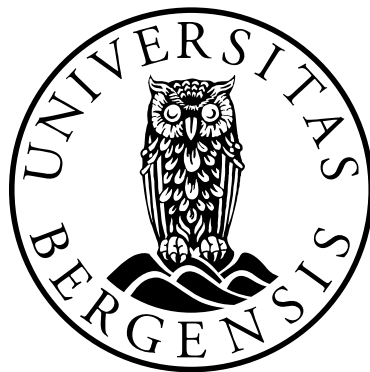


The urban poor as citizens and clients

Enacting political agency through political parties and social movements
in Kenya and Zambia

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Abstract

How has political pluralism and increasingly more competitive elections affected the political agency of the urban poor in Kenya and Zambia, and why? This thesis compares the political mobilization of the urban poor by political parties and social movements in the two countries and shows that the urban poor exercise both citizenship and clientship (lack of political autonomy through contingent benefits) through these channels. In Kenya and Zambia, the poor constitute the majority of the urban population. Their livelihoods are characterized by illegality. They live in slums and work in the informal economy, often within trade. After the transition from patrimonial one-party rule to formally democratic regimes, the socio-economic grievances of these segments have become a rallying point for oppositional parties and social movement organizations (SMOs), offering promises of collective benefits.

This explorative study is based on process-tracing within and across cases, and draws extensively on interview material from fieldwork stays. Zambia was considered a “most-likely” case for enhanced citizen-based agency for the urban poor: the country had a successful pro-poor, populist party, a legacy of cross-ethnic societal mobilization, and a substantial urban population. Kenya was considered a “least-likely” case, and it was at the outset expected that the urban poor would be engaged primarily as clients. This was due to the predominance of multi-ethnic coalition building, a legacy of societal mobilization through ethnic brokerage, and a smaller urban population.

The thesis concludes that through opposition parties and SMOs, the urban poor have achieved a hybrid form of political agency in both countries, constantly navigating between acting as clients and as citizens. Hence, the political processes in the two countries are converging. Hybrid agency is explained by two contradictory mechanisms for resource mobilization by these organizations. To challenge ethno-clientelist, incumbent governments, they need to generate legitimacy by (promises of) providing collective benefits to the urban poor, which reflects citizenship. However,

they also have strong incentives to generate material resources by only providing contingent benefits, which reflects clientship. The study inductively identifies three types of power asymmetries that political parties and SMOs forge towards the urban poor which serve to clientify them: lack of information, lack of (collective) decision making power, and lack of freedom from coercion restrain the ability of the urban poor to engage as autonomous citizens. In the electoral sphere, hybrid agency has been created in the form of Latin American-style neopopulist party linkages (with an ethnic component remaining in the Kenyan case). In the civil society sphere, hybrid agency has been created in the form of “extraverted,” member-based movements.

Regarding the interaction between party politics and social movements, opposition parties and SMOs have not developed strong institutional ties to each other. This can be attributed to the political parties’ reliance on clientelist resources, and the extraverted strategy of the SMOs. Furthermore, SMOs are found to operate on a broader scale than do opposition parties: slum-dwellers jointly versus tenants, or informal traders versus street vendors. Neopopulist strategies have been successful in garnering the vote of the urban poor in the capital cities. SMOs struggle to establish a sustainable resource base aggregated from their constituents, sometimes leading to the exclusion of more marginalized groups (tenants and street vendors). However, if SMO mobilization of the urban poor is seen as a threat to the clientele base of politicians, the latter will often seek to co-opt or fragment the SMOs.

Hence, the agency of the urban poor in Kenya and Zambia is found to be of a hybrid character due to neopopulist parties, extraverted movements *and* political co-optation (hybrid movements). Consequently, the urban poor often find themselves in contradictory, even self-defeating, political processes when they attempt to engage in both structures. The findings indicate that in pluralist, competitive regimes in Africa where the “poor” constitute the urban majority, not only ethnicity, but also the socio-economic interests of the urban poor are used for establishing clientelist linkages, often in combination with (promises of) programmatic benefits.

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List of Abbreviations

| | |
|----------|--|
| AZIEA | Alliance for Zambian Informal Economy Associations |
| CBD | Central Business District |
| CBO | Community-based Organization |
| COTU | Central Organization of Trade Unions |
| CSPR | Civil Society for Poverty Reduction |
| DFID | Department for International Development |
| FFTUZ | Federation of Free Trade Unions of Zambia |
| FODEP | Foundation for Democratic Process |
| ICC | International Criminal Court |
| ILO | International Labor Organization |
| ITUC | International Trade Union Confederation |
| JCTR | Jesuit Center for Theological Reflection |
| KADU | Kenyan African Democratic Union |
| KANU | Kenya African National Union |
| KENASVIT | Kenya National Alliance of Street Vendors and Informal Traders |
| KEPSA | Kenya Private Sector Alliance |
| KENSUP | Kenya Slum Upgrading Program |
| KPU | Kenya People's Union |
| LCC | Lusaka City Council |
| LO | Norwegian Confederation of Trade Unions |
| MMD | Movement for Multiparty Democracy |
| MSE | Micro- and Small Enterprise |
| NARC | National Rainbow Coalition |
| NCBDA | Nairobi Central Business District Association |
| NCC | Nairobi City Council |
| NDP | National Development Party |
| NGO | Non-governmental Organization |
| NISCOF | Nairobi Informal Sector Confederation |
| ODM | Orange Democratic Movement |

| | |
|---------|---|
| PF | Patriotic Front |
| PMRC | Policy Monitoring and Research Center |
| PNU | Party of National Unity |
| POS | Political opportunity structure |
| PPHPZ | People's Process on Housing and Poverty in Zambia |
| PRSP | Poverty Reduction Strategy Papers |
| RDC | Residents' Development Committee |
| SACCORD | Southern African Center for the Constructive Resolution of Disputes |
| SMO | Social Movement Organization |
| SDI | Shack/Slum-dwellers International |
| SVA | Street Vendors' Association |
| TNA | National Alliance Party |
| UNIP | United National Independence Party |
| UPND | United Party for National Development |
| USVF | United Street Vendor Foundation |
| URP | United Republican Party |
| UUSC | Unitarian Universalist Service Committee |
| ZANAMA | Zambia National Marketer Association |
| ZATMA | Zambian Traders and Marketers Association |
| ZCTU | Zambia Congress of Trade Unions |
| ZCSD | Zambia Council for Social Development |
| ZHPPF | Zambia Homeless and Poor People's Federation |
| UDF | United Democratic Forum Party |
| UNZA | University of Zambia |
| UPND | United Party for National Development |
| WIEGO | Women in Informal Employment: Globalizing and Organizing |
| ZED | Zambians for Empowerment and Development |

1. Introduction: political significance of the urban poor

Today, the majority of the world's population lives in urban areas. Over 800 million people in Africa, Asia, and Latin America live in slums, defined as urban areas characterized by some combination of tenuous dwelling structures, overcrowding and lack of access to adequate water and sanitation facilities (Fox 2013: 191). Three and a half billion people worldwide earn their livelihoods in the informal economy. Bayat (2000: 534) considers the unemployed, underemployed, casuals, street subsistence workers, street children and members of the underworld to belong to what is interchangeably referred to as the “urban marginal,” “urban disenfranchised” or the “urban poor.” Their lives are characterized by social exclusion, informality and criminalization, as both slum-dwelling and informal work operate outside the law.

One hundred years ago, a mere five percent of Africans lived in cities—today, the figure is approximately 40 percent (Oppenheimer and Spicer 2011).¹ Several African cities are now in the megacity bracket, and some countries have annual urbanization rates higher than 10 percent (Siegle 2011: 21). The population of sub-Saharan Africa is also young, with more than 70 percent below 30 years of age (United Nations Economic Commission for Africa 2010). According to the African Center for Strategic Studies 2011 Report (Siegle 2011: 21), these young people are the most educated in the history of Africa, and have broad access to information technology.² The report states that this young continent “creates a vitality and dynamism conducive to change,” as youth are “typically the vanguard of reform for a society — less willing to accept persistent inequities and the misuse of power” (Siegle 2011: 21). However, that

¹ Behind the aggregated statistics there is considerable variety among countries. According to the United Population Division (2009), Burundi has the lowest share of urban population (only 11 percent), while Gabon ranks highest, with an urban population of 86 percent. Despite the controversies surrounding urbanization statistics (Potts 2009), it is generally accepted that urbanization growth rates are high in many African countries in Africa.

² Average primary school enrollment has increased from 59 percent in 1999 to 77 percent in 2009, with similar rises in secondary and tertiary enrollment levels.

may be an overtly optimistic scenario, in view of the reasons for such a young population: poverty.

According to Oppenheimer and Spicer (2011: 14), the majority of urban dwellers in sub-Saharan Africa live in slums,³ without durable housing or legal rights to their land. Joblessness is endemic across Africa, especially among the young (Oppenheimer and Spicer 2011: 14-15).⁴ Unprecedented growth in many African countries during the past decade has not translated into formal jobs (Oppenheimer and Spicer 2011: 15). According to the World Bank (2015b), 46.8 percent of the population in sub-Saharan Africa lives on less than \$ 1.25 a day (although the number is decreasing).⁵ As noted by a South African Minister, Collins Ohm Chabane,⁶ in the foreword to a report on youth unemployment, the poverty and joblessness that young Africans are facing “is a recipe not only for lost opportunity, but for political instability and economic chaos” (The Brenthurst Foundation 2011: 10).

The demographic, economic and social composition of the continent is changing rapidly—as is the political landscape. This thesis presents a comparative study of the changing political mobilization and agency of the urban poor in Kenya and Zambia, following the introduction of (formal) liberal democracy in these countries. Since the early 1990s, almost all sub-Saharan African countries have introduced multiparty elections, and many have opened up for a more pluralist civil society, in response to internal and external pressures for democratic reforms. Given the growth of urban poor in a context of increasing political competition and pluralism, it is relevant and urgent to consider what kind of political agency—citizenship or clientship—the urban poor exercise through new democratic channels. Hence, the research question driving this study is the following:

³ In this study, I will use the terms “Africa” and “sub-Saharan Africa” interchangeably. However, when applying the former term, this does not include North-Africa.

⁴ In some countries, youth unemployment and underemployment are as high as 80 percent, also in relatively well-performing states such as Mozambique and Ghana.

⁵ The percentage of the global population living on less than \$1.25 a day (PPP) dropped from 36.4 to 14.5 between 1990 and 2011 (World Bank 2015b).

⁶ Minister in The Presidency, Performance Monitoring, Evaluation and Administration.

How and why has the introduction of formal liberal democracy affected the political agency of the urban poor in Kenya and Zambia?

Three strands of literature have been influential for understanding political mobilization of the urban poor (or the lack thereof) after the *Third Wave* of democracy swept the continent.⁷ First, the theoretical and normative premise for multiparty democratic rule is that political parties reflect and are accountable to the interests of social bases in society (Lipset 1994). If political parties functioned according to these normative assumptions, we might thus expect them to respond to the urban poor's socio-economic grievances, especially when they constitute the majority urban population. A few studies have identified the emergence of pro-poor, populist opposition parties (Cheeseman and Larmer 2015; Resnick 2014), which suggests political parties have started to become more representative of and accountable to the urban poor.

However, a burgeoning literature on neopatrimonialism, competitive authoritarianism and *hybrid* regimes in Africa indicates that political parties have relied predominantly on ethno-clientelism in order to secure political and economic privileges (Erdmann and Engel 2007; Svåsand 2013; Walle 2003). In general, ethnic identities, rather than socio-economic interests of the urban poor, have been considered the glue for upholding these neopatrimonial regimes. Thus, party competition has not provided a political space for the urban poor to advance their interests as citizens.

A third strand of literature on social movements finds that grassroots- driven social movements, with transnational networks, may serve as powerful tools to counter the negative effects of neoliberal globalization and non-responsive political regimes on the urban poor (Ballard et al. 2005; Batliwala 2002; Lindell 2010; Mitullah 2010). Domestic affiliates to transnational movements for slum-dwellers and informal traders may provide an alternative political channel for the urban poor to engage as

⁷ The literature on party linkages by Kitschelt (2000) and Stokes et al. (2013) will provide a framework for understanding the various ways that political parties and voters engage.

autonomous citizens.⁸ However, Larmer (2010) holds that recent movements on the continent are of a *hybrid* nature, intermarrying Western ideas, funding, methods and forms with domestic variants. Social movements are often shaped by the neopatrimonial political order they operate in (Waal and Ibreck 2013). How can a comparative study of Kenya and Zambia shed light on the determinants for political agency of the urban poor under supposedly democratic institutions?

Kenya and Zambia formally transitioned to liberal democracy in the early 1990s, and the former one-party governments have been ousted through the ballot-box. Both countries hold relatively competitive elections and have developed highly diverse and pluralist civil societies. And in both countries, the “poor” constitute the majority of the urban population. These factors make Kenya and Zambia relevant cases for analyzing how and why the political agency of the urban poor has changed with the introduction of fundamental democratic institutions, understood as multiparty competition and political pluralism.

Despite their similarities, Zambia arguably represents a “most likely” case for citizen-based agency of the urban poor, while Kenya could be considered to represent a “least likely” case. In Zambia, the major opposition party (Patriotic Front) that emerged in the 2000s has been found to have a populist strategy that targeted the urban poor, adding a new type of socio-economic cleavage to the party system that had previously been characterized by ethno-clientelism (Cheeseman and Hinfelaar 2009; Cheeseman and Larmer 2015; Resnick 2014). Although a pro-poor component has been identified also in the Kenyan opposition party (Orange Democratic Movement), Kenyan party politics are generally perceived as being based predominantly on multi-ethnic coalition-building (Arriola 2013; Cheeseman and Larmer 2015; Elischer 2010).⁹

These differences could be attributed to several factors. For almost a century, the urban population of Zambia has been one of the largest on the continent (40 percent),

⁸ However, these scholars, as well as others, find that dependency on external actors is seen as producing its own problems for democratic engagement with the urban poor (Larmer 2010; Pommerolle 2010; Wit and Berner 2009).

⁹ Both Cheeseman and Larmer (2015) and Resnick (2014) identify a pro-poor populist dimension to the largest Kenyan opposition party, Orange Democratic Movement, but the former find that ethno-clientelism still dominates.

whereas the Kenyan urban population is only about a quarter (25 percent) of the total (World Bank 2016b). As a rural bias has persisted in African electoral systems, this also reduces the salience of urban issues (Boone and Wahman 2013). Additionally, the Kenyan one-party state actively prevented cross-ethnic organizational bases from emerging within civil society, especially within the labor movement (LeBas 2011), and the country has been ridden by ethnic violence throughout the last century. By contrast, the Zambian one-party state relied more on corporatist ties to its substantially larger urban constituencies, and cross-ethnic organizational bases have been built in urban areas over time, especially within the influential labor movement (Cheeseman and Larmer 2015; LeBas 2011).¹⁰

Hence, in the African context, Kenya could be considered a least likely (though possible) case for the urban poor to be mobilized in national-level politics as citizens, whereas Zambia could be considered a most likely case. However, as there has been limited exploration of what kind of agency it is that the urban poor exercise through political parties, we do not know whether mobilization in the two countries represent diverging or converging patterns, and the factors that contribute to either.

In addition to political parties, social movements that seek to mobilize the socio-economic interests of slum-dwellers and informal traders outside the electoral arena have emerged in Kenya and Zambia the last two decades. These SMOs aspire to decriminalize the urban poor's livelihood strategies, and advance the rights and interests of their constituents. They do so by organizing the urban poor through membership, with corresponding rights and duties. These movement organizations rely on external support and are formally autonomous from the state and political parties, which may provide the urban poor with an alternative to political (ethno-) clientelism. However, there has been limited comparative research of what kind of agency they provide for the urban poor in practice. Furthermore, we do not know how movement mobilization interacts with electoral politics: whether SMOs enable the urban poor

¹⁰ Although the Zambian one-party state was also built on a patronage machine, the country was less ridden by politically-induced ethnic violence than Kenya

from escaping political clientelism, or whether these movements become permeated by the neopatrimonial order.

In order to answer the overall research question, I have divided it into four sub-questions:

- a) How are the urban poor mobilized by political parties and movement organizations in terms of collective benefits?
- b) How do political parties and movement organizations mobilize resources?
- c) What power asymmetries are forged between the urban poor and political parties/movement organizations?
- d) How does the interaction between political parties and movement organizations affect the political agency of the urban poor?

As there have been few comparative studies of how the dual mobilization by political parties and social movements affect the political agency of the urban poor on the continent, this study has been of an explorative nature. During fieldwork stays in Kenya and Zambia I have interviewed grassroots activists, representatives from political parties and social movements, government officials, journalists, donors, brokers, vigilante groups and others, to understand these political dynamics. The analyses of why various constituencies of the urban poor are mobilized, and how, are to a large extent based on this interview material. However, the study also relies on secondary sources, especially for capturing political processes over time. By systematically comparing these political processes in the two countries I endeavor to provide a more holistic explanation of the political agency that today's urban poor exercise through presumably democratic channels in Kenya and in Zambia.

1.1 Brief history of the illegal city and the urban poor

Before delving deeper into what political agency entails (the dependent variable), as well as its determinants, a more thorough description of today's "urban poor" and their historical origins is in order. As the urban poor have received limited attention in the newer democratization and party literature on sub-Saharan Africa, it seems pertinent to show that urban poverty is a global phenomenon with shared features and a long political history. First and foremost, the "urban poor" is a socio-demographic category

that refers to those living in poverty in urban areas. This is a largely amorphous group of individuals who turn to all kinds of livelihood strategies. There is enormous variety in the specific socio-economic challenges and the political barriers facing these individuals, across continents and countries. However, there are also surprisingly many similarities. If the lives of the urban poor today were to be characterized by one common denominator, it is *illegality*. They live and work outside the law.

In the 1970s, the relation between formal laws and regulations, and the informal set of rules and popular mechanisms for justice known as “legal pluralism,” began to develop within urban law. Fernandes and Varley (1998: 10) argue that urban legislation performs important functions in structuring and producing social space and shaping conditions for everyday life in the cities. Tranberg and Vaa (2004: 7) consider extra-legal housing and unregistered economic activities as constituting the informal city. In contrast, the formal city consists of the urban government and its agents, institutions, rules and regulations gradually introduced in order to control urban space and economic life. The formal city includes registered segments of the urban economy and buildings and infrastructure that have been established legally. Kamete (2004) argues that there is a dialectic between the informal city and the formal city: an enduring love–hate relationship.¹¹

The legal and institutional frameworks governing the use of land and urban living are often elitist and exclusionary. However, the informal city is not exclusively the domain of the poor, and better-off segments also engage in illegal land occupation and construction, at times reaping extraordinarily high profits (Hansen and Vaa 2004: 8). The same applies to informal production and trade of goods and services, whereby entrepreneurs can enrich themselves rapidly, sometimes by exploiting workers without contracts. Growing numbers of workers in the formal economy are now supplementing their income by engaging in informal activities (Hansen and Vaa 2004: 7). For the urban poor, however, illegality is often the only option. The sheer scale of illegality in

¹¹ The latter represented by large established enterprises and the urban planning and management system.

sub-Saharan African cities makes the “law” an appropriate focus for urban research (McAuslan 1998; Leduka 1998, cited in Leduka 2004).

The role of law in creating illegal cities for the African urban poor has a long history. It is well-established that colonial administrations in African colonies implemented a racially segregated system to cultivate and extract resources from colonized land under a repressive, hierarchical, imperialist system. According to Mamdani (1995, referred in Brown 2005: 82), colonial “citizens” were governed by civil law, and were able to own and rent (crown-) land on the basis of individual private property rights. Lands of African “subjects” were governed by customary law, and Africans were required to live on these communal lands unless employed elsewhere as temporary labor. The colonial administration actively sought to keep the African majority in rural areas where they could be ruled indirectly through chiefs, by restricting their presence in cities to temporary labor migration (Burton 2005).

According to Burton, most forms of African urban livelihood strategies were made illegal during colonialism. The presence of poor and unregulated workers did not fit into the racist modernization model envisioned, and was perceived to threaten law and order. Across the colonies of the British, Belgians, Portuguese and Dutch, it was common to have laws that made it a crime for an African to enter cities without a valid permit as a temporary job-seeker/employee or to reside in certain areas.¹² Breaches of these laws constituted a significant proportion of crimes in the colonies (Burton 2005: 25-26).¹³

“Post-colonialism” refers to how the process and outcome of independence from former colonizers, which—as much as this emerged as a political struggle against the colonial state—ended up with the successor state adopting and continuing colonial

¹² Regardless of work status, mobility was circumscribed by municipal by-laws that forbade African presence in certain sections of the town at night and required Africans to carry a light at all times everywhere else between nightfall and sunrise (Burton 2005).

¹³ While the city and its rapidly urbanizing population were heavily restrained and regulated by colonial authorities, they were paradoxically also hiding places for escaping various forms of authority and domination. Burton (2005) writes that in the period 1919 to 1941, of the various fugitives to be found in Das es Salaam, most prevalent were tax-dodgers.

aspects (Dabashi 2012).¹⁴ In most former British colonies, constitutions were based on the Westminster model, through extensive involvement by the former colonial government. The racial component was removed, but many of the legal, administrative and political features were kept, including a hierarchical, centralized state model that could maintain political control through indirect rule. The ethnic component of politics was continued, developing into what was to become known as the “patrimonial state.” The aim of political control led to the continued undesirability of large urban masses considered less easily contained through patrimonial politics. Legislation on urban livelihood activities and living was therefore retained, with some modifications. The concentration of political power in the president and the one-party state simply transferred private property from colonial hands to domestic political elites who set about controlling this valuable resource in a highly discretionary manner.

The one-party regimes met their fate in the face of the political and economic crises culminating in the 1980s. As a result of internal and external pressure for replacing these increasingly repressive and economically failing political systems, most African countries embarked upon processes of economic and political liberalization. The World Bank and the IMF made their aid conditional on the existence of such liberalization programs. The economic restructuring processes, with their emphasis on reducing the public sector, and liberalizing and privatizing state enterprises and services, followed a neoliberal trend known as the “Washington consensus,” which rose to become the global economic paradigm following the fall of the Soviet Union (Goldman 2005). Reconstruction of property regimes regulating urban space was integral to the new economic strategy. Drawing on liberalist theories, the approach emphasized the rule of law (and order), a dichotomy between the formal and the informal, and public–private partnerships guided by private initiative. According to Brown (2001), such planning regulations and economic development policies created physical spaces that did not consider the needs of the urban poor, because priority was given to investors.

¹⁴ The former colonial masters were heavily involved in the transition process and sought to keep close political and economic ties with the new political elites in these newly liberated states.

In the interface between illegality and urban poverty, two subgroups among the urban poor stand out due to their size: slum-dwellers and informal traders. In Zambia, 74 percent of the urban population are slum-dwellers (UN-Habitat 2015) and in Kenya, the number is 71 percent (UN-Habitat 2013). The Zambian trade industry accounted for the second largest share of employed people (12.2 percent) after agriculture, of whom 89.3 percent were the informal sector (Central Statistical Office 2013: 10). Within non-agricultural urban work in Kenya, 61 percent is informal, and 38 percent is within informal trade (WIEGO 2011: 2). However, the Kenyan and Zambian figures reflect a global trend.

1.1.1 Slum-dwellers: structure owners and tenants

A slum is an unplanned and unregulated settlements with relatively low rents (Bocquier et al. 2009), substandard housing and poor infrastructure (Gulyani et al. 2010). Durand-Lasserve (1998) divides the term “illegal settlement” into two broad categories: illegal subdivision, which refers to settlements established on private or public land that has been subdivided to produce individual plots for sale or rent, without respecting permits, planning regulations and legal titles; and land invasion, which refers to when land is occupied for housing purposes without the permission of the owner. The first situation increases the difficulties of city governments trying to install services and legalize tenure in such areas. The second category affects the residents in terms of security of tenure, sale or mortgage of property, and access to infrastructure and services (Durand-Lasserve 1998: 235). Hansen and Vaa (2004: 9) add a third: construction or use of housing without permission and in contravention of building codes.

Most urban residents in the cities of the developing countries find it difficult to obtain land and housing through established legal or formal processes (Leduka 2004: 176). Durand-Lasserve (1998: 243) notes that urban planning norms concerning design, construction and servicing standards are ill-adapted to the needs of most of the population. Together with conventional legal and procedural norms, they exacerbate social segregation by “creating” illegality. Laws categorize—or stigmatize—illegal

settlements as areas falling outside the law, whose residents are liable to legal sanctions. Durand-Lasserve sees the origins and organization of illegal settlements as consequences of legal requirements that the low-income population cannot hope to meet (Durand-Lasserve 1998: 246).

The World Bank became one of the leading advocates of land registration and titling programs in Africa (Boone 2007: 572).¹⁵ Formalized and individualized land was expected to facilitate the buying and selling of land property for the urban poor; and property was to be used as collateral to spur investment, production and labor.¹⁶ Thus, privatization was assumed to contribute to empowering the poor (Soto 2003). As a consequence of these policies, housing in many informal settlements became commercialized and a range of housing sub-markets emerged (Amis and Lloyd 1990, cited in Hansen and Vaa, 2004). In many settlements, rental accommodation became the major form of tenancy. Privatization of urban space was turned into a resource and tool for international and domestic elites, while common spaces were increasingly enclosed and made inaccessible for the urban poor (Brown 2005: 88-93). The results were greater speculation and corruption, squatter displacement, erosion of common-pool resources and rising conflict levels in the slums.

A large proportion of Africa's urban population today is living in unauthorized and un-serviced settlements (Hansen and Vaa 2004: 7). In some cities, up to 90 percent of the new housing stock is provided informally (Oppenheimer and Spicer 2011: 14). Illegal settlements in Africa are different from illegal settlements in Latin America and Asia (Durand-Lasserve 1998). First of all, the proportion of the urban population living under such conditions is much higher in Africa. Second, there is considerable heterogeneity in African tenure systems and their relationship to state law, as customary law¹⁷ continues to play a major role in urban land management. No housing

¹⁵ Already by the early 1970s, the World Bank decided to lend capital for housing projects in Third World cities, especially site-and-service schemes, but also improvements for upgrading squatter areas (Seymour 1975: 74).

¹⁶ In 1996, the second UN Conference on Human Settlements (Habitat II) urged transparency, decentralization, local government, citizen participation and empowerment, credit access, regularization of self-built housing, and revision of institutional and legal frameworks for informal settlements (Hansen and Vaa 2004).

¹⁷ Customary law accords usufruct rights to agricultural land collectively to a particular group (extended family network, or people who cleared the land); in theory, these rights cannot be sold.

policy in African cities can afford to ignore customary tenure, due to the enormous demand and the lack of practical alternatives (Durand-Lasserve 1998: 236).

1.1.2 Informal traders: marketers and street vendors

The term “informal economy” was coined by the British anthropologist Keith Hart (1973) and grew in significance after the International Labor Organization (ILO) adopted it (Hansen and Vaa 2004: 10).¹⁸ The term was embraced by the ILO and policymakers as a proof of an entrepreneurial spirit among the poor that was to be facilitated (Nustad 2004: 45). The ILO began facilitating the development of micro-enterprises in the informal sector (Hansen and Vaa 2004). However, Marxist-oriented writers saw the “informal economy” as a bourgeois term that precluded class relations (Nustad 2004). Hart himself later criticized the usage of his concept where development economists were employing it in ways that “appealed to the sensibilities of an intellectual class who could not grasp what the economic activities in question positively represented” (Hart 1992: 217, cited in Nustad 2004: 59).

According to Nelson (1979: 27), dualist theory assumes that informal sector jobs are usually poorly paid and dead-end. By implication, most informal-sector workers would prefer formal-sector jobs. As this is increasingly difficult because of the continuous influx of urban workers and low creation of formal jobs, the informal sector becomes (according to dualist theory) a breeding ground for frustration and anger, social disruption and political instability.

When the idea of an informal economy was launched in the 1970s, many emerging states in Africa were seeking to organize their economies with development policies aimed at regulating the proliferation of the informal economy. However, the collapse of the state in the 1980s and 1990s led to a general informalization of the economy (Hansen and Vaa 2004: 11). Structural adjustment programs had severe consequences

¹⁸ Keith Hart based his characterization on what he considered the meaningless official figures on the “not economically active” population usual in statistics at the time. Thus, “informality” is not in itself a characteristic of an activity, but is signified by being left out by a definition that is “formal” (Nustad 2004: 45). Several social scientists began questioning the usefulness of this dichotomy, as it was closely tied to and intertwined with the formal economy. Nustad (2004) argued that a rigid definition of the informal as a sector separate from the formal should be avoided, but that the dichotomy was nonetheless useful, as informal activities are defined by the formal intervention.

on unemployment and poverty for many people, with greater social inequality across urban space (Lourenco-Lindell 2004: 84). Hansen (2004) found that political and economic liberalization led to more antagonistic and substantively different relations between the informal economy and government. The “free market” gave priority to foreign investment and big capital, whereas the informal sector became subject to control and regulations. Thus there emerged a misfit between the rhetoric of the free market and localized efforts for sustaining livelihood (Hansen 2004: 63).

Lourenco-Lindell (2004) highlights the importance of distinguishing between informal activities, depending on type, level, resources and local context. Informal economic activities include small manufactures, street vending, informal transport, and other precarious jobs. Within the domain of trade, Lourenco-Lindell (2004) identifies two strategies: accumulation and survival. Lucrative businesses that straddle the formal/informal divide are very different from daily survival struggles through small-scale trading. Informal traders in African countries for which data are available contributed between 85 and 99 percent of total employment in trade, and between 46 and 70 percent of total value added (Skinner 2008a: 7).

Street trade is among the largest subgroups in the informal economy (Brown et al. 2010).¹⁹ Millions of people around the world make a living by selling goods on the streets, and the surge is expected to continue, particularly in Africa (Skinner 2008a). While the informal sector is estimated to account for 60 percent of all urban jobs on the continent, it accounts for 90 percent of all *new* urban jobs. After home-working, street trade is estimated to provide the largest share of these jobs (Skinner 2008a: 5). Street vendors are usually found in the lowest bracket of the income chain, and face similar hurdles as an occupational group. Street vending has been illegal since colonial times, seen as a nuisance and source of crime, dirt and disease. However, policies regarding street vending have been changing, from eradication towards formalization, partly promoted by the World Bank’s “rule of law” agenda. However, informal traders may also operate from informal markets, not only on the streets. Also informal

¹⁹ Urban dwellers rely on cash income and markets to meet their basic needs and are more vulnerable to fluctuations in prices than (subsistence) farmers (Siegle 2011: 21).

markets are criminalized, as these fall outside the law and formal regulatory framework.

To sum up: most urban dwellers who live in slums earn a livelihood in the low-income part of the informal economy, with the majority engaging in informal trade. The two social categories largely overlap, but not necessarily, as both the slums and the informal economy are very diverse. Nevertheless, the urban poor across the African continent face similar challenges pertaining to how legislation and policies establish their livelihoods as illegal, making life in urban areas highly precarious.²⁰ The socio-economic grievances that follow from illegality could potentially manifest in various political conflicts mobilized through democratic channels.

1.2 Explaining political agency of the urban poor

1.2.1 Political agency of the urban poor: the dependent variable

The conceptualization of the dependent variable draws mostly on literature on other regions than sub-Saharan Africa. The concept of “subalternity” was developed by Gramsci (1975, referred to in Green 2010), as pertaining to political, socio-economic, linguistic, racist, sexist or other forms of subordination. For Gramsci, subaltern groups needed to become self-aware, organize and engage in political struggle to transform their social position (Green 2010: 19). Green contrasts Gramsci to Gayatri Spivak, who viewed the “subalterns” as not merely oppressed, but so displaced as to lack political organization and representation. If they achieve this, they ceased to be subalterns, hence her famous remark: “the subaltern cannot speak” (Spivak 1988). Bayat (2000: 534) applies the term “subaltern” to characterize marginalized and deinstitutionalized groups in Third World cities.

Democratization may facilitate conditions for subalterns to engage on a collective basis without fear of state repercussions. According to Schmitter and Karl (1991: 115),

²⁰ Rules and regulations on rights to housing versus work in urban space operate through different modalities. The need to share a work space together with others versus the need for a place to live require different forms of legislation and regulation. However, ignoring either dimension for the urban poor necessarily affects the same group on the other dimension as well.

citizens are the most distinctive element in democracies. While all regimes have rulers and a public, only democracies have citizens. Modern democracies also require representatives—whether directly or indirectly elected—to carry out the real political work. The central question therefore is how the political class or elite is chosen and held accountable. In addition to the electoral channel for representation, civil society features a vast apparatus for specialized representation based on functional interest, such as interest associations and social movements. As noted by Schmitter and Karl (1991: 116), autonomous civil society groups can restrain the arbitrary actions of rulers, but also contribute to forming civic-minded citizens. They may serve as intermediaries between individuals and the state, capable of resolving conflict and controlling the behavior of their members without public coercion.

This study ultimately seeks to explain why the political agency of the urban poor takes the form of “citizenship,” “clientship,” or a combination: “hybrid agency.” Taylor (2004: 213), in her exploration of political relationships between people and politicians in Latin America from the 1820s up to the present, distinguishes between political agency understood as “clientship” or as “citizenship.” She considers citizenship as founded upon autonomous political agency, which combines the tools and framework of citizenship (formalized legal rights and responsibilities) with a sense of identity as a political being. Citizenship “is predicated on an assumption of equality between leader and masses, politician and voter” (Taylor 2004: 215).

Clientship, by contrast, is seen as the location and expression of agency under political clientelism (Taylor 2004: 214). Clientship is premised not on political equality, but on inequality; not rights, but favors; not democracy, but negotiated authoritarianism; not formal relationships, but personal ties. It concerns power relationships between parties recognized as being inherently and sharply unequal. Importantly, however, clientship is considered a form of agency, as opposed to Spivak’s subalternity conceptualization where subalterns have no voice or agency. Clientship is also based on reciprocal relationships, as opposed to non-engagement or exit.

In line with Taylor's reasoning, Fox (1994: 153) argues that an important indicator of whether subordinated people transition from clientelism to citizens is whether "poor people get access to whatever material resources the state has to offer without having to forfeit their right to articulate their interests autonomously." Stokes et al. (2013: 6-7) consider clientelism as contingent distribution, in contrast to programmatic distribution. Thus, citizenship is premised on autonomy and political equality with regards to pursuing programmatic benefits, as opposed to clientship, which is premised on nonautonomy and political inequality through contingent benefits.

According to Taylor (2004), clientship or citizenship is forged through the relations that political parties establish with voters. These dichotomous forms of political agency—citizenship and clientship—will form the basis for the dependent variable in this thesis. However, it will be extended to also cover such relationships between the urban poor and other organizations claiming to "represent" their interests: more specifically, social movement organizations (SMOs). Following Schmitter and Karl's (1991) reasoning, the study will consider whether social movements, as intermediaries between individuals and the state, contribute to forming citizens.

1.2.2 Why mobilize the urban poor?

Why would political parties or SMOs mobilize the urban poor? The "urban poor" have long been the subject of political unease and confusion. Within mainstream Marxism, the urban poor were considered the *Lumpenproletariat* and later a reserve army of labor, understood as the "dangerous classes" who were politically non-committed and thus a potential threat to the interests of the true working class (Bayat 2000: 536). During colonial times, British officials perceived Africans in Dar es Salaam as an aggregate mass about which, one official complained in 1930, "[w]e know less ... than we do of remote tribes" (Burton, 2005:12).²¹ In the first two decades after Tanzanian independence, the post-colonial authorities scathingly referred to the unemployed, underemployed and informally employed persons from the city as "parasites,"

²¹ Although structured around imperialist and racist colonialization, the urban administrations' attitudes towards the new urban masses in Africa bore resemblance to the Victorian anxiety of the British bourgeoisie towards the urban poor in industrializing British cities (Burton 2005).

“loiterers,” and “enemies of the policy of socialism and self-reliance” (Burton 2005: 4). In the 1960s, US social scientists were concerned about the growing urban underclass in the Third World, believed to be a breeding ground for radical guerrilla movements and a potential threat to the existing order (Bayat 2000).

By contrast, Bayat (2000: 534) proposes viewing the activism of the urban poor (“subalterns”) in Third World cities today as a “quiet encroachment of the ordinary.” The modern state is not for them: it imposes costly conditions which they perceive as impossible or undesirable to meet. “Quiet encroachment” refers to non-collective but prolonged direct action by individuals and families to ensure the basic necessities of their lives, such as shelter and (informal) jobs, sometimes by illegal means (Bayat 2000: 536).²² Bayat explains the lack of collective demand-making by lack of organizational power, often due to political repression in developing countries.

During the last two decades, however, many developing countries in Africa have opened the political space for more democratic contestation. This study will employ the lens of *resource mobilization theory* (Edwards and Gillham 2013; McCarthy and Zald 1977) to analyze why the introduction of multiparty elections and political pluralism may induce political parties and SMOs to mobilize urban poor constituencies. The Resource Mobilization School is concerned with “the dynamics and tactics of social movement growth, decline and change” (McCarthy and Zald 1977: 1213). Social movements must possess resources—such as legitimacy, money, facilities and labor—in order to work towards goal achievement: “resources must be controlled or mobilized before action is possible” (ibid.: 1220–1221). However, this study will apply the resource mobilization framework to social movements and political parties alike.

Edwards and Gillham (2013) make a distinction between resource *access* and resource *types*. Resource access may be obtained from either internal sources (self-production and aggregation from constituents) or external sources (co-optation or patronage). A

²² While episodic collective action occurs in these fleeting struggles without clear leadership, ideology and structured organization, Bayat does not consider this a “social movement.”

type of resource that political parties and SMOs may produce is *legitimacy* (by provision of collective benefits), in turn resulting in votes, membership, labor or other forms of support. However, material resources may also be generated from constituents through clientelism (understood as contingent benefits).

Multiparty elections have been central in recent democratization processes. While contentious collective action can come about through revolt or revolution,²³ political elites may prefer granting political openings for democratic participation in order to stem political discontent and instability. Ideally, political parties are intended to represent and integrate the electorate; to aggregate interests and recruit and train political leaders; and to make government accountable, controlling opposition and dissent (Randall and Svåsand 2002: 4). Indeed, this has been considered, in normative, democratic terms, as the *raison d'être* of political parties. If political parties functioned according to these normative assumptions, we might expect to find socio-economic grievances from a growing segment of the urban poor to be reflected in party politics.

However, there has been limited emphasis on the role of the urban poor in national politics in sub-Saharan Africa, where ethno-clientelism has been considered to predominate (Posner 2005; Walle 2003). Ethno-clientelism has been a tool for political elites to maintain their power and interests through divide-and-rule tactics, and is a legacy of colonialism and the one-party regimes that followed. Nevertheless, a few case studies, mainly from Zambia and Kenya, find that opposition parties have begun mobilizing the urban poor through populist promises (Cheeseman and Larmer 2015; Resnick 2014). Resnick (2011) argues that opposition parties may target the urban poor through populist promises in order to out-compete incumbent ethno-clientelist parties, using Zambia as an example.²⁴ This can be seen as an example of how opposition parties that lack material resources can generate legitimacy through the promises of collective benefits, in order to become competitive. Also Cheeseman and Larmer (2015) find that opposition parties in Zambia and Kenya seek to mobilize the

²⁴ However, Resnick does not explore in depth how the Zambian opposition party interacts with urban poor constituencies.

urban poor through populist promises, but conclude that ethno-clientelist party machines continue to dominate Kenyan party politics.²⁵ Thus, the urban poor in these studies are seen as predominantly mobilized through either ethno-clientelism (Kenya) or populist promises by opposition parties (Zambia).

The literature on neopopulist mobilization of the urban poor in Latin America, on the other hand, considers the urban poor to be mobilized through a combination of populist appeals and clientelism (Levitsky 2007; Weyland 2003), but without the ethnic component typically associated with clientelism in sub-Saharan Africa. Typically, these parties use brokers to distribute clientelist rewards and punishments to followers (Stokes et al. 2013). Thus, neopopulist parties can be considered to generate legitimacy through promises of pro-poor, collective benefits, while generating (or securing) material resources through contingent benefits. Without delving deeper into how the urban poor in Kenya and Zambia interact with political parties, we cannot know whether these constituencies are linked to political parties simply through pro-poor appeals for collective benefits, neopopulism, or ethno-clientelism.

While political parties in sub-Saharan Africa generally have not been expected to mobilize the political grievances of the urban poor, another type of organization has given rise to more positive expectations (Batliwala 2002; Lindell 2010; Millstein et al. 2003; Mitlin and Satterthwaite 2007; Mitullah 2010). The past two decades have seen the emergence of *transnational* social movements working for the rights and interests of the urban poor. Especially two transnational social movements have been seen as influential in representing and organizing the sub-segments of slum-dwellers and informal traders: Slum/Shack Dwellers International, and Streetnet International.²⁶ These organizations claim to be by and for the urban poor. Due to their grassroots-led, member-based organization, these movements have been considered a more

²⁵ The emergence of such pro-poor, populist parties is attributed to the existence of an influential urban political economy, and how the combination of pro-poor and ethnic appeals has enabled opposition parties to challenge the party machine of the incumbent (Cheeseman and Larmer 2015).

²⁶ These transnational umbrella organizations have shaped, networked and organized grassroots associations across the globe, creating “glocal” social movements. Both are rooted in grassroots affiliates of the urban poor, but engage with government bodies and international agencies to produce political change that is supposed to reflect the interests of their constituencies.

democratic, representative and accountable alternative for promoting the interests of the urban poor than political parties or top-down, technocratic development interventions led by international agencies.²⁷ Both have domestic affiliates in Kenya and Zambia.

Although clientelism has typically been associated with party politics, the phenomenon has also been identified within civil society, including SMOs. External actors (donors) may be important sources for material resources for SMOs, through co-optation and patronage. SMOs may also be co-opted by political parties, resulting in hybrid movements (Waal and Ibreck 2013). Pommerolle (2010) argues that the “extraversion” of social protest—reaching out to the international sphere—may reproduce political inequality and/or coercion between domestic SMO actors, between external and domestic actors, as well as between SMOs and the state, resulting in a form of reforming authoritarianism. Funding and other resource flows to civil society organizations in sub-Saharan Africa from donors or individual politicians, may turn SMOs into patrons vis-à-vis their constituents (Wit and Berner 2009). However, there is limited knowledge on how these movements engage with the urban poor in Kenya and Zambia, and how movement mobilization interacts with party politics.

Hence, even if the socio-economic interests of the urban poor are mobilized by opposition parties and SMOs in the two countries, we still do not know what kind of agency they provide for their constituents. Mobilization of the urban poor can be motivated by a need to generate legitimacy through the provision of collective benefits, but also from incentives to generate material resources through contingent benefits. While the former is associated with citizenship, the latter reflect clientship. In order to know which of the two types of agency that political mobilization of the urban poor entails, we need to know how political parties and SMOs engage with the urban poor.

²⁷ The latter have often been criticized for being positioned within the neoliberal model themselves, and failing to represent the interests of the urban poor adequately.

1.2.3 Main theoretical argument and empirical findings

Creating clients or citizens through power asymmetries

What determines whether the urban poor act as citizens or clients? Why may a person find it difficult, or near-impossible, to turn down an offer of clientelist rewards and instead choose citizen-based agency? Hickey and Bracking (2005: 851) argue that the differing ways in which poverty and the poorest are politically “represented” contribute to explaining the ways in which politics both reproduce and reduce poverty.²⁸

A main theoretical contribution of this study will be to identify inductively how relationships are forged between the urban poor and their representative organizations—whether political parties or SMOs—which create citizenship or clientship. By turning to an understanding of relations as mechanisms (Tilly 2001), the emphasis is placed on actively invoked *power asymmetries* that prevent the urban poor from acting as citizens through presumably democratic channels. I identify three types of power asymmetries that restrict how constituents can enact agency as citizens through political parties or SMOs: lack of information; lack of collective decisionmaking; and lack of protection from coercion. Information, decisionmaking and coercion represent three different sources of power. Low power asymmetries allow the urban poor to act as autonomous citizens. High power asymmetries prevent them from escaping clientelism. Figure 1 illustrates how mechanisms of power asymmetries between representative organizations and constituents affect the latter’s political agency.²⁹

²⁸ However, Hickey and Bracking (2005) advocate for relocating poverty reduction within a broader political project of justice, as they consider the gaining of a voice and material progress to require more than political representation as such.

²⁹ The level of abstraction—three power asymmetries at a nominal scale (high/low)—allows for identification of such asymmetric relations either between individuals, individuals and their “representative” organizations, or overall grassroots constituencies and their “representative” organizations. Several relational mechanisms could probably be added to Figure 1, but these three mechanisms, and the level of generality, seemed the most relevant and fruitful for my analysis.

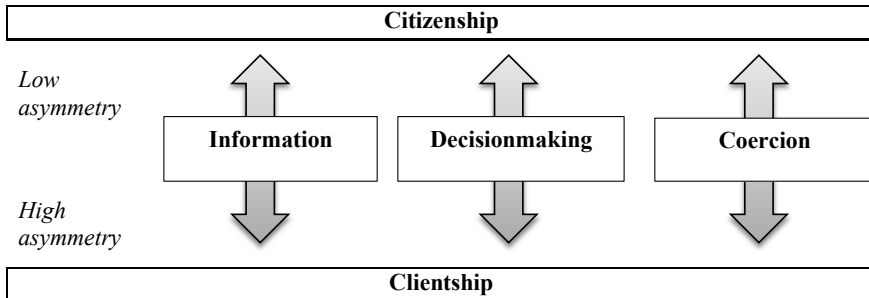


Figure 1: Creating political agency through power asymmetry between representative organizations and constituents

The first type of power asymmetries concerns the structuring of information flows between representative organizations and their grassroots. Creating barriers to access information, withholding or manipulating information, secrecy and non-transparency—all are classic tools for maintaining clientelist resources and dependency. Without access to essential information, the grassroots become inherently dependent on their representatives. When the grassroots are not allowed the same insights into the organizational processes as actors further up in the social movement or party structure—for instance regarding budgets and decisionmaking—this creates power asymmetries that can reinforce patron–client relations, by keeping the grassroots ignorant and open to manipulation.

This can become especially problematic in settings where aid flows create incentives for rent-seeking behavior and corruption, or where politicians seek to protect their political and economic privileges. The focus on the importance of access to information is nothing new, and is reflected in the increased attention on “transparency” from the donor community (Ghosh and Kharas 2011). In this study, I focus on the need to take this ideal to its ultimate conclusion. Only when information on organizational processes travels all the way to the end beneficiaries can the grassroots turn the torch upwards to shed light on the activities of their superiors, both organizational leaders and donors, thereby enforcing accountability both ways.

The second type of power asymmetries concerns the structuring of decisionmaking power.³⁰ First and foremost, the criteria for membership (inclusion) have important bearings on the ability for grassroots constituencies to enact agency. Another fundamental mechanism for leveling out decisionmaking asymmetry is to allow members to collectively elect representatives (and stand for elections)—which has typically not been the case with professional, technical expert staff at non-governmental organizations (NGOs), or many political parties in sub-Saharan Africa. Collective decisions or vetoes regarding utilization of resources, agenda setting and strategies also belong under this bracket.

Decisionmaking asymmetries can be seen in connection with the mode of exchange characteristic of clientelism, which is based on contingent benefits (Stokes et al. 2013). To understand how contingent benefits work, we must identify the mechanisms through which decisions over resources are made, thus whether procedures are in place to make decisions on benefits less contingent, and more procedural and collective. Accountability for the use of these resources shifts towards the funders if mechanisms are not in place for turning accountability towards the grassroots. If the grassroots do not have a say in determining how organizational resources should be strategically spent, and who the representatives that make executive decisions on their behalf should be, they are more easily turned into clients who merely respond to the whims of their funders.

A third type of power asymmetries concerns coercion. The (threat of) use of coercion may come in many forms, from brute violence to physically restraining movement, through for instance access to police and security personnel, and exploitation of the court system. When grassroots do not want to comply with efforts to make them into clients, severe imbalance in their ability to apply force vis-à-vis their representatives can produce clientship. In countries with authoritarian legacies and high levels of corruption, elites may resort to coercion to ensure compliance, especially when access

³⁰ I considered letting “participation” constitute the second set of mechanisms. However, because participation without decision-making power is a mechanism that could be used to deprive people of agency, employing such a conceptualization could mean covering up power asymmetries rather than exposing them.

to coercion is linked to the financial resources to pay for such services. However, coercion is also a tool used by the urban poor grassroots as a last resort when other political channels are closed, for instance through violence and riots.

Without information, collective decisionmaking power or freedom from coercion, the grassroots have a difficult time acting autonomously. Such power asymmetries do not appear out of nowhere: they are created and maintained. However, they can be invoked deliberately or unwittingly. For the grassroots to act as autonomous citizens through their representative organizations, all three forms of asymmetries need to be addressed. Deprived of information, collective decisionmaking power and protection from coercion, they have few tools to counter attempts to make them clients.

As will become evident throughout the thesis, mechanisms of power asymmetry are extremely flexible and dynamic. In the empirical world, relations between representative organizations and their constituents consist of a multitude of fluctuating, gradual, multilayered and sometimes contradictory mechanisms, although some may have more significance than others. They may also emerge at different levels. When the urban poor are partly subjected to patron–client relations, and partly allowed to engage as autonomous citizens, their agency can be considered as being of a *hybrid* nature. Hybrid agency means that the urban poor are simultaneously engaged in political processes that enhance *and* undermine their agency as citizens. To advance their interests, the grassroots navigate between citizen-ship and clientship, using the tools at hand.

Often, discreet or “hidden” measures to reinforce dependency are more relevant for understanding how clientship is maintained in supposedly democratic systems that cannot rely on direct up-front repression. Rich, in-depth empirical analysis can help in assessing the extent to which the engagement of the urban poor is characterized by clientship or citizenship. Power asymmetries may operate simultaneously and reinforce each other. Control over decisionmaking regarding financial resources is facilitated by the withholding of information. The ability or incentive of a patron to use coercion may derive from his/her ability to make decisions on financial resources.

Lastly, the interaction between political parties and SMOs may affect the political agency of the urban poor. For instance, if the door is closed for acting as autonomous citizens through political parties, but open in an SMO, acting as clients for a political patron may be considered the best option in the electoral sphere, while simultaneously engaging as citizens through the movement (or the other way around). The urban poor may thus find themselves being pulled in both directions. However, if a political party effectively co-opts an SMO, the agency of the grassroots will also be affected. As political parties control government, citizen-based movement engagement can succeed in advancing full citizenship to the urban poor only by creating pressure on (potential) governing parties to do the same.

Main empirical findings: hybrid agency through neopopulist parties and extraverted, member-based SMOs

Prior to the 1990s, the populations in Kenya and Zambia, as in most other sub-Saharan countries, were governed by patrimonial one-party regimes, founded on ethno-clientelism. However, despite Kenya having a larger rural population and a legacy of a more ethnicized civil and political society than Zambia, the urban poor have risen to national prominence in both countries during the last two decades. This study will show how the urban poor in Kenya and Zambia have obtained a hybrid form of political agency through multiparty competition and political pluralism, whereby they constantly navigate between citizenship and clientship. Within the electoral sphere, hybrid agency is exercised through engagement with opposition parties that increasingly resemble the neopopulist parties found in Latin American countries. Within the civil society sphere, hybrid agency is exercised through extraverted, but member-based social movements.

In both Kenya and Zambia, the opposition parties mobilize voters through pro-poor appeals, with promises of low cost (public) housing and an end to evictions and slum clearances, as well as through promises of trading space for informal vendors. Thus, opposition parties address the socio-economic grievances that follow from criminalization of slum-dwelling and informal trade. While the Zambian opposition party won the presidency through its mobilizing strategy, the Kenyan presidential

opposition candidate gained the majority in the capital, and the party dominated the poorer urban areas.

At the same time, these political parties transformed these socio-economic grievances of the urban poor stemming from illegality into clientelist assets. Politicians reduce their expenditures and protect their own, vested economic interests by clientifying the urban poor. Clientelist brokers were used to informally redistribute trading space and slum-housing, often through coercive and violent measures, to reward supporters and punish opponents. Thus, programmatic components of cheaper housing or access to trading space became intertwined with clientelism. While the importance of ethnicity in political clientelism was found to be reduced, especially in Zambia, clientelism continues alongside programmatic promises to the urban poor. In Kenya, however, ethnic marginalization and socio-economic grievances are perceived to overlap (structure owners versus tenants), which blurs the distinction between socio-economic and ethnic interests.

In the civil society sphere, Kenyan and Zambian SMOs also mobilized the socio-economic grievances of the urban poor that derive from the criminalization of slum-dwelling and informal trade. By providing their members with rights and obligations, and through (sometimes successful) work to provide collective benefits, in the form of laws, policies and programs, these movements could be considered to enhance the urban poor's ability to engage as citizens. However, their dependence on external material support, as well as the incentives these SMOs create for rent-seeking, has also made these SMOs provide contingent benefits to their constituents, turning the latter into clients. Sometimes, their membership requirements have also led to the exclusion of the more marginalized: tenants and street vendors.

As Kenyan and Zambian SMOs generally adhere to pluralist ideals and depend on external support, while the opposition parties use a neopopulist strategy towards the urban poor, they have not established strong (institutionalized) ties to each other. Furthermore, although both SMOs and opposition parties have endorsed an overall pro-poor strategy, the two types of actors target different sub-constituencies of the

urban poor. The Kenyan opposition party has predominantly mobilized the tenants through its neopopulist strategy, while the SMOs seek to unite tenants and structure owners. In Zambia, the opposition party has mobilized street vendors through its neopopulist strategy, while the SMOs seek to unite all informal traders. When SMOs begin challenging the foundations of political clientelism in slums and informal markets, they have faced problems of political co-optation. Consequently, the urban poor may find themselves in contradictory and sometimes self-defeating political processes if they engage in both structures.

The main findings of this study are captured in Figure 2.

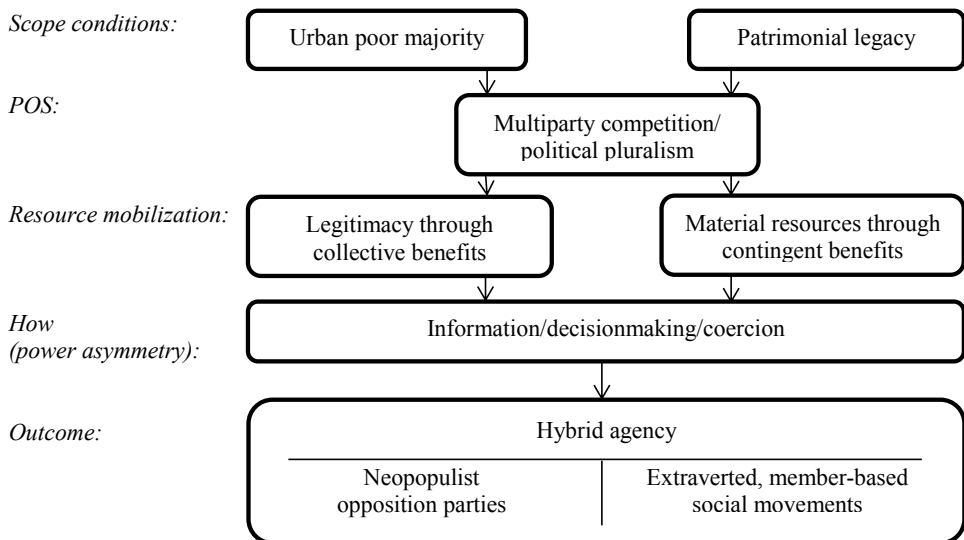


Figure 2: Explaining hybrid agency of the urban poor³¹

The empirical analyses will show that there are many similarities pertaining to how opposition parties and SMOs mobilize the urban poor. The introduction of multiparty competition and political pluralism led opposition parties and SMOs to engage in two, contradictory patterns of resource mobilization. On the one hand, opposition parties and SMOs increasingly need to rely on (promises of) provision of collective benefits to the urban poor in order to generate legitimacy. The organizations' access to material

³¹ It is important to note that "urban poor majority" only refer to the urban population, and not to the total, national population.

resources depends on a legitimate claim to represent these constituents in order to obtain their votes, membership subscriptions or other forms of endorsement in the face of competition. On the other hand, opposition parties and SMOs generate more material resources for themselves by providing contingent benefits to the urban poor.

How these contradictory patterns of resource mobilization affect the agency of the urban poor will depend on the relative importance of the power asymmetries that are forged between these “representative” organizations and their constituents. Thus, while opposition parties and SMOs have incentives for treating the urban poor both as clients and as citizens, it is only by looking into how these constituents are actually engaged that we can find out if they have the opportunity to act as autonomous citizens. This study finds that opposition parties and SMOs, by only providing limited access to information and collective decisionmaking, and through the use of coercion, limit their constituents’ ability to engage as autonomous citizens in advancing their socio-economic interests through democratic channels, resulting in hybrid agency.

