policy should be perceived as action, inaction, intention and sometimes all the three. Thus even reactive official decrees, which in many cases have to be implemented haphazardly, are also considered as policy.

A historical context of housing policy is presented by highlighting the colonial and post-colonial periods. The reactive colonial period set precedence for poor low income housing. The restrictive colonial housing policies did not take the none employed Africans, who lived in urban areas, into consideration. For the employed Africans who were considered during planning, only basic services were provided and their housing conditions remained comparatively inadequate.

The post-colonial era is periodised into the era of Independence to 1972 and the period after. It is noted that prior to 1972, the Government pursued mainly restrictive policies with emphasis on appropriate planning coupled with demolitions of 'unplanned' settlement. Such policies were not different from those pursued by the colonial Government; although rhetorically the Government posed to be pursuing policies aimed at improving the conditions of the African population which had been disadvantaged during the colonial era. It was not until the early Seventies that demolitions of houses for to low income groups was stopped under the influence of international financial agencies, as it penetrated the low income housing market. This led to the adoption of more positive housing policies such as the development of sites and services upgrading schemes as well as the commissioning of a number of studies in search of positive policy moves. Notwithstanding, the inability to design appropriate programmes and method of identifying the low income groups greatly contributed to lack of success.

8.1.3 Planning and Development of UTP

The planning and development of UTP is discussed by first, giving a brief on

planning and its technicalities vis a vis the human dimension. It is noted that planning and implementation involves much bargaining, accommodation and sometimes conflict; hence the need to explore the negative externalities which result from attempts to achieve the planned objectives of given projects. The background of UTP follows, indicating the limited role played by NCC during the conceptualisation period. Instead USAID did most of initial planning and subsequently had to convince both the Government and NCC that the project was worth undertaking. The unwillingness of the Government and NCC to accept reduced standards for the project and USAID exertion of pressure on them, lest the funding be withdrawn, are noted. The idea of low income was not clear to both the Government and NCC and it was only after USAID's pre-investment survey and appraisal that an understanding of what it should be, started becoming clear.

USAID's action is viewed in terms of expansion of capital and not necessarily as a goal of housing the low income groups as stated. The inability of both USAID and NCC to devise appropriate methods of identifying households which fall among the *real* low income groups is a clear demonstration of lack of focus by both NCC and USAID. The two institutions could not reach a compromise on the number of units to be developed, partly due to USAID's insistence on the reduction of the number of high cost units and an increase of the low cost units. The lack of consensus on this issue became a problem to the project throughout the implementation period. It was also exploited by the project director in liaison with councillors by developing an additional 170 units on an inappropriate site. At the same time NCC could not provide the relevant services and by the time the first lot of houses were ready for occupation, none of the services were in place. When services were eventually provided, most of them were of very high quality and could not be afforded by the target beneficiaries. Indeed, a signal of many aspects of project implementation which were going wrong.

Project implementation realised active political activity at the output stage as

opposed to the input stage. Reflected in individual and collective demand making, representation of interests and the difficulty to resolve conflicts, which dominated project implementation. The physical fight between the City Engineer and the project director leading to the City Engineer being charged and imprisoned and thereby losing his employment, was a climax. This fight is viewed as a problem created by the establishment of the PMU without clarifying how it was going to relate to the City Engineer's Department. Its establishment did not originate from NCC. What NCC had in mind during inception seemed to be more of an additional staff members to strengthen the already existing NCC's City Engineer's Department, charged with implementation of the project.

The establishment of PMU did not assist in building an adequate framework for implementation of low income housing. Instead, it destroyed the existing framework. With the prevailing problems of the two departments, most aspects of the project involving decision making become very difficult to resolve. Of particular concern was the tendering and the contracting of the project components. PMU rejected the lowest bidder on flimsy grounds based on errors on Bill of quantities. To show the level of inconsistency, instead of giving a consideration to the second lowest bidder, fresh tenders were invited and PMU's favourite bidder turned out to be the winner. Problems between the two institutions did not end until the City Engineer was divorced from the administration of the project, with serious consequences to project implementation.

Another controversial component was the allocation of units. They were not made public to daily press and at the same time interviews for target beneficiaries were not conducted. Further, the approach of complete and incomplete application forms raised eye brows and criticism in the press when NCC came up with 15,000 out of 24,000 applications as incomplete, ineligible being the main problem accounting for 11,000. The NCC councillors intensified the problems and suspicion by making a request to USAID to jump the regulations of allocation, but this was turned down. This was not a solution but a postponement of the

problem, as demonstrated by the councillor's attempt to block the allocation process, as a form of protest.

8.1.4 Empirical Survey of UTP

The empirical situation of UTP between November 1991 and April 1992 is presented and assessed. The findings of the study including, socio-economic status of UTP residents, service provision and management and issues relating to tenure are presented and analyzed. Included are the relationship between tenants and their landlords, how tenants located their housing units, rents paid and attitudes on rent related issues. In specific reference to the resident landlords, issues associated with home ownership such as procedures of allocation, financial commitments and sources as well as the development of units are analyzed.

The tenants residing in UTP were found to be young with a mean age score of 31, whereas, the resident landlords were older with a mean age of 39. A large majority (71%) of the tenants belonged to upper income category with 12% earning way above the high income category and 29% falling on the upper levels of middle income. Resident landlords earned comparatively lower incomes, with 67% earning between Kenya shillings 2,000 and 8,000; 20% earning between 5,000 and 8,000 and 11% earning above 11,000. These incomes reflect the gap between policy objective and outcome, greatly influenced by the infiltration of low income housing by comparatively higher income groups. In UTP, only 6% of the tenants and 7% of the resident landlords were earning less than Kenya shillings 2,000, thereby falling within the policy targets.

The residents of UTP are employed in both public and private sectors with a few being self employed. Expenditure of the residents was high, with subsistence taking the highest percentage as is the case in most low income settlements. Most residents did not only stay with their families but relatives as well. The average number of people per household was 5 for both tenants and resident landlords.

The data also showed that the length of stay within the city was becoming high, with a reasonable percentage (12%) of tenants having been born in the city.

More resident landlords preferred to live in UTP than tenants, the main reason being home ownership. Both the landlords and the tenants rated services as either average or below average. Thereby indicating their level of dissatisfaction with the project. A clear indication of the implication of lowering standards for a wrong group which prefers higher standards. The inefficiency of NCC was noted but the view that NCC should be responsible for provision and management of services was held. This shows the inherent view held by most city residents that residential areas should be managed by public authorities such as NCC. A view currently under question as public management of services collapse in most cities of the world.

In spite of a small percentage feeling that there should be joint efforts of residents, NCC, central government and NGOs in managing services, the only joint community effort was found in the area of security. Residents associations had been formed to ensure security. On the other hand, NGOs who play key roles in providing and managing services in most low income areas were found to play a very minimal role in UTP. This was associated with the fact that the area is occupied by comparatively better off people and there was limited opportunity to attract NGOs, who are known to focus mostly on the disadvantaged groups.

The study found that the majority (78%) of UTP residents were tenants as opposed to the project objectives of home ownership. Most owners opted to commodify their units, such that, even in cases where the original expandable house had been completed and additional extensions developed, most of the landlords still did not reside within the unit. Nevertheless, the tenants were found to have good relationship with their landlords. Although most tenants did not locate their housing units through the landlords, most of them personally knew their landlords and paid rents and reported maintenance problems to them.

Most tenants had a desire to own urban homes, with 45% having applied for government aided schemes such as UTP without success. Among this sample, 66% of the tenants preferred tenant purchase schemes, 27% plots to develop their own houses, 4% rental schemes, 1% buying cash; whereas 2% had no response. They indicated that they would seek financial support from both public and private institutions. Out of the sample, 62% felt that the government policy of housing low income groups was appropriate, whereas 38% felt it was not. A request to elaborate this response had largely a negative response.

