

# IDS

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Addressing and Mitigating Violence

### Missing the Point: Violence Reduction and Policy Misadventures in Nairobi's Poor Neighbourhoods

Mutuma Ruteere, Patrick Mutahi, Becky Mitchell and Jeremy Lind

November 2013

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# List of Abbreviations

CCTV	Closed Circuit Television
EABI	East African Bribery Index
GPOBA	Global Partnership on Output-Based Aid
KEPSA	Kenya Enterprise Sector Alliance
KNCHR	Kenyan National Committee on Human Rights
KNDR	Kenya National Dialogue and Reconciliation
KPLC	Kenya Power and Lighting Company
KYEP	Kenya Youth Empowerment Project
SACCOS	Savings and Credit Societies
SAPs	Structural Adjustment Programmes
UNDP	United Nations Development Programme
UN HABITAT	United Nations Human Settlements Programme

# Executive summary

## Violence and vulnerability

This report examines prevailing understandings of violence in Nairobi and how it is addressed, as well as the limitations of existing violence mitigation measures. Violence and crime are endemic in Nairobi's poor neighbourhoods, where they enmesh with wider problems of vulnerability. Widespread poverty and lack of livelihood opportunities for a large proportion of the urban poor exacerbate their vulnerability to being victimised by non-state violent actors and sectors of the state implicated inciting and perpetrating violence and crime. The failure of the state to provide for basic needs in health, education and social care, as well as a lack of effective policing, has created an opening that criminal organisations and gangs have exploited. In poorer areas of Nairobi, they provide illegal connections to public utilities, mediate access to economic opportunities, and operate protection rackets. In some cases, these activities have been carried out with the knowledge and sometimes active involvement of the state.

There is a close and growing association between violence and politics in Kenya, which is inflected with ethnic, regional and religious differences. Ethnicised political violence has existed in Kenya since the early 1990s and has become more widespread since. During the post-election violence that swept Kenya in 2007–8, Nairobi's poorest areas were carved into enclaves where vigilante groups and criminal organisations associated with different ethnic groups patrolled 'their' areas, demanding to see identity cards, carrying out evictions and attacking the homes and retail premises of members of opposing ethnic groups. The failure of the state to provide effective policing in Nairobi's poorer neighbourhoods has meant that control and enforcement of order have become the preserve of non-state violent actors, as well as other community mobilisation efforts, leading to new forms of insecurity for residents of these areas. What becomes ethnic violence or political violence often begins as criminal violence such as theft, burglary or murder. Vigilante responses can easily escalate into a more serious conflict with ethnic inflections if the alleged perpetrator of a crime is a member of a different ethnic group.

Many non-state violent actors such as the Mungiki (a secretive sect and banned criminal organisation) oscillate between working as enforcers and mobilisers for politicians and operating as criminal outfits. While violence instigated by national political figures is certainly an important part of understanding the dynamics of Kenya's contemporary violence, multiple levels of governance and politics need to be considered, with the role of community-level political entrepreneurs being especially crucial.

## Limits of law and order approach

Prevailing responses to violence and crime in Nairobi's poor neighbourhoods assume that there is a lack of law and order and that more robust policing and tougher laws can increase security. Violence-mitigation approaches have involved more robust policing measures such as raids and operations to round up low-level criminals, and increased use of 'stop and search' and of surveillance. Police raids are at times characterised by the indiscriminate use of excessive force, and sections of the police forces in Kenya are implicated in extra-judicial killings and assassinations, among other serious human rights violations. Other measures that have been tried include clearing hawkers from pavements in the city centre and cracking down on *matatus* (privately owned public service vehicles) that provide work for young people. These measures, however, have done nothing to reduce crime and violence and actually aggravate the underlying causes of insecurity.

The argument that increased policing will reduce violence and crime in poor neighbourhoods assumes that the police can act effectively. However, institutional weaknesses and incapacities as well as the corruption and alleged complicity of some police actors in criminal activity undermine public trust and confidence in the Kenya Police Service. Public opinion polling has found that a majority of Nairobians overall, and in poor neighbourhoods specifically, trust vigilante groups more than the police forces to respond to crime; they also favour a different type of policing involving greater coordination with community actors and groups. More robust policing measures are unlikely to succeed without fundamental reforms to existing policing institutions, an end to impunity for crimes and abuses committed by sections of the police, and reforms to make the formal justice system more accessible and responsive to the needs of the poor.

## **Need for a wider approach**

The effectiveness of stronger policing measures is also limited because they do little to respond to a problem that has multiple drivers. While official responses to violence and crime in Nairobi have generally involved the temporary use of more robust policing measures, existing evidence on what causes violence and crime suggests that these measures are unlikely to be effective in reducing levels of violence and crime over the long term. A different approach is required to address more deeply rooted problems of poverty and unemployment, particularly among young people, and of the lack of basic services provided in poor neighbourhoods. Public opinion surveys also indicate that measures to address youth unemployment and improve the urban environment – through, for example, better street lighting and infrastructure – can make a positive difference in addressing violence and crime in poor neighbourhoods.

In practice, there have been efforts such as the Safer Nairobi Initiative that aspire to a more coordinated effort to improve urban security by involving agencies and departments with mandates to deliver public services and create work opportunities. The initiative, which was endorsed by the Nairobi City Council in 2005, fell victim to a political tug-of-war between council officials and representatives of the Provincial Administration at the time. The initiative was also hamstrung by a lack of public confidence in the city council. Nonetheless, the spirit of such efforts to develop a joined-up multisectoral approach is needed to improve security for the urban poor.

This report assesses a number of measures that could be incorporated in a wider strategy to address and mitigate violence. These include policies to extend economic opportunities and employment to young people:

- The Kenya Youth Empowerment Project of the Kenya Private Sector Alliance (KEPSA) aims to build the capacity of youth through internships and training. *Kazi kwa Vijana* is a national public works programme that provides low-wage work for young people. However, these interventions are few in a context of widespread youth unemployment. Many interventions focus on entrepreneurship even though many young people have little interest in running their own business and lack the ability to do so. Public visibility of these interventions is also low and the agencies have not done enough to reach the potential beneficiaries. Further, lacking a national policy on youth employment, there have been few efforts to connect the multitude of state and non-state initiatives.

- One positive measure was the decision by the Ministry of Finance to remove the import duty on motorcycles in 2008. This significantly reduced the cost of motorcycles, allowing many young people to purchase them for starting a taxi business. Anecdotal evidence suggests that some young people who were previously involved in crime ceased to be so when they entered the motorcycle transport business and, thus, the measure helped to reduce crime.

Other measures to improve service delivery help to address some of the factors that make the poor vulnerable to violence:

- The construction of 'bio-centres' (sanitation facilities) by the Umande Trust in Kibera and Korogocho areas of Nairobi. In Huruma, the group Getto Green, led by young people, initiated a number of income-generating activities for its members, some of whom were previously involved in crime. The Adopt A Light Company has erected light masts in slums, which some slum residents believe has helped to reduce crime.
- The Water Services Trust Fund and the Water Services Board under the Ministry of Water and Irrigation has established water kiosks in some poor neighbourhoods, which are operated by licensed water vendors. The opening times of the water kiosks are regulated as are the tariffs, which must be displayed. The water kiosks have greatly reduced the distance travelled to fetch water, especially by women, thus increasing their security in areas that are prone to violent crime.

## Priorities for action

This study proposes the following priorities to address and mitigate the impacts of violence on the poor in Nairobi:

- **Formulation of a policy framework to promote multisectoral and cross-agency inputs to address and mitigate violence and crime.** In spite of the shortcomings of the Safer Nairobi Initiative, a policy framework is required to promote coordination and coherence of inputs across sectors and multiple levels of governance. The current context in which devolved structures of governance are being implemented under the new constitution provides an opportunity to formulate such a framework. Under the constitution, security remains the mandate of the central government but the delivery of most services is now the responsibility of county governments, with the role of central government limited to policy formulation and coordination in areas such as the provision of water and health.
- **Incorporating analysis of politics and violence into assessment of policies and measures to strengthen youth employment and basic services in poor neighbourhoods.** Although it is well known that a wider approach is required to address and mitigate violence in Nairobi's poor neighbourhoods, there is no systematic effort to assess how initiatives to address youth unemployment or improve the delivery of basic services affect the vulnerability of the poor to violence and crime. Thus, policy stakeholders have little insight into what works, in which circumstances and how. Monitoring and evaluation of efforts to improve youth employment and basic services in poor neighbourhoods should assess how they intersect with politics and violence. Doing so will strengthen the evidence base of what measures can make a difference and how.

