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Security
Insights

Hustling for Security

Managing plural security in Nairobi's
poor urban settlements



SECURITY PLURALISM IN THE CITY

This project, funded by the Netherlands Organisation for Scientific Research (NWO), seeks to foster effective security and rule of law policy and practice by producing empirically-based insights into how structures of local governance might interact with plural security providers in ways that deliver improved security outcomes for urban residents. This approach privileges a bottom-up perspective, challenging both conventional state-centric international security and rule of law assistance and local policymakers to better engage with modes of security provision that people view as legitimate, effective, or at least the best available. More can be found at PluralSecurityInsights.org.

Comparative research was conducted in three urban contexts: Beirut, Lebanon; Nairobi, Kenya; and Tunis, Tunisia. These cities are characterised by differing degrees of security pluralism, unequal levels of human development, distinct historical trajectories of state formation, and diverse patterns of social cleavages. As such, they reflect a range of contextual factors, and a microcosm of a larger global set. Insights drawn from individual case studies will inform preliminary research agenda-setting and policy recommendations for policymakers to respond more effectively to security challenges in urban settings.

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Managing plural security in Nairobi's poor urban settlements

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Summary

Nairobi's urban settlements offer unique settings in which to examine the interplay between citizens' need for security, the state's inability to fully meet that need, and the opportunities this creates for powerful private actors. In Kenya's capital, this situation has led to a context of plural security provision, in which an array of actors assert claims on the use of force, operating simultaneously and with varying relationships to the state. Despite the proliferation of active security providers, who range from opportunistic enforcers to tireless local guardians, most people in Nairobi's poor urban settlements are exposed to daily threats on their person and property.

Fieldwork in Mathare, Korogocho and Kangemi provided insights into how settlement residents must rely upon their social networks and personal attributes to ensure access to a combination of protective communities. Unable to call upon the state as the guarantor of public welfare, citizens must 'hustle for security', using their wits and their networks to assemble a tenuous patchwork of protection. The research identified not only the risks this creates for individuals and communities, but also how the propensity to resort to individualised security strategies can undermine the notion and the actualisation of 'the public good'.

The paper concludes with proposals for addressing the more malign aspects of plural security provision, specifically, the need to curtail the providers' power and to work towards consolidating various providers under uniform rubrics of oversight and performance standards. The paper contributes to a comparative research project on plural security in urban settings that draws upon empirical insights from case studies in Beirut, Nairobi, and Tunis.

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Index

Introduction	P 6
1 Poor Urban Settlements: Brief Overview	8
The normalisation of violence	
2 How people build security and interact with providers	13
Strategic use of police	
Chiefs, elders and Nyumba Kumi	
Local youth associations, community patrols and vigilantes	
Community based organisations	
3 Conclusion	21
Policy considerations to promote change	
Annex 1: Field Data	26
Annex 2: Works Cited	27

Introduction

In Nairobi's poor urban settlements, people must 'hustle'. This kind of 'hustling' is not simply a livelihood strategy or the pursuit of an energetic lifestyle. 'Hustling' speaks to residents' need to draw on their "energy, daring, reputation, creativity, cunning, success and struggle in the bid to move barriers out of the way" in order to survive.¹ Here, coping instincts and nimble personal manoeuvring are required to maintain the relationships that determine one's access to basic needs.

Home to two million people, Nairobi's settlements host the city's most vulnerable communities who lack access to virtually all state-run services, foremost public security.² These communities offer a distinct context in which to examine the interplay between citizens' need for security, the state's inability to fully meet that need, and the opportunities this creates for powerful (private) actors. In this precarious context, assorted players arise to claim the role of security provider, a phenomenon referred to as *plural security provision*.³

Plural security provision denotes a situation in which multiple actors simultaneously assert claims on the use of force to establish order, enforce codes of behaviour and/or reduce community members' level of risk in daily life. Plural security actors may take up the prerogative of deterrence, investigation, punishment and prevention, with mixed levels of efficacy, accountability or oversight. This situation, found ubiquitously in diverse forms, poses serious challenges to the (statebuilding) aims and (public service) assumptions underlying dominant security reform policies and practice. This case study exposes some of these challenges in the context of Nairobi's urban settlements and suggests ways in which the security of residents might be improved.

This case study portrays plural security in light of survival strategies developed by inhabitants of Mathare, Kangemi and Korogocho, three of Nairobi's largest urban settlements. The research set out to identify the actors, groups or institutions that residents consistently rely upon for their security. Confounding this expectation, the majority of interviewees each described a unique configuration of security actors and networks, accessed through personal connections. A meta-level pattern thus emerged: extreme vulnerability – created by poverty and social marginalisation – paired with unreliable public mechanisms, compel settlement residents to build and maintain personalised security networks. These networks extend from highly-localised security groups, sometimes considered 'gangs', to one's business associates, community based organisations, neighbourhood peers, and/or family. Essentially, security is contingent on one's local ties, gender, geographical location, personal histories and socio-economic position, and the access they grant to different combinations of protective communities.

1 Kimari, W. (2015) p.112; See Lemarchand, R. (2002) and Simone, A. (2004) for more on 'hustling' and the daily improvisation of structures for urban residents elsewhere in Africa.

2 Amnesty International (2009).

3 This term and concept has been developed by a policy research network contributing empirical research to inform security policy and practice in complex environments. More can be found at: pluralsecurityinsights.org.

The report begins with a brief overview of Nairobi's settlements and the daily insecurities their inhabitants face. It then moves to examine four categories of security providers that settlement residents identified in an initial survey and subsequent discussions: police; local governance actors; local youth associations; and community based organisations. The final section steps back to reflect upon how people piece together their security strategies from an assemblage of imperfect providers, and how these constellations may be managed and strengthened.

Methodology

A preliminary qualitative survey (n418), conducted by Kenyan consultants in March 2016, identified salient security actors and concerns noted by residents of Mathare, Korogocho and Kangemi. These results informed the selection of key informants and the development of an interview protocol. In preparation for the field visit, the visiting research team undertook an extensive literature review, surveying relevant academic and practitioner literature, as well as current media reporting on violence and security provision in Nairobi. A list of works cited can be found in Annex II. Fieldwork, subsequently carried out in greater metropolitan Nairobi in March 2016, consisted primarily of semi-structured interviews. In addition, randomised interviews and focus group discussions were conducted in Mathare, Korogocho and Kangemi. A list of interlocutors can be found in Annex I. The fieldwork was carried out by a mixed team of international and Kenyan experts, representing the fields of urban security, conflict, and international security reform policy.