Discussion on home ownership showed that, the majority (71%) of the resident landlords stopped being tenants when they were allocated units in UTP. In the data, this is reflected in predominance of the period between 1976 and 1982 as the year they started paying for their units. However, some of the years do not synchronise with the time allocations were made, and cumulative percentages indicate that only 60% fell among the initial allottees, although 40% seem to be second buyers. A more direct question probing whether one was an original allottee or bought from somebody else showed that only 21% bought from somebody else. This leaves 79% as original allottees, a fact not reflected in the year the resident landlords started buying the units, and interpreted as a partial cover up relating to allocation.

The home ownership process is discussed pointing out the institutions which the landlords had to deal with before getting access. Asked to mention some of the administrative difficulties they faced in dealing with NCC bureaucracy, a significant percentage (43%) indicated they had no problems. Whereas 24% experienced some problems which included; corrupt practices, difficulty in getting application forms, short period of raising deposit and restrictive and slow bureaucracy. As far as raising the deposit and financing housing development was concerned, co-operatives and individual savings were major sources of finance. The data also reveals that those who had bought their units through co-operatives or employers were more conversant with mortgage conditions, requirements and

other related payments, than those who bought through NCC.

A reasonable percentage (41%) of the resident landlords had problems developing their units. These were mainly financial, the site being used as a dumping ground for excavated soil and lack of co-operation from NCC. Among the above problems, the visual problem of dumping ground factor can still be seen on the foot paths and road reserves. The development of extensions beyond the original planned units has added to the problem. Among the resident landlords interviewed, 61% had extended their units beyond the original plan. Out of this percentage, 56% attempted to get authority from NCC, while 44% did not bother to seek any authority. Among those who sought authority, only 18.6% got it, whereas the rest had their applications rejected or ignored. This did not stop them from undertaking development. Most landlords felt that, although the city regulations relating to housing development are normal requirements, they are too strict and limiting.

A further search of resident landlords' opinion on the ability of low income groups to access schemes such as UTP showed their scepticism of the capacity of the low income groups to access such schemes. They clearly isolated themselves from the low income groups by indicating that the low income groups who mostly reside in informal settlements cannot afford to reside or pay for schemes such as UTP. Some of them noted that home ownership through tenant purchase involved great sacrifice and it was more viable to buy a plot and develop a house.

8.1.5 The Politics of Policy Implementation

The politics of policy implementation is analyzed with an aim of understanding the lack of success in the provision of low income housing in Kenya, using UTP. It notes that Kenya Government policy of housing the low income groups has not been focused and its instruments have not been right. In coming up with appropriate policies, the power interplay which takes place among competing

interests often determine which interest group, policy favours. In the case of UTP, the low income groups failed to access units planned for them, thereby exposing the limitations of policy.

The policy biases are discussed, showing the limitations of the policy goal of housing the low income groups. As shown in the case of UTP, the beneficiaries are not necessarily low income households, a fact acknowledged by both the residents of UTP and government officials interviewed. The main reasons for lack of access for the low income groups is the inappropriate policy instrument of housing them through home ownership. This policy assumes that the low income households desire and can own homes within the urban areas. In spite of this, the policy lacks an appropriate methodology of identifying the target group, thereby intensifying the problems. Subsequently, no logic is seen in the State policy's single emphasis on home ownership among the low income groups, noting that the dual (urban and rural) nature of urban residents should be taken into consideration.

The limitations of the institutional framework through which UTP was implemented is analyzed. It is noted that the institutions charged with implementation were adequate in terms of personnel and skills but played their role inefficiently. In the implementation of UTP, all project aspects had been fully catered for and additional personnel hired but success was still limited. Thus three factors which retarded the implementation are isolated, namely; lack of adoptive regulations, management structure and personality conflicts as well as the requirements of access and the nature of financial resources and institutional performance.

The standards and regulations pursued by NCC were found not to be in harmony with the developments taking place. The complicated network of institutions involved and their inherent weak coordination was assessed as a major bottleneck, with NCC taking a large share of the blame. Although NCC was found to have

no acceptable limits for low cost housing, it is silent on a number of unacceptable activities and hence there is no clear policy. Instead, a project based approach which limits benefits of relaxed standards to only project beneficiaries, not necessarily the most needy, has been applied. Thereby leaving individuals who are keen on developing low cost housing with no policy to go by, unless they are integrated in projects funded through international finance.

The conflict between the PMU director and the City Engineer are brought out. Although they were seen as a reflection of personality conflict, it is noted that in countries such as Kenya, it is almost impossible to identify the meeting or breaking point of personal and institutional interests. The analysis of UTP showed that if an officer was able to rally majority support of the contending forces within NCC and USAID, the chances of achieving their goal and that of the institution, be it right or wrong, was enhanced. The whole rationale being that personal goals are presented in such a way that they manifest as that of the institution.

The issue of institutional requirements of access is also discussed, pointing out that the low income groups, who are hardest hit with the problems of housing, stand minimal chances in accessing housing units. Partially due their lack of resources which make them unable to wield power. Apart from the resource obstacle, the requirement for quantifiable income has also been problematic. Most low income groups have incomes which are not easily quantifiable. For some who may qualify as per income, raising the required down-payment has been a limitation. A problem which may be worse in the case of the 'real' low income groups. The problems of access were found to occur not only at the initial stage of home ownership but throughout the process, making other beneficiaries fall off. Interviews with the resident landlords of UTP, showed that down-payment and corrupt practices were problematic in their home ownership process; noting that co-operatives, employers and financial institutions formed important sources of financial assistance.

Lastly, an examination of financial resources and institutional performance is undertaken. It is noted that NCC, like many other councils, has failed to mobilise local financial resources and has largely relied on international finance for development of low income housing. Although most of these agencies present their entry into low income housing development as a move towards changing the conditions of the urban poor, their desire to penetrate, what is referred to as the low income housing market, is noted as having very little to do with changing the conditions of such households.

In all the key housing policy approaches undertaken by the Kenya government, international finance has had extensive influence. In this respect, the current position of international finance under SAPs, which lays all the blame on African governments, is not representative. The argument perpetuated by institutions such as the USAID and the World Bank is that the development strategies pursued before SAPs, were rooted in development strategies that ignored economic efficiency and international competitiveness, drawing finance from abroad while distorting the domestic financial system. Whereas this may be a correct observation, it is the same international financial agencies that supported past approaches, and are currently redefining the agenda.

Criticisms laid on international finance are presented, displaying its inability to change the situation and the new procedures and/or institutions it creates for bureaucracies which are over-burdened. Although the survey showed that the future of housing would be gloomy without international finance, it was felt that there are possibilities of generating funds locally. However, this has not been successfully done as reflected in the case of the housing fund withdrawn by NCC from HDD. The main area of focus seems to be joint ventures between the public and private sector, supplemented by the co-operative approach. This needs relevant government policies, especially in the areas of; conceptualisation of the housing problem, setting strategies and the generation of relevant housing finance, especially, for low income housing. So far, this has not been successfully done,

and cannot be totally dismissed.

8.2.0 Concluding Remarks

The Kenya Government policy objectives of housing the low income groups has failed and a policy redirection is warranted. The main reason for failure being a lack of a clear conceptualisation of the housing problem and how best to solve it before designing programmes. In most programmes undertaken so far, marginal conceptualisation has been done by either the Central Government or the LAs. Instead, comprehensive conceptualisation and development of programmes have often been undertaken by International Financial agencies, such as USAID and the World Bank. A fact reflected in the position currently held by most International Financial agencies, that Government controls are affecting production and that housing is over-priced due to lack of a broad sector examination. To this study, the above contention was known prior to the launching of the previous project based policy approaches, currently being discarded. It is therefore viewed merely as one of the distortions used by international finance for ensuring capital development, which may not be totally beneficial to the local context.