The remainder of the thesis will follow the structure of Figure 2. Chapter 2-4 will introduce the theoretical and methodological frameworks. Chapter 5-6 will provide an historical account of the criminalization of the urban poor in Kenya and Zambia, and how the transition from patrimonial one-party rule to multiparty competition and political pluralism potentially functioned as a political game changer. Chapter 7-8 will analyze how opposition parties over time developed both programmatic and clientelist linkages to the urban poor, resembling Latin American neopopulism. Chapter 9 will discuss how social movements provided an alternative political channel for the urban poor through membership with formal rights and obligations, but simultaneously forged their own clientelist relations to their constituents, due to dependence on external support. Chapter 10 demonstrates how political parties and SMOs operate at different scales and with weak links to each other, but also how politicians seek to co-opt or fragment these movements if the latter are perceived as a threat. Lastly, Chapter 11 concludes and discusses implications of the study. We begin by examining the theoretical expectations regarding political mobilization of the urban poor, as expressed in the literature.

2. Party linkages and the urban poor

According to Lipset (1994: 14), “political parties themselves must be viewed as the most important mediating institutions between the citizenry and the state.” What of the urban poor? If they constitute a substantial segment of the urban population, are they expected to become relevant political constituencies for competing political parties—and if so, why and how do political parties mobilize these segments? Specifically: do political parties engage the urban poor as citizens, or as clients?³²

A useful approach for understanding political agency of the urban poor in competitive regimes in sub-Saharan Africa is through the lens of party–voter linkages. This chapter presents the theoretical framework for understanding party–voter linkages in countries that hold competitive elections and have a majority of poor in their urban population. I will use Kitschelt’s (2000) three linkage types—clientelist, programmatic and charismatic—as a starting point for exploring whether and how the urban poor are expected to be mobilized by political parties in these contexts, and the factors that may account for variation in linkage strategies.

Kitschelt operates with three types of linkages through which politicians are accountable and responsive to citizens in democratic polities. The definitional difference between the linkage mechanisms is procedural in terms of *mode of exchange* between constituencies and politicians (Kitschelt 2000: 850). To be able to analytically distinguish between different citizen–elite linkages, Kitschelt draws on Aldrich’s (1995) account of political problem-solving by political parties to address collective action and social choice problems in democracies. Problems of collective action are solved through investment in the party administrative-organizational infrastructure. This facilitates resource pooling and reduction of information problems towards voters. Social choice problems are solved through techniques of programmatic unity building that aggregate the positions and preferences of individual politicians

³² In the subsequent theory chapter, this literature will be combined with social movement theory to provide a fuller picture of the political agency role that the urban poor are expected to play in these competitive, neopatrimonial regimes, and the kind of political agency that this dual mobilization (by political parties as well as social movements) provides for the urban poor.

into a joint preference ranking supported by multiple politicians (program) (Kitschelt 2000: 847-848).

Stokes et al. (2013: 6-7) have developed a conceptual scheme of modes of distributive politics, which can be useful to combine with Kitschelt's theory on linkages. They make two main distinctions: programmatic versus nonprogrammatic distribution; and unconditional benefits versus conditional exchanges. Programmatic distribution entails distribution that is formalized and public, and which shapes actual distribution of benefits or resources.³³ Such an understanding of programmatic distribution is in line with Kitschelt's understanding of programmatic linkages, and can also be viewed as a linkage based on the premise of engaging constituencies as citizens. Nonprogrammatic distribution is conceptualized as having either no public criteria of distribution, or that such public criteria are subverted by private, usually partisan, ones (Stokes et al. 2013: 6-7). If receiving nonprogrammatic benefits is not contingent on the political support of individuals, distribution is considered partisan-biased—in the form of unconditional benefits to individuals, or pork-barrel politics. If, on the other hand, distribution is contingent, it is considered clientelistic: the constituencies are engaged as clients.

In the subsequent sections, I discuss the three party-voter linkages in greater depth, as well as theoretical expectations as to why political parties may opt for different linkage strategies towards the urban poor. The focus will be on how multiparty competition has restructured resource mobilization for incumbent and opposition parties, and the expected implications for the agency of the urban poor. Only a few studies in sub-Saharan have identified the existence of pro-poor (populist) parties, and ethno-clientelism has been considered to predominate. The chapter will therefore also draw on literature on neopopulist party mobilization in Latin America that seeks to explain the reasons why the urban poor may become an important political constituency.

³³ In the study's overall analytical framework (Chapter 4), programmatic distribution by political parties equals collective benefits. Hence, collective benefits by political parties can be compared to collective benefits provided by SMOs.

2.1 The prevalence av ethno-clientelist party machines

Politicians who invest only in administrative-technical infrastructure, but not in interest aggregation and program formation, make bonds with followers through direct, personal and typical material payments (Kitschelt 2000: 849). Kitschelt divides such clientelist linkages into two types of exchange. In resource-rich but vote-poor constituencies, politicians receive money in exchange for material favors to be distributed after winning political office. By contrast, vote-rich but resource-poor constituencies receive selective material incentives before and after elections in exchange for votes. Such material incentives may be anything from gifts to public housing and low-level public-sector jobs. According to Stokes et al. (2013: 13), clientelist distribution may take the form of either patronage, which they define as contingent benefits directed at party members, or vote-buying or turnout-buying, i.e. contingent benefits directed at voters. Hence, clientelism is used to mobilize both financial and political support from resource-rich and resource-poor constituencies outside the party apparatus, as well as support within the party, through the distribution of various types of contingent benefits.

Traditionally, influential European scholars such as Lipset and Rokkan (1967), and Downs (1957) have assumed that it is programmatic linkages that matter for democratic accountability and responsiveness (Kitschelt 2000: 846). Kitschelt disagrees with the common distinction in the literature that clientelist politics necessarily undercut democratic accountability while programmatic politics create it. Rather, he claims, clientelist politics in democratic polities can create tight bonds of accountability and responsiveness. Although clientelist exchange is reciprocatory and voluntaristic, Kitschelt nonetheless considers it to be asymmetric, characterized by exploitation and domination. According to Stokes et al. (2013: 13), on the other hand, it is the fear of punishment that turns clientelist distribution into votes. Their understanding of clientelism is closer to coercion, and hence non-democratic. Also Erdmann and Engel (2007: 107) see patron–client relationships as characterized by a limited redistributive element, where the power-balance and major benefits are skewed towards the patron. Whether or not clientelism can be considered a (inferior)

democratic form of accountability and responsiveness, there is general agreement that the difference between programmatic and clientelist linkages concerns the mode of exchange, with clientelism premised on contingent benefits. This is the understanding of clientelism used in this study. Although clientelism is usually considered a problem for democratic accountability and responsiveness, and a typical feature of non-democratic regimes, clientelist linkages can be found in both democratic and authoritarian settings: they are not solely a component of non-democratic regimes.³⁴

When people are linked to political parties mainly through clientelism, their political agency can be considered one of clientship, in line with Taylor's (2004) reasoning. They are rewarded on a personal, informal basis, contingent on what they can deliver for their political patrons, in a relationship of domination. Clientelist relationships may range from direct, face-to-face relations to modern, anonymous machine politics that involve competition between providers. The ability of political parties to establish clientelist linkages is seen as requiring heavy investment in administrative infrastructure of political machines that reach from the national to the municipal level (Kitschelt 2000: 849). Stokes (2005: 325) considers the ability of political parties to monitor constituents' votes, reward them for support and punish them for defection, as sustaining the "perverse" form of accountability in machine politics.

To deal with information demands to deliver benefits and hold voters to account, party machines hire armies of intermediary brokers (Stokes et al. 2013: 19). Stokes and co-authors construct their model of clientelism around the behavior of three types of individuals—party leaders, brokers, and voters. *Brokers* "are local intermediaries who provide targeted benefits and solve problems for their followers; in exchange, they request followers' participation in political activities such as rallies—and often demand their votes" (Stokes et al. 2013: 75). Brokers are engaged in sustained and frequent interactions with voters, observing their individual behavior and gaining knowledge of their inclinations and preferences. It is the brokers that hold the (imperfect) local knowledge required for conditional distribution of benefits to voters.

³⁴ Stokes et al. (2013) and Kitschelt (2002) show how clientelism has been a dominant feature of party politics in democracies such as the USA, Great Britain, Switzerland and Italy in certain periods.

Party leaders, on the other hand, are generally understood as elected officials at higher levels of government or the upper echelons of a nonelected party hierarchy.³⁵ They do not engage in face-to-face contact with sets of voters.

Stokes et al. (2013) develop a model of rent-seeking brokers whereby brokers trade off the benefits of capturing rents from political leaders against the detrimental impact of rent seeking on their party's probability of victory. Brokers are seen as having their own interests and objectives which they can pursue by capturing rents—and their informational advantage allows them to do so. For instance, whereas party leaders prefer to use public monies to persuade swing voters, brokers prefer to reward loyal voters. The logic of the game then becomes as follows:

1. A broker organizes a network of followers, promising each follower a certain benefit if the voter participates in the network.
2. Leaders in a political party observe the sizes of brokers' networks and decide on which to hire, and then distribute resources to that broker
3. If the political party successfully wins, the broker distributes resources to voters in the network, and extract surplus as rents, in addition to the continuation value of the party being in power (Stokes et al. 2013: 77-78).

My interest is in brokers and voters in the bracket of the “urban poor.” Political clientelism provides both brokers and voters with a choice and opportunity to engage politically to obtain benefits and advance their personal interest. However this political channel excludes those who lack such informal, personal reciprocity ties: resources are distributed only to those seen as acting in the interest of their political patron. Voters and brokers may have some limited agency to hold politicians accountable and responsive as regards selected material benefits that would otherwise not be available, but ultimately as personal rewards for acting in the interest of their patron, rather than having politicians acting primarily on their behalf.

In the literature on urban poor and clientelism, there are clear regional variations. The relationship between clientelism and the urban poor has mostly been explored in Latin America. Because this is a comparative case study of Zambia and Kenya, it is useful to

³⁵ Brokers are not necessarily excluded from seeking elected positions, for instance in municipal councils.

begin by assessing how clientelism has been understood to work through ethnic party politics in sub-Saharan Africa, before moving on to expectations regarding its relationship to the urban poor. On the African continent, ethno-clientelism has generally been seen as a means to underpin authoritarian or neopatrimonial rule.

Erdmann and Engels define neopatrimonialism as follows:

(...) a mix of two types of political domination. It involves a conjunction of patrimonial and legal-rational bureaucratic domination. The exercise of power in neopatrimonial regimes is erratic and unpredictable, as opposed to the calculable exercise of power embedded in universal rules (...). Public norms under neopatrimonialism are formal and rational, but their social practice is often personal and informal. Finally, neopatrimonialism corresponds with authoritarian politics, whereas legal-rational domination relates to democracy (Erdmann and Engel 2007: 114).³⁶

Central for analyzing the political agency of the urban poor in sub-Saharan Africa is how party competition was introduced in the early 1990s through multiparty rule. It was the formal transition from a one-party state to a nominally democratic regime that resulted in these neopatrimonial systems. Since the third wave of democracy swept the continent, the hybridity of sub-Saharan African political regimes and their sustained authoritarian legacies have been extensively researched. This research has centered on the connected issues of the continued strength of the presidency and corresponding lack of check and balances, with weak judiciaries, legislatures and opposition parties (Albaugh 2011; Brown and Sriram 2012; LeBas 2011; Rakner and Svåsand 2007; Rakner and Walle 2009; Walle 2003); and the methods and tools through which incumbent governments seek to maintain their authoritarian grip on power (Albaugh 2011; Basedau et al. 2007; Collier and Vicente 2012; Gandhi and Lust-Okar 2009; Levitsky and Way 2012; Mueller 2011). Hence, the implicit or explicit assumption is that politicians are office-seeking and seek to maintain their political (and economic) privileges by continuing to engage in authoritarian practices, even when operating under nominal democratic rules.

³⁶ In the 1970s, "patrimonialism" was employed in terms of social capital as a way of explaining political cohesion in African societies. Today, "neopatrimonialism" is regarded as "a functional threat to the peaceful political development of African states and the development of societies in general" (Erdmann and Engel 2007).

In neopatrimonial political systems, clientelist linkages between political parties and citizens are held to function in a less accountable, less responsive manner than what Kitschelt indicated they might do in democratic polities. Erdmann and Engel (2007) see clientelism and patronage as integral to neopatrimonialism,³⁷ as they were for patrimonialism. They differentiate between patrimonialism and neopatrimonialism, with more complex hierarchical relationships in the latter system, where networks of brokers at various levels connect the “little man” to the “big man.” This contrasts with the direct dyadic exchange relation between the two under traditional patrimonialism. Uncertainty underpins neopatrimonial systems, creating dependency among clients who need protection and other resources in a situation where public institutions do not create predictable patterns of protection and benefits. This makes clientelism an essential tool for upholding a certain type of political regime.

Scholars writing on party systems, democratization and elections in sub-Saharan Africa in the 1990s and 2000s have emphasized how ethnicity has constituted the predominant cleavage for party formation and party systems, whereas social cleavages of a programmatic or ideological character have been less pronounced (Basedau et al. 2007: 284; Eifert et al. 2010; Walle 2003). Most scholars have moved away from Horowitz’s (1986) way of understanding ethnicity as primordial identities, and rather point to the instrumental links between regionalism, ethnicity and electoral systems for sustaining clientelist and redistributive linkages with constituencies (Basedau and Stroh 2011; Eifert et al. 2010; Posner 2007). While colonial politics laid the foundation for a cleavage structure based on ethnicity along tribal and language lines, ethnic cleavages have proven to be flexible tools for political elites. Posner (2005: 23), for instance, shows how political elites in Zambia and Kenya adopted to multi-party politics by changing their emphasis from local-level ethnic identities during the one-party era to regional-level identities, so as to secure electoral success under multipartyism. Erdmann (2004: 81) has found that, instead of each ethnic group forming its own party, the most regular feature of party formation has been based on

³⁷ In line with Stokes et al. (2007), they understand clientelism as the exchange or brokerage of services or resources in exchange for political support, often in the form of votes.

multiple ethnic groups and ethnic identities that require a variety of multi-ethnic coalition building and parties. Eifert et al. (2010) conclude that political competition through elections actually heightens the salience of ethnicity, at the expense of other class and occupational identities. They attribute this cyclical trend to the usefulness of ethnicity for politicians seeking election.

Several scholars emphasize that the limited state capacity to deliver social services in African countries makes it difficult for political leaders to provide their constituencies with tangible clientelist benefits (Bleck and Walle 2012: 5), as is the case with machine politics. Levitsky and Way (2002: 62), writing on competitive authoritarianism, note how resource scarcity has made it increasingly difficult for leaders to sustain the patronage networks that previously undergirded authoritarian state structures, such as co-optation or repression of opposition voices. Walle (2007), in his examination of the likely evolution of political clientelism in new multiparty electoral regimes of sub-Saharan Africa, argues that structural characteristics of a country, such as low economic development and state capacity, determine the nature of clientelist politics (Walle 2007: 50-51). He sees it as more useful to understand African clientelist politics as primarily a mechanism for accommodating and integrating a fairly narrow political elite, rather than mass party patronage. Most material gains are limited to this elite, while the stronger link between political elites and the citizenry is ethnic identity (Walle 2007: 66-67). Voters do not expect any direct benefits from their votes, but rather feel that only a fellow co-ethnic will defend the group as a whole.

However, Walle (2007) also indicates that as political competition increases, elites will pay more attention to welfare benefits, constituency services and civil service positions, leading to more responsive forms of clientelism. Thus, through political competition, clientelist distribution that resembles the clientelist party machine of Latin America and Europe might be expected. Koter (2013: 225) adds that in (African) clientelist and nonprogrammatic settings, local leaders with strong ties to the population present politicians with an alternative to ethnic vote mobilization, and enable them to create more diverse electoral bases. “When intermediaries serve as

gatekeepers for access to resources, clientelist networks may not correspond with ethnic solidarities” (Koter 2013: 226). Also in sub-Saharan Africa, the nature of clientelism is expected to be changing, through political competition, away from simple ethno-clientelism, in order to quell mass protest and increasing political discontent.

Stokes et al. (2013) have made a unique contribution with regard to cross-regional comparative analysis of poverty and clientelism, and indicate an association between poverty and vote selling among individual citizens. Using survey evidence from African and Latin American countries, they find substantially higher levels of vote buying in poor democracies, as well as differences between poor and rich world regions, and poor and rich countries within regions. They also find that poor individuals are preferentially targeted by party machines to sell their votes (Stokes et al. 2013: 158). They attribute this to the diminishing marginal utility of incomes: the higher the income of a voter, the less the additional gift or payment will be appreciated, compared to the added value of more programmatic policies (Stokes et al. 2013: 170).

Hence, to return to the resource mobilization school (McCarthy and Zald 1977), politicians may use clientelism because it is the cheapest way of gaining votes (reducing the loss of political and economic resources), especially in situations of scarcity. Nevertheless, the urban poor have not been a major focus in research on clientelist linkages in sub-Saharan Africa. Ethno-clientelism is “the norm,” while the salience of the urban poor in sustaining neopatrimonial regimes is downplayed.

2.2 Absence of programmatic parties

Programmatic linkages are created through political investment in both procedures of programmatic conflict resolution and organizational infrastructure (Kitschelt 2000: 850). Voters are compensated only indirectly from programmatic linkages, through packages of policies without selective incentives. These policies impact voters equally, regardless of which party they voted for, making it possible for them to act as

autonomous citizens without fear of reprisals. When packages of policies are durable and enable voters to identify interparty difference based on simple underlying principles, they constitute political cleavages (Kitschelt 2000: 851). African parties and party systems are characterized by weak institutionalization. Rakner and Svåsand (2007: 1114) find that political parties have poor organizational capacity, lack a national structure, have inadequate communication between the central party leadership and lower units, dormant organization between elections and few organizational resources. In addition, they are heavily dependent on the party leader and lack mechanisms for internal democratic processes (Rakner and Svåsand 2007).

For political parties to be mediating institutions between the citizenry and the state (Lipset 1994: 14), these parties must be founded on underlying support bases from social groups that are affected by the same structural conditions or factors. Bleck and Walle (2012: 4) hold that *political issues* have traditionally been conceptualized as concerned with specific positions in a policy spectrum typically relating to specific societal cleavages—for instance regarding economic redistribution along a left–right axis. Such positional issues, they argue, stand in contrast to valence issues, where there is consensus around the desired policy goals and objectives, and where partisan disagreement concerns competence and delivery of such goals.

The urban poor have generally not been considered relevant targets or agents of programmatic parties: it is the working and middle classes that have been viewed as the main actors for such change. These classes are seen as the product of processes of economic growth and industrialization. Rather than expecting political cleavages to emerge from a constituency of the urban poor, within this tradition it is their entry into employment that has been expected to trigger such party cleavages. Political parties based on the capital/labor cleavage (Lipset 1994), influenced by Marxist thinking of the exploitation of the proletariat (employed wage laborers), have dominated party systems in Europe (Kitschelt 2000). The class conflict has also formed the basis for social security schemes and tripartite agreements and representative bodies between the state, workers and employers. With distinct economic interests that facilitated

collective identities, such social bases were transformed into party political cleavages through political mobilization.

In Africa, this capital–labor conflict instead laid the foundation for many (socialist) one-party states, while African social security systems, trade unions and tripartite arrangements resembled the arrangements in Europe. Still, party systems based on the capital–labor cleavage do not seem to have materialized after the introduction of multiparty systems. Several countries have achieved high rates of growth and more diversified economies. The growing African middle class is estimated at some 85 million households — a figure expected to double in 10 years (Oppenheimer and Spicer 2011: 18). However, the great majority of the labor force is poor informal workers and unemployed—in Marxist terms, the *Lumpenproletariat*. Due to macro-economic reforms, the base for the African labor movements, understood as employees, have shrunk instead of expanding (Rakner 2001).

Furthermore, Boone and Wahman (2013) find that patterns of apportionment that were introduced prior to the third wave established a long-lasting bias in favor of rural voters. As older, dominant parties found themselves faced with increasing organized resistance from the cities, they fell back on rural electoral strongholds. Only when the urban-based opposition has been able to garner support in key regional, and predominantly rural constituencies have they been able to win national elections (Boone and Wahman 2013: 35). Rural support can isolate unions, urban professionals, intellectuals and the urban poor, by the use of rural strongmen, loyal to and dependent on the ruling party, while the opposition parties remain too weak to have national outreach. This pattern, argue Boone and Wahman, predates economic liberalization, and African urbanites are persistently underrepresented.

Although industrialization has been limited, and there is a rural bias in electoral systems, many African countries are experiencing high rates of urbanization, which is also believed to impact on the relationship between the urban poor and politicians. Stokes et al. (2013: 175-176) show how relationships between brokers and political leaders become altered through factors associated with urbanization (which they

ascribe to both industrialization and/or economic development). They claim that understanding the micro-logic of broker-mediated distribution between party leaders and brokers can contribute substantially to explaining the macro-history of clientelism: its rise, fall, and potential reappearance. Stokes et al. (2013: 181-187) argue that, under certain conditions, non-clientelistic spending on voters that cuts out the brokers can become more attractive for vote-maximizing political leaders.³⁸

The larger the electorate, the more attractive are programmatic strategies expected to be, due to the smaller returns to scale of mediated strategies with brokers. Moreover, when voter voices are opaque to brokers, the former can defect from the implicit agreement in the bribe, and the electoral returns from clientelism will be reduced. As voting behavior can be monitored at lower cost in rural communities and small towns, industrialization or urbanization reduces monitoring opportunities. Higher literacy rates allowing for newspaper outreach, as well as through the media, reduce the cost of circumventing brokers and communicating directly to voters (Stokes et al. 2007). In sum, declining efficiency of using brokers may be the result of many changes associated with urbanization that complicate interactions between clients and brokers.

Despite the apparent lack of programmatic parties in sub-Saharan Africa, scholars increasingly find that Africans vote on the basis of considerations of economic performance and policy programs. In his study of Ghanaian voters, Lindberg (2012: 1) finds that expectations of receiving clientelist favors from a regional or local politician do not automatically translate into votes for the latter. Rather, voters accept clientelist benefits, but they cast their votes on the basis of the performance of the national economy and government policies. Bratton et al. (2012) find that voters make their decisions on the basis of ethnic, economic and partisan considerations, but even more on the basis of their evaluation of government policy as to unemployment, inflation and income distribution. Lindberg and Morrison (2008: 121), in their study of Ghana,

³⁸ Four conditions that influence the electoral return to either clientelist or non-clientelist strategies are returns to scale; discernibility of vote choice; numerical weight of low-income voters in the electorate; and the costs of mass communication (Stoket et al. 2007).

find that the majority of voting citizens consciously evaluate the past performance or the promised policy programs of candidates or parties.

Bleck and Van de Walle (2012) claim that, while it is true that elections in Africa rarely appeal to class cleavages, this should not be confused with an absence of substantive electoral debate over issues. They find that valence issues—issues in which everyone (or the majority) of the electorate can agree as a good or bad thing—overwhelmingly dominate the discourse of political parties in Africa. They explain this valence strategy as a response to the overwhelming uncertainties that political parties face regarding the preferences of their electoral constituencies, institutional instability or reversal, and credible commitment to policy programs due to constraints on the state (Bleck and Walle 2012: 3). However, they also find tentative evidence that opposition parties are more likely to take a stance than are incumbents. Opposition parties are seen as having more to gain from position appeals, since they cannot out-compete the incumbent party on clientelist resources.

To sum up, urbanization makes it more difficult for clientelist party machines to secure compliance among voters of the urban poor. Although their vote may be cheap, this sector is also difficult to monitor and more exposed to information. The larger the urban electorate, the more attractive are programmatic or non-clientelist benefits expected to be. Furthermore, African voters increasingly make their decisions on the basis of policies regarding unemployment, taxes and other economic indicators. Still, while scholars indicate that non-ethnic parties are on the rise, and offer various explanations for these shifts, few have considered the urban poor as a target group for programmatic parties. There are few programmatic parties, compared to catch-all (valence) or ethnic parties. This is usually attributed to lack of industrialization and a small working class (understood as those formally employed). Furthermore, programmatic parties are costly, in terms of building organizational capacity and infrastructure. Hence, the political agency of the urban poor is not perceived or expected to be expressed through programmatic parties. While most theories on clientelist or programmatic linkages in sub-Saharan Africa have assumed (explicitly or implicitly) a lack of agency or significance of the urban poor vis-à-vis political leaders

and parties, an emerging literature on populist (charismatic) linkages, drawing mainly on Zambia, is placing the African urban poor at the forefront.

2.3 Neopopulist parties and the urban poor

Kitschelt's (2000) last party linkage is founded on charisma. When politicians address neither the challenge of programmatic conflict resolution nor organizational infrastructure, only a charismatic authority of one or a few individuals can hold the party together (Kitschelt 2000: 849). Such individuals must have unique personal skills and powers of persuasion that make followers believe in their ability to create a better future. Charismatic leaders give promises to all people, to maximize their own room for personal discretion. Such authority is grounded in the asymmetry between leaders and followers, but also in directness.

Kitschelt pays less attention to this linkage, as he considers it a non-durable, temporal phenomenon which soon will require one of the two other forms of linkages. However, he discusses the possibility of combining the three linkages within a political party, and whether there is a trade-off or mutual reinforcement between them. Clientelism and programmatic linkages are considered hard to combine for several reasons. First, universalistic principles of procedural programs militate against informal, particularistic resource allocation. Second, clientelist exchanges before elections may drain available resources or reduce the incentive to pursue such programs, given the nature of a coalition built around clientelist linkages. Charismatic linkages are seen as less compatible with clientelism or programmatic linkages because the latter two result in either the routinization of party machines, or programs that tie the hands of the charismatic leader. However, he finds all linkage mechanisms to be compatible, in smaller amounts (Kitschelt 2000: 854-855).

Charismatic leadership is usually considered an essential component of populism. Populism, however, is a contested concept that has been used to explain political parties in a range of different contexts, and across the right-left spectrum. Furthermore, the assumed relationship between programmatic, charismatic (populist)

and clientelist components within populist parties will vary (Cheeseman and Larmer 2015; Jansen 2011; Levitsky 2007; Resnick 2014; Taylor 2004). According to Weyland (2003: 1096), scholars who define populism in substantive terms, as concerning the social and economic content of policies and how this defines, for instance, the relationship between different classes, see populism and neoliberalism as incompatible. Others define populism as a strategy that can emerge at both ends of the left–right spectrum.³⁹

This study draws on Weyland (2003: 1096) and his definition of populism “as a political strategy through which a personalistic leader seeks or exercises government power based on direct, unmediated, non-institutionalized support from large numbers of mostly unorganized followers.” Weyland sees a populist strategy as anti-organizational, based on low levels of institutionalization. However, he adds that politicians may also approximate populism, but combine it with other political strategies. This definition of populism as a political strategy makes it easier to distinguish between populist strategies that are combined with programmatic linkages, and those that rely on clientelism, as the latter two linkages do not become an integral part of populism itself. Weyland’s definition also facilitates the identification of causes of and changes in linkage strategies.

Weyland justifies his conceptualization of populism as a political strategy precisely on the grounds that neopopulist leaders in Latin America, upon assuming office, have switched their substantive policy orientation, while continuing their populist tactics. These tactics have included direct connections to unorganized mass bases, the use of opinion polls, the bypassing of interest organizations, attacks on the political class and other elites, threats of plebiscites and other majoritarian instruments for surpassing

³⁹ Resnick (2014: 11) understands populist strategies as an amalgam of Kitschelt’s (2000) three party-voter linkages. In her view, a populist strategy relies on some key programmatic components around social inclusion, a charismatic leader, and the use of selective benefits. Cheeseman and Larmer (2015: 5) emphasize the centrality of economic grievances and the charismatic leader’s self-positioning as “one of the people,” who can defend them against experts and elites (but with a highly under-institutionalized party). Jansen (2011: 81–82) defines populist mobilization as “any sustained, large-scale political project that mobilizes ordinarily marginalized social sectors into publicly visible and contentious political action, while articulating an anti-elite, nationalistic rhetoric that valorizes ordinary citizens.” Jansen proposes a shift away from the concept of populism to populist mobilization. Such a refocus avoids the treatment of populism as a thing that make scholars search for its true nature or essence. By focusing on means rather than ends, we can understand populist mobilization as a political practice that politicians and their supporters engage in.

opposition, the strengthening of personalistic leadership and concentration of power, as well as transgression of liberal norms and trampling on institutionalized rules (Weyland 2003: 1102).

Events typically seen as having triggered “classic” Latin American populism that targeted the working class include economic depression and introversion, urbanization, and delegitimization of “oligarch” regimes (Knight 1998: 240). In the 1980s and 1990s, however, environmental conditions relating to changes in the global economy and economic shocks eroded Keynesian models and traditional state interventionist and pro-labor policies, while debt-crises reduced governmental leverage vis-à-vis international financial institutions (Burgess and Levitsky 2003). The resultant expansion of the tertiary and urban informal sectors, Burgess and Levitsky argue, weakened class identities and labor as an electoral base in Latin America. These sectors’ fragmentation and heterogeneous forms of work, identity and interests were seen as conducive to a new form of populist mobilization. Environmental changes called for labor parties to adopt market liberalization, weaken their links to unions and appeal to new electoral constituencies. Party success hinged on being able to adapt and pursue such strategies (Burgess and Levitsky 2003: 884).

Burgess and Levitsky understand successful populist party adaptation “as a set of changes in strategy and/or structure, undertaken in response to changing environmental conditions that improve a party’s capacity to gain or maintain electoral office” (2003: 883). They adopt a two-level framework that places party leaders at the intersection between environmental and intraparty dynamics. The former shapes incentives for adaptive strategies, while the latter affect the capacity to implement those strategies. Important intraparty factors that determine party capacity to adapt include the fluidity of the party hierarchy, as well as the autonomy of office-holding leaders vis-à-vis party authorities, unions and other intraparty actors. Leadership turnovers and renovation, less restrained by bureaucratized party hierarchies, have facilitated rapid change. Autonomous party leaders that could make changes without extensive consultation proved more flexible than leaders accountable to lower-levels, activists or affiliated unions (Burgess and Levitsky 2003: 887–888).

Also Weyland (2003) emphasized this unexpected synergy between neoliberalism and neopopulism that emerged in the 1980s and 1990s. Populist tactics were considered to promote drastic market reform, while neoliberal attacks on existing political and economic interest strengthened personalistic leaders. Due to economic crises, a quick fix implemented by charismatic populist leaders could provide a promising recipe (Weyland 2003: 1095). In societies where organizations already existed that made some sectors loyal and less susceptible to populism, populist leaders targeted the largely unorganized poor to win mass backing, thereby marginalizing existing organizations (Weyland 2003: 1098). This anti-organizational bent was shared by neoliberals who wanted to protect the market from special interests and rent-seeking groups. Neopopulist leaders could carry out market reforms, while neoliberal reformers and international financial institutions benefitted the informal sectors and poor with targeted social emergency and anti-poverty programs. In this way, neopopulists in fact extended social programs and political participation to previously excluded groups—showing that these sectors were crucial for presidential election victory.

Although far-reaching programmatic change permitted Latin American populist parties to survive in the neoliberal era, Burgess and Levitsky (2003: 907) note that their linkages to subaltern constituencies, such as informal sector workers and urban popular organizations, were more likely to rely on clientelist and media-based linkages—and, by implication, that their “imperfect” representation of these popular sectors would soon be over. Later, Levitsky (2007: 206) was to argue that working class-class decline and growth in urban informal poor made clientelist linkages more successful. Levitsky (2007: 225-226) found that many labor-based populist parties opted for clientelist linkage strategies towards a labor force which was becoming increasingly informalized and impoverished. For instance, local party organizations in Argentina began to serve as “problem-solving networks” that could arrange anything from wheelchairs to disability pensions, scholarships, funeral expenses, odd jobs, road pavement and other forms of social services.

These networks also provided social control in urban poverty zones during economic crisis periods, via neighborhood brokers that combined persuasion and intimidation to defuse protest (Levitsky 2007: 218). Levitsky found that the ability of political parties to transition from labor-based populism to clientelist machine politics resulted from access to a politicized state bureaucracy, high levels of electoral competition, and weakening of party-union linkages, which were replaced with informal patronage-based organizations. Clientelistic linkages contributed to dampening popular protest as well as securing votes for market-reforming parties.⁴⁰

In the recent populist literature on sub-Saharan Africa, the focus has mainly been on how new populist strategies of opposition parties fuse or combine a leftist, populist-programmatic appeal to urban poor constituencies with ethnic appeals. Resnick (2014: 8) set out to explain when and why the urban poor support opposition parties in African democracies, using Zambia as a case. Her basic assumption is that the urban poor face distinct challenges in securing improved welfare, while political parties want to win votes. She argues that opposition parties that tap into the urban poor's grievances are more likely to win their support. Populist strategies are "well-suited to this task" as they, according to Resnick's conceptualization, represent an amalgam of Kitschelt's (2000) three party-voter linkages. In a region dominated by personalist linkages and vague catch-all messages, a populist strategy helped an opposition party to distinguish itself on an issue much in demand with a policy message that resonated.

However, rather than party machines, Resnick considered clientelism to be used by all parties in the urban areas, to buy votes or turnout through the distribution of smaller (and cheaper) gifts. As such gifts had fewer strings attached, she finds that clientelism exercised less control on the urban poor than classic party machines. Hence, opposition parties relied on a substantive policy appeal to the masses to challenge incumbents. By simultaneously using ascriptive (ethnic) identity for mobilization in rural areas, the opposition party managed to maximize votes (Resnick 2014).

⁴⁰ It should be noted that scholars such as Taylor (2004) consider clientelism to have underpinned party linkages between politicians and voters in Latin America ever since the early 1800s.

Cheeseman and Larmer (2015) support the argument that a few opposition parties in Africa have had electoral success by combining ethnic and populist appeals. They claim that political parties can succeed by identifying and incorporating shared narratives of exclusion that are experienced by different communal (ethnic) and interest groups—a strategy they term “ethnopolitism.” The apparent contradiction of appealing to both the “subaltern” poor against the wealthy, as well as an ethnic identity (which could be seen as undermining the appeal to the overall poor), could be overcome—not simply by using populist discourse in urban areas and ethnic appeals in rural areas, but by fusing such appeals (Cheeseman and Larmer 2015: 2).

However, they add, such opportunities were restrained by the structure of society and past legacies of political mobilization, especially regarding the reach of the urban political economy and the politicization of ethnicity.⁴¹ While ruling parties have usually managed to retain power in rural areas through ethnic appeals as well as patron–client networks and control of traditional leaders, urban voters appeared more receptive to populist appeals. In support of Stokes et al.’s (2007) urbanization argument, Cheeseman and Larmer attribute this divergence between urban and rural populations to greater freedom of information, population density and alternative institutional frameworks such as trade unions that empowered the opposition parties in the cities (Cheeseman and Larmer 2015: 4).⁴² As Resnick (2014), they found the Zambian opposition party to mobilize the urban poor through populist promises. However, the Kenyan opposition party, although having pro-poor components, was mainly considered to engage the urban poor through an ethno-clientelist party machine (Cheeseman and Larmer 2015).

⁴¹ Ethnopolitism was considered most feasible when urban areas had comparatively higher economic and political significance, and patterns of rural-urban-rural migration and remittances bridged the divide between rural and urban voters.

⁴² A new form of populism, whose substantive content can be more associated with far-right populism in Europe—anti-gay and anti-immigration—has, according to Vincent (2011) also emerged in sub-Saharan Africa, exemplified by Zuma’s ANC in South Africa.

Since the introduction of multiparty competition, ethno-clientelist party machines in sub-Saharan Africa have occasionally been challenged by opposition parties that rely on a populist message with programmatic components to the urban poor, in combination with ethno-clientelism (Cheeseman and Larmer 2015; Resnick 2014). Such an opposition strategy has been considered to increase the chances of success in countries with an influential urban economy and large segment of urban poor. However, neither Resnick nor Cheeseman and Larmer have explicitly linked the populist strategy of the Zambian opposition to clientelism. In Kenya, Cheeseman and Larmer (2013: 44) considered the ethnopopulist strategy of the opposition to resemble a political machine founded on ethnic patron–client relations where ethnicity trumped populist linkages.

While populism towards the urban poor is not explicitly linked to clientelism in sub-Saharan Africa, neopopulism in Latin America is. Its neopopulist parties appeal to the socio-economic grievances of the urban poor, but establish non-institutionalized, personalist ties to these constituencies, underpinned by clientelism (Burgess and Levitsky 2003; Levitsky 2007). Machine politics mediated by brokers is expected when such linkages provide a cheaper (but effective) way to secure the vote of the urban poor than programmatic linkages (Stokes et al. 2013). Given that resource mobilization for party politics in sub-Saharan Africa usually has been based on ethno-clientelism, I propose that a similar strategy to that of neopopulist parties in Latin America might be possible, if there is a break with ethno-clientelism at all.

I have not found literature that delves more deeply into how the urban poor exercise agency through pro-poor, populist parties in sub-Saharan Africa, and for what reasons. Drawing on Kitschelt (2007) and the literature on Latin American populism, the theoretical expectation is that populist parties engage the urban poor as clients or citizens based on the relative importance of clientelism as a material resource, as opposed to programmatic linkages as a source of legitimacy. The methods chapter (Chapter 4) explains how I will study this in the Kenyan and Zambian contexts, by

looking at how political parties mobilize the urban poor constituents by generating two types of resources: legitimacy through (promises of) providing collective benefits; and/or material resources through contingent benefits.

For a deeper understanding of the political agency that the urban poor have achieved through political competition and pluralism, we need to consider another type of actor that has surfaced—*social movement organizations*. By incorporating the role of social movements in aggregating and mobilizing collective interests of the urban poor, we can get a fuller picture of the political agency of the urban poor in national politics.

3. Social movements by and for the urban poor

The literature on party linkages has dealt mainly with two types of actors—voters and political parties—with the exception of intermediary brokers who connect the former two through clientelist exchanges. However, other intermediary actors, such as SMOs, can also contribute to establishing and maintaining programmatic linkages between parties and voters (as was the case with the “old” labor movements), or otherwise exercise political pressure on politicians and governments to make them responsive and accountable to citizens. In this chapter, the focus is on social movements that aspire to being by and for the urban poor. Are these movements likely to provide the urban poor with an alternative political channel to engage as citizens to advance their interests? And how can movement mobilization be expected to interact with party politics?

Social movement theories have flourished in recent decades. The plethora of conceptualizations and theoretical frameworks makes it necessary for researchers engaging with social movement theory to carefully articulate their understanding and utilization of shared concepts. There has been a tendency in the literature to equate social movements with social movement organizations (SMOs).⁴³ However, Diani and Bison understand social movements as a type of collective action process (see Appendix A), defining social movements as “networks of informal interactions between a plurality of individuals, groups, or associations, engaged in a political or cultural conflict, on the basis of a shared collective identity” (Diani and Bison 2004: 282). Their understanding of social movements will be used in this thesis to assess whether there exist social movements for the urban poor in Kenya and Zambia, as well as the SMOs that constitute these movements.

⁴³ Amenta et al. (2010: 288), for instance, in their review of the literature on the political consequences of social movements, define political social movements as “actors and organizations seeking to alter power deficits and to effect social transformations through the state by mobilizing regular citizens for sustained political actions”. In their conceptualization, social movements may be combined into social movement industries or families. See also Tilly and Tarrow (2007) on movement networks.

Diani and Bison's first dimension—conflictual versus consensual action—concerns the presence or absence of any conflict with clear opponents, as opposed to consensus-based collective action (Diani and Bison 2004: 282).⁴⁴ The second dimension distinguishes between dense and sparse networks existing between individuals and/or organizations engaged in collective projects. Only through dense networks between actors is a collective action process elevated from the organizational level to the movement level. The third dimension concerns strong versus weak collective identity between the actors. First and foremost, this dimension helps us distinguish between those organizations/actors that work merely in their own interests (instrumental) from those with a shared commitment and purpose beyond their own organization based on collective goals. Finally, Diani and Bison's (2004) conceptualization opens up for including political parties as actors in collective action processes, including social movements. According to Tilly and Tarrow (2007), a framework for understanding electoral mobilization for political change that does not allow for political actors as part of the networks of social movements can obscure what is required for successful movement impact.⁴⁵

From the existing literature, I have identified three phases of civil society engagement relevant for understanding mobilization around urban poverty in sub-Saharan Africa: member-based movements (interest groups) highly integrated into the one-party structures, often through corporatism; a pluralist, autonomous civil society dominated by professionalized NGOs, with weak ties to the urban poor; and member-based but autonomous social movements for the urban poor. The differences are not clear-cut, and legacies from previous phases are reflected also in current setups.

⁴⁴ By defining movements in conflictual terms, one identifies targets for collective efforts, immediately framing it in political terms. This clearly differentiates social movements from other segments of civil society and development agents that often frame their activities around "consensual" development goals and service delivery as a supplement to or as partner to the state or other actors. Often in the development discourse, objectives are shared by all stakeholders (valence issues): the curbing of unemployment; supporting and empowering the youth; democracy; anti-corruption; and poverty reduction. Social movements, on the other hand, are concerned with conflict, or opposing interests and objectives.

⁴⁵ Applying Diani and Bison's social movement definition in practice is challenging, as it is inherently difficult to draw boundaries as to which actors should be considered part of any social movement. I nonetheless believe their conceptualization offers a good reflection of the messy realities of blurry and shifting boundaries between political actors.

Movements of the third type are often affiliated to transnational movement umbrellas that seek to organize the urban poor around joint interests globally, with two of the most prominent being those of slum-dwellers and informal traders. This theory chapter discusses whether such movements that are supposed to be formed and led by the poor themselves provide an alternative political channel for the urban poor to advance their collective interests as citizens (Batliwala 2002), but also how these movement structures may create their own patron-client relations due to dependence on external support (Pommerolle 2010; Wit and Berner 2013), or political co-optation. Again, expectations as to the kind of agency these social movements provide for their urban poor constituents, and for what reasons, will be seen in light of how SMOs mobilize resources: legitimacy through collective benefits; or material resources through contingent benefits.

3.1 Social movements under one-party rule

During the one-party era in Africa, relations between the state and economic interest groups in society were often characterized by institutionalization with limited autonomy from the state. Interest groups would typically include trade unions, business associations and farmer associations (Rakner 2001). Politicians and administrators, anxious to promote controlled urban development, were dismissive of the initiatives of the urban poor to provide themselves with an income and a home (Burton 2005: 3).

Despite one-party regimes' efforts to co-opt and control civil society, sub-Saharan Africa social movements have long been intertwined with opposition politics (Waal and Ibreck 2013: 304). According to De Waal and Ibreck (2013: 310), although African social movements often do not fit standard definitions, non-violent, "informal" and spontaneous mobilization has produced progressive results to change political outcomes or hold political leaders to account. They hold that this has been the case for anti-colonial, independence movements, pro-democracy movements, and the Arab Spring. In response to negative experiences with co-optation, control and repression under previous authoritarian one-party regimes, African labor movements often took

on pivotal roles in democracy struggles, becoming the breeding grounds for opposition—as they also had done in the independence struggles (Larmer 2010; LeBas 2011; Rakner 2001).

LeBas (2011) highlights the different roles African trade unions have played for opposition to authoritarian rule, and attributes this to their organizational mobilizing structures. She differentiates between regimes where trade unions were able to develop cross-ethnic and increasingly autonomous structures (Zambia, Zimbabwe), and those where trade unions were built on ethnic brokerage, and the regimes effectively contributed to the internal fragmentation of these organizations (Kenya). These legacies left differing opportunities for alignment and mobilizing structures for parties opposed to authoritarian rule. LeBas finds that strong opposition parties in Africa emerged from the combined factors of authoritarian legacies (which either facilitated or obstructed cross-ethnic social organizational infrastructure), as well as party strategies that polarized the party landscape. By polarizing conflict, parties strengthened party cohesion and grassroots commitment that could serve as a bulwark against party fragmentation and mobilizational decline (LeBas 2011: 250-251).

While the urban poor were typically not the main targets of any of these organizations, these segments increasingly became integrated in mobilization against authoritarian rule and economic malfunctioning. Cheeseman and Larmer (2015: 6) hold that the impact of urban-based radicalism in electoral politics has been surprisingly neglected (using Zambia as an example) in countries where a highly influential trade union structure and labor leaders usually appealed to an undifferentiated urban poor, including workers (employees) but not restricted to them. The Western bias for looking for class, they claim, has sidetracked scholars from recognizing the importance of political leaders in maintaining political stability by granting concessions to urban interest groups.

Under one-party rule, urban alliances of opposition parties and civil society organizations increasingly broke with the one-party machine of the incumbent when its patronage sources dried up as a consequence of economic mismanagement. These

alliances then engaged in broad-based mobilization against the one-party regimes, which resonated with the urban poor (Cheeseman and Larmer 2015). However, there was considerable variation in the degree to which these traditional social movements produced urban, cross-ethnic mobilizing structures that could form the basis for more durable linkages between political parties and movements over time. Furthermore, the urban poor were mobilized by both trade unions and opposition parties in a more *ad hoc* manner during these democracy struggles.

3.2 Political pluralism and extraversion (NGOs)

The introduction of political pluralism represents a critical juncture for civil society by changing its political opportunity structure. A key change that occurred across the countries that transitioned to nominal democracy in the early 1990s was the infusion of pluralist ideals of civil society. Civil society and the state cut their institutionalized ties. Political liberalization was guided by the normative ideal of political pluralism as multiple sources of authority, autonomous from the state. Freedom of association would ensure that civil society groups could form to provide a voice for a range of societal groups (Rakner 2001).

In the wake of democratization pressures in sub-Saharan Africa, aid resources flowed into NGOs. Pommerolle (2010) uses the term “extraversion” to describe the dynamic between mobilized groups in Africa and their international partners (donors and NGOs). She argues that the “extraversion” of social protest—extending to the international sphere—can become a resource and refuge for protesters, but also a new source of coercion. First, Pommerolle highlights how internationalization is subject to social and political competition, which creates winners and losers. Second, she finds that the concrete modalities of the relationship between actors from the North and the South tend to reproduce existing inequalities, where Northern models win out (as regards themes and tools). Third, the similarities among international actors, in terms of modalities of implementation, vocabulary, skills demanded, and political and economic reforms introduced, contributed to a “reforming authoritarianism” (Dabène et al. 2008, referred to in Pommerolle 2010: 277), reproducing the established order.

In a similar vein, Larmer (2010: 256) points out how the mutually enforcing ideological wave of economic and political liberalist policies led to a decline in state capacity, combined with the promotion of a civil society consisting largely of externally funded NGOs. These developments made civil society organizations accountable to external agents and not to state agents. Consequently, since the 1990s, popular struggles have manifested as movements for “democracy” and “human rights” (Englund 2006), referred to in Larmer 256).

Rakner (2001), in her case study of Zambia, found that political and economic liberalization resulted in a plurality paradox: whereas political liberalization led to a proliferation of civic associations, the corporatist links between the state and economic interest groups that had been granted some real influence in the previous authoritarian regime were weakened. Waal and Ibreck (2013) hold that social struggles in Africa often have been misinterpreted through Western lenses and understandings of the significance and role of “civil society.” They see the concept as normatively laden; “in practice this space has been largely colonized by groups engaged in service delivery roles, acting on behalf of or complementary to the state rather than representing popular concerns”(Waal and Ibreck 2013: 306).

Nevertheless, attention to the socio-economic grievances and participation of the urban poor has increased in recent decades, due partly to NGOs and development agencies. A poverty reduction agenda was set out in the Poverty Reduction Strategy Papers (Duncan et al. 2003: 4) based on the UN Millennium Development Goals. Poverty, as such, can thus be considered to have been established as a valence issue, with equitable economic growth and empowerment (through participation) as main aspects. Still, Azevedo (1998: 264) finds that while “participatory planning” had been promoted by development agencies and governments already in the 1970s, it was mostly seen as being of a restricted or instrumental nature. Objectives of such programs have been to involve the community in decisions concerning the application of limited resources for specific projects, so as to eke out those resources by using free or under-paid labor and increase government legitimacy (Azevedo and Prates 1995, cited in Azevedo 1998: 264). Azevedo holds that the attraction of such programs to

low-income groups would evaporate if government agencies fulfilled their legal functions by providing a basic minimum of social services.⁴⁶ Similarly, Millstein et al. (2003: 465) claim that although “participation” has become a buzzword in international development agencies, in practice, such participation often resembles consultation, with decisions and implementation remaining with the state and/or international partners.

Thus, while political pluralism lead to a plethora of autonomous civil society associations, most notably through the spread of NGOs, the extraversion of civil society organizations has turned the accountability of these actors upwards. Pluralist ideals and extraversion have impacted the agendas and themes of civil society, sometimes in ways expected to depoliticize social protest and reproduce existing power asymmetries and inequalities. The liberal democratic model envisioned and implemented by democracy promoters has served to structure resource flows in ways that make domestic actors dependent on and accountable to international actors, while weak links have been established to the urban poor grassroots.

3.3 Social movements by and for the urban poor?

Since the late 1990s, a new type of transnational social movements has emerged in the developing world, held by their protagonists to function differently from traditional development partners such as NGOs and international and bilateral development agencies (Weru 2004: 62) as regards democratic representativeness and accountability. These movements have been seen as tools for countering various negative effects of economic liberalization and privatization policies, and for paving the way for political change and transformation that can benefit the poor and marginalized (Ballard et al. 2005; Bieler 2012; Kapoor 2007; Köhler and Wissen 2003).⁴⁷ These movements often

⁴⁶ According to Azevedo (1998), service provision by the state generally does too little to counter social inequality because management tends to be corrupt, inefficient and clientelistic. However, he does not accept some of the “current fashionable” interpretations of the relationship between the state, market and society, and believes that urban social and economic problems can be solved only by the state and by complex, pro-active and democratic political and institutional arrangements.

⁴⁷ Transnational social movements have also been created to address a range of other issues that are not of a socio-economic character.

frame their struggle around a rights discourse. As the introductory chapter highlighted, extra-legality has become the norm for many people, due to legislation that is incompatible with creating a home and a livelihood.

Batliwala (2002) argues that transnational, grassroots-based social movements that are formed and led by poor and marginalized groups function differently because their priorities and agendas are generated by the grassroots member organizations, and not intermediary NGOs at the national and international levels. In order to empower the voices of the poor in policymaking, outside activists, such as international NGOs, must reposition their leadership roles over time, to democratize and be accountable to the poor (Batliwala 2002: 408).

Mitlin and Satterthwaite (2007) find that strong local ownership of initiatives that give local organizations central roles in project development and management ensure more accountable and representative community organizations that are also more effective in addressing urban poverty. The organizational structure of such networks facilitates collective decisionmaking. Such federations challenge the exclusion of the urban poor from development processes typically designed and managed by professionals, by developing their own collective organization and agency and demonstrating their capacities (Mitlin and Satterthwaite 2007: 498). This is also considered to give them greater legitimacy and representativeness in the eyes of policymakers and multilateral institutions.

Due to their transnational nature, these social movements are also held to have developed greater capacities than their “elite” counterparts for influencing public policy even up to the international level, while keeping the locus of power and authority in the communities and not in intermediary NGOs (Batliwala 2002). Recent social movements that address urban conflict are often characterized by their internationalist orientation, their broad range of issues and diversity, as well as their “glocalization”—the dialectic organization across scales from the local to the global (Köhler and Wissen 2003: 942; Lindell 2009). By embedding urban conflicts in a broader frame of global movements, a space is created for exchanging experiences and

collectively develop strategies to challenge power relations across scales (Köhler and Wissen 2003: 950).

Mitullah (2010) and Lindell (2009; 2010b) find that through the support of transnational organizations, initially weak local organizations of informal workers have been able to organize, lobby and influence policy *to their advantage*. Local organizations that engage in joint action with support from transnational organizations become visible and are recognized by governments and other development partners, leading to their inclusion in local and national processes—ultimately influencing their own working environment and livelihoods.⁴⁸ In a world that is becoming increasingly integrated with various loci of power at the local, national, regional and international levels, transnationality is considered instrumental in enabling aggrieved, marginalized groups to impact on policies that affect them (Batliwala 2002; Lindell 2010; Millstein et al. 2003; Mitullah 2010). The “glocal” scope unites members and affiliates from a range of countries and provides grassroots members with resources.

Despite their aspirations to representation and accountability, in practice it may be difficult to distinguish transnational social movements from more elitist NGOs and development agencies, and the borders are fluid and overlapping. A challenge that follows with their increasing influence over and involvement with professional NGOs, donors, political parties, government and international financial institutions, is thus to remain accountable and grassroots-led. These social movements may embody their own elite and power structures, and come to reflect the power asymmetries in the global world, where Western ideas and organizations often dominate framing and activities (Ballard et al. 2005; Batliwala 2002; Brown et al. 2010; Davis 1999; Mitlin and Satterthwaite 2007). Hence, the problems of extraversion seem to be emerging also in social movements for the urban poor. Various power asymmetries have been identified within these movements, informing my own conceptualization in the introductory chapter.

⁴⁸ For instance, is UN-Habitat seeking to put in place program that draw on the federations’ experience and engage these groups (Mitlin and Satterthwaite 2007: 499).

First, while transnational networks may strengthen and enhance the political clout of grassroots actors, Mitullah (2010: 200-201) notes that transnational organizations also tend to overlook the potential for building strong foundations with a well-resourced, knowledgeable and well-networked constituency at the local level, which leads to dependency and non-sustainability. Cleaver (2005) finds that even when the poor articulate their interests autonomously from the state, the very poorest experience clusters of interlocking disadvantage, with the consequence that increased association and participation at community level are not necessarily beneficial to them. Social relationships, collective action and local institutions may structurally reproduce the exclusion of the poorest.

According to Brown et al. (2010: 680), formal and informal traders' organizations have failed to achieve lasting impact because they have failed to grasp the complexity of grassroots associations of the marginalized poor. Millstein et al. (2003: 465) find that while NGOs may function as key assets for community organizations, partnerships between NGOs and community organizations are often characterized by uneven power relations, calling into question the ability of NGOs to represent the poor in an efficient, transparent and accountable manner.⁴⁹

Wit and Berner (2013) argue that, from the perspective of the poor, the benefits offered by NGOs and donors are as particularistic (to be competed for) and temporary as those of politicians. They conclude that NGOs can at best strive to be better and more reliable patrons. In a study of three Indian cities, they found that the "partnerships" between municipal agencies, NGOs and slum organizations (CBOs) often were characterized by vertical relations of patronage and brokerage that hinder horizontal mobilization, as the poor face conditions of scarcity and competition. Community-based organizations (CBOs) may in fact block progress, by controlling and capturing benefits to misuse them for private (political) interest. As most "representatives" of the urban poor were found to be established local leaders, the programs ended up being participatory or empowering for the poor in name only.

⁴⁹ Brown et al. (2010: 678) find that also traditional associations for street trading can be far from representative, and significant groups of poor traders may be denied entry.

Municipal agencies, donors, NGOs and CBOs thus become part of a system of vertical dependency relations (Wit and Berner 2009: 927).

Hence, Pommerolle's (2010) three challenges of extraversion—competition in the international sphere between different protest actors, modalities in relationships between actors from the North and South that reproduce inequalities between the two, and similarities in (Northern) modalities of implementation that tend to reproduce the established order—have all been found to reproduce political inequality in the movements for the urban poor, and lead to problems of clientelism (Wit and Berner (2009).

I now turn to two transnational social movements that have risen to global prominence during the past decade—Shack/Slum dwellers International and Streetnet International. Much of the literature on social movements draws on studies of these organizations or their affiliates and network partners. Slum/Shack Dwellers International and Streetnet International have been instrumental in shaping, networking and organizing grassroots across the globe, creating “glocal” social movements. They are rooted in grassroots affiliates of the urban poor, but engage with government bodies and international agencies to produce political change that reflects the interests of their constituencies.

3.3.1 Shack/Slum-dwellers International and its affiliates

Shack/Slum-dwellers International (SDI) is a transnational network of federations of slum/shack dwellers or homeless groups, and their support NGOs (Mitlin and Satterthwaite 2007: 488). SDI (founded 1996) is the outcome of a process that begun in 1988 between organizations of slum and shack dwellers and their partner NGOs in Asia and Africa (Batliwala 2002: 402-404). The head office of the Secretariat is in Cape Town, South Africa.

In 2015, the network had member organizations from 33 countries in Africa, Asia and Latin America (Shack/Slum Dwellers International 2015). By 2011, there were 14 mature national federations affiliated to the network. Mature federations have achieved

national or citywide scale and have worked with governments to secure and develop land for the urban poor. In each country, the affiliate organizations come together at the community, city and national level. SDI focuses on the localized needs of slum-dwellers, and promotes a common agenda of creating “pro-poor” cities that addresses the exclusion of the poor from the economic and political structures (Shack/Slum Dwellers International 2015). Shack/Slum Dwellers International (2015) employs a seven-point methodology of inclusive cities, savings, enumerations and mapping, exchanges, partnerships, slum upgrading, and focus on women.

SDI together with the International Institute for Environment and Development established the International Urban Poor Fund in 2001 (Mitlin and Satterthwaite 2007: 488) The fund supports improvements in secure tenure and basic services developed through grassroots initiatives. It provides small grants to support savings groups that are formed by low-income urban dwellers to secure land for housing, by obtaining tenure for land they occupy or alternative sites, or to upgrade their homes and services. Between 2001 and 2007 it had channeled the equivalent of USD 4.6 million to more than 40 grassroots initiatives and activities in 17 countries. These initiatives are designed and implemented by local savings groups that serve as the base organizations for slum/shack dwellers’ organizations (Mitlin and Satterthwaite 2007: 488).