1 Poor Urban Settlements: Brief Overview

Nairobi's annual +4% population growth is straining its colonial infrastructure and urban planning grid.⁴ Created in the early twentieth century, the city's compartmentalisation reflects its history of racial segregation. These lines persist today, though economic wealth and land tenure now define the parameters.⁵ The most populous zone of the city, a contiguous area referred to as Eastlands, hosts Mathare and Korogocho, two of the city's poorest urban settlements. The third settlement, Kangemi, is situated in the northwest of the city, along the Nairobi-Naivasha highway and bordering the affluent Westlands and Loresho.

Residents of Mathare, Korogocho and Kangemi constitute a significant portion of the 60-70% of Nairobians who live in underserved areas, crowded onto just 5% of the city's land.⁶ Newcomers from rural areas in search of better livelihoods live alongside those who can trace their family history in the settlements to the 1930s and 1940s.⁷ Chiefly populated by low-income communities, residents have severely limited access to education or healthcare, increasingly privatised since structural adjustment programmes of the 1980s. Often called 'informal settlements' to justify their neglect, large segments of the settlements lack basic urban planning, land tenure, or services such as water and sewage facilities.⁸ Challenging the conventional wisdom that cities offer better service delivery and economic prospects,⁹ the grim living conditions in these urban areas reinforce stigmas of residents as uneducated, unhealthy and dangerous, and perpetuate their marginalisation.¹⁰



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- 4 UN Habitat (2013).
 - 5 K'Akumu, O.A. and Olima, W.H.A. (2007).
 - 6 UN Habitat (2005); Swope, C. (29 October 2015).
 - 7 Odhiambo, E.S.A. and Lonsdale, J. (2003).
 - 8 African Population and Health Research Center (APHRC) (2014).
 - 9 APHRC (2014), p. 2.
 - 10 See Galtung, J. (1969).

Historical patterns of land settlement¹¹ and self-identification contribute to the perception that the settlements comprise a mosaic of unofficial ethnic 'self-zoning'. Despite the fact that these areas may in fact be quite diverse, the perception of segregation keeps social divisions alive within the larger settlement communities. One Mathare youth explained, "The others take us as a threat, so you must retaliate, they try to kill us through ethnicity – the river divides [Kikuyu from Luo]." Reifying ethnicity as a factor that innately leads to animosity oversimplifies the social, political and economic variables that regularly contribute to violence. Ethnicity is complexly interwoven with other identity markers, including social class and, in the case of Nairobi's settlements, being a born-and-raised 'native' (mzaliwa) to an area as opposed to arriving as a visitor (wageni) or tourist (mtalii). Despite these analytical misgivings, ethnicity is drawn into this report's analysis to reflect local notions of belonging to a specific ethnic group, as often mentioned by informants. In Mathare and Korogocho, many reported the possibility of violence between 'Luo' and 'Kikuyu' groups.

Election violence, for instance, is often described as a result of ethnic divisions ossified over decades, which can be stoked for political ends. Widespread trepidation awaits the upcoming 2017 elections with many citing their potential to become violent. Groups in Kangemi and Mathare reported preparing for this eventuality.¹² The displacement and violence that occurred in Mathare and Korogocho, most notably during the 1992 and 2007 election seasons, illustrates the severity and danger of politicising of ethnicity in these areas. As an interviewee from Mathare remarked, "many politicians hide behind their tribal gangs," indicating appeals to ethnicity were often used for political expediency, particularly within the settlements where political aspirants depend on the sizable cache of votes held by these populations.

Yet, the extent to which the political class is actually willing to represent constituencies living within the settlements appears specious. A political aspirant from Mlango Kubwa (Mathare) noted, "Most of the people that are voted in [elected] from Mathare, are not from here. The politicians have money, the political class, the family – they are the son of the right people." Savvy players within the settlements, often associated with youth groups or community based organisations, do not miss opportunities to act as gatekeepers and mobilising agents.¹³ Some described readily bargaining with politicians, making public appearances and escorting candidates through their ward in exchange for assistance in securing claims on public land and countering the advances of private landowners.¹⁴ As a Mlango Kubwa community activist dryly conceded, "They have the resources, and we have the ideas. They would love to have our votes."

The normalisation of violence

Structural violence and physical violence are considered a fact of life in Nairobi's poor urban settlements. In part due to a legacy of marginalisation,¹⁵ and reinforced by national news coverage, settlements are depicted as harbouring criminals and posing a threat to the city as a whole.¹⁶ Yet, it is the residents of these areas who bear the highest burden of violent crime in Nairobi. A 2006 survey noted, "as many as 63% of slum households report that they do not feel safe inside their settlement [...] At least one person [per] household [reported] actual experience of a criminal

11 Urban migrants often move into areas where they can find existing social networks. Dafe, F. (2009).

12 Achuka, V. (2 August 2015).

13 Thieme, T. (2010).

14 Vesterhus, T. (2015).

15 Katumanga, M. (2005). Of particular relevance are Katumanga's notions of the 'criminalisation of urban existence' and how economic liberalisation and rapid privatisation have led to 'bandit economies'.

16 Mukinda, F. (23 March 2014); Cheronon, S. (17 October 2014); Omondi, D. (27 October 2014).

incident over the previous twelve months.”¹⁷ During a focus group discussion in Mathare, of the twenty participants, every single one reported having lost a family member to violence. In a 2016 survey, settlement residents perceived gangs as the primary perpetrator of violence (61%) followed by police (19%).¹⁸ Interviews in all three settlements revealed how contact with the police contributes to the view that violence in the settlements is ‘normal’. According to interviewees, police are seen to vacillate between abject indifference, exploitive collusion, and overt hostility. “The way [the police] treat you in [middle class] estates is different from the slums,” one Mathare youth noted, “The people in the estates, they are asked [police will engage in conversation], while in the ghetto they are brutalised.” A human rights defender described reporting domestic violence to an officer who casually responded, “Women there are used to that.”

IMLU 2009 – 2013

Perpetrators of gun deaths in Kenya

Police	1,254
Undetermined	310
Robbers	259
Self	21
Spouse	15
Licensed Firearm Holder	6
Friend/Acquaintance	5

Source: The Nation, 9 Aug. 2015
Guns: Our Security, Our Dilemma

The director of a human rights organisation focusing on police conduct quoted a euphemism that starkly captures the police-public dynamic: ‘adui ya polisi ni raia, rafiki ya polisi ni bunduki’ – ‘the enemy of the police is the public, the friend of the police is the gun’. Though reliable statistics are scarce, in Nairobi’s settlements police raids and systematized extra-judicial killings have been recurrent since the early 2000s.¹⁹ In 2015, the Independent Medical-Legal Unit (IMLU) recorded 126 deaths at the hands of Kenyan law enforcement, the majority taking place in Nairobi. Three-quarters (77%) of the victims were summarily executed, disproportionately targeting men.²⁰ Settlement residents and community activists explained that motivations for such executions are sometimes connected to land-grabbing or a soured collusion between an officer and a local. In the public’s eye, however, police killings typically transpire under the pretext of combatting criminality.