The scenario in Kenya has been for the State to focus on production of low income housing with the support of International Financial agencies but without clear policies on the prerequisites of production and consumption. Out of such trends came projects such as UTP, aimed at the low income groups but without the right method of identifying them or a strategy of providing affordable services. Subsequently, it is demonstrated in the case study that the project has neither fulfilled its initial objectives of housing the low income groups (target beneficiaries) nor satisfied the *real* beneficiaries, who hardly fall within the target group. An examination of the broad housing sector, may benefit the economy in general but does not seem to bear hope for the low income who are often sidelined.

If Government policy has to focus on the low income groups, the prerequisite is to design a method of identifying them and the right form of tenure. This thesis maintains that the isolated focus on home ownership tenure based on quantifiable, steady income categorisation is inappropriate for the low income groups. Income categorisation refers to individuals or people but since the Kenya Government has failed to have an appropriate method of focusing on individuals or people but only on housing, what is needed is an examination of the existing housing units which house low income groups, with a view to improving and adding to their kind. Currently, this is being done but within the inadequate single umbrella of home ownership. To achieve the policy objective of housing the low income groups, a method of identifying them and the appropriate strategies of provision have to be designed. Otherwise, both the State and NCC should focus on increasing and improving the existing stock and forget about maintaining a policy towards low income groups, whom policy has failed to satisfy during the last three decades.

The failure of the State has also been reflected in the performance of LAs, especially NCC. This study revealed that since the intervention of International Finance in low income housing, NCC has not developed any housing using local resources, or was a housing strategy found within the Council. This has resulted into most professional staff mainly within HDD, who should be project developers degenerating into administrative roles - merely implementing projects funded by international finance. The withdrawal of 54 million Kenya shillings from HDD, set aside as an initial housing fund from HDD, further demonstrate the lack of commitment.

Both the failure of the State in Kenya and NCC can only be appreciated if the role of the state is considered within the global political economy. As reflected in this study, neither the state (in the past) nor NCC has had any housing strategy as such. They have basically been adopting strategies set by International Finance in their quest for development capital geared for low income housing. A case clearly demonstrated by the inconsistency of policy where the state aims at

housing the low income groups, but at the same time allows sporadic destruction of units housing them. Through the influential arm of International Finance came the SS, UG, TPs and currently the enabling role of the State, whereby the global political economy demands that the state only ensures that the market is working, infrastructure is in place and property rights are protected.

It has been a trend in most of the developing countries for international agencies to set the parameters for development. Reasons being the lack of local resources required for development, leading to dependence on external funding, with its insistence on defining the problems and setting strategies. Taking the capital interests of international financial agencies, this study notes that the current popularization of the enabling role of the State, especially in the area of low income housing may be problematic. Most Governments, Kenya included, have to still understand what their enabling role entails, since the idea is not born out of a review and setting of local strategies. So far, they are responding to their required role by starting with the facile option of letting individuals, groups, communities and NGOs do what they think is deserving.

The enabling approach, urging the State to reduce and even avoid direct subsidies to those who fail to compete in the market, seems not to bear hope for the low income groups. The State under the influence of the global political economy seem to be giving up the case of the needs of poor urban households, which has been emphasized since Independence. This leaves such households with no option but to continue providing housing and services for themselves. This will occur in the future under even more strenuous conditions, since they may no longer be able to benefit from services offered in neighbouring residential areas, as happened before the SAPs.

For over two decades the State focus in Kenya was to subsidise the low income groups. A task which did not entirely fail because of the availability of subsidies but their misdirection to groups who did not necessarily deserve them. Therefore

misdirection of subsidies and/or efforts aimed at the low income groups, should not infer their rebuke but an examination of why they were misdirected and whether there are possibilities of rightful direction. In view of these dilemmas, this study isolates some options which both the Central Government, LAs and other actors in housing provision and consumption could consider as measures of reversing the situation.

8.3.0 Recommendations

This study does not claim to have exhausted the issues entailed in the provision of low income housing and State policies relating to it. Therefore, it isolates areas needing further research, before recommending the roles to be played by different agencies participating in the provision of low income housing. In this respect, recommendations for this study are made at four levels, namely; Areas for Further Research, Role of Central Government, Local Authorities and Other Actors.

Therefore, the first stage of recommendations is an isolation of areas needing further research. Subsequently, recommendations directly related to the study are proposed at three levels; Central Government, Local Authorities, such as NCC and Other Actors, including individuals, communities, groups and NGOs. As argued throughout this study, policy is a process and within each institution, it is appraised and shaped depending on the environment. In Kenya, this action takes place mainly within the Government Ministries and Local Authorities, leaving Other Actors on the margin. It is therefore necessary to point out what each of these institutions and Other Actors need to undertake to enhance the achievement of policy goals. Before this, recommendations for further research are first outlined.

8.3.1 Areas for Further Research

The broad area referred to as 'the enabling role' of the State in relation to low

income housing needs research. Most Governments of the developing countries are currently actively involved in reviewing their policies and approaches in housing the low income groups, as a means of enhancing the enabling role. It is of concern to housing researchers to look into the details of these reviews and strategies, in order to find out whether there are any significant differences with the former approaches, and whether there are opportunities for reversing the situation discussed in this study.

Directly related to this study are some issues which could not effectively be answered but are linked to an understanding of State policy in relation to low income urban housing. They include;

- Appropriate methods of identifying the *real* low income households.
- Comparison of the socio-economic profile of resident landlords and absentee landlords and reasons for these two factors; assessing whether the resident landlords fall within the target group at the time of allocation.
- The rate at which different types (SS, UG, TPs) of publicly funded low income housing schemes, change hands and the reasons for it. Additionally, whether TPs reduce the chances of changing hands.
- Whether services such as those provided in UTP would satisfy the *real* low income households, as opposed to the actual beneficiaries.

8.3.2 Central Government

Central Government has been a major problem in relation to policy success. It has failed to have clear, well coordinated policies relating to low income housing. This has been facilitated by the acceptance of International Finance for low income housing without determining the appropriate use of such funds. At the same time, the Kenya Government has no Urban Development Policy but numerous uncoordinated institutions whose roles are not complimentary. The Kenya Government, despite the knowledge that the low income groups cannot be

reached through home ownership in isolation, continue to focus on it as per the requirements of international finance. Although international funding organisations currently argue that subsidized housing reduces the capacity to increase the housing stock and at the same time knowing that the approach has failed, this study contends that since the target beneficiaries have not been reached, appropriate measures should be designed for reaching them.

As argued in the theoretical framework, the State should intervene in sectors less profitable to the market forces but necessary for the functioning of economic activity and/or appeasement of social conflict. In doing this, the State should apply a corporatist approach, liaising with all the relevant actors (as a co-ordinator). This implies that the State has to play the role of ensuring that the individuals and/or households who cannot access housing through the market are catered for; either by subsidising other agencies to do it or the State itself doing it. This is as opposed to the current view being perpetuated by the new World Bank policies, which discourage the State from playing any direct role. One option of avoiding a direct role is for the State to rally the relevant resources and actors, with the State concentrating on the aspects they are not able to satisfy. Subsequently, the Kenya Government should;

- Establish a National Housing Fund for low cost housing, based on both private and public enterprise, with the active participation of NGOs working in the area of shelter.
- Assist the NHC in recovering loan arrears owed by LAs in order to channel such funds into low cost rental housing.
- Play a central role in the coordination of all agencies providing and managing low cost housing.
- Empower LAs to act with greater measure of Independence in relation to formulation of housing policies and implementation strategies.
- Through NHC and HFCK develop and manage well co-ordinated low cost public rental housing, not based on home ownership.