- **Learning from existing community efforts to address and mitigate violence.** Responses to violence are rarely informed by community-level knowledge and expertise on what is likely to work. While there have been many local-level efforts to address violence in Nairobi's poor urban neighbourhoods, many of these are undocumented and not known beyond the neighbourhoods where they are implemented. They therefore remain largely invisible. Yet, it is important to identify, monitor and learn from how local initiatives seek to address violence, with what consequences and for whom.
- **Further rigorous empirical analysis of the setting and circumstances of violence in Nairobi's poor neighbourhoods.** There is a lack of detailed, disaggregated data and evidence to do a forensic analysis of the causes of violence that could be used to craft more effective policy, legal, policing and development measures. Given that much of the violence in poor neighbourhoods is carried out by criminal organisations and often linked to complex local-level political struggles, the nuances and complexities of political dynamics at this level are often difficult to see and understand. Thus, new empirical data are required, drawing on intimate local knowledge.

# 1 Introduction

Violence and crime are part of everyday life in many of Nairobi's poor urban neighbourhoods. Nairobi was a flashpoint for violence and tensions in the aftermath of the disputed December 2007 elections, with 124 fatalities reported in the city, mostly in its poorest areas. Officially, more than 72,000 were displaced in Nairobi's slums, not counting the much larger number of displaced people who sought refuge in friendly neighbourhoods in other parts of the city or left the city for their rural homes.<sup>1</sup> Yet, the post-election violence simply brought into stark relief the endemic violence and crime that affects the lives of the urban poor in Nairobi as well as the discrepancy that exists in security between the city's poor and better-off residents. While wealthier enclaves of the city are heavily guarded by private security firms, violence and protection provided through criminal organisations and vigilante groups has become commonplace in the poor neighbourhoods. Up to two-thirds of the population of the city's informal settlements and slums report that they do not feel safe (Oxfam GB 2009).

The failure of the state to provide a range of basic goods and services compounds the experience of crime and violence for the urban poor in Nairobi. For example, most residents of slums rely on public toilet facilities, having to walk through a warren of dark alleys at night. The provision of connections to public utilities such as electricity and water is also scarce, with criminal gangs often controlling access to illegal electricity connections as well as some water-vending points. Limited access to services, often under the control of criminal organisations and gangs, combined with low levels of household income, are thought to fuel the conditions that lead to crime and violence and allow it to persist (World Bank 2010: 221).

The governments of both President Daniel arap Moi and his successor, Mwai Kibaki, over the years failed to measurably improve security for the urban poor. Rather, they reflected a narrow understanding of the problem as one of ordinary crime that can be stamped out with more robust policing measures. These include raids to round up low-level criminals, increased use of 'stop and search', stepping up police presence in certain hotspots, and increasing surveillance. However, corruption and ineffectiveness is rife in official institutions for security and justice and the public's trust and confidence is low. Moreover, sections of the state have been implicated in inciting, supporting and benefiting from violence. Unsurprisingly, in this context, existing law and order responses to violence in Nairobi's poor urban neighbourhoods have not reduced insecurity and have aggravated the situation by further undermining relations between the police and poor urban residents.

Given the complex drivers of violence in Nairobi, and the close associations between politics and violence in Kenya, a different approach is needed that addresses the underlying factors making the poor more vulnerable to violence, including their lack of access to basic services and economic opportunities.<sup>2</sup> More robust law and order measures will be effective only if there are further significant policing and judicial reforms to re-establish public trust and confidence. The security of the urban poor is more likely to be increased through a broader approach encompassing measures that reduce their susceptibility to being victimised and that build on existing local efforts to address interlocking vulnerabilities.

This report is organised as follows. The first section reviews existing data on welfare and violence in Nairobi's poor neighbourhoods and identifies key gaps in understanding. The second section unpacks official understandings of violence and crime, while the third examines various policy interventions to address violence in poor urban neighbourhoods and the limitations of these. The report concludes with practical proposals for a different approach to address and mitigate violence in Nairobi's poor neighbourhoods.

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<sup>1</sup> See: Kenya National Commission on Human Rights (2008).

<sup>2</sup> Many of Kenya's politicians often sponsor militias and criminal groups during election periods.

## 2 Welfare and violence in Nairobi slums

Much of the violence in Nairobi is concentrated in the city's densely populated informal settlements, where an estimated half of its three to four million residents live on approximately five per cent of the city's total land area.<sup>3</sup> The city's slums are characterised by insecure land tenure, poor housing (many of them shacks), poor or non-existent infrastructure for drainage and sanitation, and lack of access roads, water and other services such as electricity (Mitullah 2003). Only 12 per cent of slum residents have access to a supply of piped water (Oxfam 2009) compared with an average of 71–72 per cent for the city overall. Because piped water is not widely available in slums, the poor are forced to buy water from private vendors, often paying up to eight times what the better-off do (Oxfam 2009: 14). The average monthly per capita income of a slum household is approximately US\$49 compared with an average of US\$80 for non-slum households in the city (World Bank 2006). At least 26 per cent of the slum population is unemployed, although for young people unemployment levels reach nearly 50 per cent (World Bank 2006). Furthermore, 49 per cent of those who report they are employed are often involved in casual work, which is insecure. No statistics are available to indicate unemployment levels in poor neighbourhoods as a subset of the city's population as a whole, but the assumption is that they are far higher.

Insecurity and violence are ranked as one of the top three Kenyan public priorities; slum-dwellers specifically report insecurity and violence to be one of the major problems they face.<sup>4</sup> In public opinion polling, up to two-thirds of residents in slum areas report that they do not feel safe in their own neighbourhoods (Oxfam 2009: 14). Moreover, 'insecurity brought about by the perception of widespread violence and impending crime, can often be more destructive to the fabric of social and economic life, than the actual criminal act itself' (UN Habitat 2002: 8). However, there is a lack of detailed, disaggregated data and evidence to do a forensic analysis of the causes of violence that could be used to craft more effective policy, legal, policing and development measures. Only the Kenyan Police regularly collects crime data but its reliability is questioned. Police reports often only capture serious offences or crimes they consider to be 'legitimate' (UN Habitat 2002: 10). The National Crime Research Centre was established in 1997 to undertake studies and collect data on crime but it has never been effectively operationalised. Corruption and political manipulation as well as organisational inefficiencies also hinder crime-recording practices (Hills 2008).

Beyond official crime statistics, there is a small amount of survey data on the types of crime people experience, the perceived causes of these, and levels of public confidence and trust in different institutions that administer security and justice.<sup>5</sup> A UN Habitat victimisation survey carried out in 2001 found that 37 per cent of all respondents had been robbed in the 12 months preceding the survey, 22 per cent had experienced theft from their person, 18 per cent had experienced physical assault (see Figure 2.1), and 29 per cent had experienced burglary from their property (UN Habitat 2002).

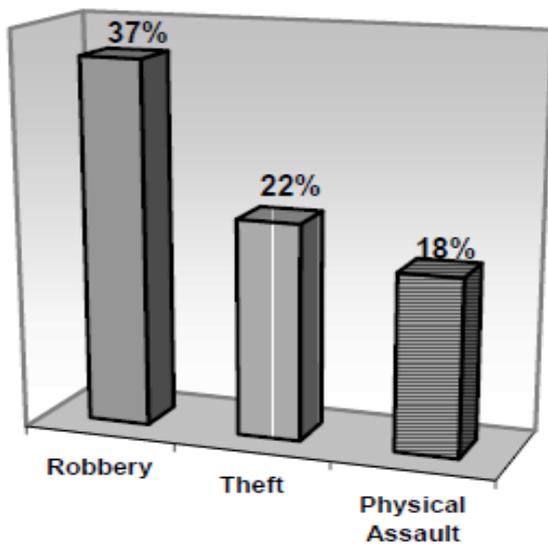
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<sup>3</sup> In 2009 the Kenyan Population and Housing Census recorded that at least 33.7 per cent of the population of Nairobi lived in slums. However, using different criteria to define a 'slum' area, UN Habitat (2002) estimates that 70 per cent of Nairobi's population resides in these areas. See also: Agostini, Chianese, French and Sandhu (2010); Mitullah (2003).