Criminal activity within the settlements further complicates police-public relations. Poverty and limited economic options induce many settlement residents to engage in a variety of livelihood activities, often informal and sometimes illicit, a strategy popularly referred to as ‘hustling’.²¹ As one interlocutor stated, “In every family there is a gangster, a prostitute and a street kid.” These income strategies combined with prevalent police corruption can lead to precarious relationships in which criminals bribe police, for instance, to turn a blind eye to their businesses or to eliminate rivals.²² In such relationships, marginalised groups are exceptionally vulnerable, a journalist made gravely clear, “When [the criminals] outgrow their purpose, they are killed by the police.”

17 Amnesty International (2010), p. 10.

18 Kiama, P. et al. (2016).

19 Atieno, W. (14 September 2013); Cheron, S. (11 October 2014); Daily Nation (7 October 2015).

20 Independent Medico-Legal Unit (IMLU) (2016). Other sources cite much higher numbers, illustrating both the potential extremity of the situation, but also the statistical discrepancy among sources. See, Alston, P. (2009); Kiai, M. (2011); KNCHR (2008); and Oscar Foundation (2008).

21 Thieme, T. (2013), p.389. Local notions of ‘criminal’ or ‘illicit’ do not necessarily align with legal definitions.

22 Njoroge, K. (4 July 2013); Zadock, A. (13 November 2013).

At the same time, there is also an understanding of, and even public appreciation for, the police's violent response to criminals. One non-governmental organisation worker explained, "the public has that kind of anger against the criminals, so when the police shoot, whether innocent or not, they assume that something good has happened, because they have been terrorised by the criminals." In a context of severe vulnerability, public apathy or tacit support for police brutality has meant that even lethal violence can be considered quick and efficient justice.

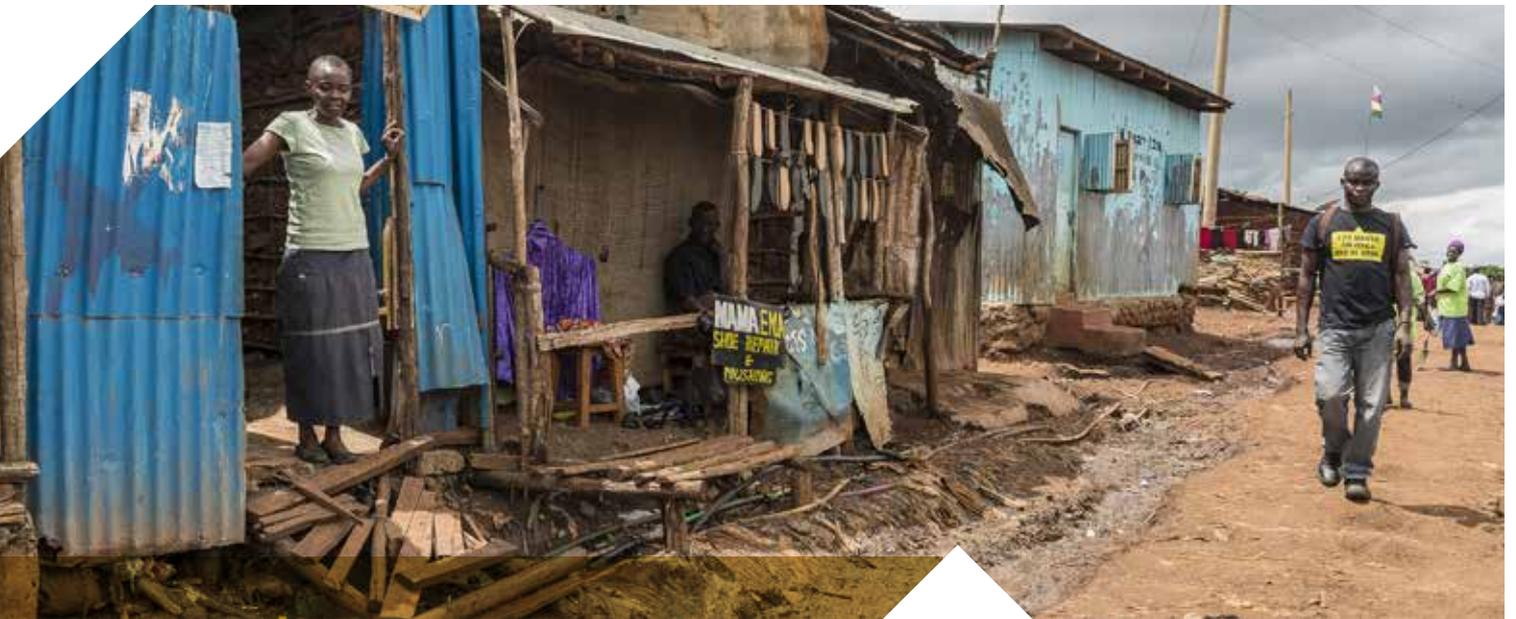
Deferral to 'immediate justice' also plays into the normalisation of violence in Nairobi's settlements. Having seen recalcitrant criminals walk free after bribing their way out of a police station, settlement residents report deep disillusionment with the state's justice system. Mob justice, on the other hand, does not afford bribery as an exit strategy. Kangemi residents interviewed estimated upwards of three lynchings a month. "If we find a criminal, he must be killed," one resident reported. It is even portrayed as a community response. "The area where I come from, we depend on one another, because if we go to the police it takes time, [...] and if any crime is committed, they come when everything is finished. So we have a system: if we catch a thief, he is not taken to the police, and we take justice into own hands," reported a resident of Kangemi.