8.3.3 Nairobi City Council (NCC)

Most efforts on housing policy review and/or development have been at Central Government level, with pressure mainly coming from UNCHS and International Financial Agencies; LAs such as NCC are still to be penetrated. However, there are a number of policy moves that the NCC and other LAs' Councils need to undertake to facilitate provision of low cost housing. The NCC should;

- Conceive a housing strategy for the city within which different actors in housing may operate. This should be designed with the clear intention of making city residents actors and not merely target beneficiaries.
- Compile into a policy document all relaxed planning and building standards allowed for low income housing, in order to be accessible to those developing *real* low income housing, as found within the informal settlements.
- Generate resources locally, starting with NCC's existing housing stock and funds generated from down payment of housing projects, such as SS and TPs, in order to provide low cost rental housing for those unable to compete in the market.
- Design a method of assessing low income, rather than waged, regular and quantifiable incomes over an appropriate period of time. At best, NCC should focus on low cost products as opposed to low income families.

8.3.4 Other Actors (Individuals, Communities, Groups & NGOs)

Other Actors have continually played a central role in low income housing but with marginal recognition from the State. With the current trend requiring the State to take an enabling role, they are going to take on more responsibilities, some of which the State performed in the past. It is therefore relevant to pin point some of the tasks which these actors may undertake; since there are other tasks such as the provision of infrastructure which they may be less able to install.

Most of these actors are already involved in the improvement of the environment and provision of shelter, often considered by the State and LAs as sub-standard. If the State is to stop providing low income housing, as is currently being advocated, its role will have to be taken by some other institution and/or actors. This study sees the Other Actors as stated above, to be one possible option and in this respect they could;

- Mobilise themselves around the goal of low income housing and mobilise the relevant local and external resources required to implement such schemes, building on the experience they have already obtained.
- Plan and design appropriate funding methods of providing low income housing.
- Assist in designing appropriate methods for implementing low income housing
- With the support of LAs and the Government, manage the future development of low income settlements, by jointly improving the infrastructure and settlement facilities, as well as developing and installing income generating inputs in the form of small businesses, workshops and associated services, such as funding linked to advice and training.

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List of Abbreviations

AGCs	Alternative Growth Centres
AID	Agency for International Development
CPD	City Planning Department
CDC	Commonwealth Development Cooperation
DDC	District Development Committees
DFRD	District Focus for Rural Development
DSS	Dandora Site and Service
EARC	East Africa Royal Commission
EEC	European Economic Community
GIS	Galvanised Iron Sheet
GNP	Gross National Product
GOK	Government of Kenya
HDD	Housing Development Department
HFCK	Housing Finance Company of Kenya
HG	Housing Guaranty
IBRD	International Bank for Reconstruction and Development
ILO	International Labour Organisation
IMF	International Monetary Fund
KTP	Kimathi Tenant Purchase
LAs	Local Authorities
MLG	Ministry of Local Government
MLH	Ministry of Lands and Housing
NACHU	National Cooperative Housing Union
NCC	Nairobi City Council
NGOs	Non Governmental Organisations
NHC	National Housing Cooperation
NMC	Nairobi Municipal Council
NMGS	Nairobi Metropolitan Growth Strategy
NUSG	Nairobi Urban Study Group
PHC	Public Health Care
PMU	Project Management Unit
RHUDO	Regional Housing and Urban Development Office
PTAs	Parents Teachers Associations
RTPCs	Rural Trade and Production Centres
RUBS	Rural Urban Balance Strategy
SAPs	Structural Adjustment Programmes
SS	Sites and Services
TP	Tenant Purchase
UG	Upgrading
UCC	Umoja Council Committee
UNICEF	United Nations Children Educational Fund
UN	United Nations
UNDP	United Nations Development Programme
USAID	United States Assistance in Development
UTP	Umoja Tenant Purchase Scheme

**QUESTIONNAIRE FOR HOUSEHOLDS IN UMOJA TENANT PURCHASE
SCHEME (UTP).**

**STATE POLICY & URBAN HOUSING: THE CASE OF LOW INCOME
HOUSING IN NAIROBI, KENYA.**

Introduction

This survey is aimed at identifying and understanding the factors which contribute to achievement or non achievement of the Kenya Government/Nairobi City Commission's policy objective of housing the urban low income groups within the City of Nairobi. This would be a basis for effective policy recommendations. All information given remain confidential.

Yours Faithfully,

Winnie V. Mitullah
Research Fellow,
Institute For Development Studies
University Of Nairobi

SAMPLE NO. _____

PLOT NO: _____

NO. OF HOUSEHOLDS _____

Years of Residence

Number of Households

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

10 - 15

8 - 10

6 - 8

4 - 6

2 - 4

0 - 2

A. General Information On Housing

1. Name of respondent _____

2. Sex of respondent _____

3. How many rooms are in this unit? _____

4. Do you own this house or you are renting? 1) Owning 2 Renting

5. Do you own any (other) house elsewhere? 1) Yes 2) No
6. If yes, where? 1) Nairobi (state area) _____ other urban area (Specify)
 _____ 3) rural _____
7. When did you first come to Nairobi, or are you born here? Year of arrival
 _____ Born in Nairobi _____
8. If born in Nairobi, please indicate residential area _____
9. Could you please list to date the areas you have stayed in chronologically
- | | | | |
|----|-----|-----|-----|
| 1) | 2) | 3) | 4) |
| 5) | 6) | 7) | 8) |
| 9) | 10) | 11) | 12) |
10. Could you please comment on the housing situation in Kenyan urban areas, especially Nairobi _____
11. Are you aware of the living conditions in low income informal areas such as Kibera Laini Saba and Kogocho? 1) Yes 2) No
12. If yes, could you please list in order of importance what you like and dislike in such settlements:
- | | |
|-------|---------|
| like | Dislike |
| _____ | _____ |
13. Do you think they are playing an important role in housing provision?
 1) Yes 2) No
14. Please explain your answer _____
15. Do you think the government has any role to play in assisting those developing such units? 1) Yes 2) No
16. If yes, could you please list in order of importance the type of assistance which could improve such type of housing provision
- | | | | |
|----|----|----|----|
| 1) | 2) | 3) | 4) |
|----|----|----|----|
17. Please list three factors in order of importance which you think mostly contribute to lack of appropriate housing in Nairobi
- | | | |
|----|----|----|
| 1) | 2) | 3) |
|----|----|----|
18. Could you please Suggest how the housing problem could be arrested in order of importance 1) 2) 3)

B: GENERAL QUESTIONS ON UMOJA TENANT PURCHASE (UTP)

19. Do you know how this estate was developed? 1) Yes 2) No
20. If yes, could you please give a brief history of who the developers were and their intentions _____
21. Do you think their intentions have been achieved? 1) Yes 2) No
22. Could you please list in order of importance what you like and dislike in this estate

like

Dislike

23. Could you comment on the level of provision of services:

Services very good good average below average bad

- Health
- Water Supply
- Schools
- Sewage
- Refuse Removal
- Transport
- Shopping Facilities
- Security
- Other, Specify

24. Could you please assess the overall habitability of the estate using the variables listed below;

Excellent Satisfactory Acceptable Unsatisfactory

- Location
- Services and Management
- Dwelling Unit
- Estate

25. Could you suggest how improvements could be achieved through resident community, Nairobi City commission (NCC) and other development agencies (NGOs)

Community _____

NCC _____

Other Development Agencies (NGOs) _____

26. Who do you think should be responsible for the general management of this estate? 1) Resident Community
2) Nairobi City Commission

- 3) Government
- 4) Other Development Agencies
- 5) Combinations _____
- 6) other, specify _____

27. What should the communities who live in this estate do to improve their living conditions? _____

28. What role do you think the Nairobi City Commission should play in its management? _____

29. Do you prefer to live here? 1) Yes 2) No

30. Please give any key factors which influence your response.

31. Could you please list the aspects you normally consider when looking for a house in order of importance

- | | | |
|----|----|----|
| 1) | 2) | 3) |
| 4) | 5) | 6) |
| 7) | 8) | 9) |

C¹. Tenants only

32. How did you locate this house?
(1) through a friend, (2) landlord (3) relative (4) housing agent (5) newspaper advertisement (6) other (specify) _____