In 2010, the International Urban Poor Fund had funded the construction of 4000 homes, secured tenure for 30,000 families and supported 100 projects in 16 countries (Shack/Slum Dwellers International 2015), as well as contributing to policy change regarding the reduction of minimum plot sizes, building regulations to enable low-cost material and design, land-sharing with landowners, state house subsidies, establishment of joint committees for informal settlements, and emergency relief. The fund is intended to be very flexible as to what it supports, and where. Decisionmaking on allocations is embedded within SDI, where all federations are represented. Since the federations have direct control over capital, this enables them to negotiate as a potential partner with formal bodies such as governments and banks (Shack/Slum Dwellers International 2015).

SDI has also built a global platform for slum-dwellers to engage directly with governments and international organizations to change policies and strategies.⁵⁰ In the network, NGO partners are required to play a supportive rather than leading role vis-à-vis the federations. They are not allowed to represent the grassroots federation in any public policy forum unless authorized to do so alongside federation leaders. SDI's partners include other networks, multilateral organizations, academic institutions and funders—among them the Bill and Melinda Gates Foundation, the Ford Foundation, Misereor, the Sigrid Rausing Trust, Tides Foundation, Norad, Sida, and the Skoll Foundation (Shack/Slum Dwellers International 2015).⁵¹ UN-Habitat has also begun to draw on the federation's experience when implementing programs, as with the UN slum-upgrading facility (Mitlin and Satterthwaite 2007: 498-499).

3.3.2 Streetnet International and its affiliates

Informal traders and street vendors are usually found in the lowest bracket of the income chain, and face similar hurdles as an occupational group (Brown et al. 2010). According to Skinner (2008a: 14), research available on street trade in Africa indicates that many traders are not affiliated with any union or organization. Existing trade organizations usually focus on the three following concerns: financial services, lobbying, and advocacy, particularly at the local level and for product-specific issues.

Research conducted by War on Want together with the Workers' Education Association of Zambia in four African countries (referred to in Skinner 2008), concluded that most such organizations were established in specific markets or trading areas for dealing with urgent issues, such as police harassment and disputes among vendors. To a large extent, trade organizations had confrontational relations with local

⁵⁰Millstein et al. (2003) find that the South African Homeless People's Federation, an affiliate of SDI, has utilized political relations at various levels to mobilize land and subsidies for housing for its members, as well as influence the formulation of housing policy. It has participated in the process of turning *de jure* rights to adequate shelter into *de facto* rights for the urban poor.

⁵¹ SDI's full list of partners includes: the Asian Coalition for Housing Rights, United Cities and Local Government Africa, Women in the Informal Economy: Globalizing and Organizing (Wiego), Cities Alliance, Global Land Tools Network; academic institutions: International Institute for Environment and Development, Society for Participatory Research in Asia, Institute for Policy Alternatives, African Centre for Cities, Association of African Planning Schools, World Urban Campaign; and funders: Bill and Melinda Gates Foundation, Ford Foundation, Misereor, Sigrid Rausing Trust, Tides Foundation, Norad, Sida, and Skoll Foundation.

government, but many also negotiated with government bodies (Skinner 2008a: 14-15).

The Bellagio International Declaration of Street Vendors (1995) called for coordinated national and international action to support street traders and policies that protect their rights (Brown et al. 2010: 671). The Declaration led to the launch of Streetnet International in Durban, South Africa, in 2002. By 2008, Streetnet had a membership of 300 street-vendor associations in Africa, Asia, and Latin America; it draws heavily on the international trade union movement (Brown et al. 2010: 671). Member-based organizations that directly organize street and market traders are entitled to become Streetnet affiliates (Skinner 2008a: 16). These include unions, cooperatives or associations that directly organize street vendors, market vendors and hawkers (Streetnet International 2015).

The International Congress is the supreme governing body of Streetnet, and consists of the members of the international council and delegates elected from each member organization. International Congresses decide on reports, formulate policy and decide on resolutions submitted by members and the Council, approves amendments to the Streetnet constitution, and decide on financial position and progress (Streetnet International 2015).

Streetnet seeks mainly to build the capacity of street-trader organizations to strengthen their organizational and advocacy ability. This is done through leadership training, exchange visits, documentation and dissemination of evidence. Streetnet also assists in expanding organizing efforts to the national level, to influence national policy (Skinner 2008a: 16). In addition, it conducts advocacy for the rights of street vendors in international bodies such as ILO and international trade union federations, and mobilizes for international campaigns to promote policies and actions to improve the working and living conditions of its members (Streetnet International 2015).⁵²

⁵² A recent major campaign was directed against “world-class cities” that tend to remove traders from the scene when hosting major events.

Resolution 22 (Streetnet International 2015), from the Third International Streetnet Congress meeting in Benin lists five demands, including that governments and urban local bodies shall respect and protect the rights of street vendors, and ensure their livelihoods by including them in urban policies. The network also wants developmental and infrastructure projects to be planned, implemented and executed in participatory processes with street-vendor organizations and vendors of affected natural markets, and not relocate markets.

Streetnet demands that unions representing street vendors be included in social dialogue forums and tripartite negotiations that formulate urban policies and projects, as well as provide input to budgeting processes and decisions on educational facilities, electric power, security and other necessities (Streetnet International 2015). National trade union federations pay increasing attention to organizing the informally employed—through initiatives directly aimed at organizing them, encouraging appropriate affiliates to organize, or by supporting or expanding existing organizing efforts (Skinner 2008a: 15). However, there are also tensions between the trade union federations and informal workers' associations.

Thus, both Streetnet International and Shack/Slum-dwellers International conform to Diani and Bison's (2004) conceptualization of a social movement as being characterized by collective identities, dense networks and conflictual action.

3.4 Pulling the overall argument together: Interaction between social movements and party politics

Because of the nature of urban conflicts, much research on the relations of these movements to party politics have focused on the local (municipal) and provincial levels. Recent trends towards decentralization have also provided new political opportunities for popular urban movements to target local authorities (Millstein et al. 2003). However, my study is concerned with exploring how social movements relate to electoral politics at a general level: whether and how such SMOs interact with

party–voter linkages. Few studies have made this explicit link between these movements and electoral politics.

Much research on social movements has focused on extra-institutional mobilization strategies and protest, and not on influence through electoral politics which may provide more long-term and coherent outcomes than immediate responses (Amenta et al. 2010: 297). The political leverage of social movements is expected to increase through connections with political parties and electoral activity, or by occupying state positions. If the formation of a new political party seems a less effective way to have political impact, for instance in a majoritarian system, an alternative may be to establish enduring connections between movements and a main political party or certain political candidates (Amenta et al. 2010: 292).⁵³

Bleck and Walle (2012), writing on valence issues in African elections, find that civil society is more likely to raise positional issues than political parties. Ballard et al. (2005) argue that contemporary social movements (in South Africa) provide a counterbalance to promote the needs of the poor when political systems fail to provide a (Leftist) alternative. Both Streetnet International and Slum-Shack-Dwellers International have aggregated collective identities and socio-economic interests, which they have turned into tangible law and policy propositions. These issues could be accommodated into a political party program. As social movements of slum-dwellers and street vendors seek to mobilize and organize the interests of groups that represent a substantial share of voters in urban areas (and sometimes nationally), these interests could emerge as salient issues also in electoral politics.

3.4.1 Dismantling the ethno-clientelist party machine: a joint cause?

According to Amenta et al. (2010: 296-297) and Benford and Snow (2000), social movement framing is most influential when it can identify problems *and* propose credible solutions. The state itself is not necessarily the adversary of movement demands, but may be targeted to assist the movement in its struggle against other

⁵³ For instance, appointment to state positions is a far more common inclusion outcome in the USA.

societal forces, as has typically been the case for labor movements (Amenta et al. 2010: 291). While the general observation is that it is the needs and demands of the dominant classes (and not the poor) that lead to changes in for instance property legislation, laws may also be changed due to pressure from the populations affected, for instance through elections (Durand-Lasserve 1998: 250). Although a frame is plausible and culturally resonant for both the social movement agents and their constituencies, there might still be a problem if the framing happens to clash with the interests of policymakers. A government can ratify or seek to undermine emerging collective identities, as well as create new ones. The willingness of political actors to assist constituencies is assumed to be affected by electoral considerations and party systems.

A main reason why the interaction between political parties, especially incumbent parties, and movements for the urban poor could be conflictual or non-collaborative, is because these movements in practice seek to dismantle the clientelist relations between the urban poor and political elites through decriminalization and legal rights.

According to Svåsand (2013: 270), few parties in new democracies have emerged out of social movements or networks of voluntary associations. Instead, parties have been constructed by political entrepreneurs that employ extensive clientelism to connect the actors inside the party.⁵⁴ Political elites have also been found to manipulate grievances of the urban poor to win elections through clientelism (Boone 2011; Hansen 2004; Linehan 2007). As discussed previously, state–society relations between these constituencies and the state existed before the formation of the newer transnational movements, and have often been embedded within the (neo)patrimonial system.

Political elites can use clientelism to maximize votes, but also to protect their own economic interests, if these are at odds with the interest of the urban poor. For instance, Monteiro (2001, cited in Lourenco-Lindell, 2004: 92) finds that many informal businesses at the largest market place in Bissau are owned by “invisible”

⁵⁴ Nevertheless, he argues that perceptions of the party as an endangered species are exaggerated, because there is no credible alternative for solving “the collective action problem arising from the need for delegation in large-scale communities” (Svåsand 2013: 270). Even if political parties do not fulfill their democratic functions, the political party that wins elections becomes the government.

owners who work in the central and local government. Thus, if these social movements do not yet have a large membership, their potential members and the interests they represent can become a threat to politicians—both their material interests and their electoral base. Furthermore, the resources intended to accrue to the urban poor through social movements also become attractive for politicians to leverage power and accumulating wealth, which may encourage politicians to try to co-opt the movements and use them for political purposes.

Variations in political regimes are expected to impact both the nature of the social movements themselves, and their relationship to the state. Tilly and Tarrow (2007: 57) find that high-capacity democratic regimes have fostered the bulk of the world's social movements. Collective benefits, in particular, are considered more difficult to achieve in a non-supportive political regime with limited administrative capacity. Whether subsuming to force or opportunism, SMOs, like other civil society actors, are prone to become involved in clientelism and corruption. Larmer (2010) holds that recent movements on the continent are of a *hybrid* nature, intermarrying Western ideas, funding, methods and forms with domestic variants. Waal and Ibreck (2013: 307) find a fundamental challenge in identifying relationships and actors of mobilization due to the blurring of boundaries between the formal and informal systems, which applies to public–private distinctions, commercial and administrative, licit–illicit, and rule of law versus patronage orders. The patronage system that sustains the ruler often permeates civil society, and relationships between political, economic and social elites are therefore fluid and informal. Hence, Waal and Ibreck (2013) also finds that African social movements are characterized by hybridity.

For these reasons, Waal and Ibreck argue that there are “significant constraints on establishing the large-scale, sustained and voluntaristic social movements that can effect transformative change” (2013: 309). Broad-based popular movements are weak and prone to co-optation and collapse. While movements may initially represent popular concerns and interests, these fail to transcend the regressive tendencies of hybrid orders once in power (Waal and Ibreck 2013: 306). Rather than systemic change, alternative patronage networks develop that are not autonomous. Studies of

the mobilization of street vendors confirm these points. While higher democratic levels and state capacity have facilitated the ability of street-vendor movements to affect political outcomes, informalization within state and society have made movements more vulnerable vis-à-vis the state (Kapoor 2007; Lindell 2008; Skinner 2008b).

However, because opposition parties do not have access to the spoils of office, they are at a disadvantage when it comes to access material resources for political campaigning vis-à-vis the incumbent party. They need to pursue a strategy that can out-compete the ethno-clientelist party machine of the government party (Resnick 2010). Thus, as with the social movements, opposition parties also have an interest in challenging the incumbent party machine. LeBas (2011) notes that even though the traditional labor movement in sub-Saharan Africa (as elsewhere) has been weakened since the 1990s, other member-based social organizations may provide grounds for durable party mobilization—for instance, churches, agricultural cooperatives or savings groups.

This argument is supported by Brown et al. (2010: 679), who offer an example from Dakar where traders' associations have had success by becoming highly politicized and exponents of pro-poor urban policy. Both social movements and opposition parties could benefit from alignment and joint mobilization. Social movements may want to throw their weight behind opposition parties that campaign on a programmatic platform that aligns with the interests and objectives of the movement. Similarly, opposition parties might seek to build alliances with and draw strength from a social movement with a joint cause that can mobilize their target constituencies (Cheeseman and Larmer 2015).⁵⁵ However, even if opposition parties and SMOs could benefit from joining forces, the actors have reasons not to develop strong (institutional) ties to each other.

3.4.2 Extraversion and neopopulism: consensus on weak ties

Civil society skepticism towards party affiliations originates from negative experiences under authoritarian, one-party rule, but is reinforced by the pluralist

⁵⁵ Indeed, Cheeseman and Larmer (2015) found that the Zambian opposition party benefitted from aligning with civil society prior to the 2011 elections.

paradigm of an autonomous civil society, promoted in developing countries after the Cold War (Rakner 2001), where the state, market and civil society constitute separate spheres.⁵⁶ Kapoor (2007: 564-565), for instance, holds that successful informal labor unions must be apolitical and autonomous, so that their democratic structure and self-management are not threatened in a market economy where rights struggles entail continuous bargaining and negotiation with the “power elite.”

Another trend in the international sphere is a rights-based approach, based on litigation and policy input. A heightened focus on human rights, and the rights-to-the-city discourse that have been adopted by many social movements, may contribute to political parties appearing less relevant or appropriate agents of change. As many interest conflicts pertaining to the urban poor are seen as being rooted in legal problems, legal remedies are sought, instead of solutions in the political party arena (Gauri and Gloppen 2012). Thus, for various reasons, SMOs for the urban poor could be expected to take an explicit nonpartisan and autonomous stand towards political parties and the government.

Neither are opposition parties necessarily expected to seek institutionalized collaboration with social movements. While political parties may benefit from riding on a wave of civil society mobilization when in opposition, they might prefer not to develop very close, institutionalized ties to these actors. In Latin America, the old populist parties drew on institutionalized ties to labor (and were more Leftist programmatic), whereas the new neopopulist parties preferred unmediated linkages to the urban poor, based on clientelism. These neopopulists would rather see the labor unions and other interest organizations weakened, so that they can act more independently.

Similarly, opposition parties in sub-Saharan Africa might prefer a neopopulist strategy when targeting the urban poor, as this would make them more flexible upon assuming office. Rakner (2001) found that the weakening of links between economic interest

⁵⁶ In the West, new social movements have featured an ideological orientation that sees modern democracies as unrepresentative. Therefore, these have an anti-institutional tactical orientation and a non-hierarchical organizational structure, preferring to stay outside normal political channels (Picardo 1997: 415).

groups and the state in Zambia following political and economic liberalization in the early 1990s served to increase the autonomy of the newly elected MMD government party from society. As a consequence, the government could bypass economic interest groups, and instead establish direct, populist linkages towards voters.

It should be noted that political parties might not consider the movements for the urban poor a relevant or viable ally also for other reasons. Through large-scale mobilization, a social movement can demonstrate that a substantial segment of the electorate support its cause (Giugni, 2007, cited in Amenta et al. 2010:299). However, if social movements must struggle to draw members from the segments they claim to represent, there will be fewer incentives for a political party to forge closer ties with such organizations, and the movements will have less leverage to push for this. This lack of a strong membership-base could reflect a failure of these organizations to resonate properly with the interests of their constituents. For instance, Hooper and Ortolano (2012: 99), in their study of slum-dweller movements in Dar es Salaam, found that property owners were significantly more likely than renters to participate in risky and time-consuming mobilization, due the nature of the expected payoffs and a greater belief in efficacy and connection to space. Social movements can also be dominated by middle-class educated activists who profess a radical political agenda but without any links to the poor they claim to represent (Larmer 2010: 254). Thus, opposition parties can be more in touch with the interests of the urban poor constituencies.

Under one-party rule, economic interest groups, particularly trade unions, were closely tied to the patrimonial regime. Although the urban poor were only mobilized *ad hoc* by these organizations, the latter's varying opportunities to develop autonomous and cross-ethnic structures is expected to affect their ability to mobilize broad-based support among the urban population as opposed to ethnically fragmented urban support (LeBas 2011). However, political pluralism opened up political space for an autonomous and diverse civil society to emerge that could potentially overcome the ethno-clientelism that had been constructed by some one-party states.

Initially, this new form of civil society, dominated by externally funded NGOs, was more concerned with promoting democracy and human rights through advocacy, or engaged in service delivery, and did not develop strong ties to the urban poor. Over the last decade, however, transnational social movements for the urban poor have emerged in sub-Saharan Africa, as they have elsewhere in the developing world, in response to the failure of governments to address the hardships of the urban poor. Globally, SMOs for slum-dwellers and informal traders have sought to organize their constituents through formal and active membership in a bottom-up, democratic manner. If doing so, these movements have a legitimate claim to represent the interests of their constituents, and provide citizen-based agency.

Such SMOs are generally not engaged in party politics, and maintain their autonomy from the state and political parties. The government has become the target for implementing policy and legal change to improve the socio-economic interests of the urban poor. However, SMOs for the urban poor, as other civil society organizations, often depend on mobilizing resources from international networks and funders. This extraversion may produce inequalities between external actors and domestic actors (Pommerolle 2010), accountability to external actors (Larmer 2010) and patron-client relations due to rent-seeking (Wit and Berner 2009).

Regarding the interaction between party politics and SMOs in sub-Saharan Africa, expectations differ according to whether the political party in question is in office or opposition. If political elites (especially incumbent parties) feel that their political and/or material interests are threatened by SMO efforts to organize the urban poor (for instance, if this threatens politicians' clientelist base), attempts to repress or co-opt the movements may be expected, which could result in hybrid movements (Waal and Ibreck 2013). Regarding opposition parties, these may benefit from aligning with organizational structures within civil society in order to build a strong grassroots foundation and broad-based support, which can enable them to compete with incumbent parties (LeBas 2011; Cheeseman and Larmer 2015). However, because of the extraverted nature of these SMOs, and the clientelist nature of party politics

generally, neither opposition parties nor SMOs are expected to prefer strong (institutionalized) links to each other.

As with party politics, we still have limited knowledge on what kind of agency the urban poor in Kenya and Zambia enact through SMOs and the reasons why. The same applies to how the interaction between these social movements and party politics varies within and across these countries, and its implications for agency. The next chapter presents the analytical framework for answering these questions.

4. Methodology, case selection and data

In his concluding section on the literature on African political history, Larmer claims that Western progressive analysts have tended to identify social forces or movements that can form the basis of transformative, radical political changes, “usually of the kind that they themselves have already preconceived” (Larmer 2010: 260), only to end up disappointed that the moment they had predicted did not in fact manifest itself. Wiarda finds that “the vast bulk of our social science findings, models and literature, which purport to be universal, are in fact biased, ethnocentric, and not universal at all” (Wiarda 1981: 163).⁵⁷ The liberal tradition typically assumes a certain degree of unilinear development into some predefined and “good” end-result, in terms of development or modernization, and often specifies the social and political institutions that will enable such outcomes (Wiarda 1981).⁵⁸ While counteracting theories of an *African state* have also developed, these sometimes suffer from essentialism. Wiarda (1981) distinguishes between neutral ideas of change vs. value-laden ideas of “development” or “modernization,” and warns against not being explicit or conscious about the lack of objectivity when applying such concepts in research.

There are several challenges associated with “traveling” concepts and theories—i.e. transferring the application of concepts constructed for and within one empirical context to a different context. Traveling concepts may lead to false or limited scientific conclusions. This is problematic for several reasons. Not only does science impact on how researchers understand the world: powerful research traditions impact how societies are constructed (Wiarda 1981). This is especially evident in sub-Saharan Africa. An explorative and more grounded methodological approach opens up possibilities for analyzing political processes as they actually unfold, rather than on the basis of how they are preconceived. By combining exploration (inductive) with theory-

⁵⁷ These theories often build on experiences of Western Europe and the United States, and may have limited explanatory power for the rest of the world.

⁵⁸ Moreover, several concepts that initially were more abstract or metaphorical, such as “democracy”, have, through research and the aid industry, been standardized into more specific and measurable indicators, which narrow the understanding of what democratic institutions may look like in reality.

based assumptions (deductive), the researcher can more easily uncover dynamics that are less biased, normative or predetermined. This has been the starting point for this study of political agency of the urban poor.

4.1 Combining process tracing and comparative analysis within a social movement framework

This study aims to describe and explain the political mobilization of the urban poor by political parties and SMOs, as well as the political agency of the urban poor that such mobilization entails. While the former is analyzed through process-tracing over time, within and across countries, the latter is analyzed on the basis of relational mechanisms that may exist at any given time. Process-tracing is applicable at both the macro- and the micro-level.

George and Bennett (2005) see causal effects and causal mechanisms as equally important components of explanatory causal theories. The process-tracing method “attempts to identify the intervening causal process—the causal chain or causal mechanisms—between an independent variable (or variables) and the outcome of the dependent variable” (George and Bennett: 2005: 206). Causal mechanisms must be linked to each other in a certain way in order to explain an outcome. A causal mechanism may be necessary, but not sufficient, for explanation, as it interacts with other mechanisms that together produce an effect. While some causal mechanisms contribute to an effect, others may counteract it. Thus, theories based on causal mechanisms depend on context and complexity, and often fall within middle-range theorization (George and Bennett 2005). A value of process-tracing is that it can *inductively* identify omitted variables (George and Bennett 2005: 221). Through inductive process-tracing, the researcher may discover an unexpected piece of data indicating both a hypothesis and, subsequently, process-tracing tests (Mahoney 2012).

According to Mahoney (2012), process-tracing can be used for testing hypotheses in the social sciences, by combining pre-existing generalizations with specific observations from within a single case. While hypothesis testing is *not* an objective of

this study, Mahoney's way of thinking can shed light on the underlying logic of the method applied to establish descriptive and causal inferences, and its component parts. Process-tracing tests can establish that: 1) an initial event or process took place; 2) a subsequent outcome also occurred; and 3) the former was a cause of the latter (Mahoney 2012). Mahoney's tests are based on logic, whereby differing criteria can judge the strength of the tests through necessary and sufficient conditions. The necessary and sufficient conditions mean that generalization is limited by scope conditions that specify the parameters to which they apply (Mahoney 2012: 16).⁵⁹ I return to the implicit and explicit assumptions and expectations of this study in the sections below, for both political processes that occur over time at the macro-level, as well as political processes among actors at any given point in time, given certain scope conditions.

The process-tracing approach will be combined with an analytical framework drawn from social movement theory that can be applied both to party and SMO mobilization of the urban poor. Social movement theory is concerned with understanding both *what* is happening, and *why* things are/are not happening. Theories on framing (Benford and Snow 2000) of social movements, resource mobilization (McCarthy and Zald 1977) and political opportunity structure (Meyer and Minkoff 2004; Tilly and Tarrow 2007) offer analytical tools for understanding how and why these collective actors mobilize the way they do, as well as the expected political outcomes of such processes.⁶⁰ Amenta et al. (2010) claim that it is mainly through qualitative analysis one can address big questions about major, structural shifts in politics, and social movements' role in this shift.

⁵⁹ The *hoop test* proposes that a specific piece of evidence (observation) must be present for a hypothesis to be valid. Failing the test therefore eliminates the hypothesis, whereas passing the test does not necessarily confirm the hypothesis. The *smoking gun test* proposes that if a given piece of evidence is present, the hypothesis must be valid. Passing the smoking gun test provides strong support of the hypothesis, but failing it does not eliminate the hypothesis. Through these tests we can evaluate hypotheses that propose that a certain event or process actually occurred (descriptive inference), as well as whether there is a causal connection between two or more events or processes (causal inference). Causal mechanisms permit and/or generate the phenomenon under study. If there is considerable doubt, these tests become "straw in the wind" tests that merely provide some supportive evidence for a hypothesis, without being decisive (Mahoney 2012: 2-3).

⁶⁰ According to Tilly and Tarrow, the analysis of non-occurring contention is also relevant, as there are "oceans of apathy" in modern politics. It can be relevant to explain why contentious politics do not occur, based on counter-factual logic; or it may form the basis for comparative analysis of cases with different outcomes (Tilly and Tarrow 2007).

4.1.1 The process under study: did mobilization of the urban poor occur?

In line with Mahoney's (2012) argumentation, it is necessary to establish that the phenomenon studied here—political mobilization of the urban poor—has in fact occurred in the cases in question, in order to establish descriptive inference. To analyze political mobilization of the urban poor in Zambia and Kenya over time, the analysis is focused at the meso-level—examining whether “representative” organizations like political parties and SMOs have emerged that mobilize constituencies of urban poor.

Benford and Snow's (2000) understanding of social movement *framing* processes sheds light on how collective identities, networks and conflictual action are created through “collective action frames” (Benford and Snow 2000: 614). Movement actors are understood as agents who actively engage in producing meaning for constituents, antagonists, bystanders and observers. Three core tasks of this framing are to articulate a diagnosis—the source of a problem, and attribution of blame or responsibility, protagonists and antagonists; a prognostic framing to articulate a proposed solution to the problem and the strategies for achieving this goal; and a motivational framing, providing the rationale for engaging in collective action—the agency (Benford and Snow 2000: 615-617).⁶¹ Although collective action frames are commonly associated with social movement research, they can be applied to political parties as well.

Amenta et al. (2010: 290) divide the assessment of social movement impact on political processes to establish collective benefits into four: agenda setting; legislative content; passage; and implementation.⁶² They also add state policies, which they

⁶¹ Their understanding of collective action frames resonates both with the articulation of collective identities and conflictual action in Diani and Bison's (2004) typology.

⁶² A challenge with social movement studies is to determine to what extent a political outcome resulted from social movement mobilization, and hence, whether the social movement had political impact. Initially in the literature, theoretical determinants of political impact of social movements equaled those explaining determinants of mobilization, such as framing/strategies, mobilizing structures, and context (McAdam et al. 1996, cited in Amenta et al. 2010: 295). While the two former theoretical explanations are endogenous to the social movement itself, the latter is external. According to Amenta et al. (2010: 288), political consequences are external to social movements, not under their direct control. To assess whether movements are effective or their degree of influence, one first needs to specify what influence means. Previously, the emphasis was on gaining new benefits or acceptance. Subsequently, the focus turned to the structural or systemic level, such as extension of democratic rights or the formation of new political parties, or to the intermediary level, for instance policy change.

define as “institutionalized benefits that provide collective goods in a routine fashion to all those meeting specified requirements”—for instance, social expenditure programs. While this study is not concerned with assessing the political impact of social movements per se, Amenta et al.’s four types of collective benefits can be used to identify what actors aim to achieve at the national, political level for various constituencies of the urban poor: put differently, their collective action frames. Their categorization will therefore be used to establish how political parties and SMOs mobilize various constituencies of the urban poor through articulation and promises (framing) of collective benefits.

4.1.2 Case selection: A most-likely and a least-likely case

As there has been limited research on the political agency that the urban poor enact through political parties and SMOs in Kenya and Zambia (and elsewhere on the continent), as well as the determinants of agency, an explorative research design is useful. Process-tracing takes equifinality into account, opening for alternative paths to similar outcomes (political agency). When the criteria for controlled comparison cannot be met—as is often the case—“process-tracing can help to assert whether each of the potential causal variables in the imperfectly matched cases can, or cannot, be ruled out as having causal significance” (George and Bennett 2005: 214).

My comparative research design does not follow the strict logic of comparative methods, such as a most-similar-systems-design, that seek to resemble an experiment. This is because the outcomes for the dependent variable—political agency—were uncertain. Instead, I have based my case selection on one “most likely” and one “least likely” case, within a universe of cases where political mobilization of the urban poor was deemed possible. In an ideal “most-likely” case, a single variable is of such high value that its underlying causal mechanism should strongly determine an outcome (George and Bennett 2005: 253).⁶³ Thus, if the outcome does not occur, the hypothesized causal mechanism is “strongly impugned.” In contrast, if a causal

⁶³ If other independent variables point towards the same outcome as the extreme variable, the case should be considered “crucial” (George and Bennett 2005).

mechanism still predicts the outcome in a “least likely” case for a single causal mechanism, where other hypotheses offer different predictions, this case offers strong support for the mechanism (*ibid.*). Cross-country comparison of a least-likely and a most-likely case makes it possible to analyze whether similar or diverging processes emerged, and potential causes of these patterns.

As opposed to statistical analysis, adding on variables in qualitative process tracing is not a problem even though cases are few, as long as there are enough observable implications.⁶⁴ Rather, it is the complexity of the theory that can become problematic, and whether there is enough empirical evidence to assess the theory. To avoid a theory with excessive types and outcomes, George and Bennett (2005: 248) propose three strategies for reducing “the relevant universe of all possible combinations of variables, or types”—the so-called property space. The first criterion for limiting this space is to remove the types that are not socially possible. Second, theoretically overdetermined outcomes are less theoretically informative, unless the outcome goes counter to the most-likely case design. The third strategy is to identify which types and cases are most suited to the research objective.

The relevant scope conditions for political mobilization of the urban poor form the basis for choosing cases. The scope conditions considered relevant for this study were that the cases previously had a patrimonial authoritarian regime, and that they had a substantial segment of urban poor (although I do not operate with a specific threshold for the latter).⁶⁵ As a main concern is to analyze whether the urban poor are mobilized as clients or as citizens, a previous political and institutional culture for patronage seems relevant. Further, national-level political mobilization of the urban poor is unlikely if they constitute only a marginal proportion of the electorate.

Although both Kenya and Zambia meet these initial scope conditions, they can be considered to represent a least-likely case (Kenya) and a most-likely case (Zambia) for

⁶⁵ As seen in Table 1, Kenya has a substantially lower national poverty rate than Zambia. However, the percentage of people living in slums is almost equal.

political agency of the urban poor. Studies from Zambia have found that the main opposition party successfully mobilized the urban poor through pro-poor, populist promises (Cheeseman and Larmer 2015; Resnick 2014). In contrast, Kenyan party politics are generally characterized as based on multi-ethnic coalitions (Arriola 2013), whereby also the opposition party functions as an ethno-clientelist party machine in urban areas (Cheeseman and Larmer 2015).

Table 1: Urban population statistics for Kenya and Zambia

| | Kenya | Zambia |
|---|------------------|------------------|
| Total population (millions) (2013) ⁶⁶ | 43.7 | 15.2 |
| Percentage urban population ⁶⁷ | 25 | 40 |
| Slum to urban population (percentage) (2001 estimate) | 71 ⁶⁸ | 74 ⁶⁹ |
| Percentage of population living below USD 1.90 a day (2011 PPP) ⁷⁰ | 33.6 (2005) | 60.5 (2006) |

The national aggregate (Table 1) shows that the urban (poor) population in Zambia is substantially larger than that in Kenya. Kenya has a population of 43.7 million, of which 25 percent are urban (World Bank 2016). The Zambian population is approximately 15.2 million, of which 40 percent are urban (World Bank 2016). In addition, Zambia has been one of the most urbanized countries on the continent for almost a century, which has been attributed to its large mining industry (Rakner 2003). A possible determinant for diverging patterns of mobilization is that as both countries have majority electoral systems (International Foundation for Electoral Systems 2012), the urban population is simply not large enough in Kenya to make viable a political strategy aimed at capturing the votes of the urban poor, as opposed to building a multi-ethnic coalition, based on rural constituencies. This argument is in line with Boone and Wahman's (2013) findings of a prevailing rural bias in African electoral systems. Kenya's rural bias might have been aggravated by the fact that the country introduced

⁶⁶ World Bank. 2016a. "Data: Poverty."

⁶⁷ World Bank. 2016b. "Data: urban population (% of total)."

⁶⁸ UN-Habitat. 2013. "Countries: Kenya."

⁶⁹ UN-Habitat. 2015. "Zambia: Statistics on Urbanization."

⁷⁰ World Bank. 2016a. "Data: Poverty."

a federalist structure through the new constitution of 2010, which increases the importance of regions and rural constituencies.

Regarding the second scope condition, a common feature of the authoritarian regimes that prevailed up until the “democratic” wave that swept the continent in the 1990s was that these were patrimonial systems built on ethno-clientelist networks. However, the Kenyan one-party state actively prevented cross-ethnic organizational bases from emerging in society, especially within the labor movement (LeBas 2011). The country is perhaps the foremost example of how multiparty politics in Africa resulted in the continuation and even aggravation of ethnic conflict, where orchestration of ethnic violence was instrumentally used by political elites to build ethno-regional constituencies. By contrast, the Zambian one-party state relied more on corporatist ties to its substantially larger urban constituencies (Cheeseman and Larmer 2015; LeBas 2011). Although the Zambian one-party state was also based on a patronage machine, the country was less ridden by politically induced ethnic violence than Kenya, and cross-ethnic organizational bases had been built over time, especially within the influential labor movement (LeBas 2011).

Hence, I find that in sub-Saharan Africa, Zambia can be considered a most-likely case for citizen-based agency for the urban poor, due to its urbanization levels, cross-ethnic organizational structures and presence of a successful pro-poor, populist party. Kenya could be considered a least-likely case for the opposite reasons. The expectations with regards to political agency of the urban poor in the two countries that are drawn from existing literature are summarized in Table 2.

Table 2: Kenya and Zambia – a least and a most likely case

| | <i>Kenya</i> | <i>Zambia</i> |
|--|--|--------------------------------|
| Scope conditions: | <i>Least likely</i> | <i>Most likely</i> |
| Incumbent party: | <i>Ethno-clientelist party machine</i> | |
| Urban population: | <i>25%</i> | <i>40%</i> |
| Pre-existing organizational mobilizing structure | <i>Ethnic brokerage</i> | <i>Cross-ethnic</i> |
| Party mobilization | <i>Multi-ethnic coalition</i> | <i>Pro-poor populist party</i> |
| Political agency: | <i>Ethno-clientelism?</i> | <i>Citizenship?</i> |

4.2 The dependent variable: political agency of the urban poor

The “urban poor” are the potential *grassroots constituents* of political parties or SMOs, either as voters or as members of these organizations. However, even if SMOs and political parties produce collective benefits for their constituents, we do not know what kind of political agency the urban poor can enact through these representative organizations. Returning to Mahoney (2012), it is necessary to describe the outcome variable—the political agency that the urban poor enact through their representative organizations. As discussed in the introduction, citizenship is defined as autonomy and political equality with regards to pursuing programmatic benefits, as opposed to clientship, which is premised on nonautonomy and political inequality through contingent benefits.

Rather than simply describing political agency, however, the study seeks to explain how citizenship or clientship is created and maintained. Tilly (2001) identifies three types of mechanisms in political processes: environmental, relational and cognitive.⁷¹ Whereas environmental mechanisms are externally generated and apply to settings rather than actors, relational mechanisms alter connections among people, groups or networks.⁷² Identifying alterations in relationships makes it possible to specify what is to be explained. Tilly (2001) considers relational mechanisms to have uniform immediate effects; the aggregate, cumulative and long-term effects will vary depending on initial conditions and combinations with other mechanisms.

Through inductive empirical analysis, three types of power asymmetries (relational mechanisms) between representative organizations and constituents have been identified that account for the micro-processes of political mobilization. Mechanisms that restrain the grassroots constituents’ ability to access information and decisionmaking power, and to protect themselves from coercion, produce clientship.

⁷¹ Tilly considers mechanisms as explaining salient features or episodes, or their differences, by identifying robust mechanisms of a relatively general scope within these processes.

⁷² Cognitive relations are alterations of individual and collective perception, and are not relevant for this study.

Equal access to information, collective decisionmaking, and freedom from coercion enable citizen-based agency.

Because such power relations between any given representative organization and its urban poor constituents are complex, the agency that the urban poor can enact through their representative organizations may be of a hybrid nature, depending on the strength of the relational mechanisms at play. For instance, while a representative actor can provide the grassroots with collective decisionmaking powers, and refrain from subjecting them to coercion, the representative may at the same time withhold or manipulate the information that will inform the grassroots' decisions.

The empirical chapters will inductively identify (and enlist) mechanisms of power asymmetry between political parties/SMOs and their constituents, that contribute to clientifying the urban poor. However, particular mechanisms that enable the urban poor to engage as citizens will not be enlisted in the same way, as these are reflected in the formal procedures and practices that political parties and SMOs claim to follow. The identification (enlisting) of power asymmetries in the empirical chapters cannot establish the magnitude or frequency of each of these at the aggregate, national level. Rather, these findings are meant to demonstrate the variety of power asymmetries that are employed, and reveal patterns that point in the direction of either clientship or citizenship.

4.3 Explaining political agency of the urban poor: structure and agency

4.3.1 Independent variables: multiparty competition and political pluralism

Political opportunity structures (POS) are commonly used to explain how the external environment affects the relative success or failure of social movements. POS are seen as increasing or limiting the prospects for mobilization, type of claims, strategies and

political impact of social movements (Meyer and Minkoff 2004: 1458).⁷³ The proposed trigger for changes in political agency of the urban poor at the national level is the introduction of two essential features of liberal democracy: multiparty competition, and political pluralism. Multiparty elections produce competition for votes among political parties. Political pluralism cuts the (authoritarian) ties between the one-party state and interest groups, and allows for competition and diversity also in the sphere of civil society.

Both Kenya and Zambia introduced formal, multiparty democracy in the early 1990s. They belong to the relatively small cluster of African countries that since their democratic transition have held increasingly competitive elections, without being interrupted by regime breakdowns in the form of coups or civil war (other examples are Benin, Ghana, Malawi and Senegal). Both countries have experienced democratic turnovers of the incumbent party since multiparty rule was introduced; the electoral races have often been tight, which further indicates democratic competitiveness. Additionally, the two countries have developed an increasingly vibrant and diverse civil society sector operating in a wide range of areas, including religion, gender, human rights, as well as economic interest groups.

Nevertheless, although Kenya and Zambia are more democratically competitive and pluralist than the average on the continent, they still belong in the bracket of neopatrimonial or hybrid regimes—combining formal rules and procedures with informal, authoritarian practices. Their governments have not refrained from harassing opposition politicians, civil society or the media, and have sometimes applied laws and regulations in a rather repressive manner. In 2014, Zambia and Kenya were ranked as only “partly free” by Freedom House (2015a, b), with scores of 3.5 and 4, respectively.

⁷³ There are problems with POS frameworks, as noted by Meyer and Minkoff (2004: 1461): such frameworks are often unclear as to the importance of general political opportunities relative to issue- or constituency specific factors; they have unclear expectations regarding the effect of political opportunities on different dependent variables; and they employ different conceptualizations of the mechanisms through which political conditions translate into collective action. In order to be meaningful, POS frameworks need to be specified.

Electoral competition and political pluralism as such cannot tell us why or how the political agency of the urban poor has changed. While it can be established that political competition and pluralism are present, and that political parties and social movements (sometimes) mobilize the urban poor, we must examine the causal mechanisms that link the former to the latter in order to establish causality.

4.3.2 Two causal mechanisms of resource mobilization: clientelism and legitimacy

Resource Mobilization Theory has been seen as a “partial” theory because it takes as a given societal difference in development and political structure. McCarthy and Zald (1977) downplay the importance of grievances and deprivation, arguing that any grievance may or may not be mobilized, and instead focus attention on the mobilization process itself.⁷⁴ They contrast their perspective from previous theories that hold assumptions regarding support base, strategy and tactics, as well as relations to society at large. First, the supposedly aggrieved population does not necessarily constitute a movement’s support base, which provides it with necessary resources. Supporters (in terms of providing resources such as money, facilities, labor) may not even have a commitment to the underlying values of the movement. Second, strategies and tactics are not only concerned with the authorities, but also with mobilization and engagement with other actors, which may give rise to dilemmas. Third, instead of an emphasis on the effects of the environment upon social movements, the latter are considered to utilize the societal infrastructure at hand (McCarthy and Zald 1977: 1216–1217).

Edwards and Gillham (2013) expand on previous work on resource mobilization theory, including that of McCarthy and Zald (1977), to explain how social movements mobilize constituents to active participation. Edwards and Gillham (2013: 2-5) distinguish between resource access and resource types. Resources may accrue from self-production; aggregation from constituents; appropriation/co-optation; and patronage. Resources can also be divided into types: moral; cultural; human; material;

⁷⁴ In fact, McCarthy and Zald compare social movements to political processes of interest aggregation but which are at the margins of the political system, rather than with existing party structures.

and social-organizational.⁷⁵ The impact of source constraints will depend on the mix of resource access and type (Edwards and Gillham 2013: 4–5). However, Edwards and Gillham do not include clientelism as a type of material resource that can be aggregated from constituents. I argue that clientelism can be used to keep resource costs for mobilization low (based on the logic of Stokes et al. 2013), as well as for rent-seeking and protection of politico-economic privileges.

In analyzing SMOs and political parties, I will examine how they mobilize support (votes, members, volunteers) by either producing legitimacy (moral resource) or clientelism (material resource), as well as how they generate resources externally through co-optation or patronage. Emphasis will be placed on whether these organizations rely on legitimacy through provision of collective benefits or rely on clientelism through contingent benefits (both potentially resulting in votes, membership, or labor aggregated from constituents). I will also investigate how political parties and SMOs generate material resources through external actors in the form of co-optation or patronage. The mobilization of grassroots support through provision of collective benefits means citizen-based engagement, whereas mobilization through contingent benefits entails clientship.

Mobilization is motivated at the actor (often personal) level. Hence, while the trigger for political mobilization of the urban poor is analyzed at the structural level—the introduction of liberal democratic institutions—the causal mechanisms that link this structural change to political agency is considered to be the restructuring of resource mobilization for political actors (under new democratic rules). Structural changes are seen as producing change in the relations between representative organizations and the urban poor, due to how these affects actors' resource mobilization.

⁷⁵ Resources may accrue from self-production (human resources through training and development of moral authority/legitimacy), aggregation from constituents (converting resources from individuals to collective resources, such as volunteers, members, individual contributions), appropriation/co-optation (agreed co-optation of resources produced by other organizations) and patronage (external actors provide substantial financial support and exert a degree of control over spending and sometimes policy decisions and operations). Resources are divided into moral resources (legitimacy, integrity, solidarity); cultural resources (artifacts and products such as conceptual tools and specialized knowledge on how to carry out specific tasks, such as protests, meetings, or mobilization); human resources (labor, experience, skills, and leadership); material resources (financial and physical capital, such as monetary resources, property, offices etc.); and social-organizational resources (infrastructures, networks and organizations) (Edwards and Gillham (2013: 2-5).

The potentially contradictory effects of party competition/pluralism on political agency can be understood as what Jon Elster (1998) defines as Type B mechanisms. Elster argues that, in the absence of general laws, we can identify a particular causal pattern recognizable across situations that can provide an intelligible answer to the question “why did he do that?” (Elster 1998: 52). Elster distinguishes between Type A and Type B mechanisms.⁷⁶ Type B mechanisms concern the triggering of two causal chains (resource mobilization) that affect an independent variable (electoral competition/pluralism) in opposite directions, leaving the net effect (agency) indeterminate. On the intra- or interpersonal level, the exact course of events will depend on the relative strength of the various mechanisms at work.⁷⁷ If two types of mechanisms are evenly mixed, there might not be an observable net effect even though individuals are strongly affected by both, as they may be affected in opposite directions (Elster 1998). Hybrid agency can be considered to reflect an indeterminate net effect, resulting from two opposing, causal chains of resource mobilization.

By combining analytical tools drawn from social movement theory and process-tracing methods, the empirical analyses will assess whether political mobilization of the urban poor by an SMO or political party has occurred, as well as identify the exogenous (POS) factors (multiparty competition/pluralism) and subsequent causal mechanisms (resource mobilization) seen as affecting the political agency of the urban poor.

4.4 Data

This study aims at saying something about causal processes and mechanisms that might be applicable beyond the two cases of Kenya and Zambia, while acknowledging the obvious limits to the generalizability of a comparative case study. The comparative framework can help in identifying certain patterns of political mobilization that might be expected in countries with similar scope conditions. Moreover, the comparison can contribute to distinguishing context-dependent effects on political agency from more

⁷⁶ Type A mechanisms concerns the indeterminacy of which (if any) of several causal chains that will be triggered, but that are mutually exclusive (scared animals either freeze or flight).

⁷⁷ The underlying assumption is that statistical explanations cannot be used to account for individual cases.

general causal patterns. Through transparency as regards data collection and utilization, this study can be replicated and the validity of the findings assessed.

4.4.1 Fieldwork data and time dimension

A challenge with the research design is that it purports to say something about political mobilization and agency of the urban poor at the national level—whereas a large bulk of the data (especially interviews) is drawn primarily from the capitals, Nairobi and Lusaka.⁷⁸ Due to project limitations and the type of data required for parts of the empirical analyses, it was not possible to analyze several other cities in each country. Nevertheless, as the focus is on how representative organizations mobilize the urban poor through strategies that supposedly apply nationwide (legislation, policy, programs), these political processes are assumed to operate with somewhat similar dynamics across various urban areas, with certain regional differences. Much of the data material was gathered in the course of four fieldwork stays, two in each capital (2x2 weeks and 2x4 weeks). In first visits, I focused on exploring and remaining open to ideas and evidence that might diverge from my initial theoretical preconceptions. Analysis of these initial data informed the second fieldwork stays.

My entrance point into the political processes to be studied differed for the two cases. My first fieldwork in Zambia was conducted one year after the latest (2011) general elections, whereas my first fieldwork in Kenya came half a year prior to the latest (2013) general elections. The second fieldwork in Zambia was carried out two years into the presidential term, while my second fieldwork to Kenya was one and a half years after the elections. This made the political contexts I observed inherently different from one another. The Kenyan fieldwork stays enabled me to observe the political context at two points in the electoral cycle that were more contrasting than the case in Zambia. Regarding the before/after dimension of Zambian elections, I had to rely on second-hand observations and information provided after a time-lag, both of which might affect the reliability of the information. Knowing in advance that this would be a challenge, I made efforts during the first fieldwork stay to capture the

⁷⁸ A few trips were made to other cities, such as Nakuru (Kenya) and Kitwe (Zambia).

before/after dimension by posing questions that contrasted expectations before the elections to the perspective on politics one year later.

In addition, international events resulted in Kenyan politics taking a somewhat different direction from what had been anticipated, as the International Criminal Court decided to prosecute two of the main political candidates for the 2013 presidential race before the election campaign started. Furthermore, Kenya's 2013 general elections would also be the first under the country's new constitution, which had established a federalist structure with devolved government. Another major difference between the political processes that evolved in the two cases was that the opposition had won the previous elections in Zambia, whereas the status quo basically remained in Kenya. Hence, while my fieldwork in Zambia focused on one major change that had already occurred—the victory of the opposition—the data-collection process in Kenya had to deal with other political changes.

4.4.2 Semi-structured interviews (and participant observation)

Collection and utilization of interview and observation data

Interviews were semi-structured, with questionnaires for different categories of actors or experts. In total, 96 persons were interviewed, and three focus group discussions were carried out (see Table 5 in Appendix B). The questionnaires for the second fieldwork stays were based on findings from the first. Sometimes, the same respondents were interviewed several times and would bring me to different activities. In these cases, interviews took the form of conversations over longer periods of time.

Respondents were identified and approached in a variety of ways. Those who were identifiable from personal contacts or websites were contacted via e-mail, telephone or office visits. Others were identified through snow-balling, whereby interview respondents put me in touch with others. Care was taken to secure balanced representation, with respondents from different organizations, political parties, geographical areas, age groups, gender, and with opposing positions on contentious issues. Most interviews were planned beforehand, but some were decided

spontaneously, on the spot. In a few cases, several respondents were interviewed together due to circumstances, for instance limited time.

Interview data were collected for several analytical purposes. During the first fieldwork, a main objective was to identify the most contentious issues pertaining to the urban poor, and the political actors involved in mobilization processes from the grassroots to the elite level. Choices were made as to which (overlapping) sub-groups among the urban poor to focus on, and alternatives could have been informal workers, idlers, youth, transport workers, or other groups. It should be acknowledged that the choice of other sub-groups could have resulted in different conclusions. For instance, a focus on informal workers, rather than informal traders, could have yielded different findings.

The second fieldwork stays focused on processes and mechanisms. In the empirical analyses, the interview material constitutes the main bulk of data for explaining relationships between the different actors, the mechanisms through which these relationships are formed and maintained, and how this affects the political agency of the urban poor. Obtaining such data from other sources is difficult, as research on the political linkages between these grassroots constituencies, SMOs and political parties has been limited.

In analyzing the interview material, I took care to note whether issues had been brought up by me or by the respondent. A respondent is likely to talk about and have an opinion on any issue that is brought up by the interviewer, even though this issue may be far down on the priority list of that respondent, or the organization she/he represents. Furthermore, it must be kept in mind that several of my respondents are actors who have an interest in getting positive exposure, or in strengthening their own image as an important actor (and one who might deserve donor funding). Rather than claiming to present facts regarding the operation of these organizations, I focus on self-representation. By referring to their own framing of issues, perceptions and opinions, and relationship to other actors, I can show the conflicts and uncertainties involved in political mobilization. If the objective had been to get to the “truth” of

these disputes, that would have necessitated a completely different research design and different data—all very resource-demanding.

Another challenge was how to differentiate between when respondent were speaking on behalf of their organization and when personal perspectives or experiences were provided, especially in a context where political issues can be highly sensitive and controversial. The representative organizations—whether political parties or SMOs—are usually treated as a holistic entity, although I recognize that these collective actors often are highly personalized. Because almost all the interview respondents have been anonymized, I refer to a political party or SMO interchangeably by its name or by the name/title of its leaders in the empirical analyses, in line with what other writers have done, or as I deem appropriate. However, claims made by interviewees are always contingent on the individual and on timing. Opinions may differ among representatives of the same organizations and over time, especially in a political context that depends on donor trends, and where politics change rapidly within a semi-authoritarian system. Therefore, I use the interview data mostly to uncover conflicts and dynamics that in sum may represent something of a more general nature.

To avoid burdening the text with repeated statements that a given piece of data has been collected from a certain individual, a few, or many, I urge the reader to bear in mind that the large bulk of the data analyzed build on interviews. General statements about relationships, mechanisms and processes are drawn from a limited set of respondents and observations. Such data limitations are inherit to qualitative, semi-structured interview and observation data. For example, providing information about whether, say, five or twenty respondents claim that PF cadres allocate space for street vendors in exchange for political support is irrelevant, as this is not a quantifiable measure in any case. Rather, logic and reason provide the foundations for making inferences. When diverging and contradictory perspectives emerge, this is explicitly noted in the analysis.

Although participant observation as a method has not been systematically used for data collection, observation of some events has proven valuable for shedding light on the

topic at hand. For example, observing how the office of the Area MP in the Kanyama slum works in practice is useful for understanding actual interaction dynamics between slum-dwellers and the government, instead of relying on official documents on how it is supposed to function. As the MP and staff were usually not present, and the office lack resources, it was clear that this office had limited capacity to implement programs and engage with the citizenry.

Ethics and interviews

In line with ethical guidelines, all interview respondents were informed about my status and objectives as an academic researcher, either verbally or in writing.

Anonymity was optional, although the majority had no problem with providing full identity. All respondents were offered contact details and the opportunity to withdraw their contribution at a later point.

In the end, however, I decided to keep almost all respondents anonymous, and I have not provided their full names, only their “titles”. There are several reasons for this. The most fundamental concern is the general insecurity and vulnerability of opposition politicians, human rights activists, and especially youth activists. Exceptions have been made when the information provided is also provided publicly by the same informants, which, as a consequence, makes my referring to them by title no greater risk to them than they have imposed on themselves. While most respondents consented to the use of their full names when quoting them, a few were afraid of the exposure. As activists are well-networked in the capital cities and information flows rapidly, I deemed it risky to provide some names, as it could then be easier to also identify others. While most of my respondents are probably unlikely to be at risk as a consequence of the information they have provided for this thesis, the unpredictable behavior of political-economic elites in these regimes makes considerations of future risk important as well. Some of my interviewees belong to organizations listed in the table, while the organizations of others are not named. Furthermore, as some respondents provided certain information off the record, I found it difficult to draw the boundary between how to present their public position versus confidential information.

Another reason for anonymity is that social engagement over some time may result in certain biases, whereby some respondents appear more trustworthy than others. There is a danger of exposing individuals or organizations to allegations not sufficiently supported by evidence. The corroboration of interview data from a broad range of anonymous respondents into more general mechanisms minimizes such problems. This strategy also made it possible to conclude that the interview data had reached a *saturation* point (Guest et al. 2006). The interview data used to inform the analysis of clientelism within civil society are not drawn from experiences in the identified SMOs for slum-dwellers or informal traders, unless when provided by leaders of umbrella bodies that have not required anonymity. This is because these networks are small. Interview data concerning clientelism are drawn from the experiences of other civil society organizations and grassroots activists, on the assumption that such experiences apply to relationships between actors in all civil society networks and movements. Whether such problems are particularly pronounced in the social movements of street vendors and slum-dwellers than in other civil society structures must remain an open question.

Some respondents had multiple roles, due to analytical shifts between personal opinions/experiences and formal representation; or issue-sensitivity, which led me to refer to individual respondents in multiple ways. Some interviews were recorded; other respondents were reluctant to be taped, so I relied on written field notes. As can also be seen from Table 5 in Appendix B, the types of informants from the two countries are not balanced. Some organizations or offices would not respond or could not find time for an interview.⁷⁹ In such cases, I have attempted to draw on other data sources. Some contacts were very helpful in facilitating many interviews and providing access to environments that were not readily accessible in other areas. This was especially the case regarding access to grassroots activists and brokers, where I had greater success in Nairobi than in Lusaka. This imbalance will also be reflected in the empirical chapters.

⁷⁹ The success rate would probably have been higher if more time had been available.

My fieldwork experiences challenged any ideals of remaining a neutral observer and interviewer. I believe this is a reflection of the type of data sought, the interview respondents, and the political context they were embedded in.⁸⁰ Several of my respondents would before, during or after the interview enquire as to how the interview would benefit their cause, even I had sought to communicate that the only output would be an academic publication that might or might not be considered of relevance to them. One party member asked for information and contacts for a sister political party in Norway, others wanted information about relevant funding institutions in Norway. Some offered to write me a full report on their political organization. A youth activist pulled out a notebook and pen as the interview began, telling me that as he could not afford an education himself, he used any opportunity to teach himself and that he was learning from the questions asked. Some respondents used the interviews for airing personal frustrations that were not part of my questionnaire, and asked for advice that was not for me to provide.

Not only in the interview situation but also as an observer, I would sometimes become an actor or be given a role in events beyond my control or awareness. My presence in forums or meetings had an impact (although I was often unaware of that), depending on who had invited me and for what reasons. This especially concerned a corruption dispute within an organization where my sudden presence was not appreciated. The mere fact of my appearing at two supposedly public occasions spurred skepticism regarding my motives and objectives. However, had I not accepted invitations to such meetings, there would have been a significant loss of insights into internal power dynamics and strategies between grassroots activists and their umbrella organizations.

On the issue of clientelism and corruption, it soon became apparent how quickly people are being woven into social networks, and how blurred the lines are between legit and problematic favors. After hours of being conducted around a slum with a

⁸⁰ Interviews were conducted in two countries which have experienced massive influxes of foreign researchers as well as aid in recent decades. Often the two are interlinked, as donor institutions or NGOs also send researchers into the field as part of developing the policy and programs that they will fund. Second, some of the main interview targets were urban youth activists. They were eager for any opportunity to acquire knowledge and skills and get connected with income opportunities, as well as getting their voices heard. Other actors, such as politicians or NGO staff, may have their own interests in meeting a researcher.

self-proclaimed guide who offers voluntary assistance, it feels wrong not to share a lunch, provide public transportation, or proof-read an application. Exploiting almost free labor happens so naturally that one does not even notice it. Even a foreign researcher soon experiences how informal bonds of reciprocity are continuously sought established through sustained interaction in a context where everyone depends on everyone else. Mutual assistance is not based exclusively on self-interest or opportunism but also on growing loyalty and trust in a setting of high human insecurity.

1.3.3. Secondary sources, media, statistics and official documents

To trace political processes over time, I have made extensive use of secondary sources. Analyses of the evolution of party linkages towards the urban poor, as well as changing patterns of state–civil society relations and political mobilization by social movements over time, draw heavily on previous research in these areas. Statistics and reports from international agencies such as the World Bank and the UN provide information on urbanization, poverty, slums and the informal economy, and the various development interventions by government and donors aimed at addressing such challenges. Government laws and regulations have been fundamental for understanding the “illegality conditions” of the urban poor. Official documents from governments, political parties and organizations have been consulted for information on framing, objectives and agendas, work activities and achievements. Party manifestoes provide information on party platforms and programs.

I have analyzed election data by disaggregating voting patterns along the urban–rural divide, as well as at the constituency and ward level in the capital cities, to highlight how the urban poor vote. During the research period, more than 200 newspaper articles from the countries’ main online newspapers were collected, covering recent political events and processes. Triangulation of data from various sources has been done to the extent possible. This is important as civil society and the media in both countries are considered highly politicized. However, in some areas—notably,

clientelism within SMOs—my analysis had to rely on only a few sources, as data availability was limited.