Days after the research visit concluded, three men were killed in Mathare when police released a man suspected of stabbing another, allegedly handing the suspect over to an angry mob.²³ Such situations have contributed to the emergence of local youth associations and community based organisations, which seek to provide security in the absence of reliable state-sanctioned actors.²⁴ While these associations often rely on community kinship and local legitimacy, some can exert coercive force and exploit people's vulnerability, contributing to a climate of fear. This context highlights the extent to which social norms regarding crime and appropriate penalties shape the 'acceptable behaviour' of security actors, whether vigilantes or on the public payroll.²⁵

23 Zadock, A. (22 March 2016); Africa Uncensored (30 March 2015).

24 Wasuna, B. (4 September 2013).

25 Ruteere, M. and Pommerolle, M.E (2003).



2 How people build security and interact with providers

In this highly insecure environment, people living in Nairobi's settlements both collectively and individually hustle for security. Like one's income, health, or land tenure, security in the settlements cannot be assured. In the absence of reliable state policing, people draw on a number of providers discussed below. This is not 'forum shopping' in the way that has been described elsewhere,²⁶ but rather a patchwork of security in which people string together whatever means they can assemble. The space for 'choice' is limited and often precarious. As one resident from Kangemi pointed out, "To bring security, you must be able to bring insecurity."

What emerges is a fundamental reliance on personalised security arrangements, where to maximise their chances for protection people must draw upon private networks and individual relationships shaped by age, class, neighbourhood and ethnicity, among other factors. These can be thought of as hybrid security assemblages²⁷ or institutional bricolage. Here, the language of 'hustling' is used to underline the scarcity of options and the oft-coerced nature of these decisions.

Strategic use of police

Given the insecurities outlined above, people reported relying on the police only when other avenues of recourse are exhausted. This is similar to selective use of the police seen in other contexts, including Nigeria and South Africa.²⁸ Several interviewees pointed out that police assistance must be sought, as officers rarely patrol inside the settlements given there is more money to be made extracting bribes along the bigger roads that encircle them. This not only undermines their role as a public service provider, but also speaks to the police's lack of incentives to protect settlement residents.

The National Police Service comprises the Kenya Police and the Administration Police, which were brought together in 2011. The Administration Police are responsible for border security, protection of government buildings and personnel (including chiefs), emergency response and community policing, while the Kenya Police are mandated to fulfil 'conventional' policing duties such as law enforcement and disrupting crime. Since the 2013 attack on Nairobi's Westgate Mall, police have had wider scope to pursue vigorous security operations as part of counter-terrorism campaigns.²⁹ This has led to significant complaints of human rights violations and hundreds of reported cases

26 See, for instance, Benda-Beckmann, K. (1981).

27 Abrahamsen, R. and Williams, M.C. (2010).

28 Cooper-Knock, S.J. and Owen, O. (2015.)

29 Human Rights Watch (18 August 2014); Daily Nation (9 December 2014).

of police brutality, all of which are rarely investigated.³⁰ As a community based organisation (CBO) representative stated, “the police can’t handle the problems in the slums because the police only know how to kill.” Heavy-handed police responses are not dissuaded by politicians, who want to be seen as tough on crime, nor the broader public who seem to applaud swift - if imperfect - justice.

Despite their low expectations and explicit fear of the police, many settlement residents made clear their desire for police to genuinely take up the responsibility of security provision. However, the manner in which citizens use the police is strategic and selective. People tend to call upon police when alternative dispute resolution channels, for example the local elders, are not viable. Or when a suspected criminal is threatened with mob justice, concerned community members might implore police to arrest the culprit to avoid a lynching.

Any interaction with the police often must be weighed against considerable personal risk. In a public survey (n5082), 56% reported they would not cooperate with the police due to fear of harassment (39%) or excessive force (17%).³¹ Street children, a particularly vulnerable group of homeless youth, reported that arbitrary detention and abuse, even rape, were the potential outcomes of trying to file reports with the police. A group of human rights defenders explained the lack of police confidentiality can propel them into hiding when statements are leaked back to criminals or corrupt police officers. In accessing the police, people – and women in particular – reported going to the police in pairs for protection, or letting friends know of their plans in case they themselves were arrested or abused. A staff member from the Nairobi office of Peace Brigades International, an organisation that works to protect human rights activists, reported that a large part of their work entailed accompanying activists to police stations to help ensure the police actually file the report and follow up. People also described a strategy of building a relationship with a particular officer and calling him personally, rather than going directly to the police station.

Each of these strategies underscores that, for settlement residents, engaging the police is best mediated through or accompanied with personal security measures that one may have at their disposal. The police are thus not viewed as an accessible form of security in a straightforward way. Rather, they represent one – insufficient yet inexorable – piece in the broader patchwork of security providers available to the inhabitants of Mathare, Korogocho and Kangemi.

Chiefs, elders and Nyumba Kumi

The other government-mandated security actors in Kenya are chiefs and the councils of elders who report to them. Chiefs are not a traditional title in Kenya but the lowest rung of provincial administration, known as the national administration. They are responsible for local law and order and have powers to prevent crime, detain and hand over suspects to the police and seize illegal goods such as stolen cattle or illicitly brewed alcohol.³² Chiefs also resolve minor offences, such as small debts, drunken disorder and domestic violence; one chief described himself as, “an arbiter of the common man.” Chiefs collaborate with the police and have a small number of Administration Police assigned to work alongside them. Chiefs also appoint elders within the ward, as “the eyes of the chief on the ground”,³³ who mediate neighbourhood disputes and refer matters to the chief.

30 Human Rights Watch (2015); Osse, A. (2014); An Independent Police Oversight Agency (IPOA) was established in 2012 to provide civilian oversight of policing and investigate claims of misconduct. So far, only two police officers have been convicted of manslaughter, both in February 2016.

31 Independent Policing Oversight Authority (IPOA) (2013), p.33.

32 Government of Kenya (2012).

33 Interview with Chief, Nairobi, March 2016.

As political appointees, chiefs represent government and political party interests. Though mandated by the Ministry of the Interior to maintain order, their private interests can mean some criminal activity is tolerated due to the income it generates. It was widely reported in the settlements, for instance, that chiefs are complicit in illegal alcohol brewing, paid by brewers to overlook their operations, or organising 'crackdowns' to clear out competition. Chiefs also govern the allocation and tenure of land, a highly contested commodity in densely populated urban settlements. Some reportedly abuse this power; appropriating 'undocumented plots' and selling them to private developers and in some cases deploying Administrative Police to enforce evictions.³⁴ Political interests in keeping the peace thus sit alongside private interests that can see crime as productive.

Interviewees generally expressed misgivings about these local governance actors, who were widely regarded as frequently corrupt and scarcely accountable. Residents portrayed chiefs as politicised, self-interested and not serving the welfare of the poor. Some CBO staff recognise and utilise the chiefs' official authority, and keep them abreast of local initiatives as a necessary courtesy or to entreat their assistance. Elders were regarded in a slightly more positive light, and some people reported going to them for dispute resolution. Yet, they were also noted as being the chief's appointees and therefore expected to reflect his or her interests.