33. Do you share rent? 1) Yes 2) No

34. If yes, How much does each contribute? respondent _____ other _____

35. Has the rent been increased since you occupied the house (1) Yes (2) No

36. If yes, when was this done? _____

37. How much were you paying before the increase? Kenya Shillings _____

38. Do you think the rent is fair for the accommodation you are having?
1) Yes 2) No

39. If no, have you ever complained 1) Yes 2) No

40. Please elaborate your answer _____

41. Could you suggest what you think would be fair rent for this house?

42. Has any development of the house been undertaken since you occupied it
 (1) Yes (2) No
43. If yes, please specify _____
44. Do you know your landlord? 1) Yes 2) No
45. If yes, could you please give his: address _____
46. To whom do you pay rent?
 1) Landlord
 2) Estate agent
 3) Relative Of Landlord
 4) Friend Of Landlord
 5) Representative Of Landlord
 6) Other (Specify) _____
47. Who among the above do you report to in cases of maintenance problems?

48. Have you ever experienced any problem with your landlord/representative
 1) Yes 2) No
49. If yes, please elaborate the nature of the problem _____
50. Did you report the problem to any authority? 1) Yes 2) No
51. If yes, indicate who you reported to _____
52. Are you aware of the existence of the rent tribunal? 1) Yes 2) No
53. If yes, please point out its main role _____
54. Have you ever been involved with them in any way? 1) Yes 2) No
55. Please elaborate your answer _____
56. Would you wish to own a house in an urban area such as Nairobi? 1) Yes 2) No
57. Please explain your answer _____
58. Have you ever applied for any government aided scheme (site and service/upgrading or tenant purchase)? (1) Yes (2) No
59. Please elaborate your answer _____
60. What type of an urban house would you prefer given a choice?
 (1) Rental (2) Owner Occupied (3) Other, Specify _____
61. If the answer is owner occupied, would you prefer to;

- a) live in it
- b) Rent it out
- c) Rent part of it
- d) Other (Specify) _____

62. Please elaborate your answer _____

D¹. Landlords

63. Please indicate how you acquired this house?
 1) bought 2) Built 3) Legacy 4) Other, Specify _____

64. Year/ & Date started: 1) buying _____ 2) Building _____

65. If buyer, were you the original buyer or you bought it from somebody else?
 1) original 2) Somebody else

66. What was the total cost? Ksh. _____

67. Did you pay all the cost at once? (1) Yes (2) No

68. If yes, what was the source of your funding? _____

69. If no, how much was the down payment Ksh. _____

70. What was the source of your down payment _____

71. Do you repay any mortgage relating to this house? (1) Yes (2) No

72. If yes, how much per month? Ksh. _____

73. To whom? _____

74. What are/were the conditions of the mortgage? _____

75. Did you/do you have any problems of paying the mortgage?
 1) Yes 2) No

76. If yes, could you mention the problems and suggest possible solutions in order of importance.

Problems	Solutions

¹ Questions on this section applied only to the resident landlords of UTP. During the administration of the questionnaire, it formed an independent questionnaire composed of A, D and E.

77. Could you please explain how you developed your unit to completion, specifying aspects such as type, source and cost of labour and materials.

78. Did you have any problems when developing the unit? 1) Yes 2) No

79. If yes, could you please indicate three most serious problems you experienced;
1) 2) 3)

80. If you were to develop another unit, how would you wish to be assisted in relation to the problems listed above?

Type of Problem	Assistance Required
-----------------	---------------------

81. Do you pay any taxes on land/house? (1) Yes (2) No

82. If yes, how much? _____

83. Do you get any tax rebates at the end of the year for owning a house?
(1) Yes (2) No

84. If yes, averagely how much? Ksh. _____

85. Have you extended your unit beyond the plan which was provided initially?
1) Yes 2) No

86. If yes, did you go through any authority? 1) Yes 2) No

87. If yes, which authority/individual did you go through? _____

88. Could you explain the outcome of your action _____

89. Please explain the factors which influenced your decision to go through the authority/individual _____

90. Are you aware of the planning requirements of such developments?
1) Yes 2) No

91. If yes, what do you think of them? _____

92. Do you think this housing project has solved part of the housing problem of the low income groups such as those who stay within the informal settlements such as Kibera Laini Saba and Korogocho? 1) Yes 2) No

93. Please, explain your answer _____

94. Have you ever been a tenant? (1) Yes (2) No

95. If yes, when did you stop being a tenant? _____
96. How long were you a tenant? _____
97. In which area did you first own a house? _____
98. Could you please list some of the key problems you encountered during your move from being a tenant to a landlord _____
99. What advice would give to other urban dwellers planning/wishing to own their own houses _____

E². Personal Information

100. Home District of respondent _____
101. Age: _____
102. Marital status: 1) Single 2) Married 3) Divorced 4) Widowed 5) Separated
103. If married, do have any children? 1) Yes 2) No
104. If Yes, how many? _____
105. How many stay with you in this house? _____
106. In total how many people normally stay in this house? _____
107. Education Level _____
108. Are you employed? 1) Yes 2) No
109. If yes, which type of work do you have? _____
110. How much do you earn per month? _____
112. If no to employment, could you please explain how you satisfy your basic needs?

113. Does any member of your household work? 1) Yes 2) No
114. If yes, what type of work do they do? _____
115. Do they assist you financially? 1) Yes 2) No
116. If yes, roughly how much do they give you per month _____

² During the administration of the questionnaires, personal information as appears in this section was asked after all other issues had been discussed.

117. Do you get any other assistance from anybody (wife/husband child, relative, friend etc)? (1) Yes (2) No
118. If yes, please indicate the type of assistance _____
119. Apart from your job, are you involved in any other income generating activity?
1) Yes 2) No
120. If yes, please specify _____
121. Could you please indicate how much you spend per month on the following items:

Item	Ksh.
Family Subsistence	
Personal Transport	
Dependants Transport	
Dependants Education	
Electricity	
Water	
Saving	
Rent	
Other (specify) _____	
Total _____	

QUESTIONNAIRE FOR NAIROBI CITY COMMISSION

STATE POLICY & URBAN HOUSING: THE CASE OF LOW INCOME HOUSING IN NAIROBI, KENYA.

This is a survey aimed at identifying and understanding the problems of urban housing in Nairobi City. Also, to find out why previous housing projects have not been successful. This would be a good basis for effective policy recommendations. All information given remain confidential.

Yours Faithfully,

Winnie V. Mitullah
Research Fellow
Institute For Development Studies
University Of Nairobi.