The type of data is rich, but with anecdotal material on specific cases, combined with more general empirical data and secondary literature. There are cut-off points pertaining to level of abstraction, generality and anonymity before the data material starts to lose value in terms of explanatory power, credible evidence or sufficient detail. Often, the power asymmetries forged between the grassroots and political parties/SMOs develop in quick and complex series of events, or through carefully engineered processes that would be interesting to present in more detail. However, it is also important not to lose track of the big picture. Presenting a significant number of organizations comes at the expense of in-depth analysis of each one. I have found this approach useful, given the overall goals of this study, but recognize the trade-off.

Real-time political dynamics, as well as my varying opportunities for accessing different types of information and respondents in the two countries, have resulted in unbalanced data on certain aspects. This will be highlighted in the empirical analyses when relevant, but I do not believe that the overall findings and conclusions have been seriously affected.

5. The urban poor in Zambia and Kenya

The “poor” constitute the majority of the urban population in Zambia and Kenya, and are the focus of this thesis. In this chapter, these segments will be assessed in terms of their socio-economic bases, as well as their status within the legal and regulatory framework. As this group is heterogeneous, not all aspects of urban poverty can be covered here. Preliminary conclusions from my initial fieldwork as well as the secondary literature indicated that slum-dwellers and informal traders might be the most relevant sub-groups to focus on.

The urban poor have received limited attention as a political constituency in the literature on African party politics. Chapter 5 will consider how the criminalization of slum-dwelling and informal trade, which has its roots in colonialism, over time has produced distinct socio-economic groups that could potentially be politically mobilized. It will show how conflicts of interest exist between these segments and other economic groups, which may sometimes overlap with political elites,⁸¹ but also among informal traders and slum-dwellers themselves.

5.1 Zambia

5.1.1 Slum-dwellers and illegality

Socio-economic base

To begin with, the use of the term “slum-dweller” was contested by a few of my Zambian interview respondents (among the more elitist segments).⁸² The term was considered to have negative connotations and to be alien to the Zambian context, where people usually referred to “compounds” and not “informal settlements” or “slums.” “Slum” was seen as being a donor term, whereas Zambia’s “compounds” were considered to have more mixed socio-economic and ethnic groups. However, a

⁸¹ That being said, other sub-groups of the urban poor might also play a part in political mobilization, most notably informal transport workers. In terms of socio-economic marginalization and illegality, these other sub-groups arguably share some features with slum-dwellers and informal traders, while differing in other aspects.

⁸² Geographer at the University of Zambia. Oct 3, 2012, Lusaka.

representative of the slum-dwellers' movement felt that "a spade should be called a spade," and added that if the government stated that Zambia does not have slums, it was trying to normalize the abnormal.⁸³ I will use the two terms interchangeably.

In 2001, 74 percent of the Zambian urban population was estimated to live in slums (UN-Habitat 2015). Typical Zambian slums characterized by poverty, as indicated by respondents and secondary literature, would be Kamanga, Freedom Compound, Chibolya, Misisi and parts of Kanyama. In Kanyama compound, there was a mix of low- and high-cost housing, although most residents were considered vulnerable people or idlers.⁸⁴ Misisi, another illegal settlement in Chawama constituency that has consistently been threatened with demolition, has been identified as one of the five worst slums in sub-Saharan Africa (Resnick 2014: 123).

According to the Zambian government's own estimates on urban population growth, there will be a need for about 1.3 million new dwellings between 2011 and 2030—one constructed every two minutes of the working day for 19 years (UN-Habitat 2012: 1). In its Zambian urban housing sector profile, the UN-Habitat report states that if plot sizes were to follow the recommendations of the Fourth National Development Plan (15 dwellings per hectare), 87,000 hectares (an area almost four times the size of Lusaka) would be required only for residential land (UN-Habitat 2012: 2). Most of the housing "need" is from households with limited or no formal employment, very low incomes and no social security safety-net from the state. Only thirty percent of the urban population has piped water and 17 percent have toilets.

Of the total Zambian housing stock, 80 percent was owned by private individuals and real estate (UN-Habitat 2012: 13). Land in Lusaka was considered to have become a "hot cake" (very lucrative), as the owners become "instant millionaires".⁸⁵ This has made private land very expensive. Another feature of land in Lusaka is the presence of dolomite outcrops, which impede formal development as it is almost impossible to dig

⁸³ ZHPPF/PPHPZ. Oct 4, 2012, Lusaka.

⁸⁴ Former Ward Chairman in Kanyama. Nov 27, 2013, Lusaka.

⁸⁵ Grassroots member in ZHPPF. Nov 25, 2013, Lusaka.

service trenches in the hard bedrock (UN-Habitat 2012: 13). As this land had been avoided in formal planning, it was left open for the growth of informal settlements, like Kanyama.

After institutional housing was sold off in the 1990s, most landlords were left with only a few dwelling units, and there are few large private-sector landlords—in contrast to the situation in Nairobi (UN-Habitat 2012: 145). Many landlords build extra dwellings beside or behind the main dwelling, which would often be a former council-, mine- or government-owned house. These plots are more efficiently used and cheaper. Landlords often live close by the dwelling. The owners are often retired civil servants, such as former councilors, politicians, party chairpersons, police or army officers, or retired government officials, although civil servants may also be tenants.⁸⁶

However, most tenants are not formally employed, but work at trading in the markets. Young households often need cheap rental housing, which is usually provided by home-owners letting a room in their dwellings. UN-Habitat (2012: 4) considers rentals in the informal areas to be reasonably priced. In Lusaka, dwellings rent for USD 33–56 per room per month in informal areas and USD 200–600 per room per month in medium-cost neighborhoods (UN-Habitat 2012: 66). However, several interview respondents felt that rent levels in Lusaka’s slum as a problem. Moreover, informal settlements are demolished if the land is to be developed for other purposes (Zambia Land Alliance 2008). Slum-dwelling in Lusaka is thus characterized by tenure insecurity with threats of demolition, and where landlords, who often hold public offices, set the rates.

Legal and regulatory framework

The legal basis for today’s conflicts of interest concerning slum-dwelling was laid during colonial times. Lusaka is a planned city and its location was chosen because it

⁸⁶ Housing and Social Services at Lusaka City Council. Nov 29, 2013, Lusaka.

Marketer/shoe seller at Soweto Market. Dec 4, 2013, Lusaka.

was a hub for road networks and the railway connecting the former Belgian Congo and South Africa (Mulenga 2003: 2). After being designated the new capital and administration center in 1931, the city began to grow rapidly. The original city plan provided mainly for colonial government administration and did not anticipate any large-scale industrialization or influx of Africans. Population growth took off after the African Housing Ordinance was adopted in 1948, as it allowed African families to reside in towns. Up to that point, only temporary African employees had been allowed in cities; and women and children had not been allowed to accompany their husbands or fathers (Mulenga 2003).

Large employers, such as the mines, provided housing directly for their workers (Seymour 1975: 72). Other employers were allocated houses for their workers in townships set up by local authorities. Most of Lusaka's African housing areas during colonial time were tied to employment with white landowners, and were referred to as the "compounds" of these farmers and contractors (Myers 2006: 274). However, by the 1940s, a near-majority were living in what became labelled "unauthorized" compounds, as housing provision was far from adequate. The emerging slums housed a mix of ethnicities, from northern, eastern and southern areas of the country (Mulenga 2003). Migrants began squatting on privately held land (often owned by European settlers), or public land. However, unauthorized compounds were, according to colonial policy, to be demolished, and their residents repatriated (Seymour 1975: 72). Many African residents became informal tenants, paying rent to property owners in order to set up their own temporary structures.

These dynamics continued after independence. From the 1960s onwards, council housing for workers lagged far behind demand, and average rent equaled half the income of a typical squatter. Consequently, the government provided housing for the middle and upper classes, while the only alternative, squatting, was illegal (Seymour 1975: 73). Different regulatory responses emerged to the growth of informal settlements that grew out of the rapid urbanization. The socialist-oriented government initiated a public housing program (Mulenga 2003), and initiated legislation that

distinguished between authorized and unauthorized informal settlements: the Housing (Statutory and Improvement Areas) Act of 1974.

According to Mulwanda and Mutale (1994), slum-upgrading schemes of the 1970s were called “World Bank schemes” and not were fully accepted as Zambian policy. Schlyter (1998: 265) writes that the Act was introduced in order to enable legalization and upgrading of squatter areas without plots being formally surveyed and without houses being demolished and then rebuilt according to building regulations.⁸⁷ The Act provided for issuance of certificates of title and occupancy licenses that gave security of tenure. Authorized slums would get facilities such as infrastructure, water and sanitation, roads and drainage. At the same time, it was declared that new squatter areas should not be allowed, and occasional demolitions continued. Squatters living in settlements that remained unauthorized were left to their own devices; they also experienced harassment from the authorities, who saw them as undesired and illegal elements. After the World Bank schemes of the 1970s, few new upgrading projects were initiated. With the deteriorating economy in the late 1980s, housing and settlement improvements no longer featured on the agenda (Schlyter 1998).

Following Zambia’s multiparty transition in 1991, new land and housing reforms were introduced. Included in the MMD liberalization reforms were a market-based land policy, resulting in the 1995 Land Act. This land market reform was one of the key conditionalities set by the international donors for assistance to the Zambian government in restructuring its debt (Brown 2005: 84). According to Boone (2007: 574), the 1995 Land Act aimed at the full commodification of land. It significantly increased the property rights of title holders of state land, facilitated the buying and selling of land rather than improvements on land, restricted the state’s ability to repossess undeveloped land, and eased ownership for foreign investors. District

⁸⁷ An agreement was signed with the World Bank on a loan for upgrading that affected some 70 percent of the squatters in Lusaka.

officers processed applications for leasing of state land or for the conversion of customary land to state land, subject to final approval from the Ministry of Lands.⁸⁸

Brown (2005: 85-86) considers this transformation of public land to private land an irreversible action.⁸⁹ Prior to 1991, people did not own their houses but were tenants; now the MMD government sold houses in all towns to sitting tenants, or gave them away.⁹⁰ Privatization policies encouraged the sale of institutional housing at “give-away prices,” which in turn made low-income formal prices highly distorted (UN-Habitat 2012: 67) —so the informal sector became the only solution for low-income households to own dwellings.⁹¹ While the Land Act was claimed to strengthen the poor and the communities, the privatization process was often initiated at the top and not at the bottom (Brown, 2005). As UN-Habitat (2012: 10) reported, “within city boundaries, the chiefs are represented on appropriate committees of the local authority to allocate and develop land but, in the majority of the country (94 per cent of the land area), they carry out the land allocation.”

According to Schlyter (1998: 260), a draft National Housing Development Program was made available in 1996, which could be considered an adaptation of recommendations given by international bodies and experts. The World Bank had recommended recognition of “illegal” areas and a liberalization of land, housing and rental markets in its 1994 Zambia Poverty Assessment. According to People’s Process on Housing and Poverty in Zambia (PPHPZ),⁹² the National Housing Policy had good objectives in addressing housing adequacy, and even won an award in 1996 for best policy. The problem was implementation. While the policy stated that 15 percent of the national budget should go to housing, this was not done.

⁸⁸ The Act also established a Lands Tribunal to protect leaseholders and customary land tenure, which merged the former distinction between trusts and reserves into “customary areas” (Boone 2007).

⁸⁹ The underlying rationale was to make land more secure and transform it into collateral so that Zambians could access credit, much in line with de Soto’s (2003) claim.

⁹⁰ Information and Publicity Secretary in MMD. Nov 28, 2013, Lusaka.

⁹¹ Ministry of Local Government and Housing. Dec 5, 2013, Lusaka.

⁹² ZHPPF/PPHPZ. Oct 4, 2012, Lusaka.

However, a process began in the late 1990s for revising the country's spatial planning and land development registration (Berrisford 2011). Especially the Swedish development agency, SIDA, provided support to the urban development sector from 1997 to 2009. In 2006, an agreement with SIDA was concluded, and a consultant team was appointed to evaluate existing legislation. In the same period, Germany (GTZ) and Japan (JICA) provided technical support to decentralization processes that impacted urban planning and governance. JICA was engaged in work on urban infrastructure planning, and supported the Lusaka City Council's city planning. China provided support to urban infrastructure and housing projects through loans and technical support (Berrisford 2011).

Today the Ministry of Local Government and Housing has the mandate to provide housing for the poor.⁹³ Housing for the lower-income bracket in semi-urban and rural areas is financed through public-private partnerships, via grants or loans, generally as housing cooperative schemes. The government also subsidizes building materials. Because loans are usually tied to employment, getting a guarantor can be a problem for people in need of housing. Housing financing and construction fall under the national housing authority, which is part of the Ministry.⁹⁴ The Office of Housing and Social Services at Lusaka City Council (LCC) provides housing and upgrading, as well as social services in informal settlements.⁹⁵

Because the market mechanism has created high rental prices in the housing market, the LCC has been trying to get housing bonds, to rent out and sell low cost houses. This project, however, requires the assistance of the central government. The City Council has advertised a tender to get companies like Standard, JP Morgan or other local companies engaged in upgrading housing in informal settlements, but needs permission from the government to evaluate these tenders. As Lusaka City Council depends on the Ministry for Local Government and Housing and international donors

⁹³ Ministry of Local Government and Housing. Dec 5, 2013, Lusaka.

⁹⁴ Its strategy is based on the housing policy from 1996, the Land Act, as well as the Town and Country Planning Act, Sanitation Act and Building Act.

⁹⁵ Housing and Social Services at Lusaka City Council. Nov 29, 2013, Lusaka.

for virtually all of its budget, its policies and programs “remain tethered to outsider and minority agendas” (Myers 2006: 297).

The current trend in slum upgrading thus focuses on building houses through public–private partnerships, but without rent regulation to ensure that sitting tenants can afford to remain living in the new structures. Slum upgrading is mostly concerned with the development of housing structures that protect primarily the rights of previous structure owners, whereas tenants depend on the market mechanism for rent levels and have to move elsewhere (to new informal settlements) if rates are unaffordable. Unauthorized informal settlements are illegal, and slum-dwellers have no legal rights if their dwellings are slated for demolition.

5.1.2 Informal traders and illegality

Socio-economic base

In 2012, the Zambian working-age population (age 15 and older) was estimated at 7.8 million (Central Statistical Office 2013:2). Zambia’s total employed population was 5.3 million, of whom 55.8 percent were working in the agriculture sector. While the national unemployment rate was only 7.9 percent (2012), that figure hides the considerable underemployment. The formal sector employs some 550,000 workers, with the remainder operating in the informal economy. Of those working in private businesses and farms or in private households, 89.8 and 99.5 percent (respectively) were informally engaged (Central Statistical Office 2013). Only 62.7 percent of workers in local government and 73 percent of workers in parastatals were formally employed, which shows how widespread informality is.

Predominantly urban provinces—such as Central, Copperbelt, Lusaka and Southern provinces—had relatively higher proportions of formal jobs. In the Copperbelt and Lusaka provinces, over a third of employed persons were in the formal sector. However, “formal sector employment” only means that it is registered with the tax and licensing authorities, or that it is public: it does not include social security benefits,

which are only for “formal employment.” (Central Statistical Office 2013: 8).⁹⁶ In urban areas throughout Zambia, the unemployment rate is 15.3 percent, compared to 3.1 percent in rural areas. Young adults are especially vulnerable to unemployment, with the highest rate (16.3 percent) recorded among 20–24-year-olds (Central Statistical Office 2013: 2). Unemployment was generally higher among females, with those aged 15–19 showing a 35.8 percent unemployment rate.

After agriculture (56 percent), the trade industry has the second largest share of employed people (12.2 percent). The trade industry has a workforce of 652,143 persons, 89.3 percent of whom are in the informal sector (Central Statistical Office 2013: 10). Trade accounted for the highest percentage share (24.5 percent) in the urban areas of Lusaka Province. In Lusaka’s informal sector, 61 percent are involved in trade, with street vending the dominant occupation (Resnick 2014: 122). Street vendors purchase their commodities from Lusaka-based wholesalers or local retail shops. The majority of Lusaka’s street vendors are young males (Hansen and Vaa 2004). They come from low-income residential areas, and have poorer access to education and health facilities. Still, most of them had basic education or more. Street vending could be considered “a refuge for school leavers who had not found formal jobs” (Hansen and Vaa 2004: 71).

Zambian informal traders, and street vendors in particular, often find themselves in conflict with formal traders operating from recognized markets, formal business, the government and other users of city space (Hansen 2004, 2010). Traders in the formal markets, such as the New City Market, have faced competition from vendors who operate from the streets. As they are not charged fees, informal traders are blamed for out-competing the formal traders on price. For instance, when the New City Market opened in 1997, conflicts between inside and outside vendors, the police and City Council escalated to the extent that the street vendors’ provisory *tuntemba* structures were burned. Many vendors have also been uprooted and displaced when redevelopment of markets, malls and other plans have been initiated.

⁹⁶ The latter category includes entitled annual paid leave, trade union membership, payment of income tax and written contracts.

Legal and regulatory framework

The criminalization of informal vending and trade activities began with the British colonial administration. The colonialists were directly hostile to economic activities outside the realm of colonial control and planning, and actively sought to prevent an independent urban labor force from getting established (Hansen 2004: 63). The colonial policies that restricted small-scale informal business and trade in urban areas were to a large degree continued under the post-colonial government. Nevertheless, informalization increased from the 1970s onwards, as the result of the scarcity of basic commodities due to a strict import and currency regime under President Kaunda. It was termed the “Black Market” (Hansen, 2004: 63).

Legally speaking, not much changed for Zambia’s street vendors after the introduction of multiparty democracy in 1991. The regulations of the 1992 (2006) Local Government Act Section 84 (Street Vending and Nuisances) (No. 2) clearly criminalized informal street vending and trading by prohibiting the *“sale of local produce in any street or in any public place, other than a market established by the Council, except with the permission of the Council.”* The Act also specified other livelihoods that were prohibited, including unauthorized tire repair along street premises, the operation of unlicensed taxis, and unlicensed tailoring business along streets (Laws of Zambia 1992/2006). In addition to the act of conducting vending or trade itself, the work areas often lacked sanitary facilities such as toilets or rubbish bins, which made it difficult for vendors or traders to avoid committing other offences.

The Markets and Bus Stations Act of 2007 (Parliament of Zambia 2007) placed the authority to establish markets and bus stations with the Minister of Local Government or a local authority (with the approval of the Minister), which could choose to enter into public–private partnerships. All markets were to be under the control and management of the local authority in the area or a management board. The local authority could also designate a market street for a specific period, for instance in response to applications from individuals or cooperatives. The local authority, in consultation with the Minister, was given the authority to demolish, reconstruct, close or move a market or bus station after notifying the manager.

Persons selling good in markets were obliged to pay fees, stallage or levy as prescribed by the local authority or the management board. Non-compliance was an offence punishable by fine or imprisonment. Inspectors were appointed by the authority, to ensure compliance. The authority (or management board) issued licenses and permits to peddlers, hawkers, marketers for the market or market streets. Management boards were to have 8–11 members appointed by the Minister, with at least two representatives for the Ministers, three persons representing marketers (elected), one representative of the local authority, one consumer or commuter from an association relevant for markets in the area, and one community member. However, the Minister had the authority to reject proposed representatives.⁹⁷ The management boards were responsible for formulating policies and guidelines, providing annual business plans and services such as water, sanitation, security, electricity, building infrastructure, property protection and trading places for market users; further, for generating revenues and promote community involvement. They also prevented vending and illegal trading.

When licensed, a Zambian trader is obliged to pay taxes and fees, but he or she will also gain more security and stability in operations by being entitled to an allocated space. To enforce compliance with the regulations, a new magistrate court was established to deal with breaches of the acts and regulations. These regulations provided the management boards and inspectors with considerable powers over the traders. They also required an effective and capacitated city council. Except for a provision on the right to life in Article 11a, as well as rights of association and other civil and political liberties, no other articles in the Zambian Constitution provide for economic or social rights (Constituteproject.org 2014).

Thus, according to the law, informal traders are engaged in illegal activities, and have no individual social and economic rights. Legal trading, on the other hand, means under the control of a market board and inspectors which monitor allocation of space and other privileges in the markets, as well as charges and fees collected by these.

⁹⁷ Management board members held office for three years, but could be re-appointed.

5.2 Kenya

5.2.1 Slum-dwellers and illegality

Socio-economic base

According to the Kenya 1999 Population and Housing Census Analytical Report on Housing Conditions and Household Amenities (Republic of Kenya 2002, referred to in Bocquier et al. 2009: 57), 4.8 percent of the Kenyan population rented government housing. In urban areas, 10 per cent of households lived in public housing. The majority of households depended on the private formal and informal markets and market forces (Bocquier et al. 2009). UN-Habitat (2013) estimates that 71 percent of the urban population lives in slums. In Nairobi, 90 percent of slum-dwellers were tenants (UN-Habitat 2006).

Nairobi serves as a temporary base for migrants.⁹⁸ The housing market appears to be mainly targeted to this mobile population who seek affordable housing in order to maximize the gains from migration (Bocquier et al. 2009: 77). Ethnicity, language and religion are seen as key factors for aiding or restructuring the assimilation of newcomers (Bocquier et al. 2009: 7). Another factor is commuting time and closeness to income activities. These new migrants rely on relatives or friends, to keep expenditures low and access living space (and work). Often, however, what was intended as a temporary housing arrangement becomes permanent, due to limited options.

While half of male migrants acquired their first independent housing by age 24 or had got independent housing after five years, 45 percent of male Nairobians (people who were born or moved to Nairobi before the age of 15) still did not have independent housing (as tenant or owner) by the age of 30. Self-employment increased the chances of having independent housing (Bocquier et al. 2009: 67), but the greatest difference was between those in the informal and the formal sectors. While many migrants tended

⁹⁸ In the census, "migrants" referred to individuals who came to Nairobi after the age of 15. Half of the male migrants came to Nairobi when they were 20 or 21 years old.

to stay with relatives (ethnic group), they were likely to move out if they got employment.

Urban land is defined as either public or private. Informal settlements are by definition unlicensed settlements on land that is owned either by the state or private actors. As these informal settlements have often existed for decades, an informal system of land management has developed. Persons referred to as “landowners” in slums would in many instances be more correctly seen as structure-owners: they have built housing structures, but do not own the land on which the structure is built. According to the law, these structure owners are still squatters occupying land, as are the tenants who live in these structures.

A main conflict over urban land in Nairobi concerns squatters versus public or private developers. The constant threat of eviction is one of the main challenges facing squatters in the informal settlements. When squatters occupy public land, they are allowed to stay there at the mercy of the government, and usually only if they are not blocking a modernization project. As one respondent put it: “The land is eaten up by modernization.”⁹⁹ The local administration carries out evictions, sometimes in alliance with traditional leaders such as village chiefs. Evictees are rarely provided alternative land and housing, unless through non-transparent methods via the chiefs, their agents or the Nairobi City Council (NCC).¹ However, according to UN-Habitat (2006: 15), the number of evictions has been reduced from the 1990s; 80 percent were carried out by private land “owners,” and only 20 percent by the NCC, the Ministry of Lands and Housing, or the Ministry of Public Works.

Several conflicts of interest that divide Nairobi’s slum-dwellers as a group stem from differences in preferred tenure rights. The first major sub-conflict line is between tenants and landlords/structure owners, formal or informal.¹⁰⁰ This conflict is also expressed in the desire for privatization of titles through market mechanisms

⁹⁹ Community Leader in Kibera. March 20, 2014, Nairobi.

¹⁰⁰ I will use these two terms interchangeably. Although slum “landlords” usually do not hold a formal title to the land, and therefore simply own the structure on the land, in practice, the term “landlord” is applied to structure owners as well.

(landlords) versus government provision of housing and regulation of the rental market (tenants). Whereas 90 percent of Nairobi's slum-dwellers are tenants, only half of these feel that their tenure is reasonably secure, according to UN-Habitat (2006: 15).

As most of the housing stock in Nairobi is private, informal and undersupplied, and prices are determined by market demand, being a landlord can be highly profitable, while the high prices in the rental market negatively affect the poor tenants. Landlords "can charge 10,000 for a room with nothing."¹⁰¹ Huchzermeyer (2008) sees the ever-growing slums in connection with the larger land and housing market in Nairobi, and especially the distorted rental market that creates incentives for landlordism and the trading of housing into the middle class.¹⁰² However, according to Macharia (2007: 157), landlords in Nairobi are usually politically influential individuals in the formal economy, whereas tenants are subjected to extremely exploitative practices and unable to complain to the government precisely because they are illegal settlers.

The issue of ethnicity is also highly confounded with the conflict dimension of landlords-tenants in Nairobi. For instance, most house-owners in Kibera are perceived to be Kikuyu. Luo and Luhya residents center their grievances on the demands of allegedly Kikuyu "landlords" (LeBas 2013: 245). To many Luos, the Kikuyu are seen as running everything, while the Luo must pay them for rooms, water, electricity, as well as being shop-owners, creating perceptions of exploitation (Smedt 2009: 594). Also in Mathare, there has been economic sabotage between the Kikuyu and Luo/Lua, who were considered to be split along the lines of landlords and tenants.¹⁰³

A second (ethnic) sub-conflict (in Kibera) concerns those groups that prefer community titling. The Nubian community, as a minority ethnic group, sees a direct connection between lack of community ownership, poverty, and political

¹⁰¹ Community Leader in Kibera. March 20, 2014, Nairobi.

¹⁰² Huchzermeyer (2008) claims that utilization and regulation of council-owned land and housing stock, and protecting existing slum housing from new market opportunities ensuing from slum upgrading could benefit the urban poor and secure them affordable housing.

¹⁰³ National Cohesion and Integration Commission. March 25, 2014, Nairobi.

marginalization.¹⁰⁴ The Nubians were originally brought by the British colonialists from Sudan, and resettled in Kibera. As the Nubians are not indigenous, and do not have a rural “home” area as other Kenyan tribes have, community land titling in Kibera is considered fundamental for protecting and empowering them.¹⁰⁵

Hence, as in Zambia, most Kenyan urban slum-dwellers are tenants with highly insecure tenure, due to high rates set by the informal markets, and constant threats of eviction and demolition. However, in contrast to Zambia, landlords in Nairobi are seen as belonging to one tribe that discriminates against tenants of other tribes, giving the conflict an ethnic dimension. Furthermore, minority tribes prefer community titling, as they feel that neither private nor public housing interventions benefit them.

Legal and regulatory framework

The sub-conflicts that exist among Kenyan slum-dwellers are closely related to the legal and regulatory framework that has developed over time. An important document for the regulation and planning of Nairobi’s urban space was the 1948 Master Plan, which was based on a system of racial zoning developed by the British colonizers. This was the only comprehensive plan for Nairobi for decades (Gatabaki-Kamau and Karirah-Gitau 2004). The racial zoning laws set administrative constraints on what was otherwise a free land market in the urban areas. Housing provision, to the degree that it existed at all, was limited to those employed by Europeans, while the Vagrancy Act provided for the demolition of informal settlements.

According to Gatabaki-Kamau and Karirah-Gitau (2004: 160–161), racial segregation was simply replaced by socio-economic segregation after independence. The combination of labor policies, housing policies and economic relations stemming from the colonial and post-colonial period led to an expansion of informal settlements. These policies resulted in a lack of land that was affordable and appropriately located

¹⁰⁴ The Nubian Rights Forum. Oct 18, 2012, Nairobi.

¹⁰⁵ While the Nubians would lose out in the marketplace to better-resourced investors, they also expect to be bypassed in government programs because, unlike the dominant ethnic groups, they do not have their own political representatives.

for low- and medium-income groups. The problem was aggravated by massive urban growth from independence onwards. The removal of restrictions on movement, combined with the introduction of individual property rights in African reserves, fueled the housing shortage (Gatabaki-Kamau and Karirah-Gitau 2004: 162). This process forced rural African families who lost out in the rural market transfer to move to the cities. While the post-colonial government initially allowed informal settlers to construct shacks, as these were located outside the central business district, it soon began demolishing slums close to the Nairobi city center, adopting the colonial rationale of law and order (Gatabaki-Kamau and Karirah-Gitau 2004: 164).

The government of Kenyan African National Union (KANU) stepped up production of housing for rent through the National Housing Corporation of Kenya (NHCK). The NHCK was created in 1967 to replace the colonial Central Housing Board, and was intended to channel funds for low-cost housing to local authorities, housing cooperatives and other organizations (Syagga 2000; Syagga and Olima 1999, cited in Bocquier et al. 2009). During the 1970s, employers were required to provide housing for their employees, who in turn had to pay rent at non-market rates (Bocquier et al. 2009: 54). These employers were state corporations like Kenya Railways, Kenya Posts and Telecommunications, as well as the government. As the Nairobi population and workforce grew, it became increasingly difficult for employers to meet demand. Employees had to look for private rental housing, while being entitled to housing allowance. From the mid-1980s, the housing stock had fallen well behind demand. From the early 1970s to the mid-1990s, informal settlements continued to increase in number, from around 50 to 130 settlements in Nairobi (Gatabaki-Kamau and Karirah-Gitau 2004: 164).

Prior to political liberalization, the KANU government has begun a process of economic liberalization, based on economic restructuring programs prescribed by the international financial institutions. This restructuring also applied to the NCC, which until then had been in charge of urban planning. The Council was abolished and replaced by a president-headed commission from 1983 to 1992, which facilitated a rapid liberalization and privatization of the city (Linehan, 2007: 26). The problems of

corruption and kleptocratic practices that had ridden the city administration for years served to legitimate these reform initiatives (Linehan 2007: 27). According to Klopp (2000: 8), the economic restructuring processes of the 1980s contributed to intensify irregular allocations of public land to private actors and land-buying companies in Kenya, popularly termed “land-grabbing mania.” Poor recording led to inequitable land management that discriminated against the poor and was subject to corruption (UN-Habitat 2006). Individuals acquired private titles illegally, including land where squatters had been living for decades.

The Physical Planning Act of 1996 placed planning responsibility with the local authorities. The Directorate of City Planning (DCP) was intended to coordinate development activities, including slum upgrading, micro-enterprises and municipal reforms. According to UN-Habitat (2006: 8), the DCP found this mandate overwhelming in practice. Actual expenditure for housing from the central government was also reduced. The private sector was not able to fill the gap for subsidized housing; even settlement upgrading schemes targeting low income groups, initially meant for ownership, in practice become rental schemes (Bocquier et al. 2009).

Although adequate housing has always featured in national development plans, there had been no major shifts in housing policy since independence, and even less progress in implementation. Furthermore, there were no pro-poor land policies (UN-Habitat 2006: 14). As the informal settlements were never included in the city Master Plans, there were no budget allocations for services and development in these settlements.¹⁰⁶ Instead, the slums were governed by a mix of legal and extra-legal rules and authorities, such as customary rules, tribal villages, private property owners, public laws and public-private slum upgrading projects (Bocquier et al. 2009). Although slum residents have tried to resist being evicted and displaced, title-holders have usually won in court, as land occupants have no legal right to be heard (Otiso 2002: 262).

¹⁰⁶ Amnesty International. March 17, 2014, Nairobi.

5.2.2 Informal traders and illegality

Socio-economic base

About 84 percent of Kenya's population works in the agricultural sector (CIA Factbook 2015). In 2013, 17 percent of youth (ages 15–24) were unemployed (World Bank 2015a). The informal sector constitutes 82.7 percent of total employment (Kenya National Bureau of Statistics 2015: 67-68). Within formal sector employment, manufacturing and wholesale and retail sale constitute 15.7 percent of total private employment. Within non-agricultural urban work, 61 percent is informal, and 38 percent is within informal trade (WIEGO 2011: 2). Informal trade employment has been considered to constitute 85 percent of total trade employment, and contributes with 62 percent of total trade value added (Skinner 2008a: 7).

According to ILO estimates, 416 294 street vendors were operating in Kenya in 1999. Street vendors were held to constitute eight percent of the non-agricultural labor force, of which 33 percent were women (Skinner 2008a: 7). However, Linehan (2007: 29) claims that employment in street trade grew from 5.1 million in 2002 to 6.8 million in 2006, a rise of 33.4 percent. WIEGO's survey (2011) estimated 220,000 urban street traders, of whom 63 percent were women. Morange (2015: 251) stated that in the 2000s, half of Nairobi's working population was employed in the informal sector, of which 20–25 percent was street traders. According to Morange, there were between 50,000 and 100,000 street traders in the Nairobi metropolitan area, and 30,000 in central Nairobi. WIEGO (2011: 2) found that 51 percent of informal workers were involved in trade in the coastal areas, whereas in Nairobi and other urban areas, informal trade stood at around 35 percent. In Nairobi the percentage of street traders was found to be seven percent (WIEGO 2011: 2).

Regardless of the discrepancies in estimates on the numbers of informal traders, Lyons and Snoxell (2005: 1080) found that trading in Nairobi was no longer an interim occupation for young men seeking gainful employment in other sectors. Both men and women were in trading for the long term. Fifty-two per cent of first jobs were introduced by a relative who was often a host; 32 per cent of traders had come to

Nairobi with savings and had no help. Only 16 per cent had initially been helped into work by (non-family) friends (Lyons and Snoxell 2005: 1082). According to Morange (2015: 258), the majority of street traders in the Central Business District (CBD) area live in Githura and Kayole.

Within the area of trade, workers move between trade and vending in formal and informal markets as well as the streets, depending on the opportunities and restraints they encounter. A typical example is the Kenyatta Market, close to Kibera (Lyons and Snoxell 2005: 1080). The municipality adopted it in 1988, and shops were bought by hospital employees and local hawkers. Many of the original beneficiaries remained as landlords, while the businesses were owned and run by tenants. However, along the street and taxi rank outside the market gate, a further 400 stallholders were operating without formal tenure. These were tolerated by municipal inspectors, who extracted informal payments from time to time. There were also hawkers in the area selling their wares.

As in Lusaka, Nairobi's street vendors and marketers have a conflict of interest, as street vendors are seen as taking customers away from formal traders who pay fees and are immobile (Lindell and Ihalainen 2014). Formal businesses find street vending problematic due to competition and congestion. According to Macharia (2007: 159), it has especially been the well-established businesses in downtown Nairobi—like retailers, restaurants and grocery stores—that have been in conflict with informal sector businesses. The government has usually responded by arresting or fining the latter. There have also been suspicions of arson, for instance when Gikomba Market was set on fire in 2000. Accusations circulated that formal sector operators set the market on fire to kill off competing second-hand clothing business (Macharia 2007: 153). Also Robertson (2007: 26) makes the case that the propertied classes in Kenya have ruthlessly exercised the property crime of arson against poor, small-scale traders.

The legal and regulatory framework

Also Kenya had its Vagrancy Act (from 1922), meant to restrict Africans from moving to the cities in large numbers and seeking permanent settlement and employment.

Since colonial times, such by-laws have been used to impose fines for hawking, spitting and urinating in public, and jaywalking. After first being the responsibility of the central government under the African Affairs Officer and Commissioner, street trade became a municipal affair in the 1930s (Morange 2015: 250). Municipal bylaws accelerated in the 1960s, when the Askaris (City Council) started harassing street traders, demolishing their operations and fining the traders. In the 1970s, the government became more tolerant of small and medium enterprises: indeed, the 1973 Metropolitan Growth Strategy recognized street trading as an important livelihood strategy and a result of unemployment (Morange 2015: 251). Plots were earmarked for 55 markets in the metropolitan periphery. In 1992, a division of informal trading was even created within the Ministry of Planning and National Development—but in practice, much remained the same, and street clearances continued.

According to Klopp (2000: 8), the economic restructuring processes in the 1990s, through the privatization of public goods, extended into many public sites, including markets. Existing public markets in urban areas, often located in central, valuable areas and hence attractive for investors and developers, were being privatized in an irregular manner. The people who had been using the markets lost their right to use these urban spaces, as priority was now accorded to business interests. Demolition and evictions of former market-users were carried out jointly by council police, regular police and private security personnel in order to transfer the land to its new private owners (Klopp, 2000: 12).

The new liberalist paradigm for regulating the use of urban space for work was reflected in the government's development plan—Kenya Vision 20130—that drew up a long-term policy strategy for national and regional planning (Linehan 2007: 24). The plan was prepared jointly by the Kenyan Economic and Social Council (NESCC) and the international consultancy firm McKinsey and Company. The plan featured a neoliberal strategy which deregulated markets and favored the use of private business interests, in policy development and in the delivery of public services. The same applied to the 2006 Nairobi Metropolitan Growth Strategy, which greatly expanded the role of the private sector in devising urban policy. The declared main goal was to

establish Nairobi as a regional and global service hub, and as one of the most attractive cities to live and do business in (Linehan 2007: 25). This strategy of public–private partnerships and privatization was in line with the conditions set by the World Bank for its loans and funding, in which the role of government should be one of “steering,” while private actors should deliver.

Reforms that affected street vendors/hawkers in this long-term strategy and vision of the city involved funding to resettle hawkers in smaller, permanent markets citywide; improvement of policing and enforcement of NCC bylaws; cleaning up the city and enforcement of health and sanitation regulations; securing all public parks and their rehabilitation; as well as pedestrianizing the central business district and reducing vehicular traffic (Linehan, 2007: 27). Revised by-laws from 2006 stated that anyone found buying goods from a hawker in “non-designated” areas would be arrested together with the seller (Linehan 2007: 30). Fines from by-laws were seen as the third most important source of income for the Askaris, who also used these laws to extract bribes from locals and street vendors (Linehan 2007: 29).¹⁰⁷

According to Linehan (2007), the urban strategies towards street vendors display a distinct political and ideological vision of urban land development where hawkers and street vendors were excluded. As Linehan argues, reclaiming the city center and sub-centers from hawkers effectively pushed the slums back into the slums. Informal trade remained illegal.

In this chapter we have seen how the urban poor in Zambia and Kenya have latent socio-economic grievances with a potential for being politically mobilized. These grievances are linked to the illegality of their housing and livelihood strategies, which are often the only viable options. Due to this illegality, the urban poor are harassed, criminalized, penalized and marginalized under the current legal and regulatory

¹⁰⁷ Despite the size and importance of Nairobi (generating 45 percent of Kenya’s GDP), the financial capacity of the City Council was extremely limited, largely because of poor resource management and a weak revenue collection system (UN-Habitat 2006: 9).

framework. Although the framework had its roots from colonialism, which was kept largely intact by the post-colonial states, the transition to a “neoliberal” economic model through liberalization and privatization upheld the illegality of the predominant livelihood strategies of the urban poor. We have seen that the urban poor have conflicts of interest with other (more affluent) economic groups, whether formal businesses and marketers, or landlords. As one respondent noted, the pressing issues were economic inequality and insecurity, not poverty *per se*.¹⁰⁸ Moreover, these more-affluent economic groups often overlap with political elites at local and higher levels. However, not all latent socio-economic conflicts are necessarily politicized, especially not up to the national level.

First of all, as the overall urban population has always been substantially larger in Zambia than Kenya, urban issues might have more salience at the national political level in Zambia, especially due to the rural bias in African electoral systems (Boone and Wahman 2013). A few other differences between the two country cases have also been identified. In Zambia, the proportion of informal traders relative to the overall urban working population appears higher than in the more diversified urban economy of Kenya.¹⁰⁹ Second, while the majority of urbanites in both countries live in slum dwellings, and tenants make up a large bulk of these, the conflicts of interest between landlords and tenants have assumed a more specifically ethnic dimension in Kenya than in Zambia. Such differences may impact on whether and how the socio-economic grievances of the urban poor become important in political mobilization. As will be shown in the next chapter, both slum-dwellers and informal traders have played a part in political mobilization since independence. However, their political role and the nature of their struggles have changed over time.

¹⁰⁸ Inuka Ni Sisi!. March 28, 2014, Nairobi.

¹⁰⁹ As the chapter has shown, estimates of the proportion of informal traders and street vendors compared to the overall informal economy or the total labor force differ.

6. From independence to a democratic transition: multiparty competition and political pluralism as game changers

Chapter 6 covers the nature of urban politics from independence and up to the first period of formal, liberal democracy.¹¹⁰ Prior to their democratic transitions, Kenya and Zambia were authoritarian regimes increasingly sustained through ethno-clientelism. This chapter will discuss whether the transition to multiparty competition and political pluralism functioned as a game changer for the political agency of the urban poor.

The first part will look at how the patrimonial regimes sought to contain political opposition from both the urban poor and middle- and upper class groups through the introduction of *de jure* one-party states, and how the latter groups coalesced around a democracy struggle in response. The second part will consider whether the introduction of multipartyism and political pluralism resulted in the urban poor becoming important political constituents for the new government parties and/or civil society.

The analysis will show that neither the new incumbent parties, nor civil society, provided a democratic channel through which the urban poor were engaged as citizens in the first era of formal democracy. This is attributed to how both the government parties and civil society had mobilized the urban poor in an *ad hoc* manner, but had other main priorities. The government parties sought to consolidate their power through ethno-clientelism. The NGO-dominated civil society prioritized democracy, human rights and service delivery.

¹¹⁰ However, it is important to highlight that the introduction of democratic institutions, such as competitive elections and political pluralism, may co-exist with authoritarian practices (hybrid regimes).

6.1 Zambia

6.1.1 The patrimonial state: ethno-clientelist machines, state corporatism and urban opposition

When the United National Independence Party (UNIP) came to dominate politics from the onset of the First Republic, conflict and competition occurred within the party (Szeftel 2000: 209). Clientelism was used as an important mechanism through which political supporters obtained access to Zambian state resources in return for helping their patrons gain public office (Donge 2008: 71). Szeftel (2000: 208) holds that at the heart of each of the three political crises that resulted in new constitutions (i.e. the proclamation of new republics) in Zambia was the management of state patronage, and how to structure the manner in which particularistic interests could access public resources.

Political reform did not alter the structural determinants of corruption: regional (and ethnic) networks were built into the party organization, and relations between local political brokers and their clients were the bedrock of regional factions (Szeftel 2000: 209). According to Szeftel, party and government positions had to be constantly distributed between the various groupings to keep the factions in check and sustain the coalition, where influence and spoils depended on being able to reward one's own followers. Private accumulation was coupled with access to public office (Szeftel 2000: 22). UNIP even promoted itself by proclaiming that "it pays to belong to UNIP," and resorted to "rent-a-crowd charades" for President Kaunda's tours (Zukas 2002, referred to in Myers 2006: 297).

Despite the ethno-clientelist foundations of the regime, the Zambian urban population has always been important in driving through political change. With the development of the country's copper industry into one of the largest mining complexes in the world from the mid-20th century, Zambia became one of the most industrialized and urbanized new nation states in Africa (Rakner 2003: 44). The importance of urban interests, especially the unionized mineworkers, was a matter of continuing political tension and debate (Cheeseman and Hinfelaar 2009). Unionized urban workers were

considered a potential political challenger to UNIP after independence (Rakner 2003: 49). They played an important role in the independence movement, and subsequently, UNIP sought to co-opt the urban workforce.

The UNIP government built a strong, centralized trade union movement, the Zambia Congress of Trade Unions (ZCTU), to strengthen its penetration of society (LeBas 2011: 80). However, these attempts at co-optation contributed to strengthening the trade union movement, financially and organizationally (Rakner 2003). In addition to union autonomy, the trade union movement developed a cross-ethnic, mass-based movement structure (LeBas 2011). It provided a network of “weak ties” that linked individuals from different regions and ethnic groups, which facilitated information and action (LeBas 2011: 146).

The collapse of copper export earnings in the 1970s and Zambia’s developmental state model resulted in economic decline which severely affected human development. By 1970, the level of strike activity and worker militarism had become so high that UNIP, through the Industrial Relations Act of 1971, introduced mandatory affiliation to one central union congress (ZCTU) and a policy of one industry, one union (Rakner 2001: 527). Even more importantly, following internal splits that threatened its majority, UNIP imposed one-party rule in 1971. The introduction of the one-party state brought Zambia close to state corporatism, as all interest groups were designated as belonging to the state, and only non-political associations were allowed to register outside the UNIP (Rakner 2001: 527).

The trade unions became increasingly hostile to the failed state corporatist model of the one-party state and an authoritarian and unjust patron–client political system (Rakner 2003). The structural adjustment programs that UNIP carried out in conjunction with the IMF and World Bank dominated the antagonistic relationship. Throughout the 1980s, the ZCTU leadership continuously resisted UNIP’s attempts to co-opt them into party structures. Tensions resulting from high illegal strike activity led to detentions, and ZCTU consolidated as the main opposition force (Rakner 2001: 528). Hence, the representatives of the urban work force became opponents of the one-

party regime. LeBas (2011: 108) argues that although the ruling party UNIP occasionally interfered in the operations of the union center, it never abolished these organizations' autonomy from the state and party. As the workers retained control of the union, the elected oppositional leadership allowed unions to play a role in organizing resistance to the state's economic policies and the authoritarian system (see below).

The pro-democracy forces eventually coalesced around a newly formed opposition party, The Movement for Multiparty Democracy (MMD). The MMD elite represented an alliance of business, labor, academics and civil society (LeBas 2011). The opposition party protested against the effects of failed economic policies of the socialist regime and the World Bank's structural adjustment programs, and sought to oust the incumbent regime and introduce democracy through a new constitution. Prior to the democratic transition, ZCTU put its organizational resources at the disposal of the MMD (Rakner 2001: 528). However, popular protest was characterized by fairly fragile links between opposition party elites and mass constituencies (LeBas 2011: 108). The trade union movement was not actively involved in planning and coordination of protest, nor did it coordinate campaigns with other social actors preceding party formation (LeBas 2011: 162, 171).

According to Bratton (1994, cited in Cheeseman and Hinfelaar, 2009), it was UNIP's failure to maintain relations with the trade union movement that undermined its hold on power in the 1980s. However, Levitsky and Way (2012: 874) attribute the implosion of the UNIP to its party organization, which was mainly consolidated as a patronage-based machine, vulnerable to the crises of the post-Cold War world. According to Levitsky and Way, UNIP did not have roots in a violent struggle, and had not built up a cohesive party with strong organizational structures, ideology, and identities. Rather, it was a broad coalition of factional interests spanning ethnic, regional and ideological groups, heavily reliant on patronage. The ruling party did not have strong ties to the coercive security forces either, compared to many ruling parties elsewhere in Africa. When the patronage machine ran out of resources, there was no a strong polarizing identity that could contain cohesion, and the system quickly

disintegrated (Levitsky and Way 2012: 874). UNIP suffered large-scale defection in the face of economic crisis and internal and external pressure to democratize (Levitsky and Way 2012). Sensing the shifting tide, UNIP officials defected to the opposition, bringing along their resources, experience and constituencies. In the transitional elections in 1991, the MMD won a landslide victory.

Slum-dwellers and informal traders

The Zambian slum-dwellers have constituted a political force ever since independence. However, the patterns of slum-dweller party mobilization have been contradictory, and it is difficult to delineate where programs or ideology ended and clientelism begun. Already in the late 1950s (in the colonial era), the District Commissioner was busy collecting hut rents from unauthorized settlements (Myers 2006: 300). This practice was controversial, and the colonial Director for African Affairs was frustrated that the practice created additional complications by perpetuating unwanted slums (Mulwanda and Mutale 1994: 305). After independence, expatriates increasingly lost control over the squatter settlements.

After independence, multipartyism was introduced in Zambia. According to Myers (2006: 303), the process of carving Lusaka into “firm wedges and sectors” began under UNIP rule.¹¹¹ UNIP officials condoned and sometimes encouraged the formation of squatter settlements, because these populations provided a massive base of political support (Seymour 1975: 72). City councilors feared the political repercussions of demolition of the fast-growing settlements, although their policy and attitude towards squatters were almost identical to those of the colonialists.

As squatters were considered a source of political support, this undermined the efforts of the Squatter Control Unit to control the development of unauthorized settlements. In the late 1950s and early 1960s, townships and compounds supported either UNIP or the opposition party, the African National Congress (ANC), and rarely tolerated the other party in their strongholds (Myers 2006: 303). The Kalingalinga compound, for instance, had strong ties to the ANC. As a consequence, the model site-and-service

¹¹¹ The process accelerated through party politics from the 1990s and onwards (Myers 2006).

scheme of the UNIP government in the late 1960s and early 1970s, east of Kalingalinga in Mtendere, was filled with UNIP loyalists who had been living uncomfortably in Kalingalinga (Myers 2006).

In 1970, the demolition of 517 shelters in Nguluwe provoked evictees to threaten a boycott of forthcoming local government elections, and in 1972, squatters in Chipata compound threatened to quit UNIP *en masse* when faced with the threat of eviction, which effectively ended the process (Mulwanda and Mutale 1994: 305). Mulwanda and Mutale (1994: 305) argue that the political allegiance of the urban masses was of great importance for UNIP's continued rule, increasing the former's power and freedom to occupy vacant land. In 1972, however, when the one-party state was established, the squatters lost much of their political leverage, as opposition parties were abolished (Mulwanda and Mutale 1994: 307).

Nevertheless, squatters still had influence at lower political levels. Although the official UNIP stance was against squatting, party officials established branches in all squatter areas in the 1970s where local UNIP leaders allocated plots to illegal settlers (Mulwanda and Mutale 1994). Since UNIP members still had to compete for office at local level after the introduction of the one-party regime, they strategically mobilized the urban poor by allocating plots to them, while also requiring them to pay service charges.

In the 1970s, political pressures built up within the party, because an extension of Lusaka's city boundaries made councilors heavily dependent on the squatter vote (Seymour 1975: 73). According to Seymour, this was why the city council began to push for an upgrading policy, which appeared as the cheapest, if not only, response to the squatter challenge.¹¹² After a loan application was submitted to the World Bank, secretive and protracted negotiations followed; in 1974, a loan of 26 million kwacha was announced for upgrading (Seymour 1975: 74). The government saw upgrading as a means of bringing squatters under its control. Only selected settlements would be

¹¹² The idea itself had been introduced by Swedish architects who visited Zambia in 1969, and was actively promoted by the organization known as Social Action in Lusaka (SAIL).

upgraded—others would be demolished and resettled into site-and-service schemes (Seymour 1975: 76). As squatters were also expected to contribute towards the purchase of the land from private owners, upgrading tended to exclude the poorest segments and those who could not afford the site-and-service schemes. Squatters were also excluded from participation in the formulation and execution of plans (Seymour 1975: 76).

When President Kaunda continued campaigns of demolishing squatter settlements to be relocated into service settlements (often only on paper), this triggered widespread resistance (Mulwanda and Mutale 1994). Squatters in Lusaka and Kitwe threatened not to vote for their MPs or ward chairmen. In 1986, there were also violent encounters. One encounter between squatters and a council demolition squad and riot police in Mazyopa township in Lusaka, after the squatter structures had been demolished, left two youth dead (Mulwanda and Mutale 1994: 308-309). The one-party state increasingly used demolitions and relocations to control the squatters.

In addition to squatter settlements, markets were strategic places for party recruitment during the UNIP era, and their management was a target for political maneuver (Hansen 2010: 18). UNIP used the Market Act, often through the co-operative societies, to take control over the allocation of stands in markets through its youth wing. Party membership became a prerequisite for access to land, and stand-holders paid fees and levies to the UNIP. While laws prohibiting street vending had been more or less consistent since the colonial era, informal street vending politics were also a feature throughout this period.

Although less has been written about these political dynamics, Zambian street vendors consistently contested the legislation intended to prevent them from conducting their activities in urban spaces (Hansen 2004: 63). Subversive activities began already during the colonial era, when especially women would provide illegal goods and services to the African urban population. During the Second Republic, the police would periodically arrest and fine such “black marketers,” or confiscate their property (Hansen 2004: 63). Continuous confrontations between traders and state agents

marked this period, as traders would usually ignore legislation forbidding them to practice their trade (Hansen 2004: 63).

In the 1980s, Michael Sata became the public face of UNIP's attempts to "clean up" the city through organized vigilante attacks on street vendors, and deportations to rural areas (Larmer and Fraser 2007: 624). As part of the opposition struggle, an alliance between the labor movement, the urban unemployed and informal sector workers took shape, although this alliance was more affective or emotional than institutionalized (LeBas 2011: 154). Informal workers were politicized through unplanned contentious actions against shared economic hardships. "Bread riots" protested the economic and social costs of the structural adjustment programs. The opposition party, MMD, was thus able to channel into the mood of the urban workforce in both the formal and informal sectors.

To sum up, after independence, Zambian political elites competed for the political support of the urban poor, often through the use of clientelism. Through the introduction of the one-party regime, however, UNIP sought to contain political contention at the local political level and within the party structure. Over time, the regime became increasingly hostile to slum-dwellers as well as informal traders. Already in 1975, Seymour (1975) predicted that urban planning in Lusaka would sharpen squatters' awareness of latent class-based conflicts of interest. Mulwanda and Mutale (1994) claim that many of those who voted UNIP out of office in 1991 were squatters who felt betrayed by the party; these authors also predicted that the Third Republic would enhance squatter power, as ignoring the plight of over half the population in major cities and towns would be political suicide. In addition, the opposition party, MMD, gained strength through mobilizing workers from the formal and the informal sectors. The urban poor thus played a role in putting an end to the one-party state. However, the mobilization of the urban poor by the MMD was *ad hoc*: there was no clear program, and the linkages were weak.

6.1.2 Transition to formal democracy – ethnoclientelism and civil society detachment

Multiparty competition and the structuring of national party politics around ethno-clientelism (1991–2006)

The 1991 Zambian Constitution was the result of a compromise between UNIP and the MMD (Rakner 2003). A presidential system with a unicameral National Assembly (150 seats) was put in place, and the President was to be elected by a plurality vote for a five-year term, with a term-limit of two periods (International Foundation for Electoral Systems (IFES) 2013b). Members of the National Assembly would be elected by plurality vote in single-member districts, with eight additional members to be appointed by the President. All would serve five-year terms, and tripartite elections were to be held simultaneously for the presidency, parliament and local government. The Local Government Act of 1991 made the local authorities more independent of the party structure by establishing elected councilors and mayors (Hansen 2010).

In terms of MMD party building, links between local branches and the national leadership had not been well-developed, and local activists were not involved in party decisionmaking or policy formulation (LeBas 2011: 219). According to LeBas, little thought had been given to how the allied groups that formed the MMD would govern and make collective decisions—and internal divisions soon began to emerge, resulting in the first split-offs. The MMD national leadership controlled the selection of parliamentary candidates, often businessmen or former UNIP politicians, while many trade union activists were excluded. LeBas (2011) attributes this partly to the limited resources available in the initial phase of party building, but the pattern continued also after the MMD took office. In 1993, the MMD Organization Committee reported that party structures were eroding due to poor information flows, lack of resources and non-payment of salaries (LeBas 2011: 221). Authoritarian carry-overs from the UNIP era became more frequent, targeting dissenting opinions both within and outside the party.

From 1991 to 2006, the party system was dominated by the MMD. Despite the party's promises of a highly participatory constitution-making process after gaining office, it

ended up rejecting many of the recommendations that were produced by an independent commission when passing a new constitution in 1996 (Ndulo and Kent 1996). The MMD conducted a program of typically right-wing, market-friendly policies (Rakner 2003). Nevertheless, during the first one and a half decades of democracy, the party system in Zambia was characterized by ethno-regional political cleavages and personalistic party politics (Larmer and Fraser 2007; Posner 2007). Larmer and Fraser (2007) have attributed the majority won by the MMD in the 2001 election to the proliferation of opposition parties with constituency bases in their own home districts. There was an absence of substantive policy alternatives in the party system. Posner (2007) claims that all public office holders at all levels in Zambia were expected to assist members of their own ethnic communities, which made voters and politicians alike give weight to the ethnic dimension of politics rather than other political aspects.

The former single party, UNIP, became increasingly marginalized under the new multiparty system. In the 2006 elections, it entered into a political coalition with the largest opposition party, the United Party for National Development (UPND). The MMD presidential candidate, Mwanawasa, won in 2006 by a larger margin than previous elections, which was interpreted as an endorsement of his “good governance” policies of economic growth and debt management (Larmer and Fraser 2007: 611). However, it was the party’s ability to consolidate the rural vote throughout the country that secured its 2006 victory. By contrast, the opposition coalition emerged as a “narrow ethno-regional bloc” (Larmer and Fraser 2007: 621).

During the first one and a half decades of multiparty rule, there were thus no substantive policy changes in the party system in Zambia: ethno-clientelism prevailed. However, the emergence of Michael Sata as the leading opposition candidate with 29 percent of the vote was another significant outcome of the 2006 elections (Resnick 2010). His new party, the Patriotic Front (PF), had opted to go it alone for these elections, rather than joining the opposition coalition. As will become evident in the next chapter, a pro-poor party platform had begun to take shape.

Civil society pluralism – service delivery, democracy and human rights

The nature of Zambian civil society, and its relationship to the state and political parties, changed profoundly when the one-party state was abolished. This change was characterized by the dismantling of corporatist structures, and the growth of a pluralist civil society, dominated by NGOs. Although civil society continued to be regulated by Acts carried over from the old regime (Kaliba 2014: 8),¹¹³ this did not prevent the development of an increasingly more pluralist civil society, largely thanks to external donor funding.

Rakner (2001) has argued that a pluralist paradox resulted from simultaneous political and economic liberalization in Zambia, leading to the proliferation of civic associations, with the weakening of corporatist links between the state and economic interest groups. In the 1990s, the trade unions declined in political influence, while there was a rise of civic associations and NGOs working in diverse areas of service provision, democracy, human rights, pro-women and pro-poor change (Duncan et al. 2003: 40). Approximately 390 non-governmental associations in a wide range of fields were registered in 1993, the majority Lusaka-based. Few organizations combined work at the grassroots with work at the national policy level, however, and very few had national membership or national constituencies (Rakner 1998: 252).