<sup>4</sup> Insecurity and violence was ranked as one of the top three Kenyan public priorities in 2012 and 2013 opinion polls: [www.ipsos.co.ke/home/index.php/downloads](http://www.ipsos.co.ke/home/index.php/downloads). See also: Omenya and Lubaale (2012); Gimode (2001).

<sup>5</sup> Although police collect data on crimes such as homicides, the data is not regularly available to the public. The reliability of the data is also suspect.

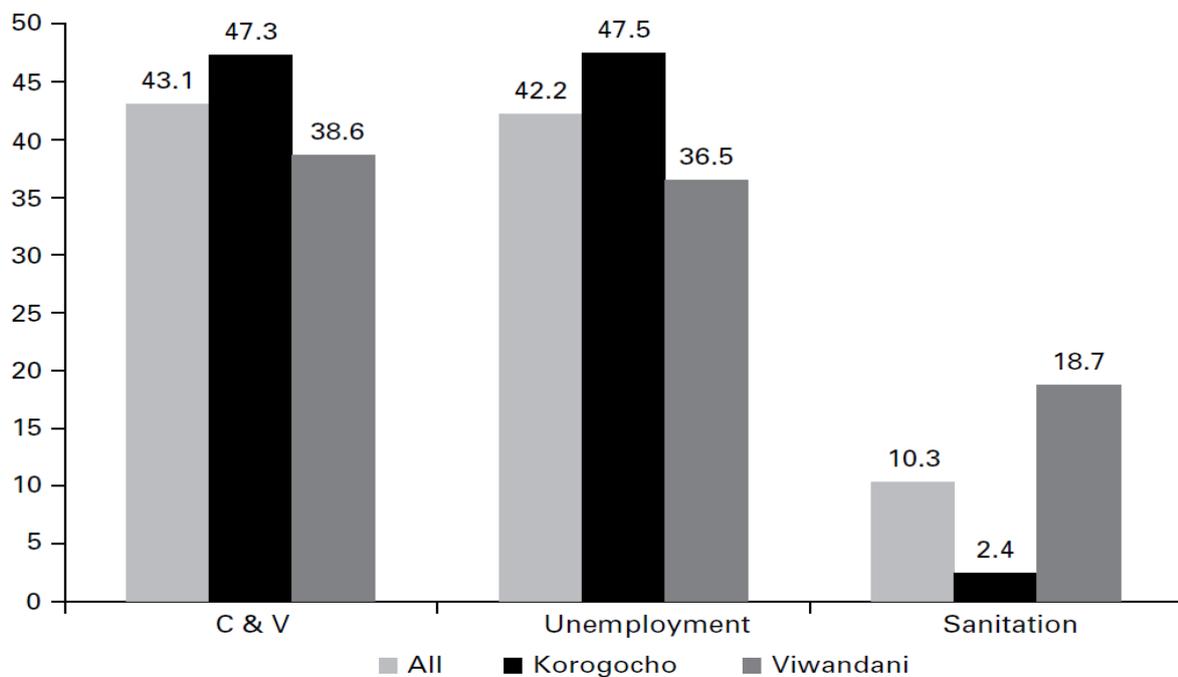
**Figure 2.1 Personal crimes in Nairobi**



Source: UN Habitat 2002.

When asked to report the most important problems facing their communities, a World Bank (2010) survey of residents in two slum areas, Korogocho and Viwandani, found that crime and violence was the most important problem, followed by unemployment (see Figure 2.2). Unemployment was thought to be the primary cause of crime and violence by most respondents in the UN Habitat survey. A more recent public attitudes survey found that unemployment was thought to be the main reason for crime (Teresia 2011: 281). Poverty was ranked the second most important cause of crime.

**Figure 2.2 Significant problems reported by community members in Korogocho and Viwandani slums compared with overall Nairobi sample**



Source: World Bank 2010: 229.

A common theme in all surveys of violence and crime is that most people do not report crimes they have experienced to the police (UN Habitat 2002: 103; Human Rights Watch 2008; Gimode 2001). The perception that the police forces are corrupt is nearly universal: 98 per cent of respondents in the UN Habitat survey felt the police were corrupt. An Oxfam (2009: 14) study found that nearly half of survey respondents acknowledged having to pay a bribe. These findings are backed up by the 2012 East African Bribery Index (EABI), which found that the police forces are the most corrupt state institution in Kenya.<sup>6</sup> Thus, most people do not consider it worthwhile reporting crimes to the police. Furthermore, the UN Habitat survey found that 36 per cent of respondents attribute crime directly or indirectly to the police force (UN Habitat 2002: 33). Even if a crime is reported and a suspect apprehended, the justice system itself is also considered to be corrupted and, thus, ineffectual (Hodess and Lavers 2006).

Institutionalised corruption has undermined trust in the police and courts, pushing people to seek other avenues for justice and security.<sup>7</sup> A World Bank survey found that vigilante groups garner the greatest trust of Nairobi's population overall as well as of those living in Korogocho and Viwandani, two poor neighbourhoods of the city. In Korogocho, 70.6 per cent trust vigilante groups to reduce crime and violence, compared with only 6.5 per cent who trust the Administration police and 4.4 per cent who trust the Kenya police. In some neighbourhoods, addressing crime and violence has become an important part of associational life. The World Bank survey found that 14.8 per cent of those surveyed in Viwandani trust community or neighbourhood organisations to reduce crime and violence, more than those who report they trust the local chief or Kenya police (see Table 2.1 below).

**Table 2.1 Levels of trust in institutions to reduce crime and violence**

	<b>General</b>	<b>Korogocho</b>	<b>Viwandani</b>
Vigilante group	56.5	70.6	41.6
Administration police	14.4	6.5	22.6
Community or neighbourhood organisation	9.2	3.9	14.8
Local chief/assistant chief	9.0	10.5	7.4
Kenya police	4.9	4.4	5.5
N/R	3.7	2.2	5.3
Religious organisation	1.5	1.5	1.4
Social service organisation	0.3	0.2	0.5
N/A	0.3	0.0	0.7
Local and community health centre	0.2	0.2	0.2

Source: World Bank 2010: 234

<sup>6</sup> See: Transparency International Kenya: [www.tikenya.org](http://www.tikenya.org).

<sup>7</sup> Since the promulgation of a new constitution in 2010, significant reforms of the judiciary have been undertaken, restoring considerable confidence in the judiciary. However, the police and the Office of the Director of Public Prosecutions have not matched the judiciary's pace in reforms. Consequently, failures in the investigation and prosecution of crimes continue to undermine the gains of the reformed judiciary.

## 3 Understandings of violence in Nairobi

Official responses to violence and crime in Nairobi have generally involved the temporary use of more robust policing measures; however, existing evidence on what causes violence and crime suggests that these measures are unlikely to be effective in reducing levels of violence and crime over the long term. There are four main explanations of violence in Nairobi: failings in law and order; political disorder; unemployment and poverty; and inequality and a lack of social services contributing to tensions. Each of these is examined below.

### 3.1 Violence as a law and order problem

Prevailing responses to violence and crime in Nairobi's poor neighbourhoods assume that there is a lack of law and order and that more robust policing and tougher laws can increase security. The argument runs that the failure of the police to patrol poorer neighbourhoods has created an environment conducive to crime and extra-legal killings by non-state groups. Historically, police stations have been located outside the slums and police patrols are largely restricted to the main road or periphery of these areas (Mutahi 2011). Police and security actors in Kenya argue that the police should increase their presence in poor neighbourhoods and that doing so will help to stem violence and crime (Omeje and Githigaro 2012). Even some independent analysts and human rights actors have argued that increased police presence is needed to address violence in slum areas (Amnesty International: 2010). In an effort to curb gang activity, the Kenya government enacted the Prevention of Organised Crimes Act (2010) which spells out tough measures to deal with criminal gangs. It imposes jail terms ranging from 15 years to life imprisonment for those found guilty of membership of criminal groups or involvement in the activities of organised criminal groups. The law also provides harsh penalties for anyone involved in fundraising, organising or directing members of a criminal gang to commit crimes. The view of violence underlying this law is that violence thrives in the absence of tough punitive measures.