Name & Designation Of Respondent _____

Department _____

Section/ Unit _____

Age _____

A. General Questions On Housing

1. How long have you been working with NCC? _____
2. Have you been working in the same position (1) Yes (2) No
3. If no, could you please indicate whether there is any link between the assignment you had before and this one _____
4. Could you please comment on the housing situation in Kenyan urban areas, especially Nairobi _____
5. Please list three factors in order of importance which you think mostly contribute to lack of appropriate housing in Nairobi
1) _____ 2) _____ 3) _____
6. Could you please Suggest how the housing problem could be arrested in order of importance. 1) _____ 2) _____ 3) _____
7. Are you aware of the living conditions in low income informal areas such as Kibera Laini Saba and Kogocho? 1) Yes 2) No

8. If yes, could you please list in order of importance what you like and dislike in such settlements:

Like

Dislike

-
9. Do you think they are playing an important role in housing provision?
1) Yes 2) No

10. Please explain your answer _____

11. Do you think the government or NCC has any role to play in assisting those developing such units? 1) Yes 2) No

12. If yes, could you please list in order of importance the type of assistance which could improve such type of housing provision
1) 2) 3) 4)

13. Could you please briefly point out how your institution is involved in the task of housing provision for low income groups _____

14. Could you please list some factors which influence the development of low income housing _____

15. Do you coordinate with other agencies such as government ministries, parastatals, private sector and NGOs when developing housing for low income groups? 1) Yes 2) No

16. If yes, how would you describe the degree of co-ordination among the agencies developing low income housing ?
(1) Very Strong
(2) Strong
(3) Less Strong
(4) Weak
(5) Very Weak
(6) Other, Specify _____

17. How do you monitor whether your planned objectives are being achieved?

18. Please point out your sources of relevant data when planning for low income housing _____

19. Could you please mention factors (in order of importance) which often determine whether planned objectives will be achieved
1) 2) 3) 4)
5) 6) 7) 8)

20. Please elaborate the contribution of each factor mentioned _____

21. Do you think the rents charged by landlords in Nairobi are fair? 1) Yes 2) No
22. Please elaborate your answer _____
23. Point out the different types of housing provision within the city of Nairobi

1)	2)	3)	4)	5)
6)	7)	8)	9)	10)
24. Could you please indicate the types of tenure (in percentages) existing within the city of Nairobi _____
25. Please give the percentage of home owners and renters in Nairobi.

1) % renters: _____	2) % Tenants: _____
---------------------	---------------------
26. Please indicate the trend of change in tenure within the city over the last decade

27. Could you please comment on the government focus on home ownership

28. Could you please mention the type of subsidies the government provides to different types of housing provision you have mentioned above.

Type of Tenure

Type of Subsidy

B. Low Income Housing

29. Do you have any staff given the responsibility of handling issues relating to low income housing (1) Yes (2) No
30. Please elaborate whichever answer you give _____
31. Could you please specify your institutions' policy relating to low income housing _____
32. What is your institution's policy regarding the proliferation of 'unplanned' settlements? _____
33. Does your institution play any role in their development/management?
(1) Yes (2) No
34. Please elaborate your answer _____
35. Could you please comment on the role 'unplanned' settlements play in arresting the urban housing problem _____
36. Do you think the individuals developing such areas should be supported
(1) Yes (2) No

37. If yes, could you list the types of support which you think may be relevant

38. If no, could you please indicate the reasons for your answer

39. Please list factors in order of importance which you think mostly contribute to lack of appropriate housing in Nairobi _____
40. Who do you think should be responsible for the general management of the informal areas?
 (1) Resident Community
 (2) Nairobi City Commission
 (3) Government
 (4) Other Development Agencies
 (5) Combinations (list) _____
 (6) Cooperatives
 (7) Other, Specify _____
41. List major roles which you think are best suited for government to play in the development and/or management of informal settlements _____
42. What should the communities who live in such areas do to improve their conditions? _____
43. What would you say explains the few demolitions which Kenya has experienced since the government stopped this approach to housing in 1974

C. Finance & Low Income Housing

44. Do you allocate any budget to low income housing (1) Yes (2) No
45. If yes, please indicate the budget allocation for the last three years
 (1) 1990/91 _____ 1989/90 _____ 1988/89 _____
46. Please comment on the role of international financial agencies supporting housing development _____
47. Do you think their role has been key in improving the housing situation in the urban areas (1) Yes (2) No
48. Please elaborate your answer _____
49. Do you think NCC can do without the support of international agencies as relates to housing development for the low income groups? (1) Yes (2) No
50. Please elaborate your answer _____

51. Since the intervention of international finance has NCC developed any low income housing without their support? 1) Yes 2) No

52. If yes, please list the schemes developed, indicating the year they were begun and completed.

Schemes	Year Started	Year	Completed
---------	--------------	------	-----------

53. Please point out some options which you think would be worth considering if international finance contribution is to be excluded in housing development for low income groups _____

E. Housing Regulations & Standards

54. Could you please briefly discuss the development of housing regulations and standards over the last ten years _____

55. Housing regulations and standards have been noted to be a key bottleneck as relates to housing low income groups, could you please indicate some bottlenecks you have faced in reviewing them in order to suit the current development within the city _____

56. Do you think they have reduced the general capacity of your institution or other institutions in relation to housing low income groups? (1) Yes (2) No

57. Please elaborate your answer _____

58. Could you please list other institutions which have a role in their development and/or review

1)	2)	3)
4)	5)	6)

F. Rent Control

59. Does your institution have anything to do with rents within the city (1) Yes (2) No

60. If yes, please specify _____

61. Are you aware whether there is any public institution dealing with rent control (1) Yes (2) No

62. If yes, please enumerate its functions and comment on its performance _____

63. Do you think the rents charged by landlords in Nairobi are fair (1) Yes (2) No

64. Please elaborate your answer _____

D. Umoja Tenant Purchase (UTP)

65. Your institution was the key implementing agency in UTP scheme, would you please clearly state the role you played in the following areas, indicating the problems you encountered at each stage:-

Role	Problems Encountered
Conceptualisation	
Initiation	
Implementation	
Management	

66. What were the main objectives of the project _____

67. Were the objectives achieved? (1) Yes (2) No

68. Please elaborate your answer _____

69. Do you think that the project fulfilled its objective of housing the low income groups? (1) Yes (2) No

70. Please elaborate whichever answer you give, pointing out the factors leading to fulfilment or non fulfilment _____

71. Could you please list the various institutions which played a role in the implementation of the project

1)	2)
3)	4)
5)	6)
7)	8)

72. Please specify the stated role and the actual contribution of each agency mentioned

Agency	stated role	Actual Contribution

73. How would describe the level of coordination between your institution and the above listed agencies?

- (1) Very Strong
- (2) Strong
- (3) Less Strong
- (4) Weak
- (5) Very weak
- (6) Other, Specify _____

74. Could you please comment on the role of the funding agency (USAID)? _____

75. Which type of funds do you find easy to administer, external such as those of USAID and World Bank or internal? _____

76. Please elaborate your answer _____
77. Were any staff hired specifically for the project (1) Yes (2) No
78. If yes, please specify the type of staff _____
79. Who initiated the hiring of staff? _____
80. Could you please comment on extra developments (extensions) which have taken place, contrary to the original plan _____
81. In your opinion are the extra developments a positive or negative aspect of the estate (1) Positive (2) Negative
82. Please elaborate whichever answer you give _____
83. Do you think the government should still concentrate on the development of low income housing through both site and service and upgrading schemes (1) yes (2)No
84. Please elaborate your answer _____
85. It is currently the opinion of a number of international development agencies, that the government should not concern itself with provision of housing but rather avail land and infrastructure and allow private initiatives such as those developing the 'unplanned' settlements to provide housing; could you please comment on this position _____

19. List major roles which you think are best suited for government to play in the development and/or management of low income housing. _____
20. What role do you think the communities in such areas should play _____
21. What would you say explains the few demolitions which Kenya has experienced since the government stopped this approach to housing in 1974

22. Could you please indicate how your institution supports those developing low income housing. _____
23. Have you involved the private sector in any way in developing low income housing? (1) Yes (2) No
24. If yes, explain _____

D. Rent & Tenure

25. Do you think the rents charged by landlords in Nairobi are fair?
1) Yes 2) No
26. Please elaborate your answer _____
27. Does your institution have anything to do with rents within the city
(1) Yes (2) No
28. If yes, please specify _____
29. Are you aware whether there is any public institution dealing with rent control
(1) Yes (2) No
30. If yes, please enumerate its functions and comment on its performance

31. Point out the different types of housing provision within the city of Nairobi
1) 2) 3) 4) 5)
6) 7) 8) 9) 10)
32. Could you please indicate the types of tenure (in percentages) existing within the city of Nairobi _____
33. Please give the percentage of home owners and renters in Nairobi.
1) % Owners _____ 2) % Tenants: _____
34. Please indicate the trend of change in tenure within the city over the last decade.