Since 2013, chiefs have been at the forefront of a government-led form of community policing known as Nyumba Kumi (literally, 'ten households'). The model, borrowed from Tanzania, sees every ten households form a cluster that nominates a representative. This person is made responsible for knowing who lives in the cluster and reporting their security concerns to the chief. Notably, private security guards, who often hail from Mathare and similar reservoirs of 'cheap labour', report being active members of the Nyumba Kumi initiative in their own neighbourhoods. In this capacity they cooperate with the police and enjoy a positive status within their communities.

While ostensibly democratising security by involving communities in their own safety, the Nyumba Kumi initiative "extends this through legislative requirements that demand greater policing of tenants and neighbours by household owners, associations and neighbours."³⁵ The initiative is part of broader counter-terrorism efforts, and thus has a strong surveillance focus. The extent of its implementation varies, contingent upon the chief and elders' interest in promoting it and community members' active compliance.³⁶ According to interviewees in both settlement areas and more affluent neighbourhoods, its implementation appears to have been particularly energetic (though also sporadic) in poor urban settlements.

Local youth associations, community patrols and vigilantes

In addition to government-mandated actors, residents identified locally organised groups as important, if occasionally unstable, security actors. Though not formally regulated, their roles generally involve initiating night patrols and dispensing punitive justice. Groups range from loosely cohesive bands of young men and family-like associations of neighbourhood peers, to relatively hierarchical and disciplined organisations. Their structures and activities illustrate local dynamics of group formation and self-preservation that establish a degree of local order and predictability.³⁷ Mathare, in particular, has a history of gang formation. The infamous Mungiki dominated the

34 Similar accounts were documented in Amnesty International (2015), p.16.

35 Okech, A. (2015), p.68.

36 IPOA (2013), p.33.

37 Albrecht, P. and Kyed, H. M. (2014).

area from 2001-2007.³⁸ Originally emerging as an ethno-religious group, and expanding through Kikuyu social networks, the Mungiki eventually grew to appropriate the local illicit brewing economy and initiated intrusive rent extraction.³⁹ Its shift from community protector to predator eventually contributed to Mungiki being driven out of Mathare, leaving many with a negative view of local 'security' groups and their motivations. Though Mungiki no longer operate in Mathare, the role they once played in providing young men with a system of solidarity, social advancement, protection and income generation is now being taken up by new groups. Three such groups, Pequininos and the Mlango Kubwa Landlords and Tenants Association (MLATA), which patrol properties in Mlango Kubwa, and Shantit based in Bondeni (both wards within Mathare), were interviewed.

These groups' existence reflects social security systems that have a spatial origin; the ward is their centre, their community, a key element of one's identity and determinant of who one can connect with and rely upon. Though ethnicity is not their primary associative trait – Shantit, for instance, reportedly accepts local members from any background – perceived segregation implies that ward-based associations are often seen to be dominated by a single ethnicity. Members of MLATA, conversely, were all mzaliwa, growing up together in the 0.4km² ethnically-diverse Mlango Kubwa.

Both Shantit and Pequininos spoke of their role filling the gap left by public programmes and family structures disrupted by poverty and violence. As one Shantit member described it, "You look at these young men, the parents do not have anything to pay... The parents know you [as a Shantit member] are taking care of him. Many youth get killed when they are a teenager because the government has no institutions for these kids. We get them into the car wash; we have pigs, goats, geese [income generation activities]. We try to teach them to do things with their hands." Pequininos, a registered community based organisation, provides Mlango Kubwa youth with social support systems, organising sports clubs and income generating activities like garbage collection.

Underlying this social action, however, is a sentiment of 'protecting one's own'. Residents from the different settlements reported that protection is provided first, or exclusively, to one's identity group, be it a family, a neighbourhood or a youth association. This resonated with individuals' accounts of assembling personal security patchworks through trusted networks. While many recognise this as a strain on broader social cohesion, the risks of individually intervening to stop criminal violence or mob justice are prohibitively high. According to one human rights defender, "If you see someone getting robbed at knife point, people will only intervene if that person is part of your tribe or your religion."⁴⁰ This prevalent strategy of self- and group-preservation was generally acknowledged as elemental to survival, but also reflects a system driven by securing personal interests, which can limit collective pursuits of the common good.

To a certain extent, the youth associations represent a strategy for collective action. One group actively pursues criminals in their own neighbourhood and hands them over to the police to limit both crime and police presence in their areas. However, the group also seeks to 'export' crime beyond their community borders. As one youth association leader put it, "We try to bring change to the community, no more crime, no more violence – go and do your bad things, not within the slums, outside the slums, and we will hide them [the criminals]. They go to the middle class." Many settlement residents conceded that crime outside the community is considered a valid

38 Rasmussen, J. (2014); Ruteere, M. (2009).

39 Henningsen, E. and Jones, P. (2013).

40 It is doubtful that tribe or religion are traits 'visible' to passersby. The quote, presented verbatim, could be interpreted as 'people you know.'

choice given dire economic options. In a context where one may be arrested or gunned down by police for being in the wrong place at the wrong time, and where bribing a public servant is considered a regular business transaction, designations of 'criminality' begin to dissolve.⁴¹

Youth associations also described the need to maintain the trust of people in their local wards, whose support and acceptance they rely upon. "The community comes first. The best thing we have done is to create trust," declared a leader of the MLATA group, "We work with the area chiefs, with the community, with the tenants and the elders, everyone. So they know we are not Mungiki." While trust is needed for a group to maintain its local presence, it is not considered a sufficient enabler of collective action; salaries must also be paid. Both MLATA and Pequininos, eventually began collecting fees for patrolling, 50KES (approximately \$0.50 USD) a month per household.

"You have to show the benefits of security: businesses come in, invest here, no more vacancies, the area is busy. Then people can decide it is worth 50KES [a month]. We provided this security for three months to demonstrate the benefits before we started collecting fees."⁴² Though described as a collective good, MLATA's activities appear to service a specific clientele, namely the wealthy landlords who own the concrete housing in Mlango Kubwa. This implies having to navigate the interests of the ward and those of more powerful patrons. "Some landlords of the stone buildings [basic apartment complexes] pay us; the tallest buildings are 1,500KES (\$15.00 USD) a month. Some landlords don't live here, so they don't know the situation, but if we stopped providing security many people would move away so the landlords would lose tenants."⁴³ The public interest in security is thus strategically aligned with landlords' private interests in retaining tenants.