The argument that increased policing will reduce violence and crime in poor neighbourhoods assumes that the police can act effectively. Yet, as explained above, public confidence and trust in the police are low. Policing in poor neighbourhoods typically involves raids and operations to round up low-level criminals (Ruteere 2008), while crime bosses and financiers of violence are untouched. Police raids are characterised by the indiscriminate use of excessive force and sections of the police forces in Kenya are implicated in extra-judicial killings and assassinations, among other serious human rights violations (World Bank 2010).<sup>8</sup> For example, following his official visit to Kenya in 2009, the UN Special Rapporteur on extrajudicial executions in Kenya, Philip Alston, stated: 'Killings by police in Kenya are systematic, widespread and carefully planned. They are committed at will and with utter impunity' (OHCHR 2009). Alston also found that death squads were set up on the orders of senior police officials to exterminate the Mungiki, a proscribed organisation with large membership in some poorer neighbourhoods of Nairobi where it runs protection rackets and controls access to public utilities as well as public transport routes. Public opinion monitoring has also shown that many Kenyans support heavy police tactics, arguing that that is the only way to handle crime and the proliferation of gangs. However, this has to do with the lack of trust and faith in the criminal justice system. No evidence exists to suggest that extra-judicial killings have lowered levels of crime or diminished the influence of gangs Mutahi 2011:14; Ruteere 2008).

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<sup>8</sup> See also: Kenya National Commission on Human Rights (2008).

For most slum residents, any encounter with the police is as much a source of insecurity as security. Slum populations 'live on the margins of "illegality", characterized by unlawful acquisition of housing, non-payment of taxes, and the illegal tapping of water and electricity, among others'. (Mutahi 2011: 12). For many of the residents of these poor neighbourhoods, increased police presence means petty harassment for infractions such as hawking without required licences, increased stop and searches by the police and intensified pressure to pay bribes to police officers for all manner of offences, or to prevent arrest (Mutahi 2011). A majority of residents of poor neighbourhoods in Nairobi favour a different type of policing, based on trust and coordination with community actors and groups (World Bank 2010). Thus, more robust policing measures are unlikely to succeed without fundamental reforms to existing policing institutions, an end to impunity for crimes and abuses committed by sections of the police, and reforms to make the formal justice system more accessible and responsive to the needs of the poor.

Access and quality of justice in Kenya have for long been skewed against the poor. For many poor Kenyans, the costs of securing justice through the courts are completely beyond their means. In a 2012 Judiciary Perception Survey, 62 per cent of respondents felt that access to justice was prohibitively expensive; 61 per cent reported they had no access to legal services (Infotrak Research and Consulting 2012). A 2005 report on reforms of the governance, justice, law and order sector in Kenya noted that over 75 per cent of defendants in criminal proceedings are undefended (Republic of Kenya 2005).

### **3.2 Violence as a manifestation of political divisions and conduct**

There is a close association between violence and politics in Kenya. This association is growing and inflected with ethnic, regional and religious differences. Ethnicised political violence has existed in Kenya since the early 1990s and has become more widespread since then.<sup>9</sup> It first emerged in the multi-ethnic region of Rift Valley in 1991 when members of communities regarded as hostile to the then president, Daniel Arap Moi, were targeted. The violence left an estimated 1,500 dead and 300,000 displaced (Human Rights Watch 1993; Republic of Kenya 1999). For most of the 1990s, ethnicised-political violence was largely confined to rural areas. Throughout the 1990s, the Mungiki emerged as an important actor, emerging first as a defence militia for Kikuyu residing in the Rift Valley. Mungiki's influence then spread to poorer neighbourhoods of Nairobi, particularly in the build-up to the 1997 elections, when ethnicised-political violence flared again in the Rift Valley as well as in Coast Province. Although the 2002 general elections were characterised by lower levels of violence, an estimated 323 people were killed (Mutahim 2005: 69-96).

Writing in 2002 after appalling acts of violence in Nairobi's Kariobangi North Estate resulted in 20 deaths in one night, Anderson (2002) noted there was a danger of vigilante groups becoming political instruments for hire by those with the money to pay. Foretelling future violence, he explained 'that the concerned citizens of Nairobi are therefore right to fear that the violence... is indicative of a deeper problem than the squabbles of rival urban gangs, and that the vigilantes... will become political instruments in the electoral struggle for the city.' (Anderson 2002: 554). During the 2008 violence, Human Rights Watch reported that the city's largest slums – Mathare and Kibera – were carved into enclaves where vigilante groups associated with different ethnic groups patrolled 'their' areas, demanding to see identity cards, carrying out evictions and attacking the homes and retail premises of members of opposing ethnic groups (Human Rights Watch 2008). Simmering rent tensions were violently addressed: largely Luo slum-dwellers evicted mainly Kikuyu landlords while the Kikuyu enlisted the Mungiki and other groups to evict Luo tenants from 'their' areas (Jakobs 2011). A section of Huruma in Mathare consisting of easily flammable shacks was

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<sup>9</sup> See for instance: Kagwanja (2001); Republic of Kenya (1999); Human Rights Watch (1993). See also: Throup and Hornsby (1998).

levelled. Kikuyu properties were targeted but the flames quickly spread, setting alight a large swath of the neighbourhood. So in demand were these groups, and so woefully inadequate was protection from the state's security forces, that young men in some neighbourhoods allegedly organised themselves into groups they called 'Mungiki' and offered their services to wealthy politicians and businesspeople, even though they had no formal association with the Mungiki organisation.

Dominant explanations of Kenya's political violence have focused on the role of powerful political actors in inciting members of their own communities against others as well as exploiting grievances over the issues of land and national political leadership in order to foment violence.<sup>10</sup> Reports from non-governmental organisations (NGOs) such as the Kenya Human Rights Commission and Human Rights Watch and from two government inquiries – the Parliamentary Select Committee to Investigate Ethnic Clashes and the Judicial Commission Appointed to Inquire into Tribal Clashes in Kenya – concluded that senior government officials allied to then government of President Daniel Arap Moi instigated the 1991 and 1997 violence (Republic of Kenya 1992; Republic of Kenya 1999).

According to these reports, senior politicians and government officials were said to have used ethnic militias to perpetrate violence against political opponents. Camouflaged as traditional warrior formations, militia groups such 'Kalenjin Warriors', 'Pokot Warriors' and 'Maasai Morans' became the tools used to silence political opposition and displace potential voters ahead of the 1992 and 1997 general elections. Many of these groups established symbiotic links with the ruling party youth structures and even the police. For their part, the communities targeted for attack by such groups also quickly created their own defence structures that often mimicked those of the state-sponsored attackers. Ethnic Kikuyu in the Rift Valley, coming under attack from the militia, sought protection from the Mungiki. Other ethnic militias also emerged at the time, including the Chinkororo (among the Kisii) and the Taliban (among the urban Luo).

Although examining the violence instigated by national political figures is certainly important for understanding the dynamics of Kenya's contemporary violence, there are multiple centres or levers of instrumentation that need to be considered. Not all forms of instrumentation can be linked to a national-level political actor. The role of community-level political entrepreneurs is equally important and requires examination. The report on the 2007 post-election violence by the Kenya National Commission on Human Rights, a statutory body, noted that many local-level leaders mobilised violence against members of targeted communities. A number of studies on ethnic violence in Kenya have drawn similar conclusions, even though these local-level mobilisers have not received the same attention as have national-level political actors.<sup>11</sup> The failure to recognise the instrumental use of violence in local politics means that interventions miss local-level figures who wield significant influence over the dynamics of peace and security in particular communities.