35. Could you please comment on the government focus on home ownership

36. Could you please mention the type of subsidies the government provides to different types of housing provision you have mentioned above

Type Of Tenure

Type Of Subsidy

E. Finance: Local & International

37. Do you allocate any budget to low income housing (1) Yes (2) No
38. If yes, please indicate the budget allocation for the last three years
 (1) 1990/91 _____ 1989/90 _____ 1988/89 _____
39. Please comment on the role of international financial agencies supporting housing development _____
40. Do you think their role has been key to improving *the housing situation in the urban areas* (1) Yes (2) No
41. Please elaborate your answer _____
42. Since the en-mass intervention of international finance during the early seventies, has your institution supported any program or related issues on low income housing without their support? 1) Yes 2) No
43. If yes, please point out the type of program or issue

Programme/issue	Period Started	Period	Completed
-----------------	----------------	--------	-----------

44. Please point out some options which you think would be worth considering if international finance contribution is to be excluded in housing development for low income groups. _____

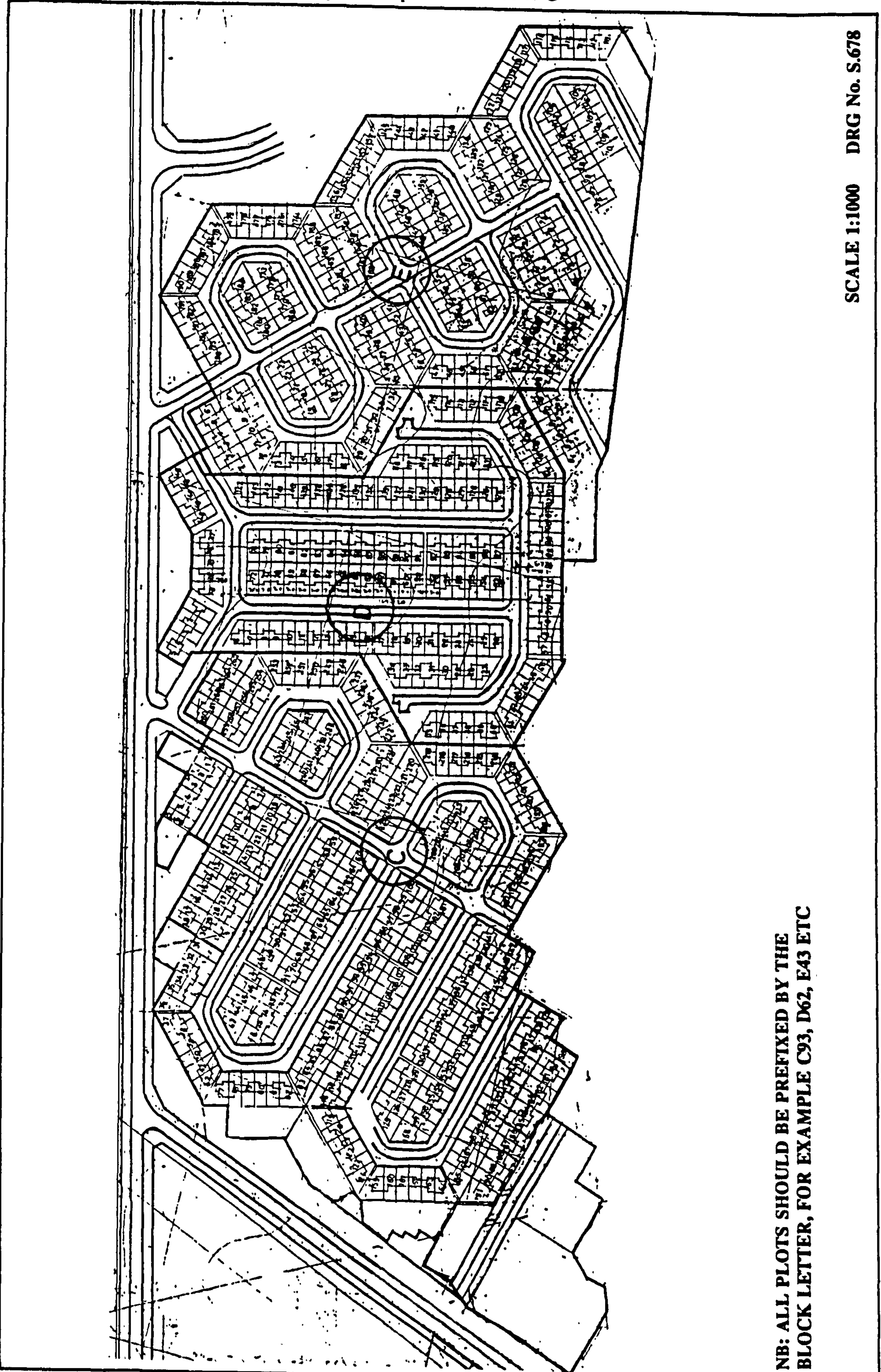
F. Regulations & Standards

45. Could you please briefly discuss the development of housing regulations and standards in your institution over the last ten years

46. Housing regulations and standards have been noted to be a key bottleneck as relates to housing low income groups, could you please indicate some bottlenecks you have faced in reviewing them in order to suit the current development within the your institution.

47. Do you think they have reduced the general capacity of your institution or other institutions in relation to housing low income groups? (1) Yes (2) No
48. Please elaborate your answer _____
49. Could you please list other institutions which have a role in their development and/or review
- | | | |
|----|----|----|
| 1) | 2) | 3) |
| 4) | 5) | 6) |
50. Please comment on their performance _____
51. Does your institution cooperate with Local Authorities in their task of housing low income groups? 1) Yes 2) No
52. If yes, please explain the nature of cooperation, pointing out any problems faced _____
53. Has your institution had any cooperation with USAID as relates to housing development? 1) Yes 2) No
54. If yes, please explain the nature of cooperation, pointing out any problems faced. _____