Despite their prevalence, interviewees across settlements noted that paid patrols have consistently proven unreliable guardians. "Collecting money is always the tipping point towards corruption, racketeering," according to a Mathare community activist, "These young men need to make an income, but that is different from the incentive to serve the base [local hang-out]." For MLATA and Pequininos, job creation was an explicit part of the security provision strategy. As violent crime is often economically motivated and opportunistic, paying young men to patrol is seen to simultaneously address the economic incentive and reduce the opportunity to commit crime. Yet history has set a bleak precedent. "These groups all start out offering security," reports a Mathare community centre volunteer, "but eventually they all become criminal insecurity organisations."

Pequininos gave some indications that it too is experiencing tension in its dual-role as both an income generating venture and security provider. "Our priority is the community, not the money," one leader explained, "but if people don't pay the 50KES, we don't have money to pay the members. [...] If people in a building don't pay the fee, we tell the building caretaker to give them a note that they should move away." Some propose a more reliable system emerges from groups who earn their incomes through informal (or illicit) economies, and who provide local security at no charge in order to facilitate their operations in a particular ward.⁴⁴

It would appear that collectivised security is provided more consistently when it converges with private interests. This highlights how local security groups often consist of individuals hustling for a livelihood in a 'security marketplace'. Though they may not have a political agenda, in many cases the possibility of private gain is necessary for these groups to organise and function.

41 Van Staple, N. (2015); For similar observations from Addis Ababa, see Di Nunzio, M. (2014) p.449, and from Chad, see Roitman, J. (2006).

42 Interview with MLATA member, Nairobi, March 2016.

43 Ibid.

44 Andvig, J. and Barasa, T. (2014)

Community based organisations

Settlement residents have also initiated their own community based organisations (CBOs) to provide local dispute resolution, advocacy in collaboration with human rights NGOs or offer channels to connect to the police. The Women Human Rights Defenders network, formed in 2015, meets in Mathare on a monthly basis to share their security concerns and liaise with area chiefs and local police. When a member hears of or experiences a security incident in her ward, she calls the others to gather support. This can take the form of jointly visiting a police station, seeking medical assistance, or helping to hide a member from reprisal attacks. Similarly, the Mathare and Korogocho Social Justice Centres and the Kangemi People's Parliament hold regular meetings to discuss local issues, including disputes and security concerns, and to plan collective action. They engage chiefs and elders, families and youth associations, or the police, simultaneously utilising and contributing to the local patchwork of security pluralism.

Many CBOs have emerged precisely because the current security fabric is incomplete and unreliable. Threats come from police officers or criminals who have been reported for human rights violations. Perhaps more concerning, CBOs are often threatened by the very communities they are working to protect. Turning thieves and delinquents over to the police, avoiding the 'swifter' justice of a community lynching, can evoke accusations of collusion with criminals, as the culprits are able to pay a bribe to be released.

The willingness of CBOs to work with chiefs and police, both of which are considered complicit in corruption and violence, is a testament to their limited options but also their genuine aspiration for public accountability. One member noted, "There's no one to run to," giving voice to the general pessimism regarding public actors' willingness to seriously address violence in the settlements. Yet, many CBO volunteers maintain that security is ultimately these actors' responsibility. Working with them thus becomes a form of civic activism, demanding that their public services be improved.

WOMEN'S COMMUNITY BASED ORGANISATIONS

CBOs are particularly important for women, who explain that youth associations and security groups are the domain of 'big people' in the community. If you are a 'small person', for instance a single woman, no one looks out for you. In this way, the plurality of providers, whose protection is contingent on personal relations, are less accessible to women with a more restricted social circle.

Women face a range of security threats on a daily basis, including sexual violence when having to use public spaces to defecate due to lack of sanitation facilities.⁴⁵ Women also confront additional barriers in accessing the police or (international) non-governmental organisations (INGOs). Higher rates of illiteracy,⁴⁶ mean many women from Nairobi's settlements are unable to write a police statement or submit anonymous reports online or via mobile messaging; they also report lacking the transport and/or confidence to go to 'big offices.' As a result, women's CBOs describe being 'their sister's keeper', moving those in danger between their houses and looking

45 Amnesty International (2010) p.5; Kiama, P. et al. (2016).

46 APHRC (2014) pp.11-12.

after each other's children if someone is arrested or in hiding. They send text messages to one another, sharing information and communicating their locations – phones are often tapped, so they avoid making calls – and take steps to "spread risk" amongst them so that no one individual attracts too much attention from the police or others in the community.⁴⁷

For their part, chiefs and the police often view CBOs as troublemakers, according to one volunteer, "because we are shouting – we are writing and demonstrating to draw attention to problems." The relationship is fraught with wary alliances. CBOs implore chiefs and police to do their jobs, yet are reluctant to overexpose themselves to an unreliable and potentially dangerous partner. Chiefs and police, likewise, may accept information or suspects handed over to them, but also see CBOs as a potential threat undermining their mandated security roles.

There are some encouraging examples of cooperation, however. Members of the CBOs report strategically developing trusted relationships with a particular police officer or governance actor. One human rights defender noted that she was able to meet and establish useful connections with specific officers during joint trainings run by NGOs. Collaboration with larger (I)NGOs bears potential in this and other ways, but can also evoke tensions. Interviewees from Mathare suggested they are not taken seriously by the 'celebrity activists' at the national level, and that INGOs tend to exploit them, taking their pictures and their stories for promotional brochures, but demurring from more fundamental support. One interviewee described the dilemma, "a struggle within the struggle." These reflections echo the experiences of the People's Parliament, which found that the voices of the marginalised were not heard by formal civil society.⁴⁸ Again, effective connections were often forged through personal relationships, for instance, a CBO member contacting an acquaintance in a well-resourced NGO or an Embassy, and requesting personal assistance in securing a temporary safe house or accessing medical treatment.

In describing the various security actors that settlement residents draw upon, a leitmotif appears: plural security provision in Nairobi's urban settlements reflects and perpetuates a reality in which everyone must hustle for their security. People living in Mathare, Korogocho and Kangemi report relying predominantly on personal networks and individual relationships to ensure their safety, highlighting the challenge of establishing impersonal, inclusive security. In the final section, we turn to avenues for encouraging greater cooperation amongst security actors in order to provide a safer environment for Nairobi's most vulnerable.