Many national NGOs were more active in advocacy than in service provision (Duncan et al. 2003: 41). Growing insistence from the international community on civil society participation in policy processes contributed to civil society organizations (CSOs) beginning to participate formally and actively in the Consultative Group meetings formerly restricted to the government and official aid agencies (Duncan et al. 2003: 41). One example is the Civil Society for Poverty Reduction (CSPR). This network was created to provide input to the Poverty Reduction Strategy Papers, as a demand from donors.¹¹⁴ Over time, advocacy for the inclusion of socio-economic rights into

¹¹³ Five pieces of legislation had dealt with the registration, organization and regulation of NGOs activities: the Companies Act (Cap.388), the Lands and Deeds Registry Act (Cap. 185), the Trustee Act, 1898 of the United Kingdom, the Societies Act (Cap. 119), and the Adoptions Act (Cap. 54) (Kaliba 2014: 8).

¹¹⁴ The Civil Society for Poverty Reduction. Oct 11, 2012, Lusaka.

the Bill of Rights, through constitutional reform processes, also emerged.¹¹⁵ NGOs (networks) such as CSPR promoted capacity-building among the poor.¹¹⁶ However, most NGOs still lacked a strong grassroots foundation.

According to Duncan et al. (2003: 39), the Zambia churches took on an increasingly important pro-poor role in the 1990s, seeing this in connection with the withering away of grassroots bases of political parties and the decline of industrial trade unions. Especially the Catholic Church was well organized at community level and enjoyed sufficient funding and staffing from overseas.¹¹⁷ At least two-thirds of Zambians were believed to be affiliated with some church. Most churches were in contact with poor people, able to mobilize and communicate with them, and provide some safety nets for the most vulnerable (Duncan et al. 2003: 39-40).

There were also a myriad of community-based organizations, ranging from parent-teacher associations, neighborhood health committees and community schools, to land associations and farmers' associations (Duncan et al. 2003: 41). However, CSO effectiveness was considered to vary greatly, depending on the leaders. While some sought to pressure the government to improve service delivery, others were supported by donors to raise awareness. Duncan et al. (2003: 42) have noted that it was probably only through community-based organizations that the voices of the poor stood any chance of being heard.¹¹⁸

Hence, Zambian civil society became increasingly diverse and autonomous after the introduction of formal democratic institutions. Initially, the urban poor were catered for mostly through advocacy and service provision: they were not themselves active

¹¹⁵ Expert at Panos Institute Southern Africa. Nov 27, 2013, Lusaka.

¹¹⁶ The Civil Society for Poverty Reduction. Oct 11, 2012, Lusaka.

Zambia Council for Social Development. Dec 2, 2013, Lusaka.

¹¹⁷ Today, the Jesuit Center for Theological Reflection (JCTR) started publishing a monthly cost of living index for Lusaka.

¹¹⁸ However, Duncan et al. (2003) did not see NGOs and CBOs as an alternative to the government as a solution to pro-poor change, and argued that the best donors could do was to identify and promote responsible NGOs, encouraging links between them and grassroots organizations.

agents of political change. However, the political space had been opened, and, after the turn of the century, more grassroots-based movements for the urban poor emerged.

6.2 Kenya

6.2.1 The patrimonial state: ethno-clientelist machines and urban opposition

In contrast to Zambia, the patronage system in Kenya prior to democratization in the 1990s relied heavily on polarizing ethnic identities (through violence). This ethnic polarization was also reflected in organizational life. Electoral violence along ethnic lines can be traced back to pre-colonial and colonial times (Rutten and Owuor 2009). Ethnic conflicts in Kenya are closely related to the history of land rights and access, and questions of who had been there first (indigenoussness). Before the 20th century, the Kikuyu, Maasai, Luo and Kalenjin, as well as smaller groups, had engaged in more and less aggressive conflicts with each other as well as within their own groups, over the fertile land necessary for pastoralism and agriculture. However, the European colonialists' interest in cultivating precisely such lands, and their deliberate policies for creating a pool of cheap labor, led many—the Kikuyu in particular—to migrate to the fertile Rift Valley region (Rutten and Owuor 2009: 308-309). Both the moderate and the radical (Mau Mau) Kenyan nationalists that emerged prior to independence were fighting the colonialists' segregated system of land-holding. The violent Mau Mau rebellion against the colonial power was defeated by 1956.

When the British, toward the end of their rule, decided to allow Kenyans to own land, conflicts emerged on questions of customary land rights versus the purchase of land based on private property rights. As the latter was promoted mostly by the Kikuyu, tribal interests were based upon land as an economic interest (Rutten and Owuor 2009: 310). This conflict intensified; already in the 1961 (pre-independence) elections, political party branches of KANU (Kikuyu and Luo) and Kenyan African Democratic Union (KADU) (Kalenjin and Maasai) armed their supporters for defense against perceived intrusions or attacks from the other side. In the Rift Valley, “the communities that felt the most threatened by the possible influx of landless Kikuyu

peasants into the Rift Valley under a KANU government tended to support the federalist policies of KADU” (Muigai 1995, 166–7, cited in Rutten and Owuor, 2009: 311).

KANU, the political party that negotiated independence with the British, was not founded on violent struggle. Led by Jomo Kenyatta, it was considered a more elitist party of moderates and conservatives (Levitsky and Way 2012: 878). Like UNIP in Zambia, it represented a coalition of ethnic and ideological groups, and former Mau Mau activists were sidelined. KANU incorporated political elites into a coalition mainly through patronage, making it prone to factionism and defections. As ties to the security apparatus had not been forged through violent struggle, these were also based on ethnic appointments in the leadership (Levitsky and Way 2012: 879).

According to Boone (2011: 1322), the government sponsored settlement schemes and land-buying companies on land owned by the state in the 1960s and 1970s. The land-tenure system created opportunities for politicians and state agents to manipulate land allocation and land rights for political control over populations settled in the Rift Valley. From 1960 to 1966, approximately half of this land was (re)acquired by the government, parceled up and transferred to Kenyan smallholders through settlement schemes. Nonindigenous groups were the main beneficiaries, especially the wealthier Kikuyu. Indeed, this allocation of land in the Highlands has remained the deepest and most divisive issue in Kenyan politics (Boone 2011).¹¹⁹ The resettlement schemes also had a class dimension, where those who could pay soon began accumulating land at the expense of the poor (Kanyinga 2009: 341). According to Kanyinga, “the landed elite are in control of both the politics and economy in the highlands and finance violence more often to deflect attention from inequalities in land ownership to inequalities in distribution of political power” (2009: 341).

At the same time, an ideological component was introduced by politicians such as the KANU Vice-President, Oginga Odinga. Odinga and a former Mau Mau detainee,

¹¹⁹ As Kenya’s colonial system gave each formally recognized ethnic group its own separate ethnic homeland (“native reserve,” or Tribal Trust Area), in which groups members could claim customary rights, the divisive issue was what to do with the fertile areas where the colonial state had removed tribal or customary rights (Boone 2011).

Bildad Kaggia, criticized Kenyatta's conservative economic policies and wanted greater redistribution to benefit the poor (Cheeseman and Larmer 2015: 39). When they were removed from their party posts in KANU in 1966, Odinga and his supporters formed a rival party, the Kenya People's Union (KPU). They advocated a socialist model, but had an ethnic support base among the Luo and Kikuyu (Cheeseman and Larmer 2015: 40). However, the KANU regime systematically suppressed cross-ethnic social mobilization structures, in favor of ethnic brokerage, co-optation and fragmentation. In the 1960s, only ten percent of the population was urban; trade union membership was marginal, and was effectively co-opted into the ruling party by 1965 through the creation of COTU (Cheeseman and Larmer 2015: 40). The KPU was thus unable to rally a mass constituency.

Still, the formation of the KPU soon led the KANU government to introduce measures towards a *de facto* one-party system. In the KANU state, the manipulation of tribal sentiments to distract attention from politically opportunistic behavior became more systematic (Rutten and Owuor 2009: 313). President Moi, a Kalenjin who succeeded Kenyatta (Kikuyu) after his death in 1978, "nurtured Kalenjin ethnic nationalism as Kenyatta had done to Kikuyu nationalism" (Rutten and Owuor 2009: 313). Upon taking over the party leadership, President Moi began strengthening and centralizing the KANU party structure (Levitsky and Way 2012: 879).

From the 1980s onwards, pressure for multiparty and economic reform increased due to the growing discontent with economic and political oppression, among the urban middle and working class (Mati 2012: 68). Mass protests, workers' strikes, student protests and a proliferation of social movements and civil society organizations emerged at the end of the Cold War era. The Moi-KANU regime was exposed as vulnerable, which opened up strategic opportunities for former hardliners and conservative forces (Mati 2012: 68). Unlike the case in Zambia, it was the churches and the legal community that came to lead the civil society-based pro-democracy struggle in Kenya (VonDoepp 1996: 38).

The trade union federation, COTU, remained silent while discontent against authoritarian rule and economic crisis mounted (LeBas 2011: 99). Union leaders merely issued statements in support of the ruling party, and did not participate in forming opposition parties. LeBas attributes this to the labor-repressive policies of the state in the decade following independence, which had weakened structures of union affiliates and created a small and fragmented membership base. Kenyan unions lacked ties across ethnic and geographical lines, which made coordination of protest and campaign difficult. The political parties relied on ethnic networks, as the political elites did not have access to mobilizing structures beyond ethnicity (LeBas 2011: 244).

The first responses from Moi came in the form of harassment, arrests and assassinations of activists, as well as the introduction of new legislation for further oppression. Police killed demonstrators and activists, both prior to the multiparty transition and throughout the period of Moi rule (Klopp and Zuern, 2007: 133). In 1990, former KANU notables Rubia and Matiba joined opposition leader, Oginga Odinga, in launching the Forum for the Restoration of Democracy (FORD) (Levitsky and Way 2012: 879). A government crackdown resulted in Western sanctions, and Moi proceeded to legalize the opposition and call for multiparty elections in 1992. As a consequence, “ruling-party politicians began to defect *en masse* to the opposition” (Levitsky and Way 2012: 879). As popular pressure built up for a transition to multipartyism and the release of political opponents from prison, so did ethnic tensions, and clashes occurred in the wake of the transitional 1992 elections. Nevertheless, President Moi and KANU managed to secure re-election, through the orchestration of ethnic violence and intimidation.

Slum-dwellers and informal traders

During its early years, the KANU regime extended its political patronage to squatters along the banks of the Nairobi river and other nearby areas (Macharia 1992: 228). However, this honeymoon soon ended: Kenyan leaders wanted to maintain “law and order” in the overcrowded capital, and demolitions were reinstated. A widespread patronage tactic that centered on conflictual land use among slum-dwellers emerged soon after independence (Gatabaki-Kamau and Karirah-Gitau 2004: 162). Ties to

incumbent politicians determined whether informal settlements (often structured as tribal villages) would be tolerated or demolished. As with rural land, tenure security on urban land became dependent on patronage politics, and urban villages were used strategically as political bases during elections (Gatabaki-Kamau and Karirah-Gitau 2004: 162).

Also informal workers have been a source of political instability and patronage. In Kenya, any discussion of the informal sector must take into account the “Jua Kali.” The term, which translates as “hot sun,” was initially associated with blue-collar workers like metal workers and blacksmiths, who usually conducted their work in the open air (Asaka 2010). Gradually, the term has become used interchangeably with the informal sector, accommodating further work activities such as hawking and informal micro- and small enterprises (MSE). Jua Kalis mainly produce for people who are poor, except in the case of farming tools and some products for construction industries.

Already in the colonial 1950s, arson was used to control hawking as an occupation, but also to control hawkers as individuals (Robertson 2007: 27). The politicization of hawker control created continuous tensions among poorer traders, formal business and the government. According to Robertson, the struggle over and in urban markets was a key element in the 1950s emergency declared by the British to fight urban and rural guerillas. The colonial authorities took steps to remove these threats, realizing that markets could serve as meeting places for the Mau Mau rebels. Measures included arrests, destruction and removal to camps, sometimes as retaliation against attacks on colonial collaborators.

In the early years of the KANU regime, few KANU leaders expressed concern for the disadvantaged in the lowest income groups. President Kenyatta even referred to the urban poor as “lazy” or “useless” (Macharia 1992: 229). However, some sections of the informal economy received considerably more assistance from the government because of their influential political patrons. Macharia found that the growth of the Kenyan informal economy depended on an expansion of skills, facilities and capital through specialization, which was likely to have an ethnic and cultural base. This was

used for political mobilization. Kenyatta favored the *matatu* operators (Macharia 1992: 233). These could even come to the head of state with requests not to be harassed by the city council (Kinyanjui 2010).

When President Moi succeeded Kenyatta, he initially took a more relaxed stance towards the urban poor than his predecessor and would claim that the *mwananchi* (the common man) was behind him, as the “political climate in the late 1970s and early 1980s did not favor either the clearance of slums or the harassment of those engaged in small economic enterprises” (Macharia 1992: 229). Moi’s populist appeals were initially aimed at the lowest income groups, who saw Moi as “their savior” (Macharia 1992: 229). Moi encouraged the Jua Kali sector to organize into associations in 1985. The government-initiated Jua Kali structure ran from the Permanent Secretary, via the director of the local department and area deputies down to the grassroots/district level.¹²⁰ The Jua Kali Association was to implement government policy and “be the eyes of the government.”¹²¹ However, Moi favored the metal artisans, as they facilitated the saving of valuable foreign currency. Vendors continued to be harassed (Macharia 1992: 234).

Klopp (2000: 7) argues that when the Kenyan political elites were faced with declining patronage resources in the 1980s, they began seeking alternative sources that often amplified corruption and violence. Land-grabbing was used by Moi and his clients as patronage resources to maintain control during the transition to formal democratic arrangements, as less international scrutiny was directed to public land. Coupled with fears that a change of government would end their access to land, officials accelerated their accumulation of public land and rents on land allocations. This triggered violent resistance in both rural and urban areas (Klopp 2000: 8).

According to Murunga (1999: 183), the informal economy became open to political manipulation due to its illegality. However, also opponents of the state, including

¹²⁰ The government also formed a Ministry for Science and Applied Technology and a Department of Micro- and Small Enterprises.

¹²¹ Jua Kali Kamukunji Area Association. Oct 27, 2012, Nairobi..

activists for reform and political pluralism, targeted the informal economy in order to direct popular revolt against the state. As noted by Murunga (1999: 191), the “informal economy began to serve as a medium of disseminating information on political pluralism,” but it also engaged in violent protests. The state responded with political repression in the form of slum demolitions and razing of nearby illegal kiosks, as with the demolition of Muoroto and Kibagare in 1990. These brutal slum clearances were conducted because the slums were perceived as a harboring and creating political opponents to the one-party regime (Macharia 1992: 232). The Kikuyu were considered the main targets for the demolitions of Muoroto and Kibagare, although the state legitimized this as an attack on increasing crime. The slum-dwellers responded by rebuilding the shanty town in weeks. There was an outrage against the violence and brutality through which the demolitions were carried out. Youths, hawkers, bus drivers and kiosk owners joined to fight the city police (*askaris*) (Murunga 1999: 184).

Despite the ethnic polarization, evictions of slum-dwellers fueled public animosity toward the KANU government, thereby undermining political stability and security (Otiso 2002: 261). However, instead of concentrating on the problems of poverty, shelter and unemployment to rally support, political proponents of reform and multipartyism rallied the urban crowds to focus on the corrupt and repressive government, often through ethnic appeals (Murunga 1999: 187). Economic issues were set aside. Nevertheless, Murunga (1999) found that the growing number of protests and violence contributed to KANU opening up for multipartyism.

To sum up, the KANU regime, throughout its rule, used the socio-economic grievances of slum-dwellers and informal traders as clientelist assets. However, in the 1980s, the brutalizing effects of autocracy as well as the poverty resulting from repressive economic policies and mismanagement on the urban masses led to urban violence (Murunga 1999: 167). Murunga found that urban violence contributed to democratic reforms. In Nairobi, the perception that the government endorsed slum demolitions cost KANU considerable political goodwill (Throup & Hornsby 1998, referred to in Otiso 2002: 261). KANU consistently performed poorly in elections in city/urban constituencies with substantial slum populations—which, according to

Otiso (2002), come at price in an era of multiparty politics. Nevertheless, KANU leaders and the opposition targeted different groups of the urban poor, in order to divide and rule on the basis of an ethnic logic.

6.2.2 Transition to formal democracy – ethnic violence and civil society detachment

Multiparty competition and the structuring of national party politics around violent ethno-clientelism

Ethnic clashes occurred in the wake of the transitional 1992 elections as well as during the 1997 elections (both of these won by Moi and KANU). Each time, ethnic conflict centered on claims for land, and the illegitimate occupation of land by “migrants” (Rutten and Owuor 2009: 315). However, political instability and expulsion of communities also correlated with voters perceived to be problematic for securing KANU’s re-election. Brown and Sriram (2012: 247) argue that the ethnic attacks can most accurately be characterized as state-induced violence. They were organized and financed by senior government and ruling party officials, to attack members of ethnic groups who lived in zones dominated by the ruling party but who were believed to support the opposition. The opposition was portrayed as Kikuyu. By using land conflicts as a basis for creating ethnic tension, KANU managed to feed into the fears of land-dependent communities (Klopp and Zuern, 2007: 138).

Although Moi had courted the Kikuyu in late 1970s, he shifted strategy and sought cooperation with the Luo through Oginga Odinga (1993–94), and later with his son, Raila Odinga (1998–2002), through the latter’s party, National Development Party (NDP) (Ndegwa 2003: 150). The NDP collaborated with Moi in exchange for government-controlled resources. Raila Odinga and others were included in Moi’s cabinet in 2001, and thereafter formally joined KANU. Odinga became KANU’s Secretary General (Ndegwa 2003: 150).

Several factors resulted in KANU’s strategy eventually backfiring. International media attention and civil society groups in collaboration with opposition parties used KANU’s resort to violence to delegitimize the government. In 1997, landmark mass

protests threatened to derail elections, and forced Moi to concede to minimal electoral law reforms and an agreement to set up a commission to review the Kenyan Constitution through an Act of Parliament (Mati 2012: 69). KANU's patronage resources were also drying up, because of slow growth and donor pressure (Levitsky and Way 2012: 879).

Mounting internal dissent broke the KANU coalition, and when President Moi announced his retirement, the party experienced a succession crisis. When Moi appointed Uhuru Kenyatta (a Kikuyu) as his successor, senior officials and “ethno-regional barons,” including Raila Odinga (at the time General Secretary) abandoned the party and went over to the opposition National Rainbow Coalition (NARC), together with the Liberal Democratic Party (Levitsky and Way 2012: 879). By 2002, half of the 1990s-KANU elite had joined NARC, which could draw on their organizational and financial resources (Levitsky and Way 2012: 879). NARC and its leader, Mwai Kibaki (also a Kikuyu) won the elections—which also meant that the 2002 elections were not marked by anti-Kikuyu violence and rhetoric.

Upon assuming office, however, the NARC coalition was not committed to party building or links to mass constituencies (LeBas 2011: 238). Instead of building strong ties to popular constituencies, the coalition parties used vote-buying and youths in ways that undermined accountability. The parties did not maintain offices or other presence in local areas in-between elections (LeBas 2011: 238). NARC also abandoned its campaign promise of a new constitution within 100 days, and made radical alterations to the draft produced through the National Constitutional Conference, before presenting it for referendum (Mati 2012).

The NARC coalition broke when its interethnic coalition based on a Memorandum of Understanding between Kibaki's National Alliance of Kenya and Odinga's LDP—providing for equal sharing of cabinet posts and other high-level positions in addition to consensus-based decision-making—was cancelled by Kibaki and his (mainly Kikuyu) aides (Chege 2008-130). Kibaki proposed to dissolve the NARC and build a strong governing party and a two-party system. Odinga's LDP broke with NARC, and

became the protagonist behind the newly formed Orange Democratic Movement (together with KANU), an opposition movement to the draft constitution. As a result of mobilization by the Orange Democratic Movement (ODM), Kibaki's constitutional draft was rejected in the 2005 referendum with 57 percent voting against. Kibaki accepted the defeat, but dissolved the cabinet, and excluded the LDP in the process (Chege 2008).

Prior to the 2007 elections, the ODM began to build a nation-wide party machine, based on economic marginalization and anti-Kikuyu sentiments, turning its grassroots campaign into a “forty-one tribes against one” (Chege 2008: 133). The alliance included William Ruto, the Kalenjin leader, and focused on *majimbo*—regionalism. Kibaki and his advisors launched the Party of National Unity (PNU) in September 2007, three months before the elections. The PNU had no strong grassroots network, and its campaign headquarters were weak and underfunded (Chege 2008). According to LeBas (2011: 237), of all the political parties that contested the 1992 elections, only KANU bore any resemblance to its current form by 2007, whereas the other opposition parties had fragmented, changed leadership or constituency base, and altered their names several times. There was a lack of solid roots to grassroots constituencies; party defections reached high levels, and the parties had little control over who contested parliamentary and local elections (LeBas 2011). Nonetheless, LeBas finds some traces of consistency, especially regarding how people living in Kisumu and Nyanza, the Luo heartland, referred to all the Odinga-led parties by the name “Chama,” which means simply “the party.” With politicians relying on ethnic vote blocs, there was less need to invest in party structures (LeBas 2011).

As the 2007 elections approached, the ODM political rhetoric became increasingly anti-Kikuyu (Rutten and Owuor 2009: 316). The national-level political competition was framed along broad ethnic cleavages, with the Kikuyu, Luo and Kalenjin center stage, and other smaller ethnic communities allying with one of these groupings. By 2007, violence in party primaries and imposition of candidates had become systematic (LeBas 2011: 239-240). When the 2007 electoral results were announced in President Kibaki's favor, this immediately sparked waves of violence in rural as well as urban

areas that continued for months. Odinga's supporters had expected him to win, and felt that the elections must have been fraudulent.

There was a mixture of spontaneous protest and more organized, politically supported militias on both sides. Brown and Sriram (2012: 248) distinguish four forms of violence: (1) spontaneous rioting by Luos, mainly in Nyanza Province, after the Electoral Commission announced the presidential results; (2) premeditated attacks in the Rift Valley and urban slums on Kikuyu and other ethnic groups associated with the incumbent government, often through the use of private militias; (3) revenge attacks, mainly in Nairobi, Central Province and the Rift Valley, by members of the Kikuyu and related ethnic groups against opposition-supporting ethnicities, also including the use of militias such as Mungiki; and (4) police shooting of unarmed demonstrators, mainly in Nairobi. The latter three types of violence were considered possible crimes against humanity (Brown and Sriram 2012: 248).

The severe post-election violence of 2007 had two major political implications. A new constitution was finally passed, through a 2010 referendum; it established the framework for devolution, as well as the creation of commissions (including a land commission) to address the underlying root causes of the violence. Second, the International Criminal Court (ICC) decided to prosecute the instigators of the post-election violence for crimes against humanity. These processes will be discussed more thoroughly in Chapter 7, and seen in light of how they affected the general elections in 2013. For now, it suffices to say that a fundamental change with the new 2010 Constitution was the devolution of powers through the establishment of a bicameral Assembly, as well as a reduction of executive powers (Kramon and Posner 2011). To win the presidency, a candidate had to receive over 50 percent of the total vote and at least 25 percent of the vote in half of the country's 47 counties (International Foundation for Electoral Systems 2012).¹²²

¹²² The new 2010 Constitution introduced a bicameral National Assembly, with a Senate (67 seats) and a National Assembly (349 seats). Senators are elected through a qualified plurality system with specific proportional representation requirements that include reserved seats for women, youth and persons/people with disabilities. Members of the National Assembly are also elected by qualified plurality vote, with while proportional representation requirements to facilitate minority representation. Twelve "appointed members" members' are nominated by parliament through party lists, in proportion to nation-wide vote

Civil society focus on democracy and services

As in Zambia, the introduction of nominal democracy in Kenya led to a more pluralistic civil society, despite strong government regulations. The NGO Coordination Act No. 19 of 1990 established a governmental agency and a self-regulatory agency to govern NGOs: the NGO Co-ordination Board, and the Kenya National Council of NGOs (Kameri-Mbote 2000: 8). The former consisted of 20 government appointees, five of whom would be recommended by the NGO Council, while the latter was given power to adopt its own structure, rules and proceedings. The Act established that the Board could refuse registration to an NGO if its proposed activities were not in the national interest, if the applicant had provided false information, or if the Council recommended that the applicant should not be registered.¹²³ NGOs would be guilty of an offence if they operated without registration, and could face stiff penalties (Kameri-Mbote 2000). The NGO Coordination Regulations of 1992 also prohibited NGOs from becoming connected to any groups of a political nature established outside Kenya without the Board's consent.¹²⁴ In addition, the Companies Act and the Societies Act included some laws of direct relevance to NGOs. Enacted in the colonial setting, these had been used in the single-party era to curtail political pluralism (Kameri-Obote 2000: 9).

Despite these laws and regulations, there began a grand influx of NGOs. Kenyan civil society became increasingly pluralist, with NGOs (development work), CBOs, religious organizations, trade unions, professional associations, self-help groups and numerous other voluntary organizations (Kanyinga 2011: 89). According to Kanyinga, not a single sector in the economy was without the presence of CSOs, and NGOs were recognized as important development partners of the government. Between 1974 and 2008, the number of NGOs mushroomed, from around 100 to 6000 (Brass 2012: 209). Some had broad and multiple thematic angles—such as governance and human

share, representing special interests such as youth, minorities, and disabilities. In addition, 47 women must be elected in the 47 counties (International Foundation for Electoral Systems 2012).

¹²³ In addition, the registration fee stood at 10,000 Kenyan shillings, which could be too high for small NGOs.

¹²⁴ However, an NGO could seek recourse in the High Court as a final arbiter in case of disagreement between the NGO and the relevant minister.

rights—whereas others were more specialized. NGOs in the 1990s were considered to benefit from a cooperative environment with the government, which provided access to relevant information and communication exchange (Kameri-Mbote 2000: 13). On the other hand, the government was often critical of, or violently opposed to, NGO advocacy campaigns against government policy, for instance through demonstrations and strikes (Kameri-Mbote 2000: 13).

In contrast to Zambia, the transition to multiparty rule in Kenya did not result in the ousting of the former single party, KANU, until almost a decade later. Kenyan civil society groups therefore continued to be a fundamental driver for further democratization in the 1990s onwards, acting “as the training ground for opposition politics and political leadership in general” (Kanyinga 2011: 89). According to Press (2012), “foot soldiers” played an important role in social movements for democracy and human rights in the 1990s. These young activists worked for veteran activists in organizing mass demonstrations for constitutional reforms (Press 2012: 446).¹²⁵

Indigenous civil society groups also contributed to putting an end to the post-election crisis in 2007: they participated in global and regional advocacy to highlight the crisis, providing objective information about causes and consequences of the crisis, and putting pressure to bear on the two sides (Kanyinga 2011).

In the course of the past two decades, NGOs have become increasingly professionalized and often work as development partners for the Kenyan government. Jennifer Brass (2012) has noted how NGOs sit on national policymaking committees; their plans and budgets get integrated into national policy; and the government learns and copies the NGOs’ participatory, accountable approach. She concludes that Kenyan service provision has become more democratic through the integration of former NGO leaders into government; the incorporation of a range of voices in government

¹²⁵ These “foot-soldiers” were often not the speakers visible at demonstrations, but worked intensely behind the scenes, planning for security, intelligence and mobilization. They often took the greatest risks, as supporters of the regime paid vigilantes to attack demonstrators. The foot-soldiers were often poor, students or unemployed. While sometimes serving as body guards for veteran activists, they also worked in recruitment and planning, and often had more radical demands than their senior counterparts, but enjoyed minimal legal support or protection (Press 2012).

decision-making; NGO lobbying; and by government copying the approaches employed by NGOs (Brass 2012: 209).

Hence, although the KANU party was not ousted through the introduction of multiparty rule, Kenyan civil society became increasingly more autonomous and diverse from the 1990s onwards. Over time, many NGOs became highly professionalized. They often engaged in democracy and human rights advocacy, or as service providers. However, as will become evident in Chapter 9, also social movements for the urban poor began emerging in the 1990s.

In both Zambia and Kenya, the regimes that emerged after independence were underpinned by patronage along ethno-regional networks in order to manage dissent. However, both informal trade and slum-dwelling were sources of political contention. The one-party states were a result of incumbent governments trying to eliminate opposition and gain control of the urban constituencies. The socio-economic grievances of the urban poor, due largely to their illegal status, were initially used as political tools for mobilization in favor of the incumbent party. The authoritarian regimes used patronage to control informal traders and slum-dwellers through punishments and rewards.

In the 1980s, however, opposition forces in Kenya as in Zambia were able to capitalize on the grievances of the urban poor to mount pressure for democratic reforms. With economic crises unfolding, and the authoritarian governments no longer able to sustain their patrimonial networks, lower- and middle-class groups coalesced around the demand for democracy. However, no clear political programs or organizational links were developed for the urban poor, who were mobilized in an *ad hoc*, noninstitutionalized manner.

Eventually, formal democratic institutions were put in place that allowed for multiparty competition and a pluralistic civil society, autonomous from the state. The major critical juncture that is central to this study is the introduction of these core

democratic institutions, and how they affected the political agency of the urban poor. Initially, however, the impacts were not evident. The transition to multipartyism quickly reverted to ethno-clientelist party politics. Due to how the former one-party regimes had structured their relations to society, ethnic conflict became more pronounced and divisive in Kenya than in Zambia (Cheeseman and Larmer 2015; LeBas 2011)—but ethno-clientelism remained in both countries. Within civil society, traditional interests groups, such as the trade unions, were weakened with the dismantling of the one-party state. The influx of foreign aid brought a massive growth in NGOs. Nonetheless, these NGOs focused predominantly on democracy, human rights and service provision, and had weak links to the urban poor.

To conclude, then, the urban poor did not achieve a prominent political role in the beginning of the “democratic” era. Nevertheless, there was a fundamental difference: the new incumbent governments now faced competition, while political pluralism had opened up political space for competing demands that originated from outside the sphere of electoral politics. As will be shown in the next chapters, this gradually paved the way for an increasingly important role for the urban poor in national politics, by creating new opportunities for opposition parties and civil society to mobilize support.

7. Evolving populist and programmatic linkages between the urban poor and opposition parties

“...a song they want to hear...”¹²⁶

Although the first democratically elected incumbent parties continued their predecessors’ strategy of establishing ethno-clientelist party machines, some scholars have noted the emergence of opposition parties that have appealed to the urban poor through programmatic and populist components (Cheeseman and Larmer 2015; Resnick 2014). However, systematic, cross-country comparisons of party linkages that address various sub-groups of the urban poor have been lacking.

Chapter 7 focuses on the kinds of collective benefits (programs) political parties offer the urban poor, and whether this strategy has contributed to generating grassroots support, in terms of votes (research questions a/b in the introduction). The chapter covers the evolution of programmatic and populist party linkages towards the urban poor from the onset of multipartyism and up until the most recent general elections in both countries. In the Zambian case, where the opposition party won the 2011 elections, there will also be a short assessment of the performance of the new incumbent party as regards its promises of collective benefits. It will be argued that the introduction of programmatic promises by opposition parties have been used to generate legitimacy, by portraying themselves as siding with the urban poor vis-à-vis an unfriendly government party.

7.1 Zambia

7.1.1 A successful populist strategy (2001–2014)

After the MMD gained power in 1991, the political party embarked upon an economic restructuring program, supported by the international financial institutions. Cuts in public spending and public jobs resulted in massive movement of workers into the

¹²⁶ Member of Parliament (UPND). Nov 28, 2013, Lusaka

informal economy, and reduced the scope for state intervention. According to the World Bank (2000, cited in Kazimbaya-Senkwe 2004: 102), the Zambian government's plan for the public service was to reduce the number of civil servants from 115,000 to about 10,000–12,000 between 2000 and 2010, which would have implications for the rate of formally employed and not least for the functions and scope of the state. During the 1990s, membership in the Zambia Confederation of Trade Unions (ZCTU) fell by almost 80,000 workers (Muneku 2002; ZCTU 2001, cited in Resnick 2010: 8). Prices increased for major necessities like water, electricity and staple foods, while service delivery remained substandard and expensive (*Times of Zambia* 2007, 2008, cited in Resnick, 2010: 9).

The urban poor did not benefit much from the macro-economic changes of the MMD government, and poverty increased rapidly. Noting the widespread dissatisfaction with the market-friendly policies of MMD, the opposition candidate, Michael Sata, eyed a political opportunity to mobilize the grievances of the urban poor (Resnick 2010: 7). Sata had been in the political game for a long time. He had been a member of the former single party, UNIP, but defected to the MMD in its founding year. When Mwanawasa was selected by President Chiluba as his MMD successor, Sata founded the Patriotic Front (PF). In 2001, Sata had mainly sought to build a support base among his fellow Bemba-speaking communities in areas neglected by the MMD. After receiving only three percent of the vote, he started to reach out beyond the Bemba community (Copperbelt) and build a pro-poor populist strategy (Cheeseman and Hinfelaar 2009: 64).

The PF campaign slogan of “lower taxes, more jobs, more money in your pockets” resonated with what the urban poor had listed as their top problems in surveys (Resnick 2014). The 2006 PF manifesto stressed labor protection, increased minimum wages and the revitalization of tripartite arrangements, as well as improved working conditions in the mines (Larmer and Fraser 2007: 626). Such a platform and campaign resemble classic Leftist populism. In addition, Sata portrayed himself as a common man without higher education, as someone who understood the plight of the people. His electoral campaigns were carried out largely in the “compounds,” where he used

symbolism and theatrical acts (Larmer and Fraser 2007; Resnick 2010). In the 2006 elections, the PF won all the urban parliamentary seats of the capital Lusaka, with significant gains in the Copperbelt region. The opposition party took control of the majority of the urban municipal councils after the elections (Larmer and Fraser 2007: 611–612).

Following the death of President Levy Mwanawasa in 2008, the presidential elections in the same year saw a combination of ideological, populist and ethnic linkage strategies from the PF (Cheeseman and Hinfelaar 2009: 75). In the controversial elections, the MMD's Banda won with 40.1 percent of the vote, against the PF's Sata, with 38.1 percent. As Sata was considered to have a large support base among urban youth, the lack of a fresh voter registration process was of particular concern (Cheeseman and Hinfelaar 2009: 70). Breaking down the 2008 vote to constituency level (low-density, medium-density and high-density, combined with province), Cheeseman and Hinfelaar found that Sata's support base was both "ethnic" and "populist." He won all high-density areas, as well as the majority in medium-density areas. However, he also received a significant proportion of support in low-density, Bemba-speaking constituencies in rural areas, which represented about 38 percent of his votes, compared to 30 percent from medium-density areas, and 32 percent from high-density areas (Cheeseman and Hinfelaar 2009: 73).

Larmer and Fraser (2007: 613) posit that Sata transformed pre-existing popular concerns—health and safety standards in Chinese-owned mines, the shortage of market stalls for informal traders, inadequate urban housing, and the disorganized bus stations—into a common set of problems under a populist platform. Sata transformed the Zambian party system from 2004 to 2008, by placing the living conditions of the urban poor at the center of politics, highlighting and polarizing the differences between the PF and the MMD (Cheeseman and Hinfelaar 2009: 64). Resnick's (2014: 138-142) survey results (2008) demonstrate that Sata was the candidate favored by those who saw the party manifesto as the primary factor in voting decisions. Furthermore, the majority of respondents considered "positions on social and

economic issues” to be the main distinction among Zambia’s political parties, followed by “personality of party leader,” and “no difference.”

Still, Posner’s (2007) assumption that, in a multiparty system, ethnic cleavages are based on broader identity markers such as language seems to hold, as Sata also won the Bemba-dominated constituencies of Luapula and Northern provinces. In the 2008 presidential elections, Sata received a third of his support from his rural, ethno-regional “heartlands” (Cheeseman and Hinfelaar 2009: 53). Rather than campaigning on explicit rural politics as well as urban issues, Sata and his party chose to rely on ethno-linguistic identity, instigating fears in Bemba-speaking communities that other political groups would exclude them from politics (Resnick, 2014: 9–12). A lack of party institutionalization and heavy reliance on Sata’s populist charisma was evident also in the 2008 elections.

The PF populist strategy paid off in the 2011 elections.¹²⁷ Michael Sata won the presidential elections with 42.85 percent of the vote, while Rupiah Banda (MMD) came second with 36.15 percent. In the parliamentary elections, the PF won 60 seats (38.25 percent), while the MMD got 55 sets (33.56 percent) and the UPND 28 (16.99 percent) (International Foundation for Electoral Systems (IFES) 2013b).

Table 3: Presidential elections: Votes received, by province

| Province | Votes received (N) | Michael Sata (PF), % | Rupiah Banda (MMD), % | Hakainde Hichelema (UPND), % |
|---------------|--------------------|----------------------|-----------------------|------------------------------|
| Central | 225,933 | 28.28 | 48.21 | 20.82 |
| Copperbelt | 503,075 | 67.88 | 26.22 | 3.57 |
| Eastern | 321,657 | 18.46 | 72.60 | 3.33 |
| Luapula | 206,458 | 73.54 | 22.90 | 0.43 |
| Lusaka | 402,049 | 55.94 | 30.76 | 11.29 |
| Northern | 377,771 | 64.18 | 32.16 | 0.78 |
| North-Western | 173,253 | 10.85 | 50.21 | 35.24 |
| Southern | 373,549 | 6.59 | 19.15 | 71.41 |
| Western | 188,519 | 23.12 | 33.20 | 28.21 |
| Total | 2,772,264 | 42.24 | 35.63 | 18.28 |

(Electoral Commission of Zambia 2011c)

¹²⁷ Zambia has a population of approximately 14.2 million, with 5.16 million registered voters as of September 2011. Average turnout was 59.77 percent. In the presidential elections, actual votes cast were 2,789,340 of 5,167,154, with turnout slightly lower for the National Assembly elections. Controlling for persons eligible to vote, the population in Zambia under the age of 18 was estimated at 7.52 million in 2012. While some 77 percent of eligible voters registered, only slightly more than 40 percent of the adult population actually voted (IFES 2013b).

We can note clear regional patterns in voting at province level (Table 3). Sata (PF) performed strongly in Copperbelt, Luapula, Northern Provinces and Lusaka, with an absolute majority. Banda (MMD) did well in Eastern Province and in North-Western Province. Hichilema (UPND) had his stronghold in Southern Province with 71.41 percent. Sata performed poorly in Southern Province (6.59 percent), where also Banda received his lowest share of votes (19.15 percent). Except for Luapula, Sata and the Patriotic Front did best in the most urbanized areas.

Lusaka Province had the highest share of eligible voters (19 percent), followed by Copperbelt (17 percent).¹²⁸ Disaggregating voting patterns down to constituency level (Table 4) within Lusaka Province shows that Sata won in all constituencies within Lusaka District, which is also where more than three quarters (79 percent) of the provincial population lives (Zambia Central Statistical Office 2011: 6).

Table 4: Presidential elections: Votes received per constituency in Lusaka Province

| Constituency | Votes received (N) | Michael Sata (PF) (%) | Rupiah Banda (MMD) (%) | Hakaïnde Hichelema (UPND) (%) |
|----------------|--------------------|-----------------------|------------------------|-------------------------------|
| Kafue | 24,611 | 35.26 | 36.92 | 24.14 |
| Feira | 7,115 | 33.05 | 52.89 | 10.19 |
| Chilanga | 16,820 | 33.35 | 37.14 | 26.42 |
| Chongwe | 25,509 | 28.37 | 57.39 | 10.58 |
| Rufunsa | 9,632 | 13.68 | 66.12 | 14.89 |
| Chawama | 34,619 | 60.26 | 26.86 | 11.31 |
| Kabwata | 40,342 | 64.05 | 21.09 | 11.69 |
| Kanyama | 38,552 | 56.86 | 26.20 | 15.35 |
| Lusaka Central | 32,450 | 62.42 | 25.78 | 10.35 |
| Mandevu | 56,924 | 65.15 | 28.77 | 5.10 |
| Matero | 54,762 | 68.49 | 24.58 | 5.84 |
| Munali | 58,014 | 60.76 | 28.01 | 9.88 |
| Total | 402,049 | 55.94 | 30.76 | 11.29 |

(Electoral Commission of Zambia 2011c)

Except for Western Province, the party affiliation of elected MPs within provinces (Table 2 in Appendix A) was highly consistent with party affiliation of the preferred presidential candidate. While some seats were distributed across political parties, in Lusaka, the only four seats won by the MMD were outside Lusaka District. The PF

¹²⁸ Of the total number of eligible voters in Lusaka Province, Lusaka District had the largest share, 81.7 percent. Other districts in the province shared the remaining 18.2 percent share of eligible voters (Kafue, Feira, Chilanga, Chongwe and Rufunsa do not belong to Lusaka district) (Zambia Central Statistical Office 2011).

would not have gained a parliamentary majority, however, if UPND and MMD had decided to join forces.

Lastly, only PF candidates were able to win local government seats within Lusaka District (Table 5). The data show that the PF won all of Lusaka district in the 2011 general elections at all levels, and also dominated Zambia's second largest urban and industrial center, the Copperbelt.¹²⁹ However, also in the 2011 presidential elections, the PF won the incumbency through what Resnick (2010) described as a minimum winning coalition, by mobilizing the urban poor, combined with extra rural votes through ethno-linguistic appeals (Cheeseman and Larmer 2015).

Table 5: Distribution of seats based on political party, 2011 local government elections, Lusaka Province¹³⁰

| Constituency | PF seats | MMD seats | UPND seats | Others | Total |
|----------------|-----------|-----------|------------|----------|-----------|
| Kafue | 5 | 4 | 0 | 1 | 10 |
| Feira | 4 | 11 | 0 | 0 | 15 |
| Chilanga | 1 | 3 | 0 | 0 | 4 |
| Chongwe | 1 | 9 | 0 | 0 | 10 |
| Rufunsa | 0 | 6 | 1 | 0 | 7 |
| Chawama | 4 | 0 | 0 | 0 | 4 |
| Kabwata | 5 | 0 | 0 | 0 | 5 |
| Kanyama | 3 | 0 | 0 | 0 | 3 |
| Lusaka Central | 4 | 0 | 0 | 0 | 4 |
| Mandevu | 7 | 0 | 0 | 0 | 7 |
| Matero | 5 | 0 | 0 | 0 | 5 |
| Munali | 3 | 0 | 0 | 0 | 3 |
| Total | 42 | 33 | 1 | 1 | 77 |

(Electoral Commission of Zambia 2011a)

Once in office, however, the PF seemed to struggle to deliver on its promises. According to FODEP,¹³¹ there had been no visible changes after one year in office, and PF was seen to be unprepared and overwhelmed by the task of governing.¹³² This perception was shared by a representative of the NGO network, the Civil Society for

¹²⁹ These election data, however, do not enable us to distinguish between the urban poor as opposed to other segments of the electorate in urban districts.

¹³⁰ At national level, elections in 35 wards were postponed while 11 wards were unopposed.

¹³¹ FODEP. Oct 2, 2012, Lusaka.

¹³² A broader analysis of budget transfer and the passage and implementation of policies by the PF would be useful to verify or disconfirm the accuracy of such perceptions.

Poverty Reduction,¹³³ who said that although there was some commitment to equality, and the PF had met with civil society to discuss social and economic rights, the party did not know what to do. Its attempt to implement a minimum wage brought confusion and caused layoffs, because there had been limited consultation with employers and workers. However, the PF government was considered to prioritize road infrastructure in the urban compounds because of votes, while resources were not redistributed to rural areas.¹³⁴ The PF also removed all user fees for health care across the country, but this decision was not matched with budget transfers.¹³⁵ Although health fees were removed, there were long queues and the quality and resources were inadequate.¹³⁶ An MP (UPND) said that seeing PF's mistakes had also been a lesson for them.¹³⁷ Councilors who had made promises discovered upon entering office that there were no resources.¹³⁸ These initial efforts of the PF to deliver on its electoral promises indicate some commitment to its programmatic promises of collective benefits in a Leftist political direction. However, weak party organization and lack of government capacity seemed to inhibit its ability to deliver.

The PF mobilized urban voters across the board in the 2011 elections. The next sections examine more closely how its programmatic and populist linkages towards sub-groups of the urban poor—slum-dwellers and street vendors—have developed since the introduction of multiparty rule, as that may indicate strengthened political agency of these grassroots constituencies.

Street vendors and a populist linkage

Subversive activities by street vendors, which emerged already during colonial times, continued after the introduction of multiparty democracy in Zambia. Despite a legal

¹³³ The Civil Society for Poverty Reduction. Oct 11, 2012, Lusaka.

¹³⁴ Ibid.

¹³⁵ Zambia Council for Social Development. Dec 2, 2013, Lusaka.

¹³⁶ Jesuit Center for Theological Reflection. Oct 5, 2012, Lusaka.

¹³⁷ Member of Parliament (UPND). Nov 28, 2013, Lusaka.

¹³⁸ Housing and Social Services at Lusaka City Council. Nov 29, 2013, Lusaka.

and policy framework that had been consistently hostile to street vending, more friendly approaches to street vendors occasionally surfaced. The issue of street vending emerged on the national political agenda soon after the (re-) introduction of democracy in 1991 (Hansen 2004). Shortly after being democratically elected, President Chiluba (MMD) established a Vendors' Desk at State House, with a deputy minister to attend to the needs of vendors. This illustrates the significance street vendors had already at that time.

Chiluba saw the increase of street vending in connection with economic liberalization policies, and positioned himself on the side of the street vendors, against the current state policy of removing and prohibiting street vending (Hansen, 2004: 62–65). In response to President Chiluba's support, thousands of vendors set up trade in the streets of Lusaka in the late 1990s. This affected traffic and pedestrians, and led several businesses and international organizations to relocate their offices out of the city center. Thus, despite MMD's implementation of privatization and liberalization programs, of which formalization was an integral component, the government was inconsistent in applying these policies towards street vendors.

President's Chiluba's positive attitude to street vending took a sharp turn, however, after he returned from Israel, deeply impressed by "ultra-modern, open-air public markets," and increasingly worried about investments (Hansen, 2004: 65).

Subsequently, the MMD initiated the "Make Zambia Clean and Healthy Program," aimed at promoting personal and environmental cleanliness, whereby one component was the "re-enforcement of by-laws." The strategy was based on the "transformation of the informal sector operators into formal micro- and small scale entrepreneurs" (Hansen 2004). Chiluba reverted to clamping down on street vending activities, and tried to relocate vendors to formal, regulated markets, in accordance with the neo-liberal paradigm.

President Mwanawasa (MMD) continued the "Keep Zambia clean" policy, but with a more lax attitude than his predecessor (Hansen 2004). In response, street vendors slowly became visible in the street picture again, while government clampdowns

occurred every now and then. The implementation of the first privately managed New City Market, however, led to relocations of and demonstrations by street vendors. Due to competition between insiders and outsiders, Lusaka City Council invoked a rule that no street vending was allowed closer than 200 meters to the market (Hansen, 2004: 66). Nevertheless, the inside vendors soon left this new market, complaining about high rents and loss of income. Relations between the street vendors and the MMD government thus fluctuated between amicable and hostile during the two first decades of multiparty rule. Increasingly, however, the various MMD governments sought to curtail street vending, so as to promote modern, formal markets and a clean city.

Michael Sata had been the architect of UNIP's Street Vending and Public Nuisances Act in the 1980s (Resnick 2014: 78). When Sata broke with the MMD and started building his own opposition party, however, he distanced himself from the MMD's policies towards street vendors and actively sought to mobilize this constituency. In 2008, he launched his campaign from Matero Market, where the PF offices are also located. The promise of lower taxes also resonated with informal workers who, although not paying income tax, still paid monthly or daily fees for market stalls or *tuntembas*, as well as value-added tax on consumer goods. Sata also argued for unemployment benefits. He derided the MMD's harassment of street vendors, and advocated for adequate places to sell (Resnick 2014: 78). Resnick's 2008 survey showed that the belief that the incumbent MMD was performing poorly as regards creating job opportunities was the most statistically significant factor that drove voters to support Sata. In 2009, when the opening of the New Soweto Market was delayed due to political conflict over allocation of stands, street vendors crowded the streets (Hansen 2010: 23). The PF filed an injunction in court against the government's plan to remove these street vendors yet again.

In the 2011 election campaigns, the MMD manifesto (2011) emphasized the party's achievements in constructing modern markets in Lusaka and market sheds in all provinces, as well as its "Make Zambia Clean and Healthy Program." Also highlighted were the construction of modern shopping malls, markets and parks. Interestingly, the PF manifesto (2011) made no explicit mention of the laws criminalizing street

vendors. Whether Michael Sata had promised street vendors, prior to the 2011 elections that they would be allowed to operate freely with disregard for the law was a source of disagreement among my interview respondents. However, PF did base its electoral appeals on the broad constituency of the urban poor, promising them more money and jobs, as well as less tax. Street vendors made up a large bulk of this constituency. They were also considered to have played a pivotal role in the PF's electoral campaign: "When vendors take political sides, people are believed to listen."¹³⁹ The street vendor grassroots mobilized people to support the PF in their communities, markets and stations.¹⁴⁰ In the 2011 elections, "all cadres among street vendors were perceived to support the PF."¹⁴¹ During the campaigns, the street vendors rioted and were mobilized for rallies.

The PF mobilized the street vendor constituency mainly through a populist approach, rather than programmatic linkage. One of the first things President Sata did after winning office in 2011 was to publicly denounce the injustices inherent in the current legal system towards the street vendors, again giving them the green light to pursue street-vending activities (*The Post* 2011), as President Chiluba had done in his time. The new president made it clear that he would ignore the by-laws that criminalized street vending until the government had found other solutions for those struggling to earn a livelihood. In this way, President Sata bypassed the local government and laws enacted by the Zambian Parliament. This move sparked considerable controversy in government and parliament, both because of President Sata's disregard for existing laws and because of the predominant view of street vending as an undesired element in urban space. By implication, the street vendors were now under the direct protection of the party leadership. Yet, the PF had no coherent program of policies and legislation to secure and institutionalize the rights and interests of street vendors.

¹³⁹ Geographer at the University of Zambia. Oct 18, 2013, Lusaka.

¹⁴⁰ FODEP. Oct 2, 2012, Lusaka.

¹⁴¹ Street Vendors' Association. Oct 4, 2012, Lusaka.

After the 2011 elections, street vendors were to be found literally all over Lusaka—on the pavements, by the roadside, in the streets. This came as a surprise for many interview respondents, as they had expected President Sata, once in power, to return to harassment and evictions—which had been the common pattern in Zambian politics. As late as 2014, the then-Vice-President Guy Scott promised that the PF would not chase street vendors, but would seek to provide a conducive environment for them (Lusaka Voice 11.04.2014). After the death of Sata (October, 2014) and the election of his successor, Edward Chagwa Lungu, the PF government seemed to uphold its commitment to street vendors. In 2015, the new Vice-President, Inonge Wina, confirmed this promise. She stated that the government had put in place a program to empower all vendors to help their businesses grow (Zambia Daily Mail 2015). Indicative of the political clout of this constituency, even the up-and-coming opposition candidate Hichilema, during a rally in Kanyama in November 2014, assured street vendors that he would not remove them if he became president (Lusaka Voice 23.11.2014).

The 2011 elections and their aftermath show that street vendors have remained an important constituency for PF also after it assumed office. While street vendors' numerical strength is not sufficient in itself to determine an election outcome in Zambia's first-past-the-post electoral system, their impact has been influential in combination with other (overlapping) political constituencies, yielding some informal, collective benefits for street vendors.

Slum-dwellers and the contours of a programmatic linkage

Mulwanda and Mutale (1994) claim that many of the people who voted the UNIP out of office in 1991 were squatters who felt betrayed by the party. However, after coming to power in 1991, the MMD continued to carry out housing demolitions in the illegal settlements. Michael Sata, in his role as MMD Minister of Local Government and Housing, had the homes of 500 families in Kanyama razed in 1991 (Weekly Post, 1992, cited in Resnick 2014: 64). John Laing and Misisi compounds were threatened with similar actions throughout the decade.

While the MMD government made a series of declarations on housing policy, its policy was criticized as being an *ad hoc* response to political pressure from urban squatters, thus contributing to the low standard of urban housing (Schlyter 1998: 262). Although the MMD government had stated that it would focus on home ownership and rental housing, its first policy was extremely insensitive to the conditions of the poor. Sites and services schemes in Chunga, Chaisa, Kaunda Square and others were considered sub-standard, although the majority of the population would never be able to afford a house there. Under the Mwanawasa administration, the government's National Housing Authority focused on houses for middle-class Lusakans, while Low-Cost Housing Development Foundation within the Ministry of Local Government concentrated on rural areas (Resnick 2014: 69-70).

In 2002, a series of squatter-compound demolitions made more than 700 families homeless. They were placed in refugee tents, causing disease outbreaks (Myers 2005, cited in Resnick 2014: 71). The same year, Lusaka City Council began a demolition campaign in squatter compounds throughout the city. Through police force, thousands of families in nine compounds were demolished, and some became refugees in other compounds, such as Mandevu (Myers 2006: 304). In Kalikiliki, the squatters fought back against the police, and two teenagers were shot by the police with live ammunition. However, there was significant disagreement within the City Council, as well as between the Council and the central government over these demolitions, as local party officials had made financial and political gains from illegal construction in the 1990s and 2000s. Myers (2006) claimed that the city was still divided between the "yard people" and the "compound people," with the governing elite working to keep it that way.

When Michael Sata left the MMD and began to develop the political platform for his new Patriotic Front party, he changed his approach to slum-dwellers. The party campaigned on a housing program to provide low-cost housing for squatters, through upgrading (Resnick 2010: 11). Upgrading of shanty compounds through infrastructure improvement rather than demolition was stressed in both the 2006 and 2008 electoral campaigns. After the 2006 elections, riots spread in the compounds of Mandevu,

Matero, Garden and Chipata, because the people there expected Sata to win (Resnick 2014: 75). In 2007, the government destroyed 100 homes in Kalikiliki compound under the protection of riot police. After the 2007 demolitions, Sata declared that he would sue the state on behalf of the people who had lost their homes. A comprehensive housing development program was the main pillar of the PF party manifesto in 2008, promising low-cost, decent housing to squatters. In both the 2006 and 2008 elections, Sata conducted rallies in the shanty compounds. Resnick's (2010: 134) survey showed that respondents who lacked access to basic services in their homes, such as water, were more likely to support Sata than Banda (MMD).

The PF manifesto of 2011 also had local government and housing development as one of four core programs. It accused the MMD government of having ignored the plight of the people in squatter settlements who "are living in absolute squalor" (Patriotic Front Party Manifesto 2011: 19). The manifesto highlighted that councils had been unable to increase their stock of houses for rent. The party promised to increase budgetary allocations to housing and introduce a social housing scheme that would empower councils to construct low-cost houses from government-guaranteed loans. It also promised to upgrade squatter settlements into statutory and improved areas with better living standards, and to provide infrastructure for water and sanitation.

In contrast, the 2011 MMD manifesto (2011) highlighted how the party had made land available for housing development and improved basic services, by encouraging private-sector participation in estate development to increase housing units. For the next period, the MMD promised to facilitate the construction of 150,000 housing units every year through public-private partnerships, to increase housing stock for home ownership and rental, and mobilize cheap long-term finance for low-income private developers, as well as to review the housing policy to harmonize it with the Public-Private Partnership programs.

The party manifestoes thus stipulated different programmatic packages to address the low-cost housing shortage for slum-dwellers. Confirming Resnick's (2014) findings from previous elections, the plight of urban slum-dwellers continued to be articulated

and mobilized through concrete, programmatic policy options that eventually were electorally successful. Thus we see that multiparty competition over time created a programmatic response to the informalization and illegalization of housing for urban slum-dwellers.

Nevertheless, slum-upgrading programs post-2011 appeared to simply be a continuation of agreements between the previous government and its development partners, and did not signify any major deviations from the established path.¹⁴² For the Chibolya Urban Renewal Project,¹⁴³ only those who had previously owned houses would thus be entitled to new houses, as tenants had no title. Although the majority of the residents in Chibolya were tenants, the new structures would go to owners of previous structures. The rent level was to be determined by the landlords, while structure owners could opt to get compensated for demolition of their dwelling instead.¹⁴⁴ According to an interview respondent at the LCC,¹⁴⁵ the intention was good, but the new housing structures would not go to the end-users, as there was no mechanism to ensure that these housing units for slum-upgrading, once completed, would benefit the poor tenants. According to the slum-dweller organizations, while social housing bonds had been mentioned in the manifesto, no minister had been talking about it after the elections.¹⁴⁶

To sum up, the PF populist strategy was a response to the MMD's abandoned promises to the urban poor, in particular to slum-dwellers and street vendors. After assuming office, however, it proved difficult for PF to deliver on the most elaborate programmatic components on housing, while the populist and direct linkage to the

¹⁴² Housing and Social Services at Lusaka City Council. Nov 29, 2013, Lusaka.