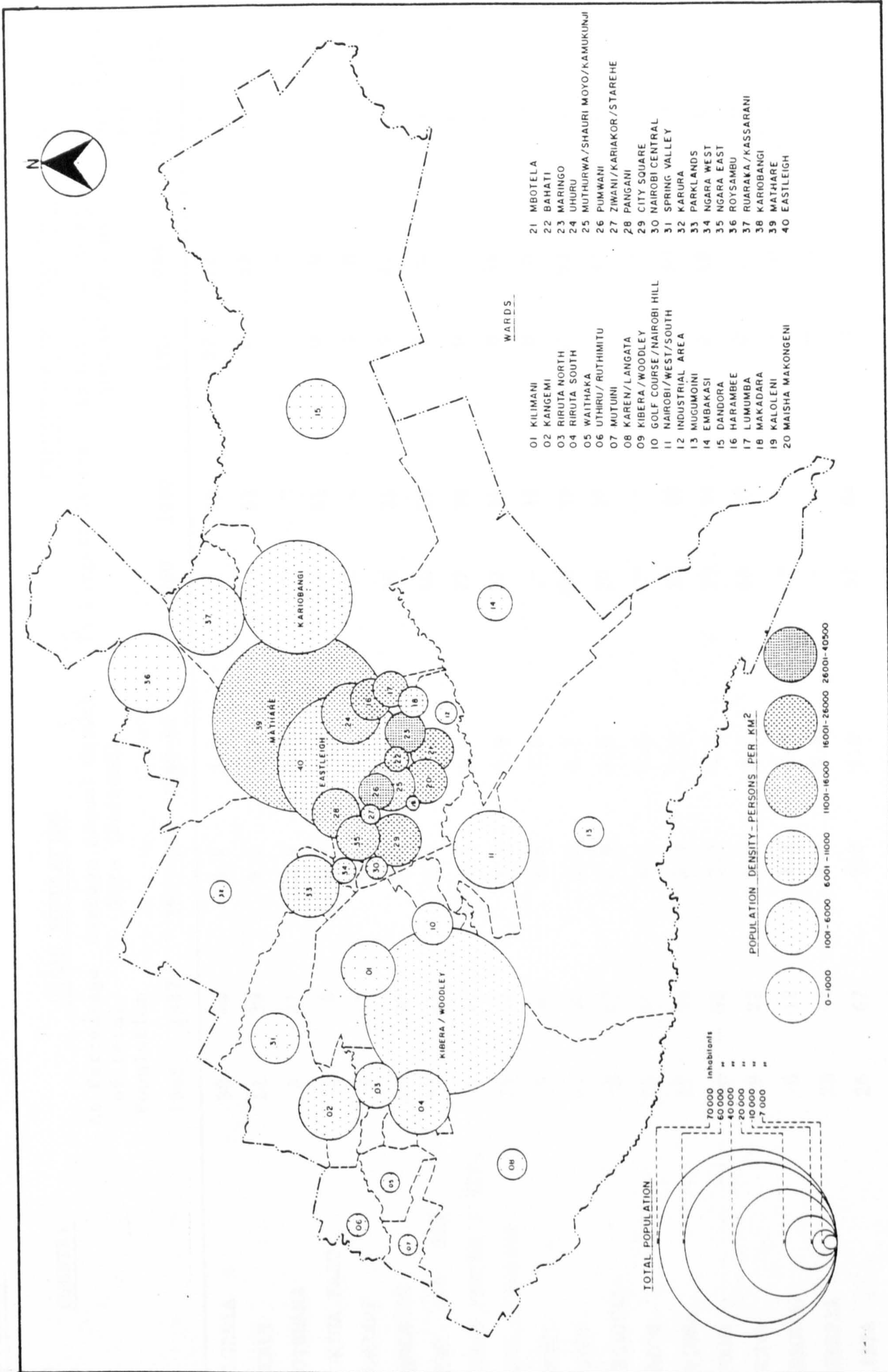
Appendix 2.4
Layout Map for UTP Zone 3



NB: ALL PLOTS SHOULD BE PREFIXED BY THE
BLOCK LETTER, FOR EXAMPLE C93, D62, E43 ETC

SCALE 1:1000 DRG No. S.678

Appendix 2.5
Map of Nairobi: Population Distribution and Density by Wards



APPENDIX 3.6 URBANIZATION TREND IN AFRICA

COUNTRY	URBAN POPULATION				PERCENTAGE OF URBAN POPULATION					
	As Percentage of total Population		Average Annual Growth Rate (Percent)		In Largest Cities		In Cities of Over 500,000 Persons		Number of Cities of over 500,000 Persons	
	1965	1987	1965-80	1980-87	1960	1980	1960	1980	1960	1980
ALGERIA	38	44	3.7	3.9	27	12	27	12	1	1
BENIN	11	39	9.0	7.9	-	63	0	63	0	1
BOTSWANA	4	21	12.4	8.1	-	-	-	-	-	-
BUKINA FASO	5	8	4.1	5.3	-	41	0	0	0	0
BURUNDI	2	7	6.0	9.2	-	-	0	0	0	0
CAMEROON	16	46	8.1	7.4	26	21	0	21	0	1
CENT. AFR. REP.	27	45	4.3	4.7	40	36	0	0	0	0
CONGO PEOPLE'S REP.	34	41	3.4	4.6	77	56	0	0	0	0
COTE d'IVOIRE	23	44	7.5	6.9	27	34	0	34	0	1
CHAD	9	30	7.8	7.8	-	39	0	0	0	0
EGYPT	41	48	2.9	3.7	38	39	53	53	2	2
ETHIOPIA	8	12	4.9	4.6	30	37	0	37	0	1
GABON	21	43	6.7	6.7	-	-	-	-	-	-
GUINEA	12	24	5.3	5.7	37	80	0	80	0	1
GHANA	26	32	3.2	4.1	25	35	0	48	0	2
KENYA	9	22	8.0	8.6	40	57	0	57	0	1
LESOTHO	6	19	7.8	7.2	-	-	0	0	0	0
LIBERIA	22	42	6.2	5.9	-	-	0	0	0	0
LIBYA	26	67	9.8	7.0	57	64	0	64	0	1

Appendix 3.6(cont'd)

COUNTRY	URBAN POPULATION				PERCENTAGE OF URBAN POPULATION					
	As Percentage of total Population		Average Annual Growth Rate (Percent)		In Largest Cities		In Cities of Over 500,000 Persons		Number of Cities of over 500,000 Persons	
	1965	1987	1965-80	1980-87	1960	1980	1960	1980	1960	1980
MALAWI	5	13	7.5	8.6	-	19	0	0	0	0
MADAGASCAR	12	23	5.4	6.4	44	36	0	36	0	1
MALI	13	19	4.3	3.4	32	24	0	0	0	0
MAURITANIA	10	38	9.2	7.9	-	39	0	0	0	0
MOROCCO	32	47	4.3	4.5	16	26	16	50	1	4
MOZAMBIQUE	5	23	9.4	10.7	75	83	0	83	0	1
NIGER	7	18	7.0	7.5	-	31	0	0	0	0
NIGERIA	17	33	5.7	6.3	13	17	22	58	2	9
RWANDA	3	7	7.5	8.1	-	-	0	0	0	0
SENEGAL	33	37	2.9	3.8	53	65	0	65	0	1
SIERRA LEONE	15	26	4.3	5.0	37	47	0	0	0	0
SUDAN	13	21	5.7	4.2	30	31	0	31	0	1
SOMALIA	20	36	5.5	5.5	-	34	0	0	0	0
TANZANIA	5	29	10.8	11.3	34	50	0	50	0	1
TOGO	11	24	6.6	6.9	-	60	0	0	0	0
TUNISIA	40	54	4.0	2.9	40	30	40	30	1	1
UGANDA	7	10	5.0	5.0	38	52	0	52	0	1
ZAIRE	26	38	4.5	4.6	14	28	14	38	1	2
ZAMBIA	23	53	7.2	6.6	-	35	0	35	0	1
ZIMBABWE	14	26	6.0	6.3	40	50	0	50	0	1

Source: Compiled from World Development Report (1989)

APPENDIX 5.7
ALLOCATION PROCEDURES

1. Applications on prescribed forms in duplicate duly supported with documentary evidence as required therein should either be handed over personally at tenant purchase office, City Hall or sent through registered mail to the Town Clerk, P.O. BOX 30075, Nairobi, so as to reach in either case not later than 8th march, 1976.
2. Each application should be accompanied with a fee of Kenya Shillings fifty in cash, bank draft or crossed cheque
3. A cheque or bank draft for the exact amount of down payment as explained at page 15 of this brochure or as defined in the letter of offer should be received by the Town Clerk P.O. BOX 30075, Nairobi within seven days of the receipt of the said letter of offer to successful applicant.
4. Incomplete applications or those without the fee of Kenya shillings fifty will be rejected summarily.
5. Those applications which are complete in all respects and are accompanied with application fee will be scrutinized.
6. After scrutiny those applications which are found to be eligible will be kept on record and processed further.
7. Applications found eligible in all respects will go through a random selection process, using either the computer or simple balloting.
8. A list of successful applicants will thus be drawn, to whom a letter of offer will be sent. This letter of offer will specify date by which an acceptance by the allottee and down payment must be received.
9. Should any successful applicant fail to accept, pay the down payment or take up the house for whatever reason, the same will be allocated to the next successful applicant from the supplementary list of eligible applicants, drawn using the same procedure as outlined above.

M.M. YUSUF

PROJECT DIRECTOR

NOTE: Other than application fee and cost of brochure all figures in the brochure are estimated and therefore are subject to adjustment.