47 Focus group discussion with female human rights defenders, Mathare, March 2016.

48 Otieno, D.C., et al. (2016), p.100.



3 Conclusion

Security in Nairobi's settlements is partial in every sense, both subjective and incomplete. In the absence of impersonal institutions that effectively provide protection for all, the security domain has been pervaded by a plurality of actors. Yet, despite this multiplicity, the majority of settlement inhabitants remain vulnerable to threats to their person and property.

Research and policy communities must be cautious not to romanticise or reify such arrangements as a 'working alternative' to responsive state institutions.⁴⁹ Like strong state security providers, unregulated plural security actors can pose dangers.⁵⁰ And in Nairobi's poor urban settlements, neither offer adequate protection to citizens. This case study extends the discussion by foregrounding the ways in plural security arrangements can perpetuate and normalise systems wherein one's access to security is contingent on personal networks. In this way, it is important to note that pluralistic security emerges not only as an alternative to impersonal public services, but may also actively undermine notions of the 'public good'.⁵¹

Current policy and practice promote the idea of security provided as a 'public good.' Yet, research in Nairobi underscores just how elusive this notion is in contexts where universal citizenship⁵² and reliance on the state cannot be assumed. Here the 'public good', though perhaps an aspiration, is an undernourished concept. This is apparent in the rampant corruption plaguing Kenya's body politic,⁵³ in the collective apathy for police killings, in mob justice and in the 'normalcy' of criminality and violence afflicting settlement populations. These reveal a lack of trust that 'the system' will take care of you; rather, it is up to smaller collectives and individuals to make the system work to protect them. This self-reliance is similarly reflected in the highly personalised and localised ways settlement inhabitants access and provide security: the youth association you join, the political party you rally behind, who you grew up with, your base, your gender – each influence the networks people build to ensure their protection. Plural security thus arises not to fill a homogenous void, but in sporadic response to a myriad of positions and interests.

As such, people must constantly anticipate, assert, re-negotiate, and adapt their position within a volatile environment. This frantic exertion to take care of oneself and one's own typifies 'hustling'. In Nairobi's settlements everyone is hustling, albeit some with more surety and success than others. Community members must hustle to get a daily subsistence and maintain their 'patchwork' of security. Police officers hustle motorists and illegal brewers for bribes to supplement their salaries. Security groups hustle landlords and tenants to collect rents in exchange for a modicum of protection. In an environment where virtually nothing is guaranteed as a basic public service, everyone must piece together what they can. Here, it is critical to recognise that the failure of

49 Meagher, K. (2012).

50 Arias, E.D (2006); Plyer, M.G. (2007); Rodgers, D. (2009); Arias, E.D. (2010); Acemoglu, D. et al. (2013).

51 A 'thick public good' is "one whose production has irreducibly social dimensions, a good that helps to constitute the very idea of 'publicness,'" Loader, I. and Walker, N. (2007) p. 8.

52 Young, I.M. (1989).

53 Ethics and Anti-Corruption Commission (EACC) (2012), p.31

state institutions to provide security is simply one dimension of a broader context of structural deficits, in which the state is unable to perform as the convening arbiter, provider or guarantor of these services. What develops is a context in which people are constantly incentivised and enabled to assert particular and in-group interests.

This is not to overlook exceptions to this pattern, as the CBO volunteers, NGO workers, and human rights defenders demonstrate. Indeed, these actors' insistence upon reporting crimes to the police simply because it is their job, despite the danger and low rate of response, speaks to people's demand for publically provided services. Rather, by highlighting the personalised nature of hustling and, likewise, of plural security, this case study underscores the very real challenges these strategies pose to working for collective security.

Policy considerations to promote change

During the research, it became clear that plural security forms an obstacle to asserting public over private interests. This is particularly the case where private actors leverage 'security provision' as a way to maintain or increase their power. However, this dilemma is germane to all security provision arrangements, whether coercive or consensual, regulated by the state or improvised by private citizens. What is more, the challenge has been overcome before.

With this in mind, efforts to address the more malign aspects of plural security could be usefully focused on curtailing the power of providers and their patrons. Recognising the difficulty, the politics involved and even the danger of dismantling current systems, attention could be given to introducing stronger democratic control measures to stimulate evolution toward more publically responsive protection mechanisms. This requires long-term investment and durable programming.

Suggestions below are primarily addressed to municipal governance actors in Nairobi, the Kenyan government and international donors that support these domestic actors. Acknowledging the space for Kenyan NGOs and CBOs is currently diminishing, international human rights organisations and INGOs could usefully leverage their clout and resources to support these essential domestic rights proponents. Four avenues for consideration are outlined, addressing both the agency of the public and the responsibility of service providers.

1. Strengthen the ability of settlement residents to demand improved public services

Residents' clear demand for improvements in the quality and reliability of public services, including security, should be galvanised. The expansion of water and waste management appear particularly strategic, as diverse settlement residents consistently identify these as critical needs,⁵⁴ signalling potential to overcome collective action barriers between wards and groups.⁵⁵ Successful campaigns would not only improve public services, but could also strengthen collective action strategies to demand public accountability in other areas, such as security. Better public services would help reduce residents' reliance on unaccountable private actors, limit residents' (especially women's) exposure to disease and violence, and help raise the dignity and esteem of these communities. Eventual public service initiatives should partner with and support (rather than replace) locally-run schemes. In this way, improved services could promote civic engagement, provide safe, regular employment and reduce the lure of criminality. Concrete starting points for policy could include:

54 APHRC (2014), p.17.

55 Dafe, F. (2009).

- Co-create and fund constructive public activism, debate and public oration courses for young volunteers of settlement-based CBOs.
- Identify and strengthen – through institutional support – successful security initiatives on the ground, galvanizing the specific logics behind each particular case.
- Make participation in community dialogue a performance criteria for public servants, and in particular police commanding officers, chiefs and elders.
- Engage locally organised waste management collectives (and other services) to explore the potential for public partnerships, including subsidising collectors' wages and equipment.

2. Develop and encourage effective systems of checks and balances on all security providers

Ensuring that public interests are asserted over (or at least alongside) private gain requires appropriate and effectual checks on power. Whereas state-regulated security providers might – to varying degrees – be reined in by conventional models of oversight, actors beyond the purview of the state require more innovative approaches. The research demonstrates how security providers are often underwritten by more powerful actors, often politicians and landlords, who seldom reside in the settlements. This situation undermines security providers' reliance on the approval of the community, leaving residents without recourse to proper accountability mechanisms. To close the gap, residents must be enabled to evaluate the performance of these actors in a meaningful way, and the financial and/or political backers behind the security groups must be incentivised to respond to these public evaluations. Concrete starting points for policy could include:

- Strengthen the capacity of investigative journalists, researchers, public watchdogs, human rights groups and civil society organisations to map and publicise the connections between security actors and their financial or political patrons.
- Support settlement-based CBOs or the People's Parliament (Bunges) to establish community mechanisms that publically evaluate the performance of local security groups to improve their responsiveness to local residents and lobby the political or business patrons of the security groups.
- Co-create professional standards and codes with landowners regarding what recourse tenants have when services fall short of expectations. Establish 'tenant boards' to negotiate the rights of the residents (connected to housing rights) and the obligations of the landlord.