¹⁴³ Previously, Lusaka City Council had provided its own concept notes for Kanyama and John Lang informal settlements, but these were not considered good enough, so a consultant was given the project. The LCC instead coordinated a UN-Habitat participatory slum-upgrading project, sponsored by the European Union. This was meant to provide services through resident participation in areas such as water and sanitation, roads and drainage, and waste supported by the Japanese Jaicar, who gave technical support for planning, aimed at land readjustment apartment flats. The project was part of the Masterplan. The purpose was to provide housing on the one hand, and free land for the commercial sector and private sector on the other (Housing and Social services at Lusaka City Council, Nov 29, 2013, Lusaka).

¹⁴⁴ Housing and Social Services at Lusaka City Council. Nov 29, 2013, Lusaka.

¹⁴⁵ Officer at Lusaka City Council. Nov 20, 2013, Lusaka.

¹⁴⁶ ZHPPF/PPHPZ. Oct 4, 2012, Lusaka.

street vendors was more durable (at least in the initial years, which are the period under study here). Nevertheless, before concluding that the PF was an (ethno-) populist party based primarily on Leftist-programmatic linkages to the poor constituencies, we must analyze whether and how clientelism enters the equation. That will be done in Chapter 8.

7.2 Kenya

7.2.1 An unsuccessful ethnopopulist strategy towards a split urban vote (1992–2013)

Mueller (2011: 102) claims that one of three root causes for the 2007 post-election violence in Kenya was that political parties were not programmatic, but were instead driven by ethno-clientelism. A winner-take-all view of political power and its associated rewards were seen as underpinning this violent outcome.¹⁴⁷ Mueller argues that the political parties were barely distinguishable in terms of ideology, programs, platforms and organization, and that political leaders moved opportunistically between parties that were formed around ethnic coalitions (Mueller 2011: 104-105). Other writers, however, also find differences that are not attributable to ethnic coalition-building, as well as continuity despite weak party institutionalization.

ODM representatives claim that the thread from KPU, via other parties such as NDP, to ODM is a social democratic ideology, and a more equitable society.¹⁴⁸ Although political leaders have switched and formed new parties, opposition leader Odinga's (ODM) support base in the Kibera slum has followed him from party to party, and kept him in power as MP from 1992 (Smedt 2009: 585) until he became Prime Minister in 2007. Gibson and Long (2009: 498) hold that, during the electoral campaigns preceding the 2007 elections, President Kibaki (NARC) and Odinga highlighted differences with regard to issue salience and solutions, and took differing policy positions. Kibaki appealed to Kenya's wealthier and growing middle class, and

¹⁴⁷ The other factors were a decline in the state monopoly of violence and deliberately weak institutions to the benefit of the presidency (Mueller 2011).

¹⁴⁸ ODM Secretariat. March 7, 2014, Nairobi.

focused on his achievements on economic growth. Odinga had a more populist message, accusing Kibaki of ignoring the country's poor and helping the rich. Odinga also campaigned on constitutional reform through the issue of *majimbo* ("regions") and the reduction of presidential powers.

Both camps sought to cultivate the youth vote, but Odinga had greater success in linking youth issues to joblessness and the urban poor, and framing the elections as an opportunity for young voters to throw out the ageing, corrupt political class (Gibson and Long 2009: 499). Gibson and Long's findings showed that Kenyan voters who saw Kibaki's governing party as not having delivered on the national economy and service provision supported the opposition, confirming claims that African voters increasingly base their decisions on economic performance. Kibaki's supporters, on the other hand, deemed his performance as good on these issues. ODM voters were also more concerned with employment than with growth, and expressed a desire for new ideas rather than experience (Gibson and Long 2009: 500).

Resnick (2010: 14–16) also found the opposition candidate, Odinga, to represent a more leftist, populist alternative to the market-oriented incumbent government in the 2007 elections, and drew comparisons to Sata's campaigns in Zambia (Resnick 2010). Odinga's strong personal charisma attracted big crowds during the 2007 campaign. According to Resnick, "a discourse firmly targeted at ameliorating inequalities and catering to the needs of the urban poor proved central to Odinga's 2007 campaign" (2010: 16). The campaign was framed as a struggle against economic apartheid, where Odinga portrayed himself as the defender of social justice and emancipation for the poor. Results from the 2007 parliamentary elections also showed that the ODM performed best in the poorest divisions of Nairobi, although Odinga, according to disputed election results, lost Nairobi Province to Kibaki (43.96 to 47.70 percent) (Resnick 2010). Moreover, "while the vast bulk of Kikuyu voters lined up behind Kibaki as ethnic tensions rose, many younger Kikuyus living in urban areas were found to be sympathetic to Odinga's policies before the outbreak of violence" (Cheeseman and Larmer 2015: 43). Cheeseman and Larmer argue that this suggests the possibility of a cross-ethnic populist movement more like the Zambian experience.

ODM's invocation of *majimbo* (regionalism) and the "it's our turn to eat" complaint had connotations that combined perceived ethnic marginalization from the Kikuyu, marginalization of the youth to the "old guards," and more equitable distribution of resources in a common narrative (Cheeseman and Larmer 2015: 41). However, although Odinga mobilized support through pre-existing urban networks, he had to rely on regional "big men" to deliver the votes of ethnic communities, building a multi-ethnic coalition. Unemployed graduates, slum-dwellers and rural poor understood ODM's campaign to mean jobs, as well as land and resources for building new and better housing (Cheeseman and Larmer 2015: 41). However, Cheeseman and Larmer conclude that ODM's party machine ended up being more ethnic than populist.¹⁴⁹

Research on the underpinnings of the 2007 post-election violence indicates a social dimension in the slums, in addition to the ethnic component. Smedt (2009: 594) concludes that the violence in the slums was perceived as also concerning the have-nots attacking the haves. Similarly, Rutten and Owuour (2009: 319) hold that the 2007 post-election violence carried out by youth sometimes did not seem targeted at ethnic groups, but at those who were well-off: in other words, that there was a class component to the violence. Unemployed, poor and disillusioned youth who looted and destroyed property were also protesting the lack of jobs, not necessary the lack of land. Rutten and Owuour drew up a scenario for the next Kenyan elections as less predictable and more of a class struggle, seeing the violence that targeted well-to-do politicians and business interests as a sign that the grievances experienced by the poor might be "pointed at the fighting elephants rather than the grassroots trampled underneath" (2009: 321).

Consequences of 2007 post-election violence: a new constitution, and the threat of the International Criminal Court

The violence finally came to an end after internationally-led negotiations resulted in a power-sharing agreement, whereby a prime minister post was established for Odinga.

¹⁴⁹ Also Resnick (2010) finds that Odinga mobilized his rural voters on the basis of Luo ethnic identity combined with other smaller ethnic groups in a clear anti-Kikuyu rhetoric, blaming class differences on the dominance of the Kikuyu.

The mediated peace agreement included four agenda items. Items 1, 2 and 3 concerned the restoration of peace through mediation, a peace agreement and the establishment of a coalition government. Item 4 concerned identifying the underlying causes of violence through the Kenya National Dialogue and Reconciliation mediation team (Kanyinga and Long 2012). These causes were found to be poverty, historical injustices, inequitable distribution of wealth, youth unemployment, impunity, accountability, and the need for reforms in the judiciary, police, and land systems.

The constitutional draft was subjected to a referendum in 2010. The referendum had a record 72 percent turnout, with 67 percent voting yes, and 31 percent no. A year later, the new Constitution had enormous public support, even in “no” areas, and expectations were high that it would make a major difference in terms of citizen welfare (Kanyinga and Long 2012). Hence, ODM’s struggle for a new Constitution, which began in 2005, was facilitated by the internationally led process. However, this time the draft had been supported by both Odinga (ODM) and Kibaki (PNU), while a faction led by William Ruto (former ODM, now URP) opposed it. The internationally led process had thus helped ODM’s struggle for a new constitution that provided for devolved government.

Furthermore, in 2012, three important Acts of Parliament were passed concerning land: the Land Act (No. 6 of 2012), the Land Registration Act (No. 3 of 2012), and the National Land Commission Act (No. 5 of 2012) (Manji 2014: 116). These followed the approval of a National Land Policy in 2009 and the embedding of land policy in the 2010 Constitution of Kenya. Through these acts, the power to redistribute land was moved from the executive to a bureaucratic commission (National Council for Law Reporting 2010). Public land is now vested in and held by either the county governments or the national government, depending on the classification, but both types are to be administered on their behalf by the National Land commission (Constituteproject.org 2014: 20-21).¹⁵⁰

¹⁵⁰ Private land is defined as registered land held by any person under either freehold or leasehold tenure. Community land, by contrast, is to be vested in and held by communities identified on the basis of ethnicity, culture or similar community of interest.

Furthermore, according to Article 32(b) of the 2010 Constitution, “every person has the right to accessible and adequate housing and to reasonable standards of sanitation” (Constituteproject.org 2014); the Parliament shall enact legislation that ensures that investments in property benefit local communities and their economies (Article 66 (2)).¹⁵¹ The 2010 Constitution also provides for the possibility of citizens to litigate on issues of land. Lastly, the National Land Commission is to be in charge of developing a national land policy, and advising the government on a program for registration of land titles throughout Kenya (Constituteproject.org 2014: 22).

However, the Kibaki government did not initiate systematic prosecutions in domestic courts to hold anyone responsible for the post-election violence, although that had been part of the initial peace agreement. Brown and Sriram (2012) attribute this to how those in charge of these processes were often the same individuals who would be prosecuted, or their close allies. Despite being divided by ethno-regional identities and party rivalries, the interests of the political leadership still converged towards total impunity. Because of the failure to implement a process of prosecution of crimes against humanity in Kenyan domestic courts, the cases (and their evidence) were forwarded to the ICC. ICC’s decision to prosecute Uhuru Kenyatta and William Ruto for crimes against humanity, but not Raila Odinga, had a severe impact on political coalition-building before the 2013 general elections.

In the 2013 elections, two new coalitions emerged—the Jubilee Alliance, headed by Uhuru Kenyatta; and the Coalition for Reform and Democracy (CORD), headed by Odinga (ODM). The winner of the 2007 elections, the Party of National Unity (PNU), had vanished. William Ruto (Kalenjin), who had been Odinga’s deputy in ODM in the 2007 elections, established his own United Republic Party (URP), while Kenyatta set up the National Alliance Party (TNA). These two parties created the Jubilee Alliance in December 2012. The ODM was the only party to exhibit any sort of institutional continuity (Cheeseman et al. 2014: 5).

¹⁵¹ Furthermore, public land can be disposed or otherwise used only through an Act of Parliament specifying the nature or terms.

Paradoxically, the involvement of the International Criminal Court (ICC) seemed to have heightened the importance of ethnicity before the 2013 elections, although in an unexpected manner. Kenyatta and Ruto did everything they could to discredit the ICC and halt an international prosecution (Brown and Sriram 2012: 255).¹⁵² Although a 2011 poll showed that 61 percent of Kenyans preferred ICC trial as opposed to either hybrid (24 percent) or regular courts (8 percent), Kenyatta and Ruto were received as heroes by their support bases on returning from their first hearings in The Hague the same year, portraying themselves as victims of national and international plots (Brown and Sriram 2012: 251).

The Kalenjin and Kikuyu leadership chose to diffuse ethnic tensions, and campaign together on an anti-ICC coalition to protect themselves against prosecution for previous crimes against each other's ethnic communities (Cheeseman et al. 2014; Lynch 2014). The Jubilee Alliance was successful among Kikuyu and Kalenjin supporters in Rift Valley through an effective campaign where individual and collective interests became highly intertwined with ethnic identity (Lynch 2014: 17). The ICC was depicted as a process where Odinga and his Luo followers "sought to tarnish 'the Kalenjin' as perpetrators, and remove "the Kikuyu" from power" (Lynch 2014: 18). The research of Burbidge (2014) on young middle-class Kikuyu in Nairobi during the Kenyan 2013 elections has showed how, as elections approached, voting preferences shifted from supporting third-placed presidential hopefuls to a choice between the two top candidates representing two ethnic blocs. Thus, the ethnic component was thus still paramount in the 2013 elections.

The strategy of the Jubilee Alliance worked, and they won the 2013 general elections.¹⁵³ Kenyatta and Ruto became President and Vice-President, respectively. Uhuru Kenyatta received 50.7 percent of the vote in the presidential elections, while

¹⁵² When the ICC began investigations in 2009, the Kenyan Parliament first passed a non-binding motion to withdraw from the ICC, legitimizing it in a larger pan-African movement to protest the ICC focus on Africa. The Kenyan government also failed to convince the permanent members of the UN Security Council that the trial would be a danger to international peace and security, and The Hague that it (Kenyan government) would conduct trials of the same perpetrators domestically (Brown and Sriram 2012).

¹⁵³ Of a population of 44 million, there were only 14.34 million registered voters as of December 1, 2012. Average voting turnout was 57.18 percent, and 12,330,028 votes were casted (IFES 2013a).

opposition candidate Odinga came in second, with 43.3 percent (Table 6). However, the ODM candidate won the majority in more counties than TNA.

Table 6: 2013 election results for president, governors, senators and constituency seats, by county

| County | Registered voters | Odinga (%) | Kenyatta (%) | Party of winning presidential candidate | Governor | Senator | Most const. seats |
|------------------------|-------------------|--------------|--------------|---|----------|---------|-------------------|
| Mombasa | 408,747 | 69.77 | 23.79 | ODM | ODM | Wiper | ODM |
| Kwale | 174,433 | 80.74 | 14.04 | ODM | ODM | ODM | ODM |
| Kilifi | 336,132 | 83.74 | 10.72 | ODM | ODM | ODM | ODM |
| Tana River | 79,454 | 61.41 | 34.71 | ODM | Wiper | FPK | equal |
| Lamu | 52,346 | 51.98 | 40.02 | ODM | UDF | TNA | Other |
| Taita Taveta | 113,862 | 81.56 | 13.18 | ODM | ODM | ODM | ODM |
| Garissa | 115,202 | 48.67 | 45.34 | ODM | Wiper | TNA | ODM |
| Wajir | 118,091 | 49.59 | 38.83 | ODM | ODM | ODM | ODM |
| Mandera | 120,768 | 4.3 | 92.93 | TNA | URP | URP | ODM |
| Marsabit | 104,615 | 48.78 | 47.18 | ODM | ODM | ODM | ODM |
| Isiolo | 54,462 | 29.61 | 55.41 | TNA | URP | URP | URP |
| Meru | 487,265 | 7.55 | 89.41 | TNA | APK | APK | TNA |
| Tharaka Nithi | 155,487 | 5.12 | 92.38 | TNA | TNA | TNA | equal |
| Embu | 227,286 | 7.97 | 89 | TNA | TNA | APK | TNA |
| Kitui | 324,673 | 79.53 | 14.78 | ODM | Wiper | Wiper | Other |
| Machakos | 445,096 | 85.89 | 9.58 | ODM | Wiper | Wiper | Other |
| Makueni | 298,221 | 90.73 | 5.02 | ODM | Muungano | Wiper | Other |
| Nyandarua | 255,984 | 1.21 | 97.11 | TNA | TNA | TNA | TNA |
| Nyeri | 356,380 | 1.7 | 96.33 | TNA | GNA | NRC | TNA |
| Kirinyaga | 265,290 | 1.44 | 95.99 | TNA | TNA | TNA | TNA |
| Murang'a | 452,841 | 2.43 | 95.92 | TNA | TNA | TNA | TNA |
| Kiambu | 861,828 | 7.89 | 90.21 | TNA | TNA | TNA | TNA |
| Turkana | 132,885 | 67.53 | 29.85 | ODM | ODM | FRDK | URP |
| West Pokot | 120,986 | 22.95 | 73.33 | TNA | KANU | KANU | URP |
| Samburu | 61,114 | 57.62 | 40.94 | ODM | URP | URP | TNA |
| Trans Nzoia | 244,640 | 46.03 | 37.24 | ODM | FRDK | FRDK | Other |
| Uasin Gishu | 330,618 | 21.09 | 74.26 | TNA | URP | URP | URP |
| Elgeyo Marakwet | 134,568 | 4.85 | 92.07 | TNA | URP | URP | URP |
| Nandi | 263,254 | 8.7 | 81.52 | TNA | URP | URP | URP |
| Baringo | 173,653 | 9.41 | 87.63 | TNA | URP | KANU | URP |
| Laikipia | 173,905 | 12.56 | 85.49 | TNA | TNA | TNA | TNA |
| Nakuru | 695,319 | 17.14 | 80.19 | TNA | TNA | TNA | TNA |
| Narok | 262,739 | 50.28 | 46.38 | ODM | URP | URP | URP |
| Kajiado | 304,346 | 44.44 | 52.36 | TNA | ODM | TNA | TNA |
| Kericho | 290,458 | 6.59 | 90.74 | TNA | URP | URP | URP |
| Bomet | 252,358 | 4.61 | 92.68 | TNA | URP | URP | URP |
| Kakamega | 567,460 | 63.84 | 2.63 | ODM | ODM | UDFP | equal |
| Vihiga | 202,822 | 46.44 | 1.52 | ODM | PPK | UDFP | Other |
| Bungoma | 410,462 | 52.83 | 12.25 | ODM | NFK | FRDK | Other |
| Busia | 251,305 | 85.62 | 3.71 | ODM | ODM | ODM | ODM |
| Siaya | 311,919 | 98.47 | 0.31 | ODM | ODM | ODM | ODM |
| Kisumu | 385,820 | 96.64 | 1.33 | ODM | ODM | ODM | ODM |
| Homa Bay | 325,826 | 98.93 | 0.24 | ODM | ODM | ODM | ODM |
| Migori | 283,862 | 86.38 | 9.97 | ODM | PDP | ODM | ODM |
| Kisii | 412,945 | 67.93 | 27.42 | ODM | ODM | ODM | ODM |
| Nyamira | 219,358 | 66.26 | 29.47 | ODM | ODM | FRDK | ODM |
| Nairobi | 1,728,801 | 49 | 46.75 | ODM | ODM | TNA | TNA |
| TOTAL/ majority | 14,352,533 | 43.31 | 50.7 | ODM | | | |

(The Independent Electoral and Boundaries Commission 2013)

The election results (Table 6) show that Odinga won all constituencies in several counties with a larger share of urban population, such as Mombasa (Kenya's second largest city) and Kisumu. However, Kenyatta won all constituencies in other counties with urban populations, including Kiambu (the most populous county after Nairobi), Eldoret and Nakuru. This means that the urban vote in Kenya was split. Furthermore, in many counties, the contestant won all the constituencies. Moreover, areas where Ruto's URP dominated delivered the presidential votes for their TNA ally, Kenyatta. As Ruto had been in an alliance with ODM's Odinga in the 2007 elections, before the ICC charged him and Kenyatta with crimes against humanity, it is interesting to speculate the potential counterfactual outcome if the ICC had not decided to press charges.

Urban voters in some regions mainly voted as did their rural ethnic counterparts, showing that ethnicity trumped any urban poor populist strategy. However, voting patterns from the urban areas of Nairobi deviate somewhat from the national trend (Table 7). The Nairobi vote was split almost in half between the CORD coalition led by ODM's Raila Odinga, and the Jubilee coalition led by TNA's Uhuru Kenyatta. As to the presidential election results of Nairobi's constituency, the opposition candidate Odinga (ODM) won by a small margin vis-à-vis Uhuru Kenyatta (TNA) (49 percent vs 46.75 percent). Odinga had a clear majority in Langata and Kibra constituencies (previously one constituency) and also a smaller majority in Mathare. These are the constituencies with the largest slum populations, indicating an urban poor bias towards the opposition in Nairobi. However, the Nairobi urban vote was split, as Kenyatta won the majority in eight constituencies (including constituencies with slums) while Odinga won the majority in nine.

Table 7: Presidential elections: Votes received per constituency in Nairobi County

| Constituency | Votes received | Raila Odinga | Uhuru Kenyatta |
|--------------------------------|----------------|--------------|----------------|
| Westlands | 97,646 | 53,552 | 37,893 |
| Dagoretti North | 85,701 | 51,121 | 28,671 |
| Dagoretti South | 74,614 | 21,606 | 51,272 |
| Langata | 79,935 | 45,979 | 28,793 |
| Kibra | 78,118 | 57,055 | 15,739 |
| Roysambu | 90,481 | 18,927 | 69,751 |
| Kasarani | 90,834 | 24,818 | 64,313 |
| Ruaraka | 72,757 | 53,269 | 17,959 |
| Embakasi South | 78,388 | 52,372 | 24,176 |
| Embakasi North | 65,742 | 29,191 | 35,495 |
| Embakasi Central | 82,509 | 37,750 | 43,385 |
| Embakasi East | 79,161 | 44,220 | 32,684 |
| Embakasi West | 84,406 | 40,734 | 41,891 |
| Makadara | 87,788 | 46,042 | 39,196 |
| Kamukunji | 71,195 | 31,730 | 36,762 |
| Starehe | 109,781 | 45,102 | 61,497 |
| Mathare | 69,420 | 37,688 | 30,013 |
| Total county percentage | 99.14 | 49 | 46.75 |

(The Independent Electoral and Boundaries Commission 2013)

The distribution of constituency seats to political parties in Nairobi County further demonstrates the split vote in Nairobi (see Table 3 in Appendix A). The TNA won the majority of seats (ten), with the remaining seven going to the ODM. However, the elections in Mathare constituency, which gave the seat to a TNA candidate, were later nullified by a court ruling, and by-elections in 2014 resulted in the seat being won by a (Kikuyu) ODM candidate. In addition, Mike Sonko Mbuvi (TNA) was elected Senator of Nairobi City, while Evans Kidero (ODM) was elected Governor of Nairobi City. Moving to the distribution of seats in the County Assembly Ward elections (see Table 4 in Appendix A), we find that the ODM and the TNA obtained an equal number of seats, 41 for each. Again, the ODM dominated in Langata, Kibra and Mathare.

In total, the Nairobi election results show some consistency in the urban poor's support towards ODM across government levels. The ethnic composition of Nairobi is based on immigration from the neighboring Kikuyu population (about 50 percent), and western Kenya (Luhya, Luo, Kisii, and other, approx. 40 per cent). Only 10 per cent originate from the north and east of Kenya (Bocquier et al. 2009: 26). While Kikuyu are the largest tribe, the Luo-opposition candidate Odinga won this county.

Furthermore, whereas Langata constituency is Luo-dominated, Mathare constituency

has traditionally leaned more towards the Kikuyu. The fact that the ODM won the by-elections with a Kikuyu candidate could indicate rather flexible dynamics of ethnic identity and party affiliation.¹⁵⁴ Luos also ran for positions under the TNA banner.¹⁵⁵ In constituencies such as Langata, several candidates from the same ethnic community competed for the same seat, under different political parties.¹⁵⁶ In Nairobi, the relationship between ethnicity and party affiliation is thus not clear-cut.

Few incidents of violence were reported in Nairobi during and after the 2013 elections, although the mood was tense, especially when Odinga challenged the election results in the Supreme Court (Cheeseman et al. 2014). When the court upheld the election results, however, the opposition chose to respect the decision, rather than embark on a protest campaign. According to Cheeseman et al. (2014), the traumatic experience of the 2007 elections, the peace and reconciliation efforts and reforms that had occurred in-between, as well as the ICC case lurking in the background, were all factors held to have made the 2013 elections fairly peaceful.

The success of the unlikely multi-ethnic coalition of former rivals from the Kikuyu and Kalenjin communities confirms the flexibility with which Kenyan political elites construct multi-ethnic coalitions in their favor (Arriola 2013; Elischer 2013; Lynch 2014). According to ODM officials, their competitors also destabilized ODM's organizational structures through infiltration.¹⁵⁷ However, through the constitutional process, ODM had successfully accomplished some of its political goals, including regionalism and land reform, with wide-spread support. Although the ODM failed to mobilize the urban constituencies at the national level in the 2013 elections, demonstrating that ethnicity remains the predominant mode of linking political parties to voters, its electoral success in the capital city, Nairobi, makes it relevant to

¹⁵⁴ Andvig and Barasa (2014) find that Mathare consists of several "villages", and that the historic perception of Mathare Valley as Kikuyu-dominated is not necessarily correct.

¹⁵⁵ Political aspirant TNA. March 20, 2014, Nairobi.

¹⁵⁶ Political aspirant Labour Party. March 5, 2014, Nairobi.

¹⁵⁷ ODM Secretariat. March 7, 2014, Nairobi.

undertake a deeper analysis of the ODM's populist strategy towards the urban poor, and how it has differed from that of the incumbent government. The next sections examine the political mobilization patterns of street vendors and slum-dwellers over time.

Street vendors and ad hoc populist linkages

The KANU regime under Moi continued to be hostile to street vendors in the 1990s. Street vendors were relocated from the CBD on numerous occasions, often by the hundreds. Each time, the street fighting between the council police and traders was frequent and violent (Linehan 2007: 31). In the late 1990s, street traders were considered to belong to the political opposition involved in political riots and demonstrations, leading to a presidential directive to clear the CBD of these traders (Morange 2015: 251). A partial reason why the opposition coalition NARC won the 2002 elections was poor economic performance with high unemployment among youth, who made up 45 percent of a total of 14.6 percent unemployed (Kamunyori 2007: 12). NARC promised 500,000 new jobs annually, and recognized the role of informal micro-enterprises in achieving this goal. Informal trade was seen as the formula for poverty eradication, but through relocation to formal market spaces (Morange 2015: 251).

However, upon assuming office, the NARC government tended to favor the formal sector. Its formalization policies affected informality adversely through massive "clean-ups" that included evictions and relocating street vendors and kiosks away from the CBD, and excluded their associations from strategies and planning (Kinyanjui 2010; Linehan 2007). In 2003, NARC's Local Government Minister, Maitha, encouraged the City Council to introduce a license system to control street vending (Linehan 2007). Each hawker had to pay 200 shillings, and was then offered a permit to operate from one of 23 designated back lanes in the CBD. The same year, street vendors were moved to quieter lanes and roads. By 2005, hawkers were deemed a "nuisance to the environment." The ultimate decision to expel hawkers was taken at Cabinet level, where Askaris were instructed to clear the streets.

In 2006, President Kibaki announced that a dozen new markets would be built for hawkers across Kenya, including two in Nairobi: Muthurwa and Westlands. Hawking would be recognized an integral part of the economy (Linehan 2007: 34). Initiatives such as loans and trainings, and an entrepreneurial discourse, were the mobilizing points. However, violent confrontations ensued between street vendors and police. Riot police used tear gas and live ammunition, resulting in the city center being temporarily hawker-free.

A few months before the 2007 election, street traders were again permitted to return to the city center, to ensure support for Kibaki's re-election (Linehan 2007: 34). Despite 2007 pre-election calls to recast hawkers and the *jua kali* sector as the nation's entrepreneurs, Linehan (2007: 36) found that in practice, no arrangements were offered to street vendors, except the promise of new (formal) markets and temporary reprieve from expulsion from the city center. Nor did they feature in the Vision 2030 (Kinyanjui 2010; Linehan 2007). Hence, the President's mobilization of street vendors appeared to be very temporary and *ad hoc* compared to the Zambian PF (after the 2011 elections).

According to Kamunyori (2007: 31), differing objectives between the political governing structure and the executive body have also contributed to hawkers being used as a battleground for asserting authority. Tensions among councilors, MPs and ward managers have become salient around issues of removing the hawkers. Hawkers would label politicians and councilors as either "pro-hawker" or "anti-hawker." As councilors needed the hawkers' vote, they were reluctant to support the removal strategies of the technical arm. The fate of hawkers within a constituency depended on the political clout of the relevant MP. In 2007, for instance, the Lang'ata MP (ODM) was considered "pro-hawker," so the City inspectors therefore left the hawkers alone (Kamunyori 2007: 31). This meant that both the country's President (from NARC) and opposition MPs (ODM) sought to attract street vendors during the 2007 elections, in contrast to in Zambia, where only the opposition voiced a consistent populist message to the street vendors.

In 2013, neither CORD nor Jubilee Alliance held clear positions in support or opposition to street vending,¹⁵⁸ and this dimension did not constitute a party cleavage at the national level. The manifestos of both party coalitions promised to assist youth and micro-scale businesses with funding, provision of vocational and technical skills, licensing and zones, but did not address the laws that criminalized informal work (Coalition for Reforms and Democracy Manifesto 2013; Jubilee Coalition Party Manifesto 2013). Both CORD and Jubilee Alliance aimed chiefly at formalizing the operations of informal workers.

The ODM manifesto (2013) criticized the current situation where insecurity tenure of business locations inhibited growth. It recognized the grievances of the informal sector in its manifesto, but stated that it would eliminate punitive and intimidating tendencies of the government against small-scale enterprises by streamlining licensing. ODM also promised physical infrastructure, by identifying suitable zones for small-scale enterprises and to ensure the autonomy of the private sector after leasing or selling the work-space to them. ODM stated that it would “initiate and regulate the formation of informal traders’ associations to enhance savings and create a membership platform through which affordable loans can be provided,” (Orange Democratic Movement Party Manifesto 2013: 28) and would ensure that licenses, tax compliance, and compliance with labor laws would be upheld following this expansion.

In a similar vein, the Jubilee coalition (2013) promised that all deserving young entrepreneurs would have the opportunity to secure government tenders, and that special Industrial Parks and clusters would be developed in the counties, targeting the youth sector as well as women who wanted to start small businesses, with electricity, water, clean sanitary environments and road access. The Jubilee manifesto also focused on facilitating economic growth by introducing tax breaks and stimulating small-scale entrepreneuring, especially among youth, and through the creation of markets for *jua kali* products.

¹⁵⁸ KENASVIT. March 20, 2014, Naivasha.

In sum, both party coalitions focused on facilitating micro-enterprises in the informal sector and including them in the formal economy, without any clear policy differences with regard to street vendors. However, ODM also promised to upscale and strengthen existing social security regimes and extend legal coverage to all workers, including those in the informal sector and their dependents (Orange Democratic Movement Party Manifesto 2013). This reflects a more Leftist, programmatic approach to informal workers in general.

Programmatic cleavages between (Luo) slum tenants and (Kikuyu) slum landlords

Since the onset of multipartyism, there have been clear party differences along the landlord–tenant dimension, consistently mobilized (in Nairobi) during multiparty elections. Odinga has supported his (Luo) voters in their demands for lower rent (and their refusal to pay rent) to the predominantly Kikuyu and Nubi landlords in Kibera constituency, thereby securing their votes and his re-election as MP (Smedt 2009: 588). According to a representative of structure owners in Kibera,¹⁵⁹ Odinga realized that tenants, who comprised the majority of voters in Kibera, would always vote for him, and campaigned on this issue in 1997, 2002 and 2011. In 2001, clashes occurred and some Luo tenants became *de facto* owners of rooms (Smedt 2009: 588). Odinga made KANU's President Moi promise to lower the rents in Kibera. After negotiations, rent levels went down and most tenants resumed payments. However, in strongly Luo-dominated areas, a situation of non-payment persisted up to 2007.

The policies of NARC's President Kibaki for addressing urban planning challenges and safety issues affected slum-dwellers negatively, through house demolitions and forced evictions, as well as violent crusades against criminal gangs. As related by Bocquier et al. (2009: 53), Nairobi witnessed demonstrations in the 2000s by slum-dwellers who protested what they considered excessive rents, deteriorating living conditions, and exploitation by wealthy and well-connected landlords. Such demonstrations were held in places like Kibera, Kariobangi and Mathare. In response,

¹⁵⁹ Kibera Stakeholder Forum. March 5, 2014, Nairobi.

Odinga's (ODM) 2007 campaign focused on housing issues, such as rent levels, upgrading and protection from private property "speculators" (Resnick 2010: 16).

When the 2007 election results were declared in favor of President Kibaki, Kikuyus were violently chased from Kibera, and their property destroyed. In this case, however, the looting groups came from all ethnic groups (Smedt 2009: 588). Interestingly, some of the internationally funded slum-upgrading projects that are managed by government entities have also been seen as following partisan lines. This is the case for the Kibera slum-upgrading project (KENSUP), financed by UN-Habitat,¹⁶⁰ which was widely perceived as being a project of Prime Minister Odinga and the ODM—both by supporters and opponents to the projects at the grassroots level.¹⁶¹

The ODM manifesto of 2013 promised to work with county governments in setting targets for the construction of housing units in urban areas, and, more importantly, to "expand the government's slum-upgrading program to cover all major urban areas, with a view to ensure that the urban poor live a life of dignity" (Orange Democratic Movement Party Manifesto 2013: 48). The development of slum housing was blamed on lack of planning for the social needs of workers, which, ODM argued, had led to the proliferation of informal settlements to cater for the housing needs of people working in industry. Among the remedies the party proposed to counter the over-reliance on land was to de-emphasize the role of land as collateral in accessing credit, the promotion of a manufacturing and service economy as alternatives to land resources, as well as government regulation and provision of housing (Orange Democratic Movement Party Manifesto 2013).

While the 2013 Jubilee manifesto (2013) also promised to assist the new counties by providing new low-cost housing for rent, their emphasis was on a "property-owning"

¹⁶⁰ Through a Memorandum of Understanding, the Ministry of Housing was given responsibility for construction, location as well as beneficiaries of the project, through a consultative process with the regional administration and community representatives in charge of villages, such as chiefs, that were to plan for election and criteria for interest representation (UN-Habitat, April 20, 2014, Nairobi).

¹⁶¹ Kibera Inhabitant Forum. March 4, 2014, Nairobi.

The Nubian Rights Forum. Oct 18, 2012, Nairobi.

society. According to a grassroots association formed by structure owners in the Kibera slum,¹⁶² the TNA and Kenyatta were seen as favoring the landlords and their objective of creating wealth by building multi-story buildings. The manifesto also promised to assist investors in setting up proper housing and other investments on land owned by communities. Urban development was to be controlled through local county zoning policies, with developers contributing to County Infrastructure Funds as part of their permits. Their ambition was “a massive expansion of land user and ownership rights, so that all Kenyans who want to own their own homes are able to do so” (Jubilee Coalition Party Manifesto 2013: 45). The Jubilee coalition also promised to supply affordable loans to low-income Kenyans to enable them to build their own homes, and to require the counties to formulate five-year Housing Plan proposals to ensure that enough new homes were built in their area. At the same time, the Jubilee government stated that it would continue with slum clearance programs, in order to replace slums with proper housing.¹⁶³

In addition, the Jubilee coalition stated that it would embark on the adjudication and titling of community land, to be done by giving “communities, rather than the National Land Commission, the titles to community-held lands” (Jubilee Coalition Party Manifesto 2013: 45). The resolution of property disputes over community land would be facilitated by creating special community land tribunals which would work together with traditional leaders. Thus, the coalition appeared to want to circumvent the constitutional process of dealing with land disputes through the newly established Land Commission, which was an outcome of the 2010 constitution, a process dominated by the opposition party, the ODM.

In electoral campaigns and in party manifestoes we find clear programmatic differences pertaining to how to solve the problem of slum housing: the ODM focused on more government regulation and provision, while the Jubilee emphasized private

¹⁶² Kibera Stakeholder Forum. March 5, 2014, Nairobi.

¹⁶³ Both the Jubilee coalition and ODM promised to repossess illegally occupied land by government officials and private developers to address the issue of displaced populations, and ODM will furthermore tax idle land to discourage speculation and under-utilization of land.

ownership and market solutions. However, the landlord–tenant cleavage is highly confounded with ethnicity, which makes it doubtful whether all Kikuyu tenants consider the ODM to be the political party that works for their housing interests. This fusion of ethnicity and socio-economic interest was clear in the following reasoning given by a youth activist in Kibera. He argued that all elections were geared towards ethnicity, where aspirants were backed by their tribe. He added that “tribe was caused by landlords who own structures and who are not the same tribe as tenants. When they raised the rent, the tenants united against the landlord, but then it became more of an ethnic issue.”¹⁶⁴

To sum up, a main difference between the ODM (CORD) and NARC/TNA (Jubilee Coalition) towards the urban poor has centered on issues of housing along the landlord–tenant dimension, through programmatic as well as populist mobilization. However, this socio-economic cleavage is confounded with ethnicity. The issue of street vending has not emerged as a programmatic component that differentiates the two parties, although politicians of both camps have sought to mobilize the street vendors in a populist, *ad hoc* manner at election time.

7.3 Pro-poor opposition strategies, and varying responses from the electorate

The urban poor have become increasingly important for national-level party politics in both Kenya and Zambia, through pro-poor, populist opposition parties. These populist strategies reflect that opposition parties have come to incorporate and take up socio-economic interests pertaining specifically to the illegality slum-dwellers and street vendors experience in the housing and job market.

The presence of programmatic and populist linkages to the urban poor in national electoral politics suggests that the introduction of multiparty competition has in fact contributed to the urban poor being increasingly taken serious as citizens. Opposition parties keen to win office have become more responsive to the interests of these

¹⁶⁴ Youth activist in Langata/Kibera. Oct, 2012, Nairobi.

constituents, even in Kenya where the urban vote is significantly smaller. Their increasing relevance in Kenyan national politics suggests that in terms not only of votes, but also their ability to mobilize and create political pressure, political elites have become more attentive.

As regards the framing of collective benefits for various sub-constituencies of the urban poor, and its significance for party linkages in the two countries, we find interesting variations. First, problems pertaining to slum-dwelling have increasingly been subject to the formulation of programmatic policies. In both Kenya and Zambia, the opposition has campaigned on pledges of more government regulation and provision of low-cost housing, in response to a heated private and informal housing market, and an end to evictions and demolitions affecting slum-dwellers. In contrast, party linkages to street vendors have usually taken a more *ad hoc* populist form. These have not been developed into written, comprehensive and cohesive policy programs, but been based more on personal promises from the party leaders to the street vendors.

Second, in Zambia, the PF's populist strategy towards street vendors stood in stark contrast to the campaign of the incumbent MMD government, and the policies the latter had been carrying out for the last decade. Rather, it resembled MMD's President Chiluba's approach to street vendors in early years. Also in terms of its promises of low-cost housing to slum-dwellers, PF distinguished itself from the incumbent government. Importantly, the opposition party was able to incorporate the various socio-economic interests of the urban poor into its electoral strategy, and marked itself as a clear pro-poor party in contrast to the incumbent MMD party.

In Kenya, on the other hand, party mobilization of street vendors has overall been more *ad hoc*. Vague promises to this constituency have been provided by politicians across the party spectrum before elections. In addition, slum-dwellers have been divided along a landlord-tenant dimension, reflected in party cleavages. This cleavage was further confounded with ethnicity during political campaigns. The perpetuation of socio-economic conflict among the slum-dwellers in the capital was aligned with and served to reinforce a national party cleavage built on ethnic land disputes.

As to national voting patterns in recent elections, the Zambian PF won the urban vote nationally, as well as the presidency. In contrast, the opposition candidate for ODM (CORD coalition) did not win the presidency. ODM failed to mobilize a national majority in the face of the Ruto–Kenyatta Jubilee Coalition, in a country with a larger rural population and a divided urban vote.¹⁶⁵ Still, the latter won the majority in Nairobi County, especially in the constituencies with some of the largest slums. The analysis indicates that, at least in the Kenyan capital, the urban poor may respond to the programmatic and populist appeals of the opposition.

Because the Kenyan opposition did not win the presidency, we cannot trace the accountability of ODM's populist and programmatic linkages in a manner similar to the more successful PF party in Zambia.¹⁶⁶ As regards housing, there seemed to be limited change from the MMD government, and slum upgrading through private titling continued with PF.¹⁶⁷ However, the PF's populist commitment to not applying punitive laws on street vendors proved surprisingly long-lasting, compared to what has been a trend in both Zambia and Kenya. The PF also tried to implement minimum wage, and appeared committed to revising policies on social protection. The provision of collective benefits indicates that the Zambian urban poor are increasingly being treated as citizens. It should also be noted that the Kenyan ODM has been able to achieve some of its goals through its widely supported campaign for a new constitution.¹⁶⁸ Hence, also in Kenya, there are indications of the urban poor's influence as citizens.

This chapter has shown how strategic and innovative opposition politicians in sub-Saharan Africa produce changes in the party system, by politicizing new socio-

¹⁶⁵ As has been pointed out (Resnick 2014; Cheeseman and Larmer 2013), both opposition parties relied on ethno-regional appeals to rural constituencies in order to mobilize sufficient votes, where the ODM's Odinga emphasized devolution whereas the PF's Sata appealed to Bemba marginalization.

¹⁶⁶ ODM representatives claim that they have sought to work towards, for instance, universal health care through NSSF, but claim that multinational companies and business interests opposed it (ODM Secretariat, March 7, 2014, Nairobi).

¹⁶⁷ Slum-housing might be more determined by the parameters already set by international partners, although there are not sufficient data to confirm or disconfirm this.

¹⁶⁸ Although the ICC trial led to a political realignment that negatively affected the ODM in the 2013 elections, the international community also contributed to accelerating the constitutional process led by the opposition.

economic cleavages to mobilize the urban poor. This reflects an increased citizen-based agency of the urban poor through the ballot box. Due to their numbers, opposition parties that want to be competitive need to generate legitimacy by portraying themselves as being representative of and accountable to various constituencies of the urban poor. By choosing such a strategy, the Patriotic Front succeeded in winning national elections. Still, such programmatic and populist linkages between parties and citizens are only half the story. We must also examine the deeper dynamics underpinning these party linkages towards the urban poor. To what degree do they reflect a form of “perverted” accountability (Stokes 2005) by engaging the urban poor as clients? To this we now turn.

8. Transforming socio-economic grievances into clientelistic assets through neopopulism

“Politicians have mastered the game. Two ingredients are key: ignorance and poverty.”¹⁶⁹

“Everyone [politicians] has been given a stake in the system by being given land (...) a perfect neo-colony.”¹⁷⁰

“We clarified we are not a gang. We just want a piece of land, you do not own it.”¹⁷¹

Political discourses, manifestos and policy programs could be taken at face value. However, the massive literature on the prevalence of ethno-clientelism on the continent, as well as in the cases in question, suggest that programs and populist appeals are not the only linkages that exist between political parties and constituents. Much of the literature on clientelism in Africa focuses on clientelism that is distributed amongst politicians at various levels to mobilize voters along ethnic lines (Walle 2007; Posner 2007). Here, I will explore whether clientelist linkages forged with the urban poor work in a different manner, perhaps more similar to Latin-type party machines (Levitsky 2007; Stokes 2005; Stokes et al. 2013).

Chapter 8 is concerned with how political parties generate material resources through clientelism, and how politicians forge power asymmetries between them and the urban poor for this purpose (research questions b/c in the introduction). For each of the country cases, I introduce the broker networks found in the respective capitals.¹⁷² The forms of clientelist brokerage targeting the urban poor will be analyzed, with an emphasis on its interaction or fusion with populist or programmatic linkages.

The analysis will show that clientelism is used to transform the socio-economic interests of the urban poor into neopatrimonial assets for politicians. The combination

¹⁶⁹ Youth activist in Langata/Kibera. March 12, 2014, Nairobi.

¹⁷⁰ ODM Secretariat. March 7, 2014, Nairobi.

¹⁷¹ Former member of Taliban. March 18, 2014, Nairobi.

¹⁷² The focus on the capitals is because fieldwork data for exploring clientelism in urban areas were collected only there. As comparative data on clientelist relations towards sub-groups of the urban poor have been limited, these parts of the analysis build largely on interview data, supplemented with newspaper articles and secondary sources when available.

of pro-poor promises with clientelism indicates a typical neopopulist strategy. However, legacies from past structures of clientelism towards the urban poor under patrimonial rule have affected how today's linkages are forged. Some have been continued while others have changed, depending on how political elites see new opportunities for or threats to generating political and material resources from the urban poor.

8.1 The Zambian “cadres”: different, but same

In Zambia, it is impossible to talk about clientelist politics without considering the Zambian version of a broker: the political “cadre.” The ‘cadre’ is such an ingrained and popularly used concept, that it seemed pertinent for the case study to understand the phenomenon better. According to Hansen (2010: 19), the term “cadre” is used for political involvement, and was a discourse commonly used in connection with the one-party state and its disciplinary, vigilante youth wing. Adding to this, I find that the contemporary Zambian cadre may be considered to be anyone who claims to be a supporter of a political party. However, more than simply being a voter, there is a notion of being more directly linked to a party (or politician), acting as its intermediary agent. There are no formal membership criteria for party cadres, and anyone can thus claim to be a political cadre of any given political party, making it inherently difficult for others to assess the strength of their party ties. Usually, however, politicians are believed to give some kind of reward to their cadres—money or other assets. In return, the cadres work to mobilize for votes and support, sometimes by generating violence and fear. This understanding of brokers is in line with the conceptualization of Stokes et al. (2013).

The Zambian cadres represent a stratum within the class of the poor who utilize their closeness to power to make claims that are supposedly for the poor.¹⁷³ The cadres are perceived as consisting largely of young men who lack adequate income opportunities. Cadres are active in several informal sectors, the most important being street vending

¹⁷³ Researcher at Center for Policy Dialogue. Nov 25, 2013, Lusaka.

and market trade, transport and land allocation. Many are full- or part-time idlers or underemployed, earning very little income in the informal economy. Some engage in crime. In Lusaka, the slum of Chibolya is known as a lawless area of crime and violence, where criminal youth gangs rule the streets. Police interventions with riot gear, teargas canisters, batons and rifles occur, effectively sealing off the township and carrying out home searches. Especially on the notorious “Gaza” street, several hundred have been arrested and structures removed that are supposedly used for drug trade (Lusaka Times 30.05.2014). According to one respondent,¹⁷⁴ Chibolya represents an anomaly and a contradiction: a lawless area in the very center of the capital. He sees the area as the political epicenter where the real struggle for power is. The political elite are “very happy” to use this area for mobilization. However, the phenomenon of political cadres is not restricted to notorious places such as Chibolya.

Although the political cadres are generally poor, they are considered influential in their communities.¹⁷⁵ Cadres represent the compounds they come from. Some have mothers or sisters who need access to markets to sell goods. As the very poor are deemed unable to make key decisions themselves, it is the intermediary cadres that mobilize them.¹⁷⁶ The cadres present demands to the patrons they campaign for, on behalf of the constituencies in the compounds, asking the politicians which rewards they can promise. When they get the green light, they go ahead, and the resources are expected to trickle down from the cadres to the community.¹⁷⁷ As the cadres are often seen as doing things favorable for their communities, it can be dangerous for politicians to go against them, as the cadres are able to manipulate their constituencies. As for the cadres, they often have nothing to lose—they have no proper jobs or incomes, and often not a family of their own.

¹⁷⁴ Journalist and web-activist. Nov 19, 2013, Lusaka.

¹⁷⁵ Caritas. Nov 19, 2013, Lusaka.

¹⁷⁶ Researcher at Center for Policy Dialogue. Nov 25, 2013, Lusaka.

¹⁷⁷ Caritas. Nov 19, 2013, Lusaka.

If they do their job well, cadres get money, employment or other assets from their political patrons. The incentive for cadres to enter politics is thus some kind of reward. Cadres are integral to how the parties relate to each other.¹⁷⁸ Conflict is fueled by leaders paying cadres to instigate conflict. This also feeds into how cadres and the communities they represent understand political parties and the government. According to the Information Secretary of the MMD,¹⁷⁹ all MPs form groups of campaigners that engage in violence (although he added that no MMD cadre has threatened other people). Political campaigning is all about politicians who are able to pay for such campaigns. According to one MMD youth leader,¹⁸⁰ the main arena for mobilization is at the ward level where political parties recruit from community to community. Next in importance are the political rallies, or sometimes door-to-door campaigns. Competing politicians who are not loud and highly visible lose out, as they are seen as weak. Sometimes the only people who visit the constituencies on behalf of the parties are the cadres, who feel themselves entitled to be rewarded with jobs and Constituency Development Funds.¹⁸¹

Within the cadre structure itself, there is a hierarchy based on the political clout of individual brokers. A cadre at the very bottom receives smaller rewards than those who have proven their ability to exercise more political influence, and have closer ties to the political elites. Politicians seeking youth to rally or create havoc would come to the lawless Chibolya slum and rent them for small sums, or even some beer. These people will hang around in bars to get a few coins for a meal. Many abuse alcohol or sniff glue to cope with their situation.¹⁸² Anyone who has an issue with a political party can rent these youths: “They are there to do it for you. It is just a matter of throwing a few kwacha to create havoc.”¹⁸³

¹⁷⁸ Researcher at Center for Policy Dialogue. Nov 25, 2013, Lusaka.

¹⁷⁹ Information and Publicity Secretary in MMD. Nov 28, 2013, Lusaka.

¹⁸⁰ MMD youth leader. Dec 3, 2013, Lusaka.

¹⁸¹ Journalist and web-activist. Nov 19, 2013, Lusaka.

¹⁸² Ibid.

¹⁸³ Regional Consultant for The Norwegian Confederation of Trade Unions Africa. Nov 25, 2013, Lusaka.

While MPs, once elected, have been accused of disconnecting from their electorate, it is difficult to say whether they disconnect from their cadres in-between elections. Many cadres have been recruited by politicians at a very young age, and are school dropouts.¹⁸⁴ Some political candidates allow their cadres to generate their own revenues in-between elections (and sometimes they are believed to share the profits).¹⁸⁵ This points to a reciprocity tie that goes beyond elections, to power struggles and money extortion on a daily basis. Cadres would probably not be able to act in this manner if they were not politically connected. Their insurance is their political party—without it, they would be “rotting in jail.”¹⁸⁶ Some of the more influential and notorious cadres have been appointed to positions at various government levels or, according to respondents, have appointed themselves.¹⁸⁷

8.1.1 Party cadres from the MMD era until today: brief overview

The cadre phenomenon began with the UNIP during the one-party era, and continued after the democratic transition. The combination of a winner-takes-all political system and a society where people are struggling for survival makes for high stakes and dangerous politics, as politicians would do anything to win a seat.¹⁸⁸ Upon winning power, the MMD created the officially non-partisan but yet elected Residents’ Development Committees (RDCs) for the compounds, intended to replace the UNIP state apparatus in advocating and negotiating for resources with the Lusaka City Council, donors and the central government (Myers 2006: 298). These RDCs were introduced by the NGO Care International, and then copied by the government across the city. However, these committees quickly found themselves “surrounded by confusion” (Schlyter, 1999, cited in Myers 2006: 298).

¹⁸⁴ Former MMD/PF cadre. Dec 4, 2013, Lusaka.

¹⁸⁵ For instance, an aggressive cadre once demanded an extra fee from my taxi driver, assumed by the driver to be under the protection of a local politician with whom he would share the profits.

¹⁸⁶ AZIEA. Dec 9, 2013, Kitwe.

¹⁸⁷ Former MMD/PF cadre. Dec 4, 2013, Lusaka.

Journalist and web-activist. Nov 19, 2013, Lusaka.

¹⁸⁸ SACCORD. Nov 26, 2013, Lusaka.

The problem of clientelism on the ground, brokered by cadres, should be seen in connection with an MMD leadership that was corrupt. President Chiluba (1991–2001) and his administration were charged in both Zambian and British courts on counts of large-scale corruption (Donge 2008: 71). There has been evidence of collusion at the top for channeling money from the state treasury to various private companies in Zambia and abroad. Thus, the low level of MMD party institutionalization (described in Chapter 6) has been underpinned by high-level corruption and clientelist networks down to the grassroots.

When the opposition party, PF, entered the scene, it soon established its own cadre structures. During the 2006 campaign, a complementary and dynamic relationship started developing between emergent PF cadres, who dominated Zambia's urban spaces during the campaign, and the rhetoric of Michael Sata (Larmer and Fraser 2007: 627). On independent media and on tour, Sata developed *ad hoc* policy positions that responded to news and local conditions, enabled by the informal PF structures. PF supporters headed for events could appear threatening and lawless, singing, dancing and riding on bus roofs. PF cadres even blocked the roads for the President on one occasion (Larmer and Fraser 2007: 629).

MMD cadres were increasingly chased from the streets. After the 2006 elections, PF continued holding mass rallies, triggering the MMD to imprison Sata on charges that were quickly dropped (Larmer and Fraser 2007: 634-635). After the elections, PF also established a committee of new councilors in the urban areas where it had won, to coordinate rapid implementation of its policies at the municipal levels and act as a "parallel government" (Larmer and Fraser 2007: 636). These councilors were supposed to reduce rates, build housing to replace shanty settlements, decentralize control of bus stations and review allocation of market plots—all important sites of political allegiance that had been controlled by MMD cadres.

In 2008, PF's difficulty in raising funds from a severely impoverished support base, and its ensuing financial dependence on political leaders, began to undermine more democratic governance structures (Cheeseman and Hinfelaar 2009: 76). By the 2008

presidential elections, Sata had attracted a broad range of cadres, including former MMD colleagues, representatives of urban communities, as well as individuals who had left the UPND following the death of the former leader Mazoka. Many of these cadres appeared less committed to PF's ideological position: they simply needed a political home (Cheeseman and Hinfelaar 2009: 76).

A former MMD cadre described the 2011 election as a war, claiming that it was when the cadres began claiming positions or other resources that they started killing each other.¹⁸⁹ When MMD lost power, ward chairmen and other low-level office-holders belonging to the former government party could be beaten up (and sometimes their family members as well), thrown out of their homes and offices, and replaced by cadres of the new government. Some of the PF cadres who were given positions were believed to have criminal records that were ignored after they gained office.¹⁹⁰

Non-merit-based appointments seemed to increase with the new PF government also at higher government levels. Many respondents described the new government as no longer based on merit, but on rewarding cadre loyalty or ethnic and tribal groups; they called the PF government a "family forest." Several government officials were considered unable to carry out their mandate once in office, as they were "loud-mouths" with grandiose promises but without the necessary competence. Professional and notorious cadres (with notorious nick-names), infamous for their violent methods, were believed to have been given jobs in the state intelligence.

A new phenomenon of intra-party battles emerged in response to suspicions that Sata was ailing and would have to be replaced. According to Operation Young Vote,¹⁹¹ all those who had become politically connected to PF split up into factions, due to a power struggle between the "big fish." Anyone who spoke out against these politicians would be "sorted out," and individual politicians empowered cadres to fight their cause. Intra-party battles between various PF camps took the form of clashes in

¹⁸⁹ Former MMD/PF cadre. Dec 4, 2013, Lusaka.

¹⁹⁰ Operation Young Vote. Nov 28, 2013, Lusaka.

¹⁹¹ Ibid.

Chibolya, with members of the two camps “hunting for each other,” resulting in several dead and injured (Zambian Watchdog 11.11.2013).¹⁹² The new incumbents were perceived as having nothing to lose, because they had “tasted office.” Because many PF cadres were not qualified for political office, they had to find other means to ensure they would stifle any threats to their acquired power.

MMD cadres that had not yet shifted allegiance prior to the 2011 elections were still given opportunities to do so under the new government. In September 2014, 150 MMD cadres defected to the ruling PF in Kanyama constituency, together with the MMD National Youth Secretary Tobias Kafumukache (Lusaka Voice, Sept 27, 2014). Their decision was said to have been made because of the “good leadership” and “developments” across the country undertaken by Sata and the PF. According to the news source, it was PF Lusaka Provincial Youth Vice-Chairman Daniel Kalembe who welcomed the new members, saying they would not be discriminated in any way as long as they were loyal to the party. However, a former cadre, who had withdrawn due to the increasing violence, expressed frustration that other cadres tried to force him to “come back to the party” (which I also observed myself).¹⁹³

These narratives indicate that while cadres are generally understood as belonging to the least privileged urban poor, aspiring and able cadres may move up the political/economic ladder. These brokers exercise considerable political influence, although in a largely undemocratic and coercive manner. One respondent believed that the PF as a party did not want cartels like those common under the MMD government, but that PF’s own cadres were demanding this, as they belonged to the same criminal “underworld” or mafia.¹⁹⁴ In any case, the use of cadres has been an important feature of PF’s mobilization of urban constituencies, just as it was for the former governing

¹⁹² Violent conflicts between cadres and local politicians in Kanyama following the 2011 elections were widely discussed on blogs and other online sources. Furthermore, the police suspected a group of people commonly known as “Gaza” and operating in Chibolya, of travelling to Livingstone to engage in violence there before by-elections in 2013 (Lusaka Times, March 12, 2013).

¹⁹³ Former MMD/PF cadre, Dec 4, 2013, Lusaka.

¹⁹⁴ Journalist and web-activist. Nov 19, 2013, Lusaka.

parties. How do these cadre structures relate to the programmatic and populist components of party mobilization of street vendors and slum-dwellers?

Street vendors and “legal” cadre distribution of trading space

Many vendors were uprooted by the market and mall developments of the government in the late 1990s and early 2000s, and retreated to the Old Soweto Market (Hansen 2004). In the markets of Lusaka, various groups of marketers quarreled over the collection of illegal fees, pitting marketers’ associations, the LCC and the Movement for Multiparty Development (MMD) party against each another. Despite the efforts of the Ministry of Local Government to implement the donor-required decentralization of the urban administration in the 1990s, which included market management by private firms, cadre politics complicated the issue (Hansen 2010).