Explanations of political violence in Kenya also often miss its connections with ordinary criminal violence. Many of the state and non-state actors involved in violence draw on multiple identities – political, criminal and sometimes cultural. The Mungiki are a good illustration of this. As the report of the Commission of Inquiry into Post Election Violence noted, Mungiki and other criminal gangs were not only used by politicians in the 2008 violence but had managed to 'intersect with parts of the Government and the security forces' to create 'shadow governments' with effective control over security in certain areas (Republic of Kenya 2008: 23). Many of these groups now oscillate between working as enforcers and mobilisers for politicians, and as criminal outfits engaged in ordinary criminal activities.

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<sup>10</sup> This is the view of almost all reports by human rights groups. Official inquiries also point to this instrumentalisation.

<sup>11</sup> See: Kenya National Commission on Human Rights (2008); Human Rights Watch (2008); Ruteere (2008).

Another interesting aspect is the evolution of criminal violence into other forms of ethnic and political violence. A World Bank study on urban violence found that 'the policy approach of treating different forms of violence separately clashes with the reality that the lines between different expressions of violence – from domestic to collective political violence – are very blurry'. (World Bank 2010: xiv). In many cases, what becomes ethnic violence or political violence often begins as criminal violence – such as theft, burglary or murder. In many poor urban neighbourhoods of Nairobi, settlements are ethnically concentrated, with different communities occupying different sections of the settlements. Since in many of these neighbourhoods residents rely on self-help to address insecurity and crime, those usually mobilised to respond to an incident of burglary will be members of one ethnic group. Where the suspected perpetrator is from a different ethnic group, such vigilante responses can easily escalate into a more serious conflict, with ethnic inflections.<sup>12</sup> For instance, where a suspected criminal from the Luo ethnic group is accused of stealing from someone from the Kikuyu community, a vigilante group made of Kikuyus may be mobilised to attack the suspected criminal. An attack on a Luo by a predominantly Kikuyu vigilante group is likely to be seen by the Luo as an ethnic attack rather than a response to a criminal act. Consequently, a counter-vigilante group made up of the Luo is likely to be mobilised to retaliate, turning what started as criminal violence into ethnic violence. From that stage, local politicians are likely to insert themselves into the issue, further politicising the violence.

Without recognising how the different categories of violence link with each other, policy interventions are likely to only address the tail-end of the violence which manifests itself as political. Yet, the roots and beginnings of violence in many poor urban neighbourhoods actually lie in 'ordinary' insecurities as well as in ethnic patterns of settlement. Although national political figures play on these local-level divisions and violence, which can then mutate into something far more serious, they do not always instigate the violence to begin with.<sup>13</sup>

### **3.3 Unemployment and poverty**

Poverty and the lack of economic opportunities for young people are widely regarded as key motivations for violence, crime and insecurity (Republic of Kenya 2008). One of the findings of the 2010 World Bank study on urban violence was the 'strong perception in all of the communities studied that unemployment, especially of youth, is driving violence'. (World Bank 2010: xv). The Kenya National Dialogue and Reconciliation (KNDR) process that led to the cessation of 2008 post-election violence acknowledged youth unemployment as one of the key factors behind the violence, as groups of youths looted for economic gain as well as organising themselves into groups-for-hire to attack members of opposing groups. The KNDR underlined the urgency and importance of tackling youth unemployment as a major threat to Kenya's social and political stability. Many slum residents in Nairobi also claim that young people have been driven to illegal economic activity and crime because of poverty and the lack of available economic opportunities (Mutahi 2011).

Some of the earliest studies on insecurity and crime in Kenya traced the roots of the problem to deprivation in slums and the increasing impoverishment of their residents (Gimode 2001). According to one analysis, worsening economic inequalities and growing poverty can explain 'more than other factors, a great deal of violent crime that characterized Kenya in the period under study [between 1985 and 1999]' (Gimode 2001: 326). In the late 1980s, the Bretton Woods Institutions initiated a series of economic and political reforms commonly known as structural adjustment programmes (SAPs), which were aimed at restoring efficiency in all sectors of the economy and consequently raising the rate of economic growth. The

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<sup>12</sup> This was the recent situation in Huruma and Mathare in December 2012 and January 2013.

<sup>13</sup> Because in poor urban settlements of Nairobi residents settle among their ethnic kin, neighbourhood vigilante groups tend to be made up of members of one ethnic group. Any vigilante action against a suspected criminal from a different ethnic group is therefore likely to be interpreted as an ethnic attack, consequently provoking an ethnic retaliation.

implementation of SAPs had a corrosive effect on social services, especially for the poorest, as the state retreated from providing many public services and goods (Rono 2002). The informal sector expanded as people sought to make ends meet. However, levels of income inequality, inflation, unemployment and retrenchment all rose, and living standards deteriorated. While the urban elites – many in formal employment – were cushioned from the worst of the economic crisis by the upward adjustments to their salaries, the urban poor did not enjoy such protection. The aftermath of structural adjustments coincided with a rise in urban crime and insecurity. Many young people were ‘diverted towards active crime by the social forces that do not provide them with a chance to earn a decent, gainful living’. (Gimode 2001: 314). However, both local and national government measures to increase security in Nairobi, such as clearing hawkers from pavements in the city centre, or cracking down on *matatus* (privately owned public service mini-buses) that provide work for young people, only aggravated these underlying causes of violence and insecurity (Ruteere and Pommerolle 2003).

### 3.4 Service provision

Violence, crime and insecurity in Nairobi’s poor neighbourhoods are linked to the failure of the state to provide basic services for a majority of people living in these areas. As noted previously, poor urban neighbourhoods are largely unconnected to water and electricity services, as they are not part of the formally planned urban residential areas. They are in most cases considered illegal and are largely ignored by planners. Since slums are not factored into formal planning, they have mostly expanded without any consideration given to public access to basic services, or to public safety. Street lighting is mostly non-existent in many poor informal settlements, meaning that the small paths and alleys of slum neighbourhoods are often dark at night (Amnesty International 2010). Owing to the absence of sanitation facilities in close proximity to their houses, many residents of slums are forced to walk at night to get to the few communal toilets that are available. For women in particular, this increases their risk of being attacked.

The failure of the state to provide access to basic services has created an opening that has been exploited by criminal organisations and gangs which in some neighbourhoods have moved to provide illegal connections to public utilities (Agostini *et al.* 2010).<sup>14</sup> These same groups, which are organised on the basis of ethnicity but also neighbourhood, are predatory, often demanding that residents and business owners pay protection money (World Bank 2010; Mutahi 2011). In some cases, they have sought to regulate and control almost every aspect of life of the residents, evolving into a type of ‘shadow government’ (Comaroff and Comaroff 2006). In some areas, some of these groups also administer their own forms of justice, including adjudicating disputes between residents (Mutahi 2011). In the neighbourhoods of Githurai and Dandora, the Mungiki has for many years assumed control of security functions, sometimes ridding these neighbourhoods of petty criminals and drug peddlers but also demanding protection fees from each household (Ruteere 2008; Servant 2005). From the early 2000s, the group moved into regulating activities such as construction, requiring a fee from those planning to put up new buildings, and control over the supply of unskilled labour. The Mungiki also extended its control over public transport, requiring operators of *matatus* to pay a daily fee in order to be allowed to operate their vehicles in the city, and in particular on those routes serving the poor neighbourhoods. It is important to note, however, that the relationship between these groups and the residents of the slums is complicated, with some residents of poor urban neighbourhoods indicating that they find these gangs better than the police at responding to crime (World Bank 2010). However, as previously noted, this preference is best understood within the context of the very low level of public trust and confidence in existing policing and judicial institutions.

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<sup>14</sup> See also: World Bank (2010); Republic of Kenya (2008).

## **4 Approaches to reducing violence and insecurity in Nairobi**

Violence and crime are partly entrenched in Nairobi's poor neighbourhoods because they are intertwined with governance and politics at multiple levels. In some cases, sections of the state and local and national political figures have cooperated with violent non-state actors in instigating attacks and criminal activity, including running protection rackets. Violence and crime thrive in poor neighbourhoods because the state and other formal actors do not provide access to basic services, thus making room for criminal gangs and other predatory actors to fill this service gap without regulation or much challenge. Better state investment in service delivery would challenge the predatory control of violent non-state groups that profit from illegal connections to water and electricity, as well as the protection fees they impose on businesses and residents in poor areas. Widespread poverty and lack of livelihood opportunities for a large number of the urban poor exacerbates their vulnerability to victimisation by criminal and violent actors and heightens the risks for the recruitment of youths into criminal and violent enterprises.