3. Consolidate protective communities by brokering partnerships among parallel providers

In Mathare, Korogocho and Kangemi, the most effective strategy for ensuring personal security is one of diversification, aligning with as many powerful private interests as possible. While some manage to navigate this unpredictable security environment, it remains an unreliable system and complicates efforts to support or supervise providers, or ensure they act in the interests of the wider public good. Working to consolidate various security actors, though bearing some risks, could expand protective communities, potentially making them more inclusive. Extending the obligations of security providers to a wider circle may help facilitate the establishment of performance standards by requiring various providers to negotiate and adhere to uniform practices and protocols. Attempts to bring groups together must be prepared for long-term and difficult processes. Considering the political entrenchment of some groups, success in this area will be hard-won. That said, existing crossover and collaboration among actors could be built upon, for example collaboration between MLATA and Pequininos, or the Women's Human Rights Defenders Network, the Mathare Social Justice Centre, and local youth associations. More established groups could mentor, oversee, and help increase the accountability of those groups the community judges less favourably. Incentivising leaders of youth associations to reduce violence in their wards could focus attention on

high-risk areas, and foster feedback between formal (CBOs, chiefs, police) and informal social control.⁵⁶ Concrete starting points for policy could include:

- Support the capacity of settlement-based CBOs, human rights defenders and advocates⁵⁷ to engage local security actors in trainings, mentoring and/or community dialogue facilitation.
- Leverage existing connections between local security providers and local governance actors (e.g. chiefs, elders, community activists) to co-create standard operating procedures and protocols for security providers, with incentives for adherence.
- Facilitate safe and supervised spaces for joint workshops on evidence collection and documentation, non-violent pacification, and/or human rights in which one outcome goal is to enable police, CBO volunteers, chiefs and elders, and local security actors to establish and build trusted relations over time.

4. Extend the reach of state counter-impunity mechanisms to settlement residents

Kenya hosts several independent bodies and agencies dedicated to strengthening the oversight of Kenyan security forces. These include domestic offices of leading international groups such as Human Rights Watch and Amnesty International, as well as Kenyan agencies, such as the Independent Policing Oversight Authority, connected with the Police Inspector General's office, and the Public Prosecutor. Moreover, a vibrant independent media could increase its role in tempering public ambivalence for extra-judicial police killings and rousing collective demand for improved police conduct. Interviews also revealed a yawning divide between grassroots human rights actors and those with more (inter)national visibility and clout. The division has deprived marginalised communities of a valuable recourse mechanism and, given the higher rates of violence and police abuse in the settlements, severely limits the impact of these publically funded organisations. Building stronger connections between community level human rights defenders and (inter)national bodies could improve the work of both. Concrete starting points for policy could include:

- Facilitate joint trainings between oversight bodies and settlement-based CBOs and human rights networks to co-design reporting protocols that both meet investigation thresholds and match the capabilities of and resources available to settlement residents.
- Designate specific positions within the offices of national oversight bodies (like IPOA) to engage and regularly cooperate with grassroots human rights activists in the settlements.
- Require that all publically funded oversight organisations create or strengthen accessibility strategies and mechanisms for settlement residents, addressing their specific limitations.

⁵⁶ Abt, T. and Winship, W.(2016).

⁵⁷ The Independent Medico-Legal Unit, and the Rights Promotion and Protection center demonstrate potential to expand their current value as critical yet well connected human rights agencies.



Annex 1: Field Data

The analysis presented is based on data collected from qualitative survey of settlement residents (n418), a broad literature review and key informant interviews in Mathare, Korogocho and Kangemi, as well as Nairobi's central business district. During the March 2016 field visit, eight focus group discussions and thirteen individual interviews were conducted. Approximately 100 interlocutors were engaged in total. These included: activists from community based organisations in the settlements; life-long settlement residents; street children; Kenyan scholars; local youth associations and security groups; private security guards; agents of government oversight bodies and watchdog civil society organisations; journalists; political aspirants and acting representatives of the Municipal Council Association; as well as ward chiefs and elders.

KEY INFORMANT INTERVIEW / FOCUS GROUP DISCUSSION

Key Informant / Focus Group	Participants	Date
Municipal Council Association (MCA) representative, Mlango Kubwa, Mathare	1	14 March
Pequininos & Mlango Kubwa Landlords and Tenants Association (MLATA), Mathare	15	14 March
Mathare Social Justice Centre	22	14 March
Political Aspirant, Mlango Kubwa, Mathare	1	15 March
Women Human Rights Defenders, Mathare	20	15 March
Shantit Youth Group, Bondeni, Mathare	11	15 March
Ongoza Njia Community Centre, Mathare	5	15 March
Street Children & Community Advocate, Mathare	8	15 March
Journalists, Freelance	2	15 March
Rights and Protection Promotion (RPP), Kenyan NGO	2	16 March
Yash Pal Ghai & Jill Ghai, Constitutional Scholars	2	16 March
Medecins Sans Frontieres, Country Director	1	16 March
Chief of Party, Improving Community Security – Jamii Thabiti Programme, Coffey Kenya	1	16 March
Political Aspirant for MCA, Korogocho	1	17 March
Korogocho Justice Centre	3	17 March
Senior Chief, Mathare	1	17 March
Mutuma Ruteere, Director, Centre for Human Rights and Policy Studies (CHRIPS)	1	17 March
Kenya National Private Security Workers Union (KNPSWU)	15	17 March
Kangemi People's Parliament	11	17 March
Senior Advisor to Kenyan Police Inspector General	1	18 March
Independent Policing Oversight Authority (IPOA), Acting Dir.	1	18 March
Institute for French Research in Africa (IFRA), Director	1	18 March
Peace Brigades International	1	18 March

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Photography

Ninara: front page, page 4, 12 and 25 (bottom)

Bob Ramsak: page 4 (top)

Lisa Denney: page 20 (top) and 25 (top)

Megan Price: page 20 (bottom)

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