A decentralized reform strategy of market governance through stakeholder participation by marketers, consumer organizations, local government, commuter associations and the Chamber of Commerce in market management boards, reinforced the role of political interest groups and power-brokers instead of democratizing these relations (Hansen 2010: 19). Inside the City Market that was opened in 1997, and was meant to be managed by a private firm, the MMD maintained an office. By the late 1990s, the LCC, MMD, other political parties, the Soweto Marketers Co-operative and Zambia National Marketers Association (ZANAMA) all had offices in the largest market, Soweto (Hansen 2010: 19).¹⁹⁵

The decentralized governance structure was dissolved in 2006, when the new Markets and Bus Stations Act of 2007 was passed (Hansen 2010: 19). From then on, board membership was based on party allegiance and political interests among cadres, political factions, committees and associations that collected levies (the PF at City Market; the MMD at Kamwala). Cadres of the MMD, as well as those of some opposition parties, remained in evidence in many markets, having a visible presence with offices and staff. In the wake of the 2007 elections, major clashes between political cadres erupted in the markets.

¹⁹⁵ Although it was slated for demolition, the market became severely congested (Hansen 2004).

How did patron–client relations change with Sata in the presidency? A clientelist structure based on street vendor brokers became highly visible in the aftermath of the 2011 elections. When Sata decided to ignore the law prohibiting street vending, the power vacuum in the streets of Lusaka, following the restrained authority of the LCC, was soon filled by self-proclaimed PF cadres.¹⁹⁶ There was arguably mutual benefit and dependency in this relationship between street vendors and the President. Since the discriminatory laws were not formally abandoned, this newly established freedom of the street vendors was directly tied to PF’s discretionary leadership.¹⁹⁷ This secured continued loyalty that simple populist rhetoric could not provide.

While the street vendor cadres apparently depend on the discretion of politicians, they have also viewed themselves as the ones who brought the PF to power, and able to unseat it if the party fails them. Both the PF itself and observers regard the party as being dependent on these cadres from the informal economy. Because the street vendors played a pivotal role, they could set their price (plots or streets for vending without harassment).¹⁹⁸ This was a rather cheap price for PF to pay in exchange for support.

While unofficial cadre structures and rules had existed in the markets for a long time, there was a qualitative change in this structure following the street-vendor free-card provided by Sata, because fewer people sold in the established markets as a consequence. However, this made it more difficult for politicians to exercise control over their brokers, as it is harder to control street vendors who move about freely than it is to control marketers operating from fixed premises.¹⁹⁹ Instead, politicians would find a “boss” in an area for street vendors who already had a partisan preference, before giving the person money to mobilize or pay other people.

¹⁹⁶ Marketer/shoe seller at Soweto Market. Dec 4, 2013, Lusaka.

Officer at Lusaka City Council. Nov 20, 2013, Lusaka.

¹⁹⁷ AZIEA. Dec 9, 2013, Kitwe.

¹⁹⁸ Researcher at Center for Policy Dialogue. Nov 25, 2013, Lusaka.

¹⁹⁹ Caritas. Nov 19, 2013, Lusaka.

By 2013, PF cadres were considered to have taken control over city space across Lusaka, on the roads and in the markets, based on brute force and an authority derived from being a self-proclaimed cadre of the current government. It was important for vendors not to be on bad terms with these cadres, who were charging fees and distributing space. The street-vendor constituency was hence controlled directly by these cadres, and not by the LCC, which is the formal entity intended to be in charge of such affairs. According to one market vendor,²⁰⁰ PF cadres had begun collecting a fee of two kwacha three times a week, which was twice the fee the LCC used to collect. The City Council was no longer present in the downtown Soweto Market.²⁰¹ An LCC official admitted that while the Council had some degree of control with the MMD cadres, it had very limited control after the shift in government, and no strategy for dealing with this problem.²⁰²

As clients, street vendor brokers exercise considerable political agency, compared to when they were simply ignored and marginalized, and can reap personal benefits in terms of economic and political influence. However, also the street-vendor constituency as a whole can be said to have benefited—until the fees and harassment from the PF cadres start to surpass those of the LCC and previous market governance structures.

Slum-dwellers and illegal cadre distribution of land

Brown (2005) has studied the effects of the Zambian 1995 land reform in rural areas. One main trend she identifies, which also applies to urban areas, has been the ability of local elites—civil servants, shopkeepers, public officials, local chiefs and their family members—to secure privileged and irregular access to private titles at the expense of

²⁰⁰ Marketer/shoe seller at Soweto Market. Dec 4, 2013, Lusaka.

²⁰¹ For example, one of the cadres now considered to be in control of the Soweto Market had his “office” under a plastic tent in the market. I was promised an audience with him by a marketer at the market the next time I visited (which I did not have time for), but the cadre could not be approached directly, only through another intermediary who would introduce him. Another example of these street vendor structures that I encountered was when I was taking a taxi from one of the busy streets close to the market. A young man aggressively stopped the car, and demanded a double fee from the taxi driver because the passenger was white. When the driver first refused, he pounded and kicked the car. I was told afterwards that he was the cadre who controlled that area, and everyone had to pay him for each trip they made with a customer.

²⁰² Officer at Lusaka City Council. Nov 20, 2013, Lusaka.

poor or middle-class households. Local party officials made financial and political gains from illegal construction in the 1990s and 2000s (Myers 2006: 304).

Key challenges in land administration and management included patronage and corruption within the central government, and among local authorities and customary authorities, regarding land delivery and land access, as well as discriminatory land conflict resolution mechanisms (Zambia Land Alliance 2008). The land market has been characterized by illegality and “racketeering” (Zambia Land Alliance 2008: 19). Despite the limited amount of leasehold land in urban centers, there were cases where politically connected individuals received multiple grants of land within the same land-use category, to the disadvantage of more deserving individuals (Zambia Land Alliance 2008: 13). The way State Land was administered by the Commissioner of Lands on behalf of the President lacked transparency and accountability.

Cadre occupants are typically associated with the Ward Chairmen of the 1st Republic, who would allocate plots.²⁰³ Before 1991, they did not own their own houses, but were tenants. Under the MMD government, however, the position of Ward Chairperson entitled those people to free access to plots, and privatization also opened up for selling this land. In all towns, the MMD government sold or gave away houses to sitting tenants. The Information Secretary in MMD explained that he had two houses himself, and that all members in PF also had benefitted from that program.²⁰⁴ Some land was also given to retirees with no income.

Under the MMD government, new compounds emerged as councilors decided to demarcate and subdivide land. When the council divided plots amongst themselves and councilors, this process was already excluded from the general public.²⁰⁵ As even councilors have low salaries and sometimes work part-time, they could add onto that income and strengthen their support base by allocating plots. Officials in charge of

²⁰³ Caritas. Nov 19, 2013, Lusaka.

²⁰⁴ Information and Publicity Secretary in MMD. Nov 28, 2013, Lusaka.

²⁰⁵ Geography lecture discussion at University of Zambia. Nov 21, 2013, Lusaka.

land allocations have also been accused of demanding money in order to issue approvals, making it cheaper and quicker to squat (Myers 2006: 304).

According to a former Ward Chairman in Kanyama,²⁰⁶ poorer communities now depend on cadres to access land, because most urban land has been taken. The cadres have brought up most of the informal settlements.²⁰⁷ Therefore, land goes to the politically connected, instead of being reserved for the majority. Through party cadres, people can buy plots more cheaply than through the city council, which has resulted in “two-way traffic.”²⁰⁸ The system is considered better for the poor, but is illegal. The cadres go around and demarcate idle land owned by private persons. Even if they invade state (reserved) land, the government usually turns a blind eye,²⁰⁹ due to fear of negative political implications. Bureaucrats find it difficult to antagonize politicians.

Only cadres of the party in power can allocate land.²¹⁰ When MPs are voted into Parliament, those who participated voluntarily in the campaign get paid through land invasion and/or sale in Lusaka.²¹¹ The “big guys” benefit at the expense of the poor, even though this system is claimed to benefit the latter. The lowest ranks in the political party often receive no payment at all. Demarcation involves a fee and is not meant for the very poor, but for the middle-men. Whenever there is a political election, political cadres or party chairmen unofficially distribute land to people, to gain votes. This they refer to as “empowerment programs.” This is also the reason for the high number of demolitions and evictions. When things backfire, and everyone knows the deal was illegal, the government opts out and distances itself. Unscrupulous people can sell one piece of land to some 10 to 15 people and get paid, and then disappear. If the

²⁰⁶ Former Ward Chairman in Kanyama. Nov 27, 2013, Lusaka.

²⁰⁷ Officer at Lusaka City Council. Nov 20, 2013, Lusaka.

²⁰⁸ Former Ward Chairman in Kanyama. Nov 27, 2013, Lusaka.

²⁰⁹ Researcher at Center for Policy Dialogue. Nov 25, 2013, Lusaka.

²¹⁰ ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.

²¹¹ Researcher at Center for Policy Dialogue. Nov 25, 2013, Lusaka.

person is found he is prosecuted, but the question of who gets the land afterwards may remain open.²¹²

Also prior to the 2011 elections, political cadres and chairmen issued considerable amounts of land to people in return for votes, as “empowerment programs.”²¹³ According to the former Chairman of Kanyama,²¹⁴ the compound residents had not been happy with the MMD cadres, after bad deals or having other negative experiences with them. He claimed this was the reason why MMD cadres were voted out of office. However, the PF cadres appeared to be largely the same. In 2013, more than 180 squatters in Lusaka South saw their structures demolished on the grounds that the houses were too near a major water source (Times of Zambia 09.11.2013). According to the newspaper, this marked the end of a longstanding battle between the Physical Planning Department and squatters, most of them civil servants who had acquired the plots illegally under the MMD government.

In 2013, more than 300 suspected PF cadres were arrested and charged with criminal trespassing on a farm in Lusaka with the intentions of demarcating it into plots (Lusaka Times 26.09.2013). The police spokesperson allegedly cautioned members of the public against engaging in similar activities, stating that they would be arrested regardless of political affiliation. Local Government and Housing Minister Kabanshi called this a wake-up call for every Zambian on the need to follow correct procedures when acquiring land. A comment in the *Zambian Watchdog* prior to the 2015 elections urged voters who had been victims of, or were threatened by, land-grabbing from PF cadres to vote against the party (*Zambian Watchdog* 'comment' 18.12.2014). The comment warned that not even the police could stop PF cadres with pangas from demolishing houses in the night. The Kanyama MP, Colonel Gerry Chanda, revealed that he had not visited Chibolya compound since 2008, out of fear for his life (Lusaka Times 15.02.2014). As part of Chibolya was earmarked for a Japanese development

²¹² Geography lecture discussion at University of Zambia. Nov 21, 2013, Lusaka.

²¹³ ZHPPF/PPHPZ. Oct 4, 2012, Lusaka.

²¹⁴ Former Ward Chairman in Kanyama. Nov 27, 2013, Lusaka.

project, Chibolya residents had threatened to kill him if he attempted to demolish their illegal settlements.²¹⁵ When he tried to enter with Chinese contractors, they were attacked by residents armed with pangas.

This shows the importance of slum-dweller grievances in upholding a clientelist political system. While policy trends and political parties change, the underlying incentives to create clientelist dependency for electoral gains have remained. Party brokers at all levels play roles in this game, transforming the slum-dweller constituency into clients who depend on political patrons (cadres) to access housing. Not all squatter compounds are demolished or restructured each time. The logic of neopatrimonialism is to punish those who oppose you, and reward supporters in order to enforce and secure loyalty. It is not desirable to alienate everyone: people should be kept sufficiently dependent and content with limited resources. The structure is severely entrenched, to the extent that also politicians are punished if they try to redress illegal cadre distribution of land.

While the PF formulated an alternative housing policy towards the urban poor, practices of using illegal house allocation through brokers to mobilize and sustain political support among slum-dwellers have continued. Thus we can say that multiparty competition introduced some superficial programmatic differences between the political parties with regard to slum-dwellers, but the underlying clientelist logic of neopatrimonialism has remained. In opposition, the PF could not distribute land illegally. Later, however, once in office, it could reward its supporters through clientelism. While this is a cheaper option (and in many cases, the only one) for the urban poor who cannot afford land in the formal, private market, the aspects of punishment, fear and manipulation indicate a linkage that benefits the elites and their middle-men at the expense of the slum-dweller population. Still, the fact that there is a programmatic difference that appeals to a cross-ethnic, urban poor constituency indicates that the urban poor are increasingly taken serious as citizens, and that political pressure from this constituency is mounting. The incumbent MMD

²¹⁵ The plan was to demolish the structures, relocate people, construct new houses for resettlement, and provide the structure owners (not tenants) with title deeds (Officer at Lusaka City Council, Nov 20, 2013, Lusaka).

government was voted out due to dissatisfaction among the urban poor—and that could happen again.

To sum up, the PF’s strategy shows how an opposition party can build and challenge an ethno-clientelist party machine by combining pro-poor, programmatic appeals with easily redistributable clientelist rewards—in a word, *neopopulism*. According to Operation Young Vote,²¹⁶ the politicians have realized that they cannot win without the support of young people. Therefore, they give “beautiful promises” of free education, but mobilize on “deceit.” The PF thrived on the promise of creating jobs for young people, but discontent grew when the party had to face the realities of life, and could not deliver. The cadres who were connected to the party reacted by taking control of markets and bus stations.²¹⁷ A pertinent question is whether PF’s fallback on clientelism is due to lack of capacity. Considering the resource challenges facing the party, clientelism might be a last resort, not the first preference of many politicians. However, the extensive use of violence, generated from the top level, shows the strong vested economic and political interest of holding political office in Zambia. As seen in Table 11, most of the identified power asymmetries that forge client-based agency towards the urban poor are of a coercive nature.

²¹⁶ Operation Young Vote. Nov 28, 2013, Lusaka.

²¹⁷ Ibid.

Table 8: Mechanisms that forge clientship agency (through brokers) between Zambian political parties and their constituents

| | |
|------------------------|--|
| Information | <ul style="list-style-type: none"> • <i>Non-verifiable party membership, based on claim of being a party cadre</i> • <i>Non-transparent nomination/election procedures for party positions</i> • <i>Non-transparent land management systems, allocation procedures and records</i> • <i>False (unverifiable) promises to give land (and lack of access to politicians after elections)</i> |
| Decision-making | <ul style="list-style-type: none"> • <i>Lack of internal, democratic procedures within political parties</i> • <i>Ad hoc promises to local communities mediated by cadres, in exchange for votes</i> • <i>Payments to cadre networks in exchange for turnout at rallies</i> • <i>Appointment of cadres to (elected) political office (RDCs, WDCs), and establishment of 'parallel governance structures' in exchange for votes</i> • <i>"Free-card" to ignore the law on street vending based on discretion of the President/party</i> • <i>Market board membership based on party allegiance</i> • <i>A land policy that vest land in the custody and care of the President</i> • <i>Ward Chairmen, councilors and local politicians in ownership/charge of land allocation, demarcation and subdivision</i> |
| Coercion | <ul style="list-style-type: none"> • <i>Criminalizing laws and regulations that facilitate evictions, demolitions, relocations, fines and arrests as political punishment</i> • <i>Non-passage and non-implementation of promised protective provisions and policies</i> • <i>Payment to cadres for harassment and violence to generate fear, and impunity and clearance of criminal records</i> • <i>Self-appointed jobs and political positions by cadres</i> • <i>Forced replacement of cadres of other parties and forced shifting of allegiance to other parties and cadre networks</i> • <i>Intra-party violence generated by paid cadres to protect acquired positions and power</i> • <i>(Threats of) demolition of squatter settlements to reward/punish</i> • <i>Cadre demarcation/invasion of idle land owned by private persons or the state to sell cheaper than formal land in exchange for delivering votes</i> • <i>Cadre threats/violence against officials who demand occupied land for development purposes</i> • <i>'Free-card' to extort illegal fees from traders (with sharing of profits between politician and cadre)</i> • <i>Violent clashes over market space by cadres</i> |

8.2 Kenyan vigilantes, criminals and other hustlers

While the term “political cadre” is not as frequently used in the Kenyan context, the brokers in Kenya can be said to resemble those in Zambia in many ways. However, more professionalized vigilante groups, often closely connected to organized crime, have dominated the Kenyan political scene. These vigilante groups are usually composed of idle youth, full- or part-time unemployed young people who roam the

streets without much to do, or, as one of them put it: “we’re just hustling.”²¹⁸ A former Mungiki member described the idlers as “sitting devils.”²¹⁹ According to the National Cohesion and Integration Commission (NCIC),²²⁰ all perpetrators of violence are urban poor who are not engaged in meaningful activities. In addition to unemployment, easy access to drugs and weapons has contributed to high levels of crime and violence in Nairobi.

Criminal activity is often seen as the only option for youth who cannot get an income elsewhere.²²¹ Many young people begin by stealing a phone or other small items, due to acute lack of money.²²² Having entered the world of crime, leaving it is not easy. Whenever a poor person experiences problems and has no other income, there will always be nearby criminal gangs to join that have money. The life of a poor youth in Nairobi’s slums is brutal. Being a criminal in the city is life-risking, and there are countless stories of criminal youth being killed by police. A youth activist from Kibera²²³ estimated that the majority of the boys he grew up with in school were now dead, most of them killed by the police or other criminal youth.²²⁴ To make matters worse, many former criminals have had traumatizing experiences from watching fellow gang members and friends die, and often their communities fear or exclude them. However, while criminal gangs are considered a menace by their victims, there is also pressure from the community on these youth to engage in criminal activities.

²¹⁸ Former gang member in Korogocho. March 14, 2014, Nairobi.

²¹⁹ Former member of Mungiki. March 25, 2014, Nairobi.

²²⁰ National Cohesion and Integration Commission. March 25, 2014, Nairobi.

²²¹ Political aspirant UDF. Oct 22, 2012, Nairobi.

²²² Youth activist in Korogocho. March 10, 2014, Nairobi.

²²³ Youth activist in Langata/Kibera. March 2014, Nairobi.

²²⁴ Furthermore, support for youth trying to leave crime is minimal. For instance, a CBO formed by a former vigilante gang in Korogocho was created with the intention of reintegrating these youth by convincing community members to offer them small income opportunities whenever there was some work to be done. If nothing came up, these young boys would simply spend their days under a tiny tin roof held up by four posts, where they would try to convince each other not to re-enter crime.

According to a former gang member,²²⁵ their community would ignore them, and girlfriends and family members reject them, if their income should drop.

Idleness, crime, political vigilantism and ethnic militias are closely connected in Nairobi. LeBas (2013: 243) argues that “vigilantes” and “ethnic militias” are two terms that should be kept analytically distinct. “Vigilantes” are neighborhood-level groups that provide policing and sometimes other public goods to communities, aiming to create order through vigilante justice in a context of state failure and increasing crime. “Ethnic militias,” by contrast, use group insecurity as justification for more organized and politically consequential activities. In practice, however, the borders seem fluid. In Gatwikira in Kibera, for instance, the ODM had an unofficial office, which served as a base for local party mobilizers (Smedt 2009: 595). Youths would hang around, ready for any job, forming groups that easily adjusted to the circumstances. They shifted between working as vigilantes, protecting landlords, plain crime, charging of repair or protection tax, and making up the party youth wings.

Many community leaders—whether elders, religious figures or women—refuse to campaign and mobilize communities during elections, even despite receiving threats, due to the violent and corrupt nature of politics.²²⁶ Usually, it is youth that engage in violence during elections—masterminded by politicians.²²⁷ Many young people see elections as an opportunity where top politicians buy them “to destroy people they are against.”²²⁸ Vigilante groups employ a mix of incitement and favors to create political conflict in the communities, based on (false) promises and on attacks.²²⁹ They punish or reward community members according to the political camp these voters are assumed to belong to.

²²⁵ Former gang member in Korogocho. March 14, 2014, Nairobi.

²²⁶ Youth activist in Korogocho. March 10, 2014, Nairobi.

²²⁷ National Cohesion and Integration Commission. March 25, 2014, Nairobi.

²²⁸ Youth activist in Korogocho. March 10, 2014, Nairobi.

²²⁹ Former vigilante member. March 17, 2014, Nairobi.

Vigilantes function as brokers to ensure that clientelist rewards accrue to the communities that politicians target as voters. Due to poverty, voter demands are often as simple as trading their vote for some food. When vigilante groups come for votes, they may pay between 200 and 500 shillings. However, the clientelist mechanism often works through the logic of creating fear among people of losing the little they have, individually or collectively, rather than receiving rewards. In 2007, groups such as the Mungiki would threaten community members that if they did not vote for a certain candidate, all would be killed the following day.²³⁰

Many vigilante groups have clear partisan preferences. According to one human rights activist, a political candidate he considered genuinely good would never win because of the “brainwashing” of the poor: “If you only call out her name at the [bus] stage, they will kill you. Any leader must be challenged. If you challenge the prime minister outdoors, you’ll get killed.”²³¹ However, vigilante groups that were predominantly used by the TNA-PNU (Mungiki), would also accept money from ODM leaders,²³² illustrating the bargain between broker networks and politicians (Stokes et al. 2013). Vigilantes do not hold politicians to account towards the communities because they themselves are on the politicians’ payroll.²³³

The patronage tie is based on mutual dependence. Brokerage for political patrons requires a “reward” for a job well done. However, accountability between political candidates and their vigilantes varies greatly. For instance, during mass demonstrations following the 2007 elections, youths were simply paid 100–200 shillings each for digging up the railway in Kibera (Smedt 2009: 595). After elections at ward level, some politicians continue to keep on their payrolls vigilantes who have worked hard for them. Other vigilantes are “paid” by being allowed to engage in criminal extortion activities.²³⁴ It is deemed suicidal for a politician to attempt to put a

²³⁰ Youth activist in Langata/Kibera. March 2014, Nairobi.

²³¹ Human rights activist. Oct 18, 2012, Nairobi.

²³² Former member of Mungiki. March 25, 2014, Nairobi.

²³³ Journalist and activist. March 3, 2014, Nairobi..

²³⁴ Ibid.

halt to vigilantism. Operations of the vigilante groups, for instance at bus stops, occur in public and close to local political offices and police stations. Everyone is aware of these practices that have long been commonplace and that exercise considerable power. Office-holders find it difficult to do things if they are out of favor with the vigilante groups. In slums such as Kibera, chiefs and other officials have become increasingly afraid to go after gang members, as they fear they are connected to high-level politicians (Mueller 2011: 106).

Usually, however, it is the top leadership in the vigilante groups that benefits the most, while only minor rewards trickle down to the lower ranks.²³⁵ Politicians tend to engage with the leaders of vigilante groups in separate meetings where they are given money. However, when gang leaders have been seen as taking really big amounts, for instance when they build spacious houses for themselves, gang members further down in the hierarchy—the ones who have been doing the actual fighting—have become disgruntled and left.

Politicians may also default in keeping their part of the deal. Some politicians cut the ties to their brokers immediately after an election or once a dispute has been resolved in their favor. Idle youth at the lowest level of the broker hierarchy, who have been promised education, grants or other rewards from politicians, often discover that their candidates are nowhere to be found after elections and have switched off their phones.²³⁶ Several respondents who had engaged in violent vigilantism during elections expressed extreme bitterness and distrust of politicians. Many had not anticipated the level of violence and damage that was being orchestrated, and some lost friends in the process. Seeing how politicians who encouraged them to fight against injustices later shook hands with their presumed enemy and gained privileges, while ignoring their supporters, gave rise to anger, disillusionment and frustration. One respondent said he saw politicians as “devils” and not human beings.²³⁷ On the other

²³⁵ Former member of Mungiki. March 25, 2014, Nairobi.

²³⁶ Former vigilante member. March 17, 2014, Nairobi.

²³⁷ Former member of Taliban. March 18, 2014, Nairobi.

hand, despite their contempt for politicians, former gang members felt it would be difficult to refrain from vigilantism in the future as long as they were jobless and their anger had not been dealt with: “they can get you anytime they want, they can still use us.”

8.2.1 Brokers from the KANU era to today: brief overview

High-level actors in Moi’s government were behind the “ethnic clashes” that took place from the 1991 onwards (Klopp and Zuern 2007: 136-137). KANU officials hired violence specialists from the military and the administrative police to form militias that would recruit youth from localities where these “ethnic clashes” were to take place. Where electoral support for the regime was unpredictable due to multiethnic populations, ethnically exclusive “night meetings” were organized with militia leaders, local administrators and ordinary citizens, to plot who to target and when. In rural areas, houses were burned and villagers killed. The opposition was ethnicized, as Kikuyu opposition leaders were perceived as posing the greatest threat to the Kalenjin President. The purpose was to discredit the opposition by placing the blame for violence on them (Klopp and Zuern 2007: 137). Political leaders thus deliberately ethnicized local land disputes through multiparty competition.

While ethnic electoral violence was initially orchestrated mainly in rural areas, by 1997, the ruling party’s youth brigade was deployed in Nairobi to violently disrupt rallies for constitutional reforms and attack opposition leaders (LeBas 2013: 247). KANU initially used the “Kalenjin warriors” in the Rift Valley and elsewhere to kill and displace opposition voters from other ethnic groups before and during the 1992 and 1997 elections. This triggered the formation of other gangs and militias, including the Mungiki, Sungu Sungu, the Saboat Land Defense Force, the Taliban and Bagdad Boys. Politicians began hiring gangs to intimidate members of anti-government parties, to protect themselves against pro-government gangs, or to engage in other activities aimed at keeping their opponents from winning (Mueller 2011: 103).

Across the country, these state militias and gangs took on a life of their own. Many moved into the slums of Nairobi, offering various types of protection and services for

fees. They used kickbacks to ensure that officials and police turned a blind eye. Gangs like Mungiki infiltrated many businesses and operated basically like mafia; some gangs took on several functions of the government. This led to the simultaneous processes of privatization of public violence and political appropriation of private violence (Katumanga 2005, referred to in LeBas 2013: 247).

During the 2002 elections, individual politicians hired or organized their own vigilante groups to attack rivals, intimidate voters and disenfranchise ethnic groups.

Increasingly, relations between politicians and vigilante groups became more complex and commercialized. While the state outlawed all vigilante groups and ethnic militias in 2002, this had little effect (LeBas 2013: 249). In Mathare Valley, Mungiki was in constant conflict with the Taliban youth gang.²³⁸ Mungiki became notorious in the Nairobi “taxi wars,” fighting the youth militia Kamjesh over control of *matatu* routes. By the turn of the century, Mungiki was estimated to have a fee-paying following of one and a half million. It had developed into an organization characterized by the intersection of class, generation, religion and ethnicity (Frederiksen 2010: 1065), operating in rural and urban areas, providing income opportunities, service delivery and extortion/protection. Ethnic identification was mixed up with discourses of being young and poor.

Mungiki has a history of switching political sides; in the 2007 elections both the opposition and the government cultivated links to the organization. However, Mungiki also sought representation in formal and parliamentary politics, through a registered party, the National Youth Alliance (Frederiksen 2010: 1083). Prior to the 2007 elections, the ruling NARC coalition was also implicated in a massive political corruption scandal—the Anglo-Leasing and Finance Scandal—which concerned raising campaign funds (Mwangi 2008: 275).²³⁹ The deals were made by senior cabinet ministers and bureaucrats in the Kibaki administration for campaign funds and the

²³⁸ Mungiki emerged from the Rift Valley and the struggle between “settlers” and “newcomers”.

²³⁹ The total amount of these ongoing projects was in February 2006 at USD 202 million. Anglo-Leasing was a fictitious company designed to receive funds from lucrative government contracts, and channel them back to those who created the scheme (Mwangi 2008).

general elections. As in Zambia, high-level political corruption was combined with brokerage at the grassroots level.

Following the announcement of the 2007 electoral results, senior politicians from the largely Luo- and Kalenjin-dominated opposition alliance led by Odinga's ODM called for mass action (Waki report, referred to in Frederiksen 2010: 1066). Youth gangs, together with party supporters and activists, held demonstrations, engaged in heckling, and destroyed lives and property in Nairobi, Rift Valley, Western, Nyanza and Coast provinces. The incumbent PNU and its allies responded with similar actions in 2008, to retaliate and protect the economic interests of the Kikuyu population, especially through Mungiki.

According to Mueller (2011:106), the gang problem intensified after the 2007 elections, as community vigilante groups initially formed to protect themselves from militias increasingly came to resemble them and operate like shadow states. The result was that ordinary members of the public were extorted on multiple fronts. Youth that initially made money from looting began levying taxes on the inhabitants of Kibera for "protection" on the streets at night, putting up roadblocks for collecting fees or even offering their service to Kikuyus who needed transport out of Kibera, as vigilante groups. Politicians were increasingly beholden to the gangs or afraid of them.²⁴⁰ The government turned on Mungiki after the 2007 elections. The Kenyan police formed a special anti-Mungiki unit, which in practice operated as a death squad against Kikuyu youth in the slums, allegedly responsible for over 1000 extrajudicial killings (LeBas 2013: 249). Two human rights activists who had been documenting these extra-judicial killings by the police were executed in their car in Nairobi in 2009 (Press 2012: 450).

Vigilante groups have thus played an important part of electoral politics in Kenya since the onset of multiparty rule. The next sections will show how brokers have sought to transform the socio-economic grievances of slum-dwellers and street vendors into neopatrimonial assets for political elites.

²⁴⁰ Mueller (2011) claim that less is known about the ordinary perpetrators of election violence and the incentives making them use machetes against citizens from other ethnic groups, their motives and the extent to which politicians were involved.

Informal traders, broker distribution of trading space and forced removals

Under the KANU regime, trade spaces were owned by cartels, where the KANU youth wing played an important role by appropriating and allocating spaces.²⁴¹ While it was more usual for trade spaces to be owned by cartels under the KANU regime, such inner dynamics of higher and lower cartels has continued to exist up to today.²⁴² However, while some vigilantes were seen to “brutalize” the markets, they were also used by traders for nighttime security,²⁴³ which showed their embeddedness in current market dynamics and their role as providers of law and order.

Government responses to informal activities, including trade, have generally been unpredictable and brutal.²⁴⁴ According to Macharia (2007: 152), government responses to entrepreneurs who invade vacant land and run businesses have long been influenced primarily by politics and corruption. Officers from the central government or the city council have violently uprooted such businesses, even when the land is not needed for any immediate societal purpose. Officials would arrive without notice in early morning hours to demolish operations, to make the land available for powerful politicians or well-connected businessmen.

Robertson (2007: 28) claims that cases of suspected arson, which had been a problem under the one-party regime, continued in the multiparty era. Competing explanations were often given when fires or other destruction of informal trading spaces occurred. For instance, in the Gikomba Market, where outdoor spaces were occupied by semi-legal or illegal retailers, a great fire destroyed most of the market in 2002. Suspected causes ranged from a cooking fire at a kiosk, a homeless child’s campfire, to accusations of arson by rival business owners, disputes between market “owners” and stallholders and tenants, and corrupt government-sponsored arson to obtain land to sell to developers (Robertson 2007).

²⁴¹ Professor at Institute for Development Studies (University of Nairobi). March 20, 2014, Nairobi.

²⁴² Ibid.

²⁴³ NISCOF. March 19, 2014, Nairobi.

²⁴⁴ Political clientelism associated with informal trade has received rather scant attention in the scholarly literature, compared to political clientelism targeting slum-dwellers.

While the issue of street vending is not reflected in party cleavages, clientelist tools have still been utilized by politicians to mobilize (sub-groups of) informal traders in electoral politics. The informal sector “goes wild” as elections approach, since no politician wants to lose those votes.²⁴⁵ As long as street vending is illegal, officials use this illegality as a means of manipulation and control.²⁴⁶ Clientelist strategies toward informal traders include land-grabbing and allocation of market stalls to (ethnic) groups within this constituency, as well as selective application of existing laws. Politicians or government officials may reward or punish vendors by discriminatory allocation of space, while removing (or threatening to remove) others.

If there are several political candidates competing for the same political office, candidates pay leaders in markets to make vendors clash against each other, along the lines of tribal groupings.²⁴⁷ While this strategy is most common for ward representatives, also county commissioners and MPs may be involved in such activities. This type of clientelism typically works through promises of allocation of space in new markets under construction.²⁴⁸ Politicians promise plots and space to people who are unaware that these politicians have no authority to allocate space. When the markets are completed (and the elections are over), the people with the rightful legal entitlement either acquire the land, or violent conflicts persist between different claimants to the space.

During the 2007 elections, there was considerable violence among traders (Mitullah 2010: 197). The fact that the Unitarian Universalist Service Committee (UUSC) supported the Kenya National Alliance of Street Vendors and Informal Traders (KENASVIT) to engage in peace-building among traders in response to the post-election violence (Mitullah 2010: 197) illustrates how electoral violence manifested

²⁴⁵ Professor at Institute for Development Studies (University of Nairobi). March 20, 2014, Nairobi.

²⁴⁶ By-laws represent a significant income source for the City Council, and bribe extraction by the police (Linehan 2007).

²⁴⁷ KENASVIT. March 20, 2014, Naivasha.

NISCOF. March 19, 2014, Nairobi.

²⁴⁸ KENASVIT. March 20, 2014, Naivasha.

itself also amongst informal traders. Such violent clashes were also common in the markets during the 2013 elections.²⁴⁹

Slum-dwellers, brokered land/housing distribution and ethnicity

Social organization in the slums of Nairobi was based mainly on patterns of property ownership, which has been shaped historically through patronage politics and ethnicity (Rigon 2014: 263). Multiparty elections created new opportunities for land-based clientelism. In her study of politically allocated land rights in rural areas in the early 1990s, Boone (2011) found that politicians competing for election could promise their constituencies the restitution or protection of property rights as a patronage resource. This was a profound source of potential political instability, especially in densely populated and heterogeneous constituencies (Boone 2011: 1332-1335). She attributed this to a property regime with the state as a landlord who could grant property rights in more or less lawful and arbitrary ways. “Land seized from settlers was given to militants of the ruling party, local officials, and the unemployed youth who were recruited as so-called Maasai warriors and Kalenjin warriors to do the dirty work of burning houses, terrorizing and killing people, and chasing ‘settlers’ and ‘immigrants’ from their homes” (Boone 2011: 1328).

Klopp (2000) argues that patronage in land can be recycled. When former occupants are removed, land is freed for distribution to loyal clients. Politicians can even use land as a patronage resource without actually owning any land to distribute to their brokers. According to one youth activist,²⁵⁰ most youth die in the process of trying to acquire land promised by politicians. Before elections, they are promised “heaven,” as politicians know that the problem is land. However, politicians on each side promise their vigilantes the same land. To reward these boys, politicians simply point them to a piece of land that they actually do not own the title for. When the youth start building structures they are chased and chaos erupts— and whoever is the strongest person on the land survives.

²⁴⁹ NISCOF. March 19, 2014, Nairobi.

²⁵⁰ Youth activist in Korogocho. March 10, 2014, Nairobi.

Politicians also grab land to sell to business tycoons in return for campaign money. The mere sight of a well-known tycoon with ties to local politicians is enough to make communities fear that their land will be grabbed and they will be evicted.²⁵¹ Well-known criminals in the slums have used their power to forge alliances and collaborations with corrupt local politicians or administrators, helping them to rise to political power as MPs, in return for public land. For political elites who are also structure owners, the use of vigilantes enable them not only to win office, but also to protect their property.²⁵²

In addition to the problem of evictions, Mwangi (1997: 147) considered the lack of tenant participation in planning to be at the core of the overall policy model followed in Kenya, where local administrative officers (local chiefs, sub-chiefs, district officers) have forced people to give money and other resources in situations where contributions should be voluntary.²⁵³ There has been a lack of consultative provisions in tenancy agreements, and no culture of informing and consulting the parties involved.

The opposition party, the ODM, countered the tactics of the incumbent government with another clientelist strategy. With the onset of multipartyism, ODM leader Odinga (who was an MP from Kibera at the time) combined patronage tactics with his populist call to tenants not to pay rent and programmatic components of slum-upgrading and regulation (Smedt 2009: 588). Kibera has seen several violent conflicts between Luos, Nubians and Kikuyu connected to rent, where Luos refuse to pay their landlords. In 2001, when Odinga was pressuring President Moi to promise to lower the rents in Kibera, clashes resulted in some Luo tenants becoming *de facto* owners of rooms. Although rent levels went down after negotiations, some occupants were allowed to remain in the houses, with no reprisals. There were also persistent rumors that Odinga

²⁵¹ Youth activist in Mathare. March 2014, Nairobi.

²⁵² During the 2007 elections, for example, Mungiki members were paid by a land-grabbing politician for defense. The deal was that they could engage in all activity—good or bad—but if the Luo competitor got the seat, there would be no pay (as it was believed that the land would be given to the Luo) (Former member of Mungiki, March 25, 2014, Nairobi).

²⁵³ According to Mwangi, “tenant participation in planning and developing rental housing should be seen in the broader context of community participation in municipal decision-making on urban planning and implementation” (1997: 147).

had paid rents for many of his supporters for years, or monthly allowances to his main mobilizers (Smedt 2009: 595). Smedt sees Odinga's strategy as an "almost paradigmatic illustration of the patron–client relationship in Kenyan politics" (2009: 585).

The threat of land-grabbing is also used to manipulate ethnic communities to vote for certain political parties. For instance, in a ward dominated by Kikuyu, residents would fear that if another tribe were elected, that tribe would confiscate the Kikuyu property.²⁵⁴ In the slums of Nairobi, the 2007 post-election violence led to evictions of communities from areas where they were numerically smaller. Their houses were occupied by youth from the evicting community, resulting in the zoning of slums into distinct ethnic territories (Kanyinga 2011: 93). Influential economic and political elites at the local level supported these youth by providing financing so that they could evict "enemies" (Kanyinga 2011: 101). According to the Waki Report on the 2007 post-election violence, Mungiki used the violence to opportunistically evict squatters from rental properties (LeBas 2013: 251).

The conflict between the vigilante groups Taliban and Mungiki represents the phenomenon of confounding programmatic, ethnic and clientelistic linkages in its most extreme manifestation. Some observers see the Taliban mainly as a vigilante gang; however, in their own view, Taliban was formed by Luo tenants who first pleaded, and then tried to force their Kikuyu landlords to lower house rents or give them their own house structures.²⁵⁵ Mungiki protected the landlords. When Taliban's demands were not met, they began demolishing houses. Eventually, violent confrontations with Mungiki resulted in several deaths and imprisonment for many Taliban members.²⁵⁶ Upon release, Taliban members were given land for 100 of their members, after negotiations with local leaders.

²⁵⁴ Youth activist in Mathare. March 2014, Nairobi.

²⁵⁵ Former member of Taliban. March 18, 2014, Nairobi.

²⁵⁶ Former member of Mungiki. March 25, 2014, Nairobi.

Former member of Taliban. March 18, 2014, Nairobi.

Simply allowing Luo tenants not to pay rent and take control of houses in the slums represents a clever patronage reward from Odinga's side. This strategy, however, placed him in a dilemma after he became Prime Minister, following the 2007 post-election violence (Smedt 2009: 597). While expectations from his constituencies grew even higher, he was obliged to follow the law. In 2008, when his personal assistant accompanied the local administration to announce to people in Kibera that they would have to leave the houses that they had occupied, the crowd reacted violently and chased them (Smedt 2009: 597). This illustrates the reciprocity component of the patronage system. The Kikuyu landlords received scant assistance from the local authorities (District Officer and chiefs), as even the latter feared entering these areas (Smedt 2009: 593).²⁵⁷

To sum up, also Kenya is an example of how opposition parties can combine pro-poor, programmatic appeals with clientelism in the form of neopopulism to challenge the ethno-clientelist party machine of the incumbent. The opposition party, ODM, used patronage rewards and punishment that reinforced its programmatic message to tenants, while also enabling it to build an effective party machine of foot soldiers who could challenge that of the incumbent in Nairobi. However, the neopopulist strategy was also confounded with ethnicity. Multiparty competition induced political parties to use brokers to divide slum-dwellers in Nairobi according to a narrative of Luo tenants and Kikuyu landlords. Regarding informal traders, however, both parties seemed to rely primarily on ethno-clientelism.

Although an ethnic component was clearly present in the tenant–landlord cleavage, the disloyalty of vigilante groups towards any given political party, as well as the success of Odinga in winning the Nairobi vote, still indicate that the party linkages to the urban poor in the capital city act work different from simple ethno-clientelism. While it is clear that the great majority of brokers exercise extremely limited agency as clients for the political patrons who manipulate them, the very existence of a programmatic cleavage concerning socio-economic issues indicates that slum-dwellers, and

²⁵⁷ After the 2013 elections, however, Odinga returned to the position as the opposition leader of ODM, but was no longer an MP.

especially tenants, have gained some political momentum in the capital. However, the highly violent and coercive ways in which party brokers are used is also evidence of the vested politico-economic interests of the political elites, as shown in Table 12.

Table 9: Mechanisms that forge clientship agency (through brokers) between Kenyan political parties and their constituents

| | |
|------------------------|---|
| Information | <ul style="list-style-type: none"> • <i>Non-transparent nomination/election procedures for party positions</i> • <i>Non-transparent land management systems, allocation procedures and records, and eviction plans</i> • <i>False (unverifiable) promises to give land, housing, education (and lack of access to politicians after elections)</i> |
| Decision-making | <ul style="list-style-type: none"> • <i>Lack of internal, democratic procedures within political parties</i> • <i>Community pressure to engage in crime</i> • <i>Ad hoc promises to local communities mediated by vigilantes, in exchange for votes</i> • <i>Group punishment and rewards based on assumed party camp preference/voting, carried out by vigilantes</i> • <i>Payments to cadre networks in exchange for turnout at rallies</i> • <i>Food as payment for votes or turnout at rallies</i> • <i>Kickbacks to officials and politicians from organized crime</i> • <i>'Free-card' to ignore the law on street vending, based on discretion of the President/party</i> |
| Coercion | <ul style="list-style-type: none"> • <i>Criminalizing laws and regulations that facilitates evictions, demolitions, relocation, fines and arrests as political punishment</i> • <i>Harassment and charging of informal fees by police</i> • <i>Vigilante protection, justice and public goods through illegal tax/extortion (due to state withdrawal)</i> • <i>Criminal gangs for rent to politicians</i> • <i>Intelligence/military training of ethnic militias to carry out killings in order to generate fear and conflict</i> • <i>Vigilante attacks on political competitors</i> • <i>Police death squads targeting unruly vigilantes</i> • <i>Clientelism for votes based on threats/fear (murder), not rewards</i> • <i>Politicians are opposed by vigilantes for policies in the latter's disfavor</i> • <i>Evictions and displacement by government and private landowners (bulldozers) of individuals/communities as punishment for voting</i> • <i>'Free-card' to brokers to occupy houses and refuse to pay house rent to structure owners as payment for delivering votes</i> • <i>Landlord protection by hired vigilantes</i> • <i>Setting up violent conflict among brokers by promising different brokers the same reward (land)</i> • <i>Land-grabbing for business tycoons in exchange for campaign financing</i> • <i>Recycling of land patronage by removing occupants</i> • <i>Payment to brokers through non-interference in extortion (markets/bus stops)</i> • <i>Politically connected cartels that appropriate and allocate trading space, and uproot trade businesses to reward/punish voters</i> • <i>Arson in markets, paid by politicians or business to punish opponents</i> • <i>Selective application of street vending law to reward and punish</i> • <i>Market leaders instigate ethnic clashes in markets to mobilize votes by promising to allocate the same market stalls to different individuals/groups</i> |

8.3 Neopopulist versus ethnically divisive clientelist linkages

The empirical findings confirm that the dominant party linkage between the urban poor and political parties is one of *clientelism*. It is the same socio-economic grievances of the urban poor—access to housing and a livelihood—that are targeted by populist/programmatic party linkages, which are also transformed into assets for patron–client relations. This resembles the neopopulist strategies found in Latin America, where pro-poor populist promises are underpinned by clientelism to the same constituencies.

Party brokers exercise some political agency through clientelism, by advancing their personal interests as well as those of the communities they have brokered for. They use elections to obtain limited material gains that would otherwise not be accessible. Brokers are rewarded by their political patrons by being allowed to expropriate and distribute land and work space to themselves and their followers, and exercise considerable power in the urban poor communities (for instance through extortion). Nevertheless, the urban poor brokers primarily act as clients vis-à-vis their political patrons, rather than as citizens. Instead of politicians being representative of and accountable to the urban poor, the relationship is turned upside-down, what Stokes (2005) terms “perverse” accountability. However, whereas brokers target street vendors and slum-dwellers in both Zambia and Kenya, the ways in which these sub-constituencies have been linked to parties have differed.

In Zambia, cadres have engaged in illegal land distribution to please followers, as well as to reward themselves, or punish the cadres and followers of other political parties. Even if their land distribution to poor squatters was illegal, it resonated with the opposition party’s promise of low-cost housing to slum-dwellers. Furthermore, the Zambian opposition eyed another opportunity to align populist and clientelist linkages. The PF’s promise of non-harassment of street vendors would indiscriminately benefit the whole constituency. At the same time, street-vendor cadres were rewarded by their

new patron with a ‘free-card’ to exercise power in the informal markets and streets, extorting money and distributing work space. The PF strategy of fusing these programmatic and clientelist linkages towards the urban poor indicates a hybrid form of agency for the urban poor. Some benefits are collective, others are contingent.

In Kenya, a programmatic cleavage has emerged along the landlord–tenant dimension in the slums, with the opposition siding with the tenants. At the same time, however, slum-dwellers’ access to housing depended on political brokerage. Brokers combined threats and persuasion to rally or suppress voters in slum communities, creating party machines (but with an ethnic underpinning). Clientelist redistribution was aligned with programmatic cleavages for tenants and landlords, again indicating a form of hybridity. While political clientelism was a feature also for mobilization among Nairobi’s street vendors, none of the Kenyan political parties endorsed this constituency—although all mobilized them on an *ad hoc* basis through ethno-clientelist and populist means.

Again, a main difference between the two cases is the role of ethnicity. In Zambia, many of the clientelist rewards (or punishments) do not appear to have a clear ethnic component, such as the street vendors’ ‘free card’, or cadre distribution of land and housing. In contrast, ethnic, programmatic and clientelist strategies reinforce each other in Kenya. The structuring of slums in the form of ethnic “villages” may be a short-cut for these party machines to monitor and punish groups of voters. Hence, the country comparison shows that the various party linkages targeting the urban poor have been strategically combined to reinforce one another, using past legacies of socio-economic (and ethnic) conflict as an entry point for molding support. Whereas slum-dwellers and street vendors in Kenya were mobilized through (ethnic) divide-and-rule party strategies, they were united through the opposition strategy in Zambia.

The extent to which political parties mobilizes material resources by turning the socio-economic grievances of the urban poor into patronage assets is illustrated by the plethora of power asymmetries they forge with the urban poor. Nominations and internal decisionmaking are carried out in a closed, secretive and highly elitist manner.

Lack of a card-holding and formal mass-membership means that the majority of party members and supporters are excluded from democratic decisionmaking processes, and limits their insights into internal party activities. Possibilities of influencing stem mostly from activities and mobilization by the urban poor outside the formal party structure.

The sheer number of power asymmetries indicates that attempts to address only a few of them (the symptoms) are unlikely to solve the real problem—which is how political parties mobilize material resources (the disease). The forging of patron–client dependency relations does not necessarily mean that political leaders and brokers feel no commitment to their programmatic linkages. For opposition parties, low inclusion in party activities could arguably be a result of limited resources for building such administrative and organizational capacity. Another obstacle could be the limited political space available for governments to pursue their policies with regard to street vending and tenancy in the face of already established development programs. As such, clientelism could be understood in the Kitscheltian sense as a form of (inferior) democratic party linkage.

Still, the violent and coercive measures used by incumbent and opposition parties to garner the political support of the urban poor would seem to indicate differently. It is the use of coercion—in the form of demolitions, evictions and brute violence, or the threat thereof—that most clearly demonstrates what Stokes (2005) has termed a “perverse” form of accountability, whereby the urban poor act as clients in the interest of their political patrons. Thus, the problem also lies in the ways in which political elites amass political and economic resources through political office, landlordism and the distribution of land and work space. There is an inherent conflict of interest between politico-economic elites and the urban poor.

As we have seen, political parties have offered the urban poor only a hybrid form of agency that is strongly tilted towards clientship. One response to the lack of political accountability has been the emergence of social movements as an alternative to

political empowerment of the urban poor. Chapter 9 will consider whether these movements provide another political channel for the urban poor to engage as citizens.

9. Replacing clientelist party linkages with extraverted, member-based movements

“[person x] and [person y] are not youth. They do not understand and feel what youth feel. They earn a salary, while we shall volunteer. They sit on top.”²⁵⁸

The democratic transitions in Kenya and Zambia also brought about political pluralism in the civil society sphere, in addition to multiparty competition. Although the democratic turn initially resulted in a type of civil society with weak links to the urban poor, grassroots-based social movements by and for the urban poor gradually evolved, as this chapter will show.

These transnational social movements were supposed to function differently from traditional development partners and NGOs with regards to democratic representation and accountability to constituents (Weru 2004), as they were formed and led by the urban poor themselves (Batliwala 2002). This gave them greater legitimacy (Mitlin and Satterthwaite 2007), while international networks empowered domestic affiliates (Mitullah 2010; Lindell 2009). However, these and other scholars acknowledge that due to the extraverted resource mobilization strategies of many SMOs, they might establish dependency relations towards external actors that reduce their representation of and accountability to grassroots constituents (Pommerolle 2010). They may also become prone to rent-seeking behavior and clientelism (Wit and Berner 2009).

By the early 2000s, SMOs that sought to organize and mobilize informal traders and slum-dwellers had been established in both countries. Chapter 9 identifies the most prominent SMO umbrellas (federations, unions, alliances and NGOs), and discusses the extent of movement consistency in terms of Diani and Bison’s (2004) collective identities, networks and joint conflictual action. It focuses on how these SMOs mobilize the urban poor in terms of collective benefits, as well as how their resource mobilization strategies affect the kind of agency they provide for their constituents

²⁵⁸ Youth activist in Nairobi. March 12, 2014.

(corresponding to research questions a/b/c in the introduction).²⁵⁹ The chapter will show that the movements vary in terms of movement consistency, and the extent to which they engage their constituents as citizens or clients.

9.1 Power asymmetries: narratives from Nairobi's youth activists

I begin by presenting a stylized illustration of how power asymmetries between representative civil society organizations and their constituents may deprive grassroots activists of citizenship, effectively capturing them in clientelist relations. Given the sensitivity of these issues, it seemed best to use a narrative based on a compilation of individual stories. The data material is drawn from a range of interviewed grassroots activists in Nairobi who belonged neither to the slum-dwellers' organizations, nor to the street vendors' organizations. This material is supplemented by my own observations. While anecdotal evidence cannot reveal the full magnitude of such problems, it can indicate the mechanisms through which clientship may be forged within movement structures. Here, then, is the narrative I offer:

A donor has a development program. It funds a national umbrella body/NGO as a partner to implement its program (in reality, many donors choose to fund such umbrella bodies jointly). The implementing partner, together with the donor, identifies or creates a national organization that is intended to be member-based and internally democratic, with an elected leadership. This organization will have branches at the county, city and local levels, also with elected leadership. Donor funds are to be channeled to members to support their activities, via the implementing partner to the executive branches at various levels. As a general rule, the donor engages only indirectly with the member-based organization, through the implementing partner. While the implementing partner has salaried staff, the member organization is meant

²⁵⁹ Civil society generally, as well as the movements of slum-dwellers and street vendors more specifically, have been more extensively covered in the scholarly literature from Kenya than Zambia. This has had implications both for the depth of the analyses, as well as the diversity in data sources.

to operate on a voluntary basis, where only allowances for lunch, transport costs or resources for activities are provided.

After a while, grassroots members on a city-level committee discover, through pictures and reports on a website, that the implementing partner is claiming to have funded and supported activities by the grassroots that have either not taken place, or that have been carried out by the grassroots, without any financial support. The members have not been provided with information from either the donor or the implementing partner on the total budget provided to support the activities of the organization, nor the funds that are to accrue to the specific activity they are said to have been funded for.

In contrast, the grassroots branches are required to be transparent and report upwards to their implementing partner regularly. As the implementing partner controls the information flow to the donor, this increases the information asymmetry between the implementing partner and the grassroots. The activists ask the implementing partner for budget information, but it is not forthcoming. They contact staff at the donor agency and ask them to forward the budget information as well as the report that the donor has received from the implementing partner regarding these activities. The donor representative responds that all such communication is to go via the implementing partner.

The grassroots activists are not satisfied, and continue to demand an answer from both the implementing partner and the donor. Through communication with other local branches within the city, and also in other counties, they find that others have similar experiences. They encourage grassroots members across branches to request similar types of information, and begin questioning whether the funds have been appropriated by staff at the implementing office. The implementing partner responds with allegations that the local committee itself has appropriated these funds at the expense of the members they represent.

The implementing partner initiates a “participatory process” to solve the dispute at the grassroots level, with one potential outcome being new elections of the executive

committee that has been requesting insights. It bypasses the elected committee and calls all the members for meetings in the various constituencies of the city to decide “collectively” how to solve the conflict. The meeting agenda is organized as follows: the amounts that the implementing partner accuses the grassroots committee of embezzling are written on a blackboard, presented as “evidence.” When a member demands to see the official bank statement, the implementing partner promises that everyone who wishes to do so can view the bank statement in the office of the implementing partner. Lastly, the members vote on whether new elections shall be held for the executive committee, by show of hands in front of the other members and the implementing partner. A superficial hand count leads the implementing partner to conclude that the executive committee will have to stand for re-election.

During the run-up to the election, one of the opinion leaders among the grassroots members is paid by staff at the implementing agency as a “mole” to report on the strategies and moves of his fellow members, and to participate in a smear campaign against them. The “mole” informs the other activists that he had to accept the quite substantial bribe due to poverty, but promises that he would not plant information to the extent that the others could end up in jail. Other activists also begin to informally communicate with staff from the implementing agency, and the activists start to become increasingly insecure regarding the strategies and loyalties of others in the group. They also increasingly fear violence from paid “thugs,” especially after dark.

Mass meetings to debate the allegations and new elections are characterized by tension, and armed police are called by the implementing partner for monitoring. Elections for a new executive committee are eventually organized by the implementing partner, and the sitting committee members are voted out of office. They decide to establish a parallel, informal structure, and continue to demand insight into the budget and reports of the implementing partner, although they are no longer formal members of the organization. They arrange a protest against the implementing partner in the city center. “Hooligans” break up the protest, and in the violence that escalates, one youth is killed. No one is charged or held responsible for the crime.

The implementing partner threatens to take the former committee members to court on allegations of fund embezzlement. As the activists are no longer on the elected committee, they have no access to the committee's bank account or any other material, which places them at a disadvantage as regards collecting evidence in their favor. By contrast, the implementing partner has the resources to bribe bank officials, police and lawyers, in addition to members of the association, gang members and journalists. As the youth activists have no dialogue with the donor and have few powerful allies, an arrest, accident or disappearance would most likely not be investigated or followed up. Faced with such pressure, the whistleblowers decide to abandon their demands for insight into the budgets and reports. Some return to the organization; others opt to leave it altogether.²⁶⁰

The above narrative shows how citizen-based agency for grassroots working with externally funded civil society organizations that claim to represent their interests requires access to information, collective decisionmaking power and protection from coercion. The deprivation of information curtails the grassroots' ability to take informed decisions, and make them vulnerable to manipulation (clients). Without participation in collective decisionmaking processes, the grassroots simply become subjects who carry out the objectives of their superiors (clients). The lingering threat of physical retribution further undermines autonomous decisionmaking (clients).

The mechanisms at play resemble those of authoritarian state practices. Attempts to exercise political agency by the grassroots are quelled due to the extreme power imbalances in the relationship between the grassroots and their "representative" organizations. The whole set-up encourages compliance with corruption, and punishes whistle-blowers. A range of measures were initiated to prevent the grassroots from being able to hold their representatives to account (including the election of representatives, engineered by a non-elected leadership at the top level).

²⁶⁰ Nonetheless, it is the skills that youth activists acquire through such participation in civil society organizations that enable them to try, not always successfully, to hold their superiors to account. Their own political agency has probably improved as a result of such experiences, although it is still severely restrained.

How such power asymmetries affect the political agency of the grassroots at the individual level should be borne in mind when assessing the agency available to urban poor constituents through SMOs that claim to represent their socio-economic interests. This is especially relevant when the resources that may accrue from clientelism are quite substantial and consequential for the stakeholders involved, in terms of material gains or other forms of power.

9.2 Zambia

Before narrowing in on the movements of the urban poor specifically, we need to situate them in an overall civil society context characterized by external dependency. Zambian civil society has become increasingly dependent on foreign aid, which has led to problems of rent-seeking behavior and clientelism. International agencies are highly influential in determining which Zambian organizations, in the public as well as the civil society sector, will survive and be able to take on mandated functions, provide employment and other benefits (Duncan et al. 2003: 49). This creates challenges regarding political and financial accountability.

According to the Zambian Draft Decentralization Policy, a weakness in the operations of NGOs was that their loyalty tended to lie with the donors, so that the NGOs were not fully accountable to their communities (Schlyter 1998: 267). The terms of the Poverty Reduction Strategy Papers, for example, were largely determined by the international community, reducing the local ownership of Zambian civil society to this process (Duncan et al. 2003). Mwansa (1995: 74) found that the self-interest or mandate of Zambian NGOs could lead to the imposition of development programs that failed to respond to the pressing needs of those meant to be helped. NGOs were found to define the developmental needs of people, and simply inform them of their projects and expect them to participate (Mwansa 1995).