Official approaches to violence in Nairobi have traditionally been about more robust and hard-edged policing measures such as raids, greater use of stop and search, and increased surveillance on the residents. These measures have not however improved security for the urban poor. The limitations of these measures are accentuated by the institutional weaknesses and incapacities of the police forces as well as the corruption and alleged complicity of some police actors in criminal activity, all of which have fatally undermined public trust and confidence in existing official policing agencies.

While the associations between violence and politics are widely known, most analyses focus on divisions and struggles at the national level, overlooking the important role of local-level political entrepreneurs in violence and crime. However, much of the violence in poor neighbourhoods is carried out by criminal organisations and is frequently linked to complex local-level political struggles. The nuances and complexities of political dynamics at this level are often difficult to see and understand, hence the need for intimate local knowledge. Nevertheless, responses to violence are rarely informed by community-level knowledge and expertise on what is likely to work. Although there have been many local-level efforts to address violence in Nairobi's poor urban neighbourhoods, many of these are undocumented and not known beyond the neighbourhoods where they are implemented. They therefore remain largely invisible. Yet, it is important to identify, monitor and learn from how local initiatives seek to address violence, with what consequences and for whom.

Violence in these areas is often labelled as political or ethnic violence and seen as merely the consequence of the instrumentalisation by corrupt politicians, hoping to alter election outcomes, or wrest more power in particular political constituencies. This approach and view has often failed to recognise the connection between what is termed political or ethnic violence and ordinary criminal violence. In reality, the distinctions are not that neat. In some instances, what begins as ordinary criminal violence assumes ethnic or political tones depending on the ethnicity of the victims or perpetrators. In some cases, political or ethnic violence may camouflage itself as criminal violence.

The dynamics of violence in Kenya are shifting again since the establishment of a raft of new offices under constitutional reforms passed in 2010 and currently in force. The new constitution creates county-level political administrative units, each with its own governor who will command significant resources under the new devolved system of government. Many fear the spectre of all-powerful governors, usurping devolved resources for personal enrichment and to reward their supporters. Each county is also represented by a senator in a newly created upper chamber in parliament. Into the fray of newly established political and governance structures enter many usual suspects – strong (rich) men reflecting diverse and diverging ethnic and regional constituencies – as well as new political entrepreneurs. How the dynamics of old and new intersect in Kenya’s changing political dispensation is unclear.

In light of this context and the inter-linkages between violence and a predatory type of politics, a different approach is required, in order to address more deeply rooted problems of poverty and unemployment, particularly among young people, as well as the lack of basic services provided in poor neighbourhoods. Public opinion surveys also indicate that measures to address youth unemployment and improve the urban environment, such as through improved street lighting and infrastructure, can make a positive difference in addressing violence and crime in poor neighbourhoods (see Table 4.1). A number of existing initiatives designed to provide work for young people and to provide better services are considered below. These initiatives, however, are not linked with a wider approach to address and mitigate violence, even though they could contribute to these goals. Apart from the Safer Nairobi Initiative, which is discussed below, and which aimed at providing a framework for various stakeholders to coordinate their actions to enhance security in Nairobi, there have been few efforts to bring together the efforts of different government departments and security agencies as well as non-state actors and groups.

**Table 4.1 Most important policy changes to address crime and violence problems**

<b>Policy intervention</b>	<b>(%)</b>
Youth employment programmes	58.4
More police presence	44.9
Improved street lighting	29.0
Employment programmes	28.7
Increase community policing	25.5
More community-oriented policemen	21.7
More infrastructure	15.6
Recreational programmes for youths	14.4
Ban on drugs	11.4
Ban on illicit alcohol	10.3
Gun control	7.0
Ban community video show rooms	4.2
Mediation programmes	2.0
Other responses (arrest criminals, reduce corruption, introduce village elders, community-based organisations)	0.9

Source: World Bank 2010: 242

## 4.1 Providing economic opportunities for young people

A number of policy interventions aimed at providing economic opportunities and employment for young people have been initiated by various state and non-state agencies including the Ministry of Youth Affairs and Sports, the Ministry of Cooperatives and the World Bank. At the policy level, the Ministry of Sports, Culture and the Arts (formerly the Ministry of Youth Affairs and Sports) produced the Kenya National Youth Policy Sessional Paper No. 3, which provides guidelines on how to address youth unemployment in order to prevent a descent into crime and violence.<sup>15</sup>

The Youth Policy Sessional Paper No. 3 addresses several major issues: unemployment and underemployment; health-related problems; high school drop-out rates; crime and deviant behaviour; limited sports and recreation facilities; abuse and exploitation of youth; limited participation and lack of opportunities in political and economic spheres; limited and poor housing; and limited access to information and communication technology. In order to tackle these issues, the policy stresses the need to implement distinctive, complementary and multisectoral youth programmes involving both state and non-state actors: 'The National Youth Policy will ensure that government authorities work in a cooperative and harmonious manner when designing and delivering programmes and services which address youth development needs and opportunities.' (Ministry of Youth Affairs and Sports 2012). The Ministry has also developed the National Policy for Youth Polytechnics and Vocational Training Centres, which aims to equip young people with skills to improve their employment prospects.<sup>16</sup>

The Youth Enterprise Fund was established in 2006 to extend small loans to young people to establish businesses. Popularly known as 'the Youth Fund', it has nevertheless had its share of challenges. For one thing, policy and legislative frameworks to support growth of youth enterprises are weak. Second, the capital investment required by young entrepreneurs to access non-credit services – such as business development services, market support, operational overheads, and public sensitisation and education campaigns – is huge compared with the actual loans disbursed to the successful applicants. Inadequate repayment of loans by the young people also poses a major challenge to the Fund, whose financial base is limited. This has slowed down implementation of the interventions.<sup>17</sup> However, through partnership with the Ministry of Cooperatives Development, the Youth Fund has supported 24 savings and credit societies (Saccos). Besides being marketing vehicles for youth enterprises, these Saccos are also financial intermediaries through which the Fund can reach members with credit facilities.<sup>18</sup> The Ministry of Cooperatives has also helped organise young people into savings and credit societies in the transport industry in places such as the Kayole and Huruma areas of Nairobi, where operations have been controlled by criminal gangs.

Stonebridge Multipurpose SACCO was one of 17 groups supported by the former Ministry of Youth Affairs. It now owns seven lorries and is engaged in the transport of building materials to private constructors in the Dandora area of Nairobi. The group has also been sub-contracted to provide trucking services to the government road construction project. They have now moved from the shadow economies of protection levies to legal operations. They take and service bank loans and have to report their earnings to the state.

*Source:* Participant contribution at a forum organised to discuss youth violence and policy interventions, 1 November 2012.

<sup>15</sup> Policy can be downloaded from Ministry of Youth Affairs and Sports, <http://www.g-youth.org/main/images/youth.pdf>

<sup>16</sup> Ministry of Youth Affairs and Sports, Fifth Anniversary Report, <http://www.g-youth.org/main/images/youth.pdf>

<sup>17</sup> Remarks by an official from the Ministry of Youth Affairs during a forum organised to discuss youth violence and policy interventions, 1 November 2012.

<sup>18</sup> Remarks by an official from the Ministry of Cooperatives during a forum organised to discuss youth violence and policy interventions, 1 November 2012.

The decision by the Minister of Finance to remove the import duty on motorcycles in 2008 significantly reduced the cost of motorcycles, allowing many young people to purchase them in order to set up a taxi business. The Ministry of Cooperatives has encouraged young people to form themselves into savings and credit cooperatives so as to access loans through the Ministry.<sup>19</sup> Some policymakers have observed that the decision has helped to curb violence.<sup>20</sup> Many youths who were previously involved in crime entered the motorcycle transport business. Although no data are available that correlate crime and violence prevalence and the business opportunities opened up by the possibility of acquiring a motorcycle, several newspaper reports as well as conversations with some of the young people involved in this kind of business suggest that it has indeed helped to reduce violence (Murage 2012).<sup>21</sup>

The World Bank has provided finance to the Kenyan government to establish the Kenya Youth Empowerment Project (KYEP), which includes a labour-intensive works and social services programme known as *Kazi kwa Vijana* to provide manual jobs for young people. Another component of KYEP aims to build the capacity of youth through internships and training coordinated by the Kenya Private Sector Alliance (KEPSA). Priority is given to the six growth sectors within Vision 2030,<sup>22</sup> namely: energy; finance; tourism; ICT; manufacturing and medium and small enterprises; and capacity-building and policy development for the Ministry of Youth Affairs and Sports.<sup>23</sup> By September 2012, a total of 1,057 (415 female) had successfully completed life skills training courses while 341 mentors had been identified to guide and train the project interns. A total of 916 interns had been successfully placed in jobs. Core Business Skills Training provided during the project's first cycle had been received by 883 interns – those in the informal sector received three weeks of training while those in the formal sector received five weeks.<sup>24</sup> However, officials from KEPSA note that the project is still too limited in its reach, given the high numbers of unemployed young people. Furthermore, there is a lack of coordination between the KEPSA intervention and other similar projects, which has prevented it from tapping into benefits it could have accrued from networking and alliance-building.<sup>25</sup>

These interventions are few in a context of widespread youth unemployment (it is estimated that 46 per cent of the youth population of slums is unemployed) (World Bank 2006) and poverty. Further, many interventions focus narrowly on entrepreneurship even though many young people have little interest in or the necessary ability for running their own businesses. Except for the work by the Ministry of Cooperatives, the other policy interventions are designed for 'youth' in general and there is no strategic focus on young people who are more likely to be recruited into criminal gangs. Public visibility of these interventions is also lacking and the agencies have not done enough to reach the potential beneficiaries.<sup>26</sup> Moreover, no clear attempts have been made to link different government interventions and agencies to the problem of youth unemployment. For instance, the Ministry of Education and the Ministry of Youth Affairs and Sports do not have any joined-up approach to combine their efforts to build the skills of young people or prepare them for employment. Nor is the work of skills-building through youth polytechnics, which the Ministry of Youth and Sports has rolled out, consciously linked to the interesting work of the Ministry of Cooperatives.

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<sup>19</sup> Interviews with Ministry of Cooperatives official in Nairobi, 2012.

<sup>20</sup> Remarks by an official from the Ministry of Cooperatives during a forum organised to discuss youth violence and policy interventions, 1 November 2012.

<sup>21</sup> Also, interviews conducted by the authors in Nairobi.

<sup>22</sup> This is Kenya's development blueprint.

<sup>23</sup> See: Kenya Private Sector Alliance website: [www.kepsa.or.ke](http://www.kepsa.or.ke)

<sup>24</sup> See: Kenya Private Sector Alliance: [www.kepsa.or.ke/kyep/index.php/about-kyep/achievements](http://www.kepsa.or.ke/kyep/index.php/about-kyep/achievements)

<sup>25</sup> Remarks by an official from KEPSA during a forum organised to discuss youth violence and policy interventions, 1 November 2012.

<sup>26</sup> Remarks by an official from KEPSA during a forum organised to discuss youth violence and policy interventions, 1 November 2012.

Besides these policy interventions by the coalition government under President Kibaki, there are many local-level initiatives by NGOs and community groups aimed at improving the slum environment. Some of these have had positive impacts. One, Ghetto Green in Huruma, is led by an ex-Mungiki member. It is a youth-led initiative that seeks to rehabilitate and provide income opportunities for young people who have been involved in crime. The Ghetto Green youth are engaged in activities such as clearing public dumpsites and starting micro-enterprises for young people such as car washing and fruit vending. The initiative is supported through the savings of its members. There is, however, constant tension between the members and the local police, who view most of the young people as potential criminals, despite the fact that the police force is in theory expected to promote community policing. The Ghetto Green initiative represents a more comprehensive approach to violence reduction even though its sustainability is precarious, in the absence of state support. The initiative also illustrates the incoherence of state policies to reduce violence and insecurity in Kenya, as the police do not see it as a potential solution to these problems.<sup>27</sup>

The Umande Trust, an NGO that works on water and sanitation in Kenya's poor urban neighbourhoods, has helped construct 'bio-centres', which provide sanitation facilities to the residents in Kibera and Korogocho settlements of Nairobi, for a fee. In total Umande Trust has 57 biocentres, of which 40 are supported by the Water Services Trust Fund, a state corporation established under the Water Act of 2002 with the mandate 'to assist in financing the provision of water services to areas of Kenya which are without adequate water services'. The bio-centres are owned and run by the communities, and each services around 300 people. They also incorporate a community centre for meetings. The Water Services Trust Fund emphasises community support and it is the community that chooses the site where the bio-centres are going to be located. The Trust draws labour for each project from the local community; this has helped in cementing the ownership of the projects, and the Trust is not seen as a government body.

The Umande Trust reports positive results from the involvement of the community in the biocentres. Some young people have stopped being involved in crime, through having taken part in building a bio-centre. In Mukuru slum, Umande Trust worked with the Tegemeo youth in building a bio-centre. All the materials such as stones and cement were sourced from the community. The Tegemeo group now earns between Ksh. 35,000 and Ksh. 70,000 per month from the bio-centre and hall hire. These young people are no longer engaged in crime.<sup>28</sup>

## 4.2 Service provision

The absence of the state and state agencies in the provision of essential services in poor urban neighbourhoods is seen by many policy analysts as the opportunity exploited by criminal groups and cartels to provide such services. It therefore follows that one of the ways to counter the activities of these criminal groups, and consequently to reduce violence, is to set up schemes for the legal provision of essential services. One such intervention is by the Water Services Trust Fund which was constituted to provide water to those who may not otherwise be served.

For many years, access to water supply in Nairobi's poor neighbourhoods was in the hands of illegal vendors, and increasingly was controlled by criminal groups. The city council would conduct raids into these neighbourhoods and dismantle illegal connections, which often resulted in violent confrontations with the residents. In 2008, the Water Services Trust Fund and the Water Services Board under the Ministry of Water and Irrigation initiated a project to

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<sup>27</sup> Interview with Getto Green officials Nairobi.

<sup>28</sup> Interview with an official of Umande Trust, a community-based organisation working in various informal settlements in Nairobi, 16 March 2013.

provide water to residents of Nairobi's informal settlements. The project set out to establish water kiosks that would be operated by licensed water vendors. Areas served by this arrangement include Kibera, which is the largest informal settlement in Nairobi. This initiative has improved access to water at controlled prices in certain neighbourhoods and in so doing it has displaced the criminal cartels that previously controlled water vending in these areas (Kenya National Commission on Human Rights 2010). The opening times of the water kiosks are regulated, as are the tariffs, which must be displayed. For instance, it now costs residents in Kibera Ksh. 2 per 20 litres of water compared with the past when unlicensed vendors and cartels would retail the same amount of water for between Ksh.10 and Ksh. 20. The water kiosks have greatly reduced the distance travelled to fetch water, especially by women, thus increasing their security in areas that are prone to violent crime. The project also incorporates the construction of public toilets, to improve sanitation. By doing this, the Nairobi Water Services Board gets its revenue, the slum-dwellers get clean water and some of the youth groups that are engaged by the Board are no longer involved in criminal activity.

To address the problem of illegal power connections in slum settlements, the Kenya Power and Lighting Company has explored ways to provide electricity to the settlements. The World Bank, acting as administrator for the Global Partnership on Output-Based Aid (GPOBA), provided a grant of US\$5.24 million to increase access to electricity for low-income households in Kenya. The project will subsidise connections to the electricity grid for around 66,000 households (roughly 265,000 people) in Kibera and informal settlements in the Western, Central and Coast Provinces.<sup>29</sup> Through this project, KPLC will: install pre-payment meters to meet the needs of the clients with irregular income and to address challenges for Kenya Power such as revenue collection; use technologies that reduce theft opportunities and allow remote operations; use low-cost technical solutions that reduce connection costs; and involve stakeholders in communication and the rolling-out of the project. According to an official from Umande Trust, they have advised the KPLC to use local manpower in the slums to assist in connecting electricity since 'these are the same people who illegally connect the electricity and you cannot hear any cases of them being electrocuted, and arresting tenants who have illegal power connections will not solve the problem'.<sup>30</sup>

Another important intervention is the Safer Nairobi Initiative which started in 2001 with the technical and financial support of the United Nations Development Programme (UNDP) and UN Habitat (Nairobi City Council 2008). Envisaged under the initiative was a victimisation survey, the first of its kind in Kenya, which was concluded and published in 2002; it was discussed in more detail above in Section 1. As a follow-up, the city council also developed the Nairobi Crime Prevention and Urban Safety Strategy, aimed at providing a framework for various stakeholders to cooperate and coordinate their actions to enhance safety and security in the city. The Strategy was adopted by the Council in 2005. The aim of the strategy was to reduce crime and insecurity in a sustainable way through better coordination within the city council departments and by the creation of stronger partnerships between the private sector and civil society. It envisaged the sharing of expertise and resources between the different role players and the enhancement of the capacity of the City Council and the criminal justice system to better enforce law and by-laws.

Some of the activities under this strategy included the review of council by-laws, the upgrading of open spaces such as the Jeevanjee Gardens in Nairobi, the pedestrianisation of some of the streets of Nairobi, and engagement with young people to develop messages on security. Most of these activities were focused on downtown Nairobi rather than poor urban neighbourhoods. However, a few measures were specific to those neighbourhoods. In particular, the measures to improve lighting in poor neighbourhoods through the work of the

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<sup>29</sup> KPLC financial annual report and financial statements for financial year ended 30 June 2012.

<sup>30</sup> Interview with an official of Umande Trust, a community-based organisation working in various informal settlements in Nairobi, 16 March 2013.

Adopt A Light Company made a useful contribution in improving security through the installation of light masts in poor neighbourhoods. The efforts by the Nairobi Central Business District Association and the Kenya Human Rights Commission to promote community policing were also incorporated in the Council Strategy.<sup>31</sup> However, the strategy also incorporated more hard-edged policing approaches such as the removal of street families and hawkers from the city and the installation of CCTV.

The safety and security initiative by the City Council also ran into difficulties from competition and conflicts with central government, which is represented by the provincial administration officials. In addition, the City Council's endemic inefficiency and reputation for corruption weakened its ability to win public confidence and legitimacy in the implementation of the strategy.

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<sup>31</sup> The community policing initiative was not successful, as in many places it became the opportunity for the police to extort bribes and harass those seen as a 'threat' to security in the central business district. In some of the poor neighbourhoods where it was piloted, it ran into the problem of clashing views of, on the one hand, the police who interpreted it as the recruitment of informers from the community, and on the other, residents who demanded better police accountability. See: Ruteere and Pommerolle (2003).

## 5 Conclusion

Violence and crime are endemic in Nairobi's poor neighbourhoods, where they enmesh with wider problems of vulnerability – the failure of the state to provide for basic needs in health, education and social care, as well as a lack of work and training opportunities for its young people. However, existing law and order approaches to address violence through more robust policing measures in Nairobi's poor neighbourhoods miss the point that there are limits to policing when dealing with a problem that has multiple drivers. Not only do stronger police measures fail because there is no public confidence or trust in policing bodies, they do little to address the more deeply seated causes of violence. A different approach is required to tackle the underlying problems of poverty and unemployment, particularly among young people, as well as the lack of basic services provided in poor neighbourhoods. Public opinion surveys also indicate that measures to deal with youth unemployment and improve the urban environment such as through improved street lighting and infrastructure can make a positive difference in addressing violence and crime in poor neighbourhoods.

The need to implement a joined-up response to violence and crime has long been recognised, but existing efforts to do so have had disappointing outcomes. The Safer Nairobi Initiative, which had some small positive impacts, became mired in a political struggle between Nairobi City Council officials and provincial administration authorities. Yet the spirit of this effort was right to promote a coordinated approach to improve urban security by involving agencies and departments with mandates to deliver public services and create work opportunities. Separately, some public utility companies have sought to improve regulation of services that often come under the control of predatory gangs and cartels in poor neighbourhoods. In Kibera, the Nairobi Water and Sewerage Services Company has sought to better regulate water vending, which has been controlled by gangs in certain areas.

Looking forward, devolution, as captured in the new 2010 Constitution, provides an opportunity for inter-agency and multi-stakeholder involvement in security matters at the sub-national level. In the new devolved system of governance, security agencies and security remains the mandate of the national government, but implementation of many services that could reduce the vulnerability of the poor to violence are devolved to county governments. In health, education and housing, among others, the role of the central government will be limited to policy formulation; delivery of services will be the responsibility of newly established county governments. The constitution also assigns certain roles to the counties which have security and safety implications, such as control of alcohol and drug use. County governments will also be responsible for issuing trade licences and regulating housing, two functions that can be used effectively to curtail illegal and exploitative businesses and business practices. Policy interventions can therefore draw from the participation and competencies of various actors at the county and national levels to design comprehensive violence reduction strategies that go beyond traditional law and order responses.

In April 2013 Uhuru Kenyatta was sworn in as Kenya's fourth president of Kenya. It is too early to make any bold arguments with regard to the policy direction of the new government of President Uhuru Kenyatta. Nevertheless, in its pre-election manifesto the Uhuru government pledged to lay emphasis on creating employment and livelihood opportunities for young people. The manifesto promises to allocate 2.5 per cent of national revenue annually towards the Youth Fund and to redesign along the lines of the Constituency Development Fund to provide direct state funding for social projects. It also pledges that the government will give interest-free loans to young people. Although the governors of various counties have been sworn in, it is too early to determine the level to which county government will invest in policy interventions to address violence reduction.

## 5.1 Priorities for action

This study proposes the following priorities to address and mitigate the impacts of violence on the poor in Nairobi. These are directed to both central and county-level officials as well as non-state actors implementing initiatives intended to address the causes and continuation of violence:

- **Promote multisectoral and multi-agency policy interventions to address and mitigate violence and crime.** The need to more systematically address violence should inform ongoing efforts under the new government to review policies and strategies across different sectors. A multi-level governance lens is also important to seek ways of combining different levels of thinking, resources, expertise and authority at central, county and community levels.
- **Incorporate analysis of politics and violence into assessment of policies and measures to strengthen youth employment and basic services in poor neighbourhoods.** While it is well known that a wider approach is required to address and mitigate violence in Nairobi's poor neighbourhoods, there is no systematic effort to assess how initiatives to tackle youth unemployment or improve the delivery of basic services affect the vulnerability of the poor to violence and crime. Thus, policy stakeholders have little insight into what works, in which circumstances and how. Monitoring and evaluation of efforts to improve youth employment and basic services in poor neighbourhoods should assess how they intersect with politics and violence. Doing so will strengthen the evidence base for what measures can make a difference and how. This recommendation applies both to state and non-state actors working on violence reduction.
- **Learn from existing community efforts to address and mitigate violence.** Responses to violence are rarely informed by community-level knowledge and expertise on what is likely to work. While there have been many local-level efforts to address violence in Nairobi's poor urban neighbourhoods, many of these are undocumented and not known beyond the neighbourhoods where they are implemented. They therefore remain largely invisible. However, it is important to identify, monitor and learn from how local initiatives seek to address violence, with what consequences and for whom. Both state actors and non-state actors should invest in learning from local initiatives and in documenting the good lessons from those initiatives.
- **Carry out further rigorous empirical analysis of the setting and circumstances of violence in Nairobi's poor neighbourhoods.** There is a lack of detailed, disaggregated data and evidence to do a forensic analysis of the causes of violence that could be used to craft more effective policy, legal, policing and development measures. Given that much of the violence in poor neighbourhoods is carried out by criminal organisations and often linked to complex local-level political struggles, the nuances and complexities of political dynamics at this level are often difficult to see and understand. Thus, new empirical data are required, drawing on intimate local knowledge. It is the responsibility of government and non-state institutions and their development partners to determine the sorts of data that can provide clearer insights into violence and its manifestations as well as to ensure that adequate resources and expertise are allocated to collect these data.

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