While there were thousands of registered NGOs in Zambia, only a small number were considered “good ones” (Duncan et al. 2003: 41). There was evidence of competition between donors for this elite group of NGOs. Other NGOs could be considered merely

as personal businesses. “Briefcase NGOs” would change their objectives in line with changing agendas and fashions within the international donor community (Rakner 1998: 253-254). According to Rakner, donor funding has contributed to giving civil society associations themselves a “client status,” entailing limited attachment and commitment to local membership and causes. A patronage culture evolved where workshops for volunteers “were only successful if attendees were paid sitting allowance, per diem and transport, often in sums amounting to more than a day’s work” (Rakner 1998: 253-254).²⁶¹

The effectiveness of community-based associations has also been found to vary greatly, depending on the quality of the people who lead them (Duncan et al. 2003: 41). It is often questionable whether they represent the poor, as they tend to be dominated by the relatively well-educated and well-off. Furthermore, Myers (2006: 298) found that the scheme by the well-known NGO, Care International, showed what Cooke (2003) identifies as the “replication of colonialist power relationships,” where the core dimensions of modern-day “participatory development” had their ideological and intellectual roots in British colonial rule. International partners formed “representative local organizations” with their own version of democratically elected leadership, rather than using pre-existing associations under “guided participation.”

However, also the Zambian state became increasingly dependent on foreign aid in the 1990s. The donors’ role in the dual economic and political liberalization reforms in the 1990s evoked mixed responses from Zambian civil society (Rakner 1998: 250). According to Rakner, the main interest groups of labor, agriculture and business, as well as associations representing religion, gender, development issues and the press, became increasingly critical to the influence of the international donors over national decisionmaking institutions on issues of economic policy.

²⁶¹ The Civil Society for Poverty Reduction network (Nov 20, 2013, Lusaka) found that, while rural communities held their political leaders to account constantly, urban communities were always asking for more money, and were not well-organized. For programs like social cash transfers, it was difficult to ensure that the right people received support, as the community committees that were supposed to identify the poorest people focused instead on their own relatives.

According to a political scientist at UNZA,²⁶² foreign funding brings a foreign agenda. He argues that organizations must plan on the basis of their funding.²⁶³ If funding was different, and the organizations worked closely with urban poor, this would change their mindset. Support to top-level workshops was perceived as helping international agencies to push their own agenda, which created rent-seeking. While “everyone” used the urban poor for funding, there was a disconnection to these groups.²⁶⁴ Lilanda community members also appealed to the international community to “associate with local people who tell the truth” regarding elections and rights reports.²⁶⁵ In a focus group discussion (approximately 30 people) with a women’s club in Kanyama,²⁶⁶ which according to the representatives had 3000 members, frustration at the lack of dialogue with NGOs, donors and government was prevalent.²⁶⁷

From the onset of multiparty rule, the extraverted nature of civil society funding has contributed to dependency to the extent of establishing client relations. A main challenge has been the lack of connection and dialogue between the urban poor communities on the one side, and NGOs, donors, and government on the other. Still, social movements for sub-segments of the urban poor have emerged over time.²⁶⁸

²⁶² Political scientist at University of Zambia. Nov 20, 2013, Lusaka.

²⁶³ One journalist and web-activist (Nov 19, 2013, Lusaka) explained that he could not make a living working on the issues connected to the media that he found most urgent and relevant, and therefore survived on grants for gender research.

²⁶⁴ Political scientist at University of Zambia. Nov 20, 2013, Lusaka.

²⁶⁵ Lilanda community meeting (focus group). Nov 22, 2013, Lusaka.

²⁶⁶ Women's Club Kanyama (focus group). Nov 27, 2013, Lusaka.

²⁶⁷ Members of the Women’s Club expressed a lack of everything, from skills and work tools, schools, school fees and teaching materials, clothes, drainage, toilets, water, maternal and old people’s care, food (resulting in “low energy”), and had problems of widows, HIV/AIDS, cholera, psycho-social problems, idleness, orphans and alcoholism. They proposed a range of suggestions regarding small businesses they were eager to create, and indicated the machines and tools needed (hammers, mills, sewing machines, peanut machines, sausage machines, pottery, chicken boilers, farming manufacture, hair dressing, carpentry, stone crushing, broom making, table cloth, door mats, poultry, transport, domestic laundry, fertilizers and seeds), and stated that the “whole community is willing to learn” by working together in groups. They also felt frustrated at not being able to communicate properly as they did not speak English.

²⁶⁸ Other, movement-based organizations have also emerged. The youth NGO, Operation Young Vote (Nov 28, 2013, Lusaka), was created around 2000s as an NGO run by youth. A main motivation for its establishment was to mobilize youth to register as voters for the 2001 elections as well as to stand as political candidates. The youth felt they were being left out of the political structure as, even after ten years of multiparty rule, the political space was dominated by “independence freedom fighters” from before the 1990s. Due to marginalization, they put up structures to engage and participate in electoral politics and with CSOs to mount pressure, so that youth were not only used as “king makers” due to their numbers, but also were able to affect decision-making and policies. To establish a mass movement, they formed structures at community, constituency (150), district (108), provincial and national levels for bottom-up participation. As youth lacked finances, they wanted to use

9.2.1 Street vendor marginalization in a fragmented movement for informal traders

Introducing the umbrella SMOs

Within the area of trade, the emphasis was previously on organizing marketers into associations, and forcing street vendors to work in the markets. In response to calls from external advisors urging participation, market associations emerged in the 1990s that were allowed membership and inclusion in decisionmaking processes within governance structures, such as market boards (Hansen 2010: 20). Most of these associations were trade-specific, dealing in second-hand clothing, the fish trade or cross-border trade. One umbrella body, the Zambia National Marketer Association (ZANAMA), used to manage several markets in Copperbelt towns and parts of markets in Lusaka (Chawama and Soweto). Another, the Zambian Traders and Marketers Association (ZATMA), was mostly based in the Copperbelt area (Jongh 2013).

The Alliance for Zambian Informal Economy Associations (AZIEA), formed in 2002, is an umbrella body for informal sector associations across 16 sectors.²⁶⁹ The Alliance became the main organizational body for representing and organizing street vendors and informal traders, under its broader umbrella. AZIEA represents marketers, street vendors, tinsmiths, carpenters, tailors, farmers and other sectors, and sees itself as engaged in a class struggle, representing the lowest-ranking workers who live from hand to mouth.²⁷⁰ AZIEA's main offices are in Kitwe, with branches in five districts across three provinces, including Lusaka. Informal associations, and not individuals, register as members. Altogether, AZIEA had approximately 23,000 members in 2013.²⁷¹

their comparative advantage of numbers over resources to be recognized within party structures, and to participate in forums and committees at all levels.

²⁶⁹ AZIEA. Dec 9, 2013, Kitwe.

²⁷⁰ Ibid.

²⁷¹ Ibid.

AZIEA's overall objectives for its members are to organize the unorganized and establish formal bargaining institutions with the government. The Alliance lobbies the government for legislation in the interests of informal workers, as current laws are considered highly unfriendly. AZIEA also engages in a range of activities towards its members, such as educating workers on their civic, economic and workers' rights, in order to empower them through knowledge. Prior to the 2011 elections, AZIEA trained thousands of street vendors on their socio-economic rights (War on Want 2014). In addition, it works to establish of a trust fund for members. However, member priorities are seen to differ within the Alliance, with Lusaka-based members being more focused on social protection, empowerment and the management of urban space.²⁷²

AZIEA is affiliated to Streetnet International, and thus belongs to the transnational social movement for street vendors (Streetnet International 2014). The Alliance has participated in several activities with this international partner (although it currently did not have a member in the latter's council or committee). AZIEA claims that it was one of Streetnet's founding members, together with KENASVIT in Kenya.²⁷³

Regarding its role in the global movement, AZIEA considered Zambia to be a model country in the past that most foreign member organizations of Streetnet International visited. AZIEA is also a partner to War on Want, a British NGO formed in 1952. The latter has supported AZIEA in training marketers and street vendors in business and leadership skills, as well as strengthening the relationship between informal economy associations, and bringing their difficulties to national attention (War on Want 2014). War on Want is financed by British development agencies (UKAid and IrishAid) as well as other donors.

In addition to AZIEA, the Street Vendors' Association (SVA) was registered in 1996.²⁷⁴ The SVA has attempted to organize street vendors in Lusaka specifically, but

²⁷² Ibid.

²⁷³ Ibid.

²⁷⁴ Street Vendors' Association. Dec 2, 2013, Lusaka.

without much success recently, especially after the 2011 elections. The association wanted the government to amend the act forbidding street vending, which it considered “a colonial, terrorist act.”²⁷⁵ The SVA argued that if street vendors could not sell products on the street they would die, so the government would be committing a gross violation of life and the right to work. The association held that street vendors could not afford the additional costs of being formalized, and that harassment from local authorities further obstructed them from earning a livelihood to escape poverty. The SVA considered street vendors to be businessmen (sometimes working 18 hours a day, from 3 o’clock in the morning) who needed to become connected to the production line and incorporated into the mainstream.

The SVA sought to become a vehicle for smaller organizations to defend member rights, address policy issues, and provide training for business and leadership skills, and wanted to organize cooperatives for street vendors to enable them to borrow money. It also maintained that street vendors should be properly empowered to enable them to move from the streets to the markets, without disorder and chaos. However, it saw any dialogue with the government as being motivated by the objective of getting vendors to work in sanitary places and generate revenues. The association has received external support from Streetnet and War on Want, amongst others, for worker education, financial management and book-keeping. However, it had difficulties in getting member subscriptions, and was uncertain about membership figures. In contrast to AZIEA, SVA seemed to be a rather dysfunctional association at the time of my fieldwork, struggling to mobilize members and lacking an organizational infrastructure.²⁷⁶

The two trade union federations, Zambia Congress of Trade Unions (ZCTU) and the Federation of Free Trade Unions of Zambia (FFTUZ), also wanted to extend their services to informal workers, but argued that this would require some order and

²⁷⁵ Ibid.

²⁷⁶ Ibid.

regulation.²⁷⁷ Through a program funded by cooperative partners in Denmark, “Decent Employment,” ZCTU has sought to help formalize the informal economy together with the government through insurance programs, social protection and regulation, and to educate informal workers on how paying tax leads to benefits.²⁷⁸ ZCTU has also suggested new laws to regulate informal workers, and lobbied for a review of employment and labor market policy, which currently applies only to the formal sector.

The ZCTU represents street vendors indirectly through AZIEA, which is one of its affiliates.²⁷⁹ The ZCTU is also an affiliate of ITUC-Africa (ITUC-Africa 2014).²⁸⁰ The Norwegian Confederation of Trade Union (LO) has supported ZCTU on women’s issues, organizational development, administration and membership recruitment, HIV/AIDS projects, “decent work” programs, capacity building on negotiation skills,²⁸¹ and social dialogue.²⁸² In contrast to ZCTU, FFTUZ did not represent street vendors at all as their activities were considered criminal.²⁸³

A divided movement in terms of interests (marketers versus street vendors), and inter-organizational conflict

Political pluralism opened up for the creation of two formally autonomous trade union federations, as well as multiple affiliated unions and organizations that represent (informal) traders, including marketers and street vendors. In terms of framing of collective benefits, there are joint activities within the labor movement to review and reform the informal sector. These have been spearheaded by the ILO, and various

²⁷⁷ FFTUZ. Oct 11, 2012, Lusaka.

ZCTU. Oct 12, 2012, Lusaka.

²⁷⁸ ZCTU. Oct 12, 2012, Lusaka.

²⁷⁹ The informal sector can also affiliate directly to ZCTU, instead of via AZIEA.

²⁸⁰ International Trade Union Confederation (ITUC).

²⁸¹ LO also works with Zambian employer organizations and state ministries.

²⁸² Regional Consultant for The Norwegian Confederation of Trade Unions Africa. Nov 25, 2013, Lusaka.

²⁸³ FFTUZ. Oct 11, 2012, Lusaka.

partners have been invited to join the endeavor.²⁸⁴ There has been a need to redefine the ideology of the labor movement towards informal work, as the Zambian trade union movement previously had a patronizing and paternalistic approach to the informal sector, with revenue generation being an important aspect.²⁸⁵ The labor movement leadership has now realized that unionization with representation is the best model for attracting workers in the informal sector.²⁸⁶ By working to de-criminalize street vending, reduce harassment, and secure rights and protection for informal workers, the labor movement in effect is working to provide its constituents with formal citizens' rights that will reduce their dependency on political clientelism. While ZCTU admits that the process is slow, it is seen as moving forward on issues of social protection.²⁸⁷

Nevertheless, the movement representing informal traders is fragmented and internally inconsistent. The two trade union federations, FFTUZ and ZCTU, differ with regard to whether they recognize street vending as a legitimate occupational category. AZIEA also recognizes that being the umbrella body for the whole informal economy entails some difficult challenges and internal contradictions, especially between marketers and street vendors.²⁸⁸ In addition to representing street vendors, AZIEA organizes the marketers (represented by ZANAMA and ZATMA), who have a conflict of interest with street vendors. Instead of being united around shared objectives and interests, the main body for representing traders has been faced with contentious issues among its members.

In addition to diverging views on street vending, and conflicts of interest between trader sub-groups, there have been inter-organizational conflicts between the SMOs

²⁸⁴ ZCTU. Oct 12, 2012, Lusaka.

²⁸⁵ AZIEA. Dec 9, 2013, Kitwe.

²⁸⁶ ZCTU. Oct 12, 2012, Lusaka.

²⁸⁷ The dialogue with the government is complicated by the fact that responsibility for the informal sector belongs to several different ministries. Marketers and street vendors fall under the Ministry of Local Government, while farmers fall under Ministry of Agriculture (AZIEA, Dec 9, 2013, Kitwe).

²⁸⁸ AZIEA. Dec 9, 2013, Kitwe.

that constitute the labor movement. Concerning the ties between the two trade union federations, ZCTU claims there have been talks about merging with the FFTUZ, especially as their members “down there” wish they would merge to gain strength as a movement.²⁸⁹ However, this process has been stalled, as relations between the two federations are not considered “very good”. AZIEA, on the other hand, is affiliated to the ZCTU, and was in fact was the result of a project carried out in 2002 between the ZCTU and the Workers’ Education Association of Zambia (a UK-based charity) to organize the informal economy (WIEGO 2014). As AZIEA is grouped into different occupational groups, ZCTU tries to link these groups to formal unions based on similar occupations, although the process had not made much progress.²⁹⁰

There have also been various conflicts among the organizations that represent street vendors. While the Street Vendor Association (SVA) also was a founding member of AZIEA, the association was later accused of not having complied with rules for subscription (fees), and its membership elapsed in 2006.²⁹¹ The SVA was therefore de-registered by the trade union center (ZCTU), and is no longer collaborating with the others. In addition to failure to pay for subscriptions, another reason for the end of the AZIEA/SVA collaboration were conflicts where they blamed each other for lack of commitment, or for an overemphasis on workshop activities at the expense of engaging with the grassroots. According to the SVA,²⁹² Streetnet International even attempted to act as mediator to solve the problems between the two organizations, but with no success. Consequently, prior to the 2011 elections, Lusaka’s street vendors were no longer formally represented and connected to AZIEA and ZCTU through an organization that catered for their interests specifically. Previous SVA partnerships with the corporate world, Lusaka City Council and UNZA (university) to find joint solutions and provide input to the government on the way forward had also been broken off.

²⁸⁹ ZCTU. Dec 6, 2013, Lusaka.

²⁹⁰ ZCTU. Oct 12, 2012, Lusaka.

²⁹¹ AZIEA. Dec 9, 2013, Kitwe.

²⁹² Street Vendors' Association. Dec 2, 2013, Lusaka.

Hence, the movement representing informal traders, embedded in the larger labor movement, found itself struggling as regards movement consistency, due to conflicts of interests among its constituents as well as to inter-organizational conflicts. Hence, collective identities and networks are fragmented, while they agree on joint action (with the exception of FFTUZ). Furthermore, regarding Amenta et al.'s (2010) four categories of political impact, movement mobilization had not yet resulted in the passage of legislation or the establishment of formal bargaining institutions for street vendors and other informal traders. However, President Sata's passage of a Presidential Decree in 2011 to allow street vending, indicates an impact on collective benefits (War on Want 2014).

Limited agency for street vendors: resource constraints and growing disconnect between SMOs and constituents

As street vendors constitute the most marginalized group among traders, I will focus on how their agency has been affected by the social movement. Despite internal conflict, and the lack of formal ties between the umbrella bodies and street vendor association, the movement has arguably had some impact on the agency of the street vendors. War on Want (2014) found that street vendors were able to mount considerable pressure on the government in the run-up to the 2011 elections, and attributed this to AZIEA's success in training thousands of vendors. An official from the Lusaka City Council explained that the street vendors' movement was very difficult to stop because it was a global phenomenon—which confirms that the movement is indeed becoming politically powerful.²⁹³

A representative from the SVA argued that the government did not understand the problems of street vendors, and stated that “we are the experts.”²⁹⁴ As elite actors from the bank sector and corporate world often depended on street vendors, through their supply chain, the SVA claimed that street vendors would have the political power to change things if they were properly organized. However, he claimed that the street vendors themselves did not realize this, and would instead argue about petty issues and

²⁹³ Officer at Lusaka City Council. Nov 20, 2013, Lusaka.

²⁹⁴ Street Vendors' Association. Dec 2, 2013, Lusaka.

be easily cornered. Although many small vendor associations existed, they would break easily. While freedom of association allowed them to be independent, the biggest challenge was destitution and achieving representation through one strong voice.²⁹⁵

An additional problem for the ability of the SMOs to empower the street vendors was limited resources. AZIEA's overall membership of approximately 23,000 (in 2013) shows that only a tiny fraction of the Zambian informal sector is organized by the alliance.²⁹⁶ An AZIEA representative explained how limited resources had prevented them from being able to recruit more members, by restricting their capacity to provide information and training to their grassroots base.²⁹⁷ While AZIEA needed to be perceived by informal workers as working for their interests, any ability to empower and mobilize informal traders was severely curtailed as long as there were no resources for communicating with (potential) members about their socio-economic rights. The organizations therefore had to rely on external support to carry out their activities.

Another challenge pertaining to recruitment was that members were impatient to receive immediate benefits after organizing, which the unions and AZIEA could not supply.²⁹⁸ AZIEA found it hard to identify a mechanism that could provide benefits to informal workers, such as social protection, due to problems in assessing who is earning what. Street vendors do not deposit their earnings in bank accounts.²⁹⁹ The Alliance had tried to establish a revolving trust fund, but found it difficult to convince people of the long-term benefits.

²⁹⁵ Ibid.

²⁹⁶ AZIEA had 48,000 members until the de-registration of two traders' associations. I will explain this de-registration in the next section on political encroachment on social movements.

²⁹⁷ AZIEA. Dec 9, 2013, Kitwe.

²⁹⁸ Ibid.

²⁹⁹ ZCTU. Dec 6, 2013, Lusaka.

At the same time, membership meant an extra cost for members. Street vendors were reluctant to be levied by the government, as taxation would affect their profits. And since regulation equals taxation, the informal sector overall was highly skeptical.³⁰⁰ Living on the economic margins, street vendors found these costs unaffordable, and shunned any strong body that would bring them close to the government.³⁰¹ Thus, AZIEA could not attract members because it could not provide tangible benefits seen as worth the extra cost of membership. Failure to mobilize members in turn limited the Alliance's resource base. As mentioned already, one reason that the Street Vendor's Association had been de-registered was its failure to pay the subscription fee.

The consequence of the conflict between AZIEA and SVA was that while the street vendors had previously been formally organized by these SMOs, their collective agency was later restrained through this channel. After ZCTU de-registered the SVA, street vendors only had indirect representation, and lacked decisionmaking power within the organizational structures representing them. The street vendors were therefore primarily empowered through trainings and collective mobilization, but such trainings were few in number. The marketers' associations, by contrast, were affiliated to AZIEA and had formal representation within the movement.

To sum up, the movement seeking to organize informal traders, and street vendors in particular, has been highly dependent on scarce, external resources. Although external resource mobilization appears to have given the movement some leverage that it might otherwise not have had, these SMOs have struggled to establish a material resource base aggregated from its constituents. It has also suffered from internal conflict and fragmentation—partly as a result of conflicting interests, and partly as a result on disagreements on how to spend scarce resources. Apparently, the solutions that AZIEA and the Lusakan Street Vendor's Association were offering the street vendors failed to mass-recruit this constituency. Whether this was due to failure to resonate properly with the interests of the street vendors, to resource constraints, or distrust of

³⁰⁰ ZCTU. Oct 12, 2012, Lusaka.

³⁰¹ ZCTU. Dec 6, 2013, Lusaka.

these organizations is unclear. Endogenous challenges seem partly to blame for this failure. However, Chapter 10 will show how the weakening of the movement also was a result of political re-encroachment by the Patriotic Front (PF), which exploited the movement's weaknesses to effectively co-opt the street vendor constituency, during and after the 2011 elections. According to the SVA,³⁰² street vendors were easier to organize when they were chased and hassled—not when business was going well.

9.2.2 Emerging citizen-based agency through a consistent slum-dweller movement

Introducing the umbrella SMOs

In the 1990s, some international and local NGOs began to push for action in response to the lack of adequate housing programs for Zambia's poor (Schlyter 1998: 262). According to Schlyter, NGOs carried out projects of housing improvement in cooperation with residents and, to varying degrees, with support of the government. While the local authorities were expected to allocate land and provide services, they had not been able to provide services in low-income areas, nor maintain what was once provided. In the new housing strategies of the 1990s, the government and local authorities were therefore given a facilitating role, while the implementing actors were to be the private sector, NGOs, CBOs and individual households (Schlyter 1998: 260).

This approach was based on recommendations from the Habitat Agenda adopted by governments at the UN Conference on Human Settlement in Istanbul in 1996.

Community projects were carried out in cooperation with, and funded by Oxfam, Irish Aid, World Vision, NORAD, UNICEF, Project Urban Self-Help (by the World Food Program) and a few other NGOs. Three INGOs were also mentioned in the National Housing Development Program: Project Urban Self-Help (PUSH), CARE, and Habitat for Humanity. A national NGO coordination committee was created, to be replicated at provincial and district level (Schlyter 1998: 267).

In the early 2000s, two organizations for slum-dwellers were established: the People's Process on Housing and Poverty in Zambia (PPHPZ) and Zambia Homeless and Poor

³⁰² Street Vendors' Association. Dec 2, 2013, Lusaka.

People's Federation (ZHPPF).³⁰³ The latter is a grassroots federation of the urban poor that was established in 2001; the PPHPZ is an NGO established in 2005 to support the federation (People's Process on Housing and Poverty in Zambia 2014). These two organizations define themselves as a movement of slum-dwellers that have joined hands to fight homelessness and poverty through savings. Their close ties are demonstrated by sharing the same office premises and the same director, and I will therefore refer to them jointly: PPHPZ/ZHPPF.

The slum-dwellers' movement emerged in response to the slum demolitions of the former MMD government, and recognition by civil society and the private sector that people needed to be able to provide housing for themselves.³⁰⁴ The issue of community-led approaches to housing development is therefore a relatively new phenomenon in Zambia. The movement blamed the difficult housing conditions on free market capitalism. A representative of PPHPZ/ZHPPF argued that to expect the free market to provide housing when 70 percent of the population was unemployed was "a fallacy, a joke."³⁰⁵ The government, the private sector and the banks were seen as having conflicting interests to those of slum-dwellers. The private sector was perceived to amass land from the government by giving money to corrupt government officials. The banks were not considered community-friendly, as they would not provide mortgages that people could afford, and only to the formally employed.

The SMOs also felt that development agencies such as the World Bank and EU institutions did not consider housing a serious development challenge.³⁰⁶ As there was little state involvement in housing in the West, such institutions did not understand the connection between housing and other issues such as HIV/AIDS, poverty and corruption. Frustration was expressed at the international organizations' belief that one size fits all, and the lack of assistance from donors and the government to help

³⁰³ Little academic research has been produced on recent social movements for slum-dwellers in Zambia. By implication, my material on movement organization of slum-dwellers will rely mostly on interview data.

³⁰⁴ ZHPPF/PPHPZ. Oct 4, 2012, Lusaka.

³⁰⁵ Ibid.

³⁰⁶ Ibid.

vulnerable people build housing structures. UN-Habitat, for its part, argued that “some NGOs, especially Habitat for Humanity and People’s Process, are managing to build down to the low earnings in Zambia, but it often involves some unsustainable practices such as subsidized land and interest rates. Their dwellings cost between USD 2,400 and USD 4,250 with ‘sweat equity’” (UN-Habitat 2012: 4).

The PPHPZ/ZHPPF works with poor, homeless communities for their right to decent and adequate shelter in urban areas, and to improve living conditions through community-led housing delivery. It has a two-pronged approach: access new land for informal settlers to build their own houses; and work with the communities living in these settlements to improve their conditions through service delivery on matters such as water, roads, and housing structures.³⁰⁷ The movement works to obtain individual and community titles for residents. It also wanted to establish a slum-upgrading fund where every community would be given money according to its needs. To upgrade houses, they argued, occupant certificates were important, but also the opportunity to borrow money for construction.

The members are residents of slums—both landlords and tenants (the latter constituted $\frac{3}{4}$ of the members).³⁰⁸ By 2015, 48000 families had joined the movement through saving schemes, which is the rallying point.³⁰⁹ The federation, ZHPPF, is thus member-based, and aggregates material resources through its constituents. The PPHPZ/ZHPPF considers itself as Zambia’s third largest social movement, after the Congress movement with affiliated unions (labor), and the churches. The federation attributed its size to how people were united through savings groups, where they could discuss the issues facing them and have a stake in the process. There are branches at the local, district and national levels. At the local level, there are between 15 and 50 members; these groups define their own rules. They save money, make their own decisions and initiate projects themselves. The ZHPPF mobilizes members by

³⁰⁷ ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.

³⁰⁸ ZHPPF/PPHPZ. Oct 4, 2012, Lusaka.

³⁰⁹ ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.

identifying key people—for instance relatives or church members—who know the federation. Those key persons call friends and neighbors and talk with them. If interested, they form a group. The federation explains their approach to homelessness and poverty, and their expected contributions.³¹⁰

The saving groups begin with a daily capital fund (monthly) and health savings, which are the backbone of the federation. When the groups have learned which members are credit-worthy, they can apply for loans to the district and national level. If proposals are viable, and there are recommendations and proof of performance, bigger loans can be approved for larger businesses or land projects. For house construction, members use the capital fund, and are given materials, not cash. This enables them to stop renting as tenants, and become landowners.³¹¹ The movement thus has a holistic approach to urban poverty, integrating land and housing issues with business-enhancing projects, acknowledging how these two dimensions overlap.

ZHPPF/PPHPZ is affiliated with Slum/Shack-Dwellers International (SDI). According to Slum/Shack-dwellers International (2015), ZHPPF is one of its 14 affiliates that represent a mature federation (of a total of 34 country affiliates), meaning it has achieved national or citywide scale and worked with governments on behalf of its constituents. Members of the federation have also visited sister-organizations in other countries, such as Zimbabwe and Namibia, to share information on their experiences.³¹² The SMOs receive no government funding, but list the following (“like-minded”) partners on their homepage: Zambian Governance Foundation, Tides, Homeless International, Comic Relief, Huairou Commission, Civil Society Environment Fund, Misereor, Cordaid and Lusaka City Council (People's Process on Housing and Poverty in Zambia 2014).

While the federation is not funded by the government, member savings, though small, are meant to provide leverage for resources from the government or international

³¹⁰ Ibid.

³¹¹ Grassroots member in ZHPPF. Nov 25, 2013, Lusaka.

³¹² Ibid..

partners. According to the PPHPZ, the movement has built a critical mass able to engage the power-holders, and members can now approach local councils when they have saved money, as the government is supposed to assist them.³¹³ The NGO, PPHPZ, provides technical support and mobilizes financial resources to augment the financial contributions of the poor in the federation (People's Process on Housing and Poverty in Zambia 2014). It facilitates the development of linkages and partnerships with central government, local authorities, CBOs, NGOs and other stakeholders.

The partnerships between the government and ZHPPF are based on what the government can provide within its capacities.³¹⁴ Local governments can provide free land, as well as refrain from taking charges for approval of plans from their own architects and engineers. Local governments have also offered to supervise and monitor projects free of charge. At the central level, the PPHPZ wants the government to contribute with the same or double amount as that of the savings groups, as is the practice in Namibia.

A main obstacle facing the movement is that the local government councils have simply run out of land. In Lusaka, most land has been taken up by privatization.³¹⁵ Therefore, the movement also tries to negotiate with private owners whose land is occupied by squatters. In these cases, the federation argues in favor of a “50/50,” “win-win situation,” where the poor contribute some money for compensation. ZHPPF/PPHPZ has also partnered with Lusaka City Council. They mark and map land for upgrading, and people in the settlements are given occupier licenses.³¹⁶ While Lusaka City Council collaborates with the PPHPZ on the slum-upgrading program, this program falls under the partnership with the UN-Habitat conducted in collaboration with a Japanese development agency.³¹⁷

³¹³ ZHPPF/PPHPZ. Oct 4, 2012, Lusaka.

³¹⁴ Ibid.

³¹⁵ Grassroots member in ZHPPF. Nov 25, 2013, Lusaka.

³¹⁶ Housing and Social Services at Lusaka City Council. Nov 29, 2013, Lusaka..

³¹⁷ Officer at Lusaka City Council. Nov 20, 2013, Lusaka.

In addition to ZHPPF/PPHPZ, the Zambia Land Alliance (ZLA) is a far-reaching umbrella body on land issues of concern to the poor. It was established in 1997 as a network of NGOs, faith-based organizations and CBOs that share a vision of fair land policies and laws that take into account the interests of the poor, by securing them access, ownership and control (Zambia Land Alliance 2008). The ZLA caters for various interests and issues across the country, including women's issues, the urban and rural poor, the environment, agriculture, democracy and human rights issues, and is meant as a platform for collective action. Its main activities are lobbying and advocacy, research and community participation. However, the Alliance does not provide land: it has an information-sharing role.³¹⁸

Uniting slum-dwellers to acquire formal tenure for land and house ownership

As regards framing for collective benefits, all slum-dwellers—whether structure owners or tenants—belong under the same federation via their grassroots affiliates. They are considered to have similar interests and objectives—to obtain formal tenure for housing, by acquiring land titles and constructing houses.³¹⁹ There do not appear to be any other SMOs representing conflicting sub-interests among the slum-dwellers.³²⁰ According to the ZHPPF/PPHPZ,³²¹ only the federation and UN-Habitat were doing low-cost housing in Lusaka, and the two were working together. Hence, ZHPPF is the only SMO umbrella representing and organizing slum-dwellers on a large scale,

³¹⁸ ZLA is governed by a Board of Directors made up of member organizations, District Land Alliances (DLAs), with an Executive Director and an independent legal advisor. Every second year, a General Assembly is convened that elects the Board of Directors. The General Assembly is attended by all members, DLAs, partners and donors. The ZLA has a secretariat in Lusaka with seven members, eight DLAs and other civil-society partners. The Secretariat provides a coordination role for members, engages in awareness-raising and information-gathering on land dispossessions, establishes and builds DLA capacity, and publishes land disputes. The DLAs have their own member network and management committees, but ZHPPF/PPHPZ was not listed as a member of the Lusaka branch. The Lusaka District Land Alliance has the following members: Women Environs; Caritas Lusaka; Zambia Institute of Environmental Management; Zambia Alliance of Women; and Katuba Women's Association. The ZLA also seeks to network and collaborate with national, regional and international bodies to share experiences on land issues (Zambia Land Alliance 2015). Oxfam, a well-known international NGO with a strong focus on pro-poor change, and a policy of working only through local partners, was involved in the promotion of the ZLA (Duncan et al. 2003: 40).

³¹⁹ The slum-dwellers federation has a holistic approach to homelessness and poverty, and their saving schemes can be used for micro-business, health or food production in addition to housing, if the members decide so.

³²⁰ In Kenya, such conflicts are quite frequent and create high levels of tension in the slums, as will be shown later.

³²¹ ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.

through membership with rights and obligations. Its objectives and strategies reflect those of the transnational movement.

Although the PPHPZ/ZHPPF is not a member of the Zambia Land Alliance (ZLA) nor part of the latter's District Land Alliances (DLAs), according to the ZLA website (2015), PPHPZ has nevertheless been consulted for ZLA's Land Policy Options Paper (Zambia Land Alliance 2008). This illustrates how the slum-dwellers' movement is embedded in a broader Zambian movement for poor people's right to land. The 2008 ZLA report, written in conjunction with member organizations and partners (including international experts), identified the key challenges and civil society's policy options for a new land policy (Zambia Land Alliance 2008: 3). Its recommendations were largely in line with those of the ZHPPF/PPHPZ on fundamental points.

Like the PPHPZ/ZHPPF, the ZLA report was critical to the first draft Land Policy, which leaned heavily on the principle of privatization and supply–demand mechanisms, as well as excessive state control, while communities remained disempowered (Zambia Land Alliance 2008: iv).³²² The ZLA report noted that new land policy should take cognizance of informal/squatter settlements in urban areas and devise a mechanism for achieving security of tenure, in line with what PPHPZ/ZHPPF wants. It further recommended a moratorium on forced evictions and removals without provision of adequate alternative land and shelter, or compensation for land in real market terms.

The report also called for provisions for land redistribution for the many Zambians squatting on council and corporate land (Zambia Land Alliance 2008: vii-viii), as well as land-use planning through a consultative process that would make these plans available to the general public in the given localities, and ensure access to resources necessary for livelihoods and fair benefit-sharing for local communities through collaborative and participatory land-use planning. Lastly, the report called for a decentralized Land Commission to be in charge of land allocation (Zambia Land

³²² This is in line with the World Bank Poverty and Social Impact Analysis on the Land Policy (2004, referred to in Zambia Land Alliance 2008: 5), which also concluded that the draft Land Policy would not contribute to poverty reduction.

Alliance 2008: 22). It attacked the cadre problem, stating that the “operations of party cadres and any other unauthorized persons in land allocation should be made illegal with stiff punishment for defaulters” (Zambia Land Alliance 2008: viii).

To sum up, a fairly consistent movement for slum-dwellers has emerged in Zambia, around collective identities/interests of access to secure tenure, and joint action. The SMOs rely on external support, but also on membership contributions, that come with rights and obligations. The joint report (Zambia Land Alliance 2008), as well as the activities and objectives of the slum-dwellers organizations, clearly show that the movement for accessing land and secure tenure for the poor seeks to dismantle the political clientelism that accrues from the informal land market. That means that the social movement for slum-dwellers is challenging the foundation of the neopatrimonial state. None of the social SMOs were explicitly partisan: instead, they pursued a political strategy of engaging the government of the day. The organizations worked with all government levels, depending on the issue at stake, and sought to provide input into legal processes, regulations and policy.

Regarding Amenta et al.’s (2010) four categories of political impact, the draft for the new national land policy was not yet finalized by 2015. However, the slum-dwellers’ movement has achieved some progress for its members in terms of accessing land and support for house construction, through collaboration with local government bodies as well as donors (UN-Habitat’s slum-upgrading project). Seeking partnerships and collaboration with the government is considered a cumbersome process, but more fruitful in the long run.³²³ According to the ZHPPF/PPHPZ, local governments and councils have demonstrated some commitment. The movement has successfully engaged local authorities in seven towns to provide land and other support to grassroots affiliates.

³²³ ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.

Emerging citizenship agency for slum-dwellers who commit to savings and government/donor collaboration: partial evidence

Previous research on CSOs engaged in slum-housing and upgrading has found that the Zambian land associations were the community-based associations that most clearly represented the interests of poor people (Duncan et al. 2003: 41). According to Duncan and co-authors, the collaboration between ZLA and Oxfam showed that it was possible for an international NGO to act as a facilitator for local groups without imposing its own agenda.

However, examples of the converse have also been identified. Ishani and Lamba (1996, referred to in Schlyter 1998), assessed a partnership between a local NGO, Human Settlements in Zambia (HUZA), and the international NGO, PUSH, who worked on upgrading informal settlements in the 1990s. The two organizations disagreed on whether food for work on public works in settlements was an incentive that enhanced or distorted long-term sustainability in community-based upgrading. Mainly female “volunteers” were working in the local community, simply for the food. The local NGO felt that while it was trying to instill self-reliance in the community, the international NGO, PUSH, was thwarting this through these food incentives (Ishani and Lamba 1996, referred to in Schlyter 1998: 268). When the local NGO pulled out of the partnership, the PUSH program continued with former employees of HUZA, which thereby lost experienced staff (Schlyter 1998). This example illustrates how decisionmaking has been made from the top, while financial incentives have been used both for “volunteer” participation and potential staff recruitment.

While far from the majority of Zambia’s slum-dwellers are members of the slum-dwellers’ federation, ZHPPF, an estimated membership of 48,000 families in 42 local municipalities (People’s Process on Housing and Poverty in Zambia 2014) still reflects a movement whose framing and mobilizing strategy resonate with substantial segments of its constituency. As explained by one grassroots member,³²⁴ community people who feel they need to work together form housing savings schemes to have a voice for the whole group. As resource mobilization is based on members’

³²⁴ Grassroots member in ZHPPF. Nov 25, 2013, Lusaka.

contributions, these savings demonstrate their willingness and ability to invest in the movement.

Formal mechanisms are in place to provide members with autonomy to elect representatives and decide on their own economic priorities within certain parameters. There is also supposed to be a democratic process of vetting how many members from each group ought to benefit (the most vulnerable) when land is given for free by local councils.³²⁵ Thus, the federation appears to have a legitimate claim to represent its constituents.

Furthermore, the chain of actors from the grassroots to the top does not appear long or hierarchical within the movement, at least in Lusaka. The NGO and federation body, which constitute the link between the grassroots associations and the donors and government, share office premises in Lusaka that are highly open and accessible for their members.³²⁶ Hence, there would seem to be fewer physical barriers to accessing information and communicating with the leadership. Provided that information about the movement's internal organizational processes is transparent and accessible, and that elections and decisionmaking are actually conducted in a democratic manner, these SMOs would represent a case of representative and accountable actors that enhance the citizen-based agency of constituents to advance their housing interests. However, due to lack of data, it is not possible to say anything about the informal dynamics and power asymmetries within the movement, beyond what has been provided here. Therefore, I will use its "sister" movement in Kenya to illustrate how power asymmetries may manifest themselves if the economic and political incentives are present.

However, one main barrier of entry to the movement is that members must contribute with their own savings. That means that the most destitute will not be able to become formal members of the movement. Still, according to a representative of

³²⁶ I base this conclusion on personal observations while visiting their office premises. Members from grassroots affiliates would move in and out of the buildings, and the office staff was available and forthcoming.

PPHPZ/ZHPPF, the fact that considerable funds are raised by churches, and that people can afford to buy beer, means that there are opportunities for people to save small sums.³²⁷ As formal land plots and houses are too expensive for individuals, and access to government and landowners is limited, such savings groups may be the only opportunity for people to acquire their own homes. In addition, the PPHPZ, together with the Zambia Land Alliance, has provided input to policy and law drafting processes that would, if adopted, protect the rights of all slum-dwellers (ban on evictions), and not only members.

Furthermore, while the movement aggregates resources from its constituents, it also depends on the ability of the PPHPZ to mobilize technical, financial and material resources for operation and project support from the government and external funders. The collaborative partnerships between the PPHPZ/ZHPPF, government and donor agencies place certain restrictions on which slum-dwellers are allowed to participate, and on what terms. For instance, as the role of the slum-dwellers' movement in UN-Habitat's slum-upgrading project is one of participation and consultation,³²⁸ but the houses will benefit the owners of the former housing structures, tenants are marginalized within such public-private projects. Tenants will be subjected to market mechanisms that will force those who cannot afford the new rent levels to leave and seek accommodation elsewhere.

As regards agency, the movement has created a platform for voice, inclusion/participation in land and housing processes, and the organizational infrastructure (savings groups) for formally acquiring land and support for housing construction. Successful grassroots members have been able to leave the informal land markets characterized by insecurity, forced evictions and demolitions, which have been used as instruments for political clientelism. However, without broader legal and

³²⁷ ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.

³²⁸ Housing and Social Services at Lusaka City Council. Nov 29, 2013, Lusaka.

Officer at Lusaka City Council. Nov 20, 2013, Lusaka.

policy reforms, the transformational potential of the movement is still limited, given its non-confrontational stance, membership criteria, and limited land available for its current approach. The scope and number of beneficiaries are still small and depend on savings ability.

Table 13 summarizes the power asymmetries between SMOs for informal traders and slum-dwellers on the one hand, and their constituents on the other, which contribute to clientship or even subalternity (exclusion) for the latter. The analyses has shown that problems of exclusion are encountered by both tenants and street vendors within movement structures. Formal membership criteria, and projects with partners (government and donors) can result in the more marginalized groups being excluded, or finding it in their best interest to remain outside. A top-down approach based on pre-defined agendas, together with the lack of collective decisionmaking that would include all stakeholders, has limited the agency available to the grassroots through these movements. However, resource constraints also limit the ability of the movement umbrellas to reach their constituents with information, and to engage them. Overall, the slum-dweller movement has been more successful in recruiting members (tenants as well as structure owners), and appears to be a vehicle for more autonomous, citizen-based agency. The street vendors have recently become less connected to the movement umbrellas, without much agency within the SMOs.

Table 10: Mechanisms that forge clientship agency between Zambian CSOs and their constituents

| | |
|------------------------|---|
| Information | <ul style="list-style-type: none"> • <i>Exclusion from participation and consultation</i> • <i>Lack of communication channels/information on activities and programs</i> • <i>Lack of training on rights and benefits of organizing</i> |
| Decision-making | <ul style="list-style-type: none"> • <i>Formal membership and inclusion in projects depend on ability to save/pay fee</i> • <i>Participation without collective decisionmaking rewarded with financial/food incentives</i> • <i>Engagement in donor-financed slum-upgrading projects based on consultation, not collective decisionmaking</i> • <i>Exclusion of tenants from slum-upgrading projects for house ownership</i> • <i>Lack of formal representation of associations for sub-interests (street vendors) within umbrella body that also represents conflicting interests</i> |
| Coercion | <ul style="list-style-type: none"> • <i>Expulsion of tenants through slum-upgrading projects that favor informal structure owners</i> |

9.3 Kenya

As in Zambia, Kenyan civil society is highly dependent on external resource mobilization. In 2005, 91 percent of the total funds of USD 213 million that Kenyan NGOs reported to raise came from international sources, while only USD 1.5 million came from the Kenyan government (Brass 2012: 210). Hearn (1998: 98) claims that the involvement of the Kenyan voluntary sector and non-state actors in the official aid system has had four major consequences. First, Western actors have expanded their intervention in African societies, making alliances with those they “can do business with” and who speak the same language. Second, these partnerships have created high dependency and an un-rooted civil society. Third, NGOs have become political actors and implementing agents of new policy agendas drawn from the West. Fourth, their community-based model of development has deviated from an understanding of development as social transformation with universal services and equity (Hearn 1998: 98-99).

After Kibaki’s electoral victory in 2002, most donors shifted their funding into a government-run fund, rather than channeling funding directly to various activist organizations (Press 2012: 453). Most large donors operating in Kenya use a basket system where they pool money to civil society umbrella bodies,³²⁹ such as Uria (“responsible citizenship”) and Amkenyi Wakenya (“citizens arise”).³³⁰ By 2012, several “foot soldiers” from the democracy and human rights movements of the 1990s had moved into various professional positions in NGOs, where they were doing non-confrontational civic education and democracy/human rights advocacy, relying heavily on foreign donors and their particular agendas (Press 2012: 453).

The NGOs’ financial dependency on donors has been seen as threatening their autonomy and accountability to the public (Kameri-Mbote 2000: 13). Few NGOs were considered to cultivate internal democratic institutions, and some were accused of

³²⁹ The Norwegian Embassy. March 20, 2014, Nairobi.

³³⁰ When I tried to pay a visit to Amkenyi Wakenya, a guard told me that the taxi was not even allowed to stop outside the premises, and that it was impossible to enter the area without an invitation (my e-mail request had not been responded to). The experience illustrated how inaccessible these civil society umbrella bodies are to ordinary citizens.

embezzling funds. Kameri-Mbote (2000: 15) found that problems of internal democratic procedures became aggravated when donors were more interested in short-term, output-oriented project methodologies, regardless of the management structure of NGOs. Loss of autonomy, however, was considered to be reduced through clearly articulated principles that funders adhered to, effective coordination among themselves, as well as by avoiding competition for resources and attention (Kameri-Mbote 2000: 15).

Earlier findings were confirmed by my interview respondents. Some interviewed NGO staff were open about being donor-driven, and that their engagement was based on donor needs and wants.³³¹ For instance, one respondent explained that the issue of housing rights for informal settlements was not considered very suitable in 2012, because donors wanted to build capacity before the elections. A journalist and activist claimed that elites from the NGO sector, including himself, knew what the donors wanted and tried to write proposals accordingly; he also described the donors as their “cash-cow.”³³²

Representatives of almost every grassroots organization I spoke with stated that their organizations were in search of donors and that without them, it would be difficult to continue their work. However, donors were generally perceived as highly inaccessible to grassroots respondents. Donors commonly use implementing partners, such as NGOs, to carry out their programs, due to the drain on resources that implementation entails.³³³ When NGOs entered communities to organize them and initiate activities, they often arrived with a clear agenda, and met with local people only after decisions had been made.³³⁴ There has been the feeling among grassroots actors that as the support of these external actors is based on helping and welfare, anything they give is good enough.³³⁵ It was considered difficult to hold accountable someone who is

³³¹ Journalist and activist. March 3, 2014, Nairobi.

³³² Ibid.

³³³ The Norwegian Embassy. March 20, 2014, Nairobi.

³³⁴ Youth activist in Langata/Kibera. Oct. 2012, Nairobi.

³³⁵ Professor at Institute for Development Studies (University of Nairobi). March 20, 2014, Nairobi.

“giving” money or support voluntarily. However, if ordinary people are to claim rights, they need to know what to expect from the aid they receive, and be able to budget expenditures. Whereas international agencies were perceived as having good intentions, the dependency created by aid could “kill initiative and imagination.”³³⁶

In areas where many donors are engaged, such as youth groups, there has been duplication of activities and fragmentation. Some youth groups have themselves suggested joining into larger units in order to establish a critical mass.³³⁷ The type of funding that donors put into training activities has also been criticized. There has been a tendency among NGOs to give sitting allowances to participants in trainings: “There are so many NGOs that make money in the name of Kibera. We have been trained enough.”³³⁸ The problem has been described as one of “professional” conference-goers who participate because of the allowances they receive, not motivation.³³⁹ Donors are also accused of paying people to attend protests: “We organized Occupy Parliament, but donors give money even for protests. It is my life, my children. But if I have to be paid for protest, seriously?”³⁴⁰

Although much of the engagement of local activists is officially based on “voluntarism,” travel allowances or the lunch provided at such activities may be their only income. Most would prefer having a job, but they need to volunteer more than full-time for a broad range of donors and different projects in order to ensure food on the table. This situation obviously presents dilemmas for funders, who wish to provide some support but cannot employ these activists. In any case, without proper mechanisms to ensure that the projects actually reflect local community interests and needs, the result may be a waste of time and effort for all parties.

³³⁶ Youth activist in Langata/Kibera. Oct, 2012, Nairobi.

³³⁷ Ibid.

³³⁸ Journalist and activist. March 3, 2014, Nairobi.

³³⁹ National Cohesion and Integration Commission. March 25, 2014, Nairobi..

³⁴⁰ Journalist and activist. March 3, 2014, Nairobi.

The dependency relations created through the extraverted resource strategy of civil society make it increasingly difficult to differentiate donors from political patrons who buy political support for money. Yet, engagement with the urban poor grassroots seems more prevalent in Kenya than in Zambia. Furthermore, member-based social movements explicitly dealing with the socio-economic interests of the urban poor have also evolved in Kenya over time.

9.3.1 Street vendor clientification through a business-oriented movement for informal trade

Introducing the umbrella SMOs

In the 1990s, several associations for informal traders, hawkers and street vendors emerged. The Nairobi Hawkers' Association comprised all hawkers—vegetable sellers, kiosk operators, *mitumba* (second-hand goods) dealers, tailors, textile sellers, open-air garages, woodcarvers, watch repairers, furniture makers/ carpenters, charcoal dealers and more (Chune and Egulu 1999: 18). These associations, however, were fragmented and weak (Mitullah 2003: 17). During the 2003 relocation of street vendors from the CBD to new market sites, street vendor associations were not effectively used. The city authorities engaged representatives of street traders from various areas of the CBD, but their role was mainly to hear about the packages offered by the authorities, rather than being engaged in negotiation and dialogue—and that made most street traders “feel betrayed” (Mitullah 2003).

Currently, the social movement for informal traders is centered on the Kenya National Alliance of Street Vendors and Informal Traders (KENASVIT) and its affiliates. However, other umbrella bodies, such as the Nairobi Hawkers' Association and the Jua Kali Federation are still present and active. KENASVIT was established in 2005 through a joint proposal from the Institute for Development Studies at the University of Nairobi and stakeholders among street vendors and informal traders (Mitullah 2010). KENASVIT was initiated based on research on women and street vendors that concluded that street vendors lacked the capacity to organize themselves and have a strong voice on matters that affected them at local and national level (Alila and

Mitullah 2000). Their problems included lack of trading sites, credit, infrastructure and services, as well as harassment by local authorities.

KENASVIT's chief aim is to move beyond welfare to improve business through lobbying and policy influence, as well as by building street-vendor capacity to dialogue and negotiate, to reduce harassment from authorities (KENASVIT, March 29, 2014; Mitullah 2010). KENASVIT pursues an amicable lobbying strategy towards the government—"a marriage of convenience."³⁴¹ The main objective is for policies to get accepted. KENASVIT argues that, without legal backing, unwritten decrees will change with the mood of politicians, and be in "quicksand."

The organization is managed by a National Executive Committee (NEC), which is composed of a Management Committee, Urban Alliance Committees and Local Association Committees (Mitullah 2010: 189). This is facilitated by its Secretariat in Nakuru, which coordinates KENASVIT's activities and serves as contact point for members and other development partners. Eight key leadership positions—including chair, secretary and treasurer—are filled through elections, every fourth year. Every urban affiliate is entitled to elect one representative to sit on the NEC. The Management Committee works closely with the Secretariat, while the NEC and the Annual General Assembly meet quarterly and annually, respectively (Mitullah 2010: 191). The Alliance Constitution prohibits political positions.

By 2010, KENASVIT had 3000 members from 140 local associations in seven urban alliances, mostly traders and service providers.³⁴² It holds meetings (funded by DFID) with the leadership of markets to inform about their organizations and opportunities.³⁴³ For those who show interest in following up, closer collaboration is established. The organization planned to expand from 16 to 47 counties, as they considered their focal

³⁴¹ KENASVIT. March 20, 2014, Naivasha.

³⁴² Ibid.

³⁴³ Department for International Development.

issues—harassment, adequate market access, political interference, HIV/AIDS, disabilities and youth unemployment—to apply to all towns.³⁴⁴

Streetnet International leveraged the seed funding for activities that led to the establishment of KENASVIT (Mitullah 2010: 189), and has later provided capacity-building training to organize members. KENASVIT also had an agreement with DFID, which has been a main support partner, but this agreement was to end in a few months after my interview.³⁴⁵ USAID has supported KENASVIT, but only through small-scale activities; the Alliance has also had voluntary interns from abroad.

The Nairobi Informal Sector Confederation (NISCOF) is a KENASVIT affiliate that represents small groups of street vendors, hawkers and marketers in Nairobi. Their key mandate is to advocate for a good work environment, including policies, work sites and formalization; access to capital and training; inclusion in policymaking bodies for more comprehensive planning; and good market locations.³⁴⁶ NISCOF conducts advocacy for rights enshrined in the 2010 Constitution as well as for change in county policies that can be “brutally” applied. For the short term, work sites and evictions were considered the largest challenges, as members were evicted without being given a new space (for instance when a new road was to be constructed).

NISCOF especially focuses on inclusion in policymaking processes at the county level, based on the Urban Areas Act. The county governments are accused of poor planning, and of responding only when there is a crisis. Markets planned for 6000 people may end up accommodating twice as many. Market sites may also be sold to private developers, and the traders would not know of this until actual demolition work begins.³⁴⁷ The county government is also accused of charging informal fees, including on roadsides. At the Stakeholders’ Forum on Taxation and Accountability in 2006, NISCOF argued that street vendors do pay tax indirectly, through bribes to city

³⁴⁴ KENASVIT. March 20, 2014, Naivasha.

³⁴⁵ Ibid.

³⁴⁶ NISCOF. March 19, 2014, Nairobi.

³⁴⁷ Ibid..

inspectors, and that they would be able and willing to pay tax in return for services (Kamunyori 2007: 17).

NISCOF has approximately 1100 members, through its affiliated associations.³⁴⁸ In 2005, an estimated 70 percent of NISCOF's members were considered to be street vendors (Kamunyori 2007: 15). While the membership is primarily Kikuyu (the street-vendor population in the CBD is 65 percent Kikuyu), its Secretariat has representation from other tribes as well. NISCOF has work to ensure that all tribes are welcome, and does not consider itself to be ethnically-based (author interviews; referred to in Kamunyori 2007: 53). According to NISCOF,³⁴⁹ most members are engaged in micro-businesses and live and work in poor areas like Kibera. Vendors with more capital have not been interested in organizing.

The Nairobi Central Business District Association (NCBDA) is a private agency formed by prominent corporate firms in 1997. The agency has been anchored in the Indian business community and has approximately 100 corporate members from the manufacturing industries and hospitality industry (including Hilton Hotel, Total Kenya, British American Tobacco), representing a group that contributes about 20 percent of Kenya's GDP (Morange 2015: 255). The NCBDA has sought to stop undesirable activities such as street vending, resulting in street vendors' displacement to Muthurwa Market in 2007. It focuses on revitalizing the CBD through public-private partnerships and privatization of services. Its activities range from management of street trading to community policing, upgrading of public toilets, and greening. The NCBDA's programs are funded by private donors such as Ford Foundation, but also USAID and UNDP (Morange 2015: 255).³⁵⁰

Eventually, the NCBDA concluded that its objective of a clean, modern-looking city for its businesses (especially in the CBD) could be solved by providing appropriate

³⁴⁸ Ibid.

³⁴⁹ Ibid.

³⁵⁰ From initially having a confrontational stance towards local government, NCBDA is today a partner with the City Council and the Kenyan police services, and it also sits on the governing council of the provincial administration. The former NCBDA Chairman was appointed Town Clerk in 2009.

worksites for street vendors (Kamunyori 2007: 66). NISCOF was the result of a project undertaken by the NCBDA in 2003, funded by USAID under their “Appropriate Governance for Informal Trading” program. The project culminated in a socio-economic survey of street vendors in the CBD, and also the inception of NISCOF (Kamunyori 2007: 40).

In 2003, The Kenya Private Sector Alliance (KEPSA) was created as an alliance of formal, private businesses as “the single voice for the private sector,” to provide input to national policies and reforms to improve the business climate in Kenya (Kamunyori 2007: 42). It was born out of a forum of 74 associations that came together to provide input for the Poverty Reduction Strategy Papers (PRSP) process, due to IMF and World Bank conditionalities of “participatory” processes. The Alliance focuses on areas such as security, access to credit, overregulation, unfair competition and high taxation, and aims to become an equal partner with government in the formulation of economic policy.

The willingness to engage with micro- and small enterprises was attributed to the NARC’s government political platform of including the informal sector (Kamunyori 2007: 45). Street vendors, through NISCOF, are members of KEPSA. According to Kamunyori, KEPSA has supported and funded capacity-building workshops for NISCOF members, and NISCOF members attend monthly meetings. Both NISCOF’s Chairman and Secretary had seats on the Informal Sector Board of KEPSA, and the Vice-Chairman of the Board was NISCOF’s chairman (Kamunyori 2007). KEPSA provides most outlets for the products of NISCOF members.³⁵¹ In addition to NCBDA, KEPSA and KENASVIT, NISCOF partners with the Jua Kali Federation, and also cooperate with the Central Organization of Trade Unions (COTU). According to NISCOF, these organizations work to speak with one voice when they face a “very big challenge.”³⁵² The confederation also has had a range of international funders, including DFID.

³⁵¹ NISCOF. March 19, 2014, Nairobi.

³⁵² Ibid.

The COTU, formed in 1965, is the only trade union federation in Kenya. COTU's own membership estimate is 1.5 million, with the largest sectors being agriculture, building and construction, followed by county government employees.³⁵³ COTU's strategy towards informal sector workers includes plans for the provision of services to informal groups, and the organization of informal workers into cooperatives and welfare associations (Omar 2008). While the transport sector has shown considerable interest in organizing, COTU does not have a formalized relationship with the street vendors and hawkers.³⁵⁴ According to COTU, the organization wants to cover the self-employed, but the employer's associations claim that the informal self-employed belongs to them.³⁵⁵

Uniting informal traders under employer/business groups by bypassing pre-existing umbrella organizations

The movement for informal traders appears to be growing increasingly consistent in its work to organize informal traders. Their strategy for legalizing and formalizing informal traders in practice serves to dismantle the informal and often clientelist manner in which informal traders have been engaged in politics. The SMOs work for the recognition and rights of informal traders who engage in micro-and small-scale business, to reduce harassment and improve their working conditions. None of the organizations are explicitly party-partisan, and they seek collaboration across the political spectrum to achieve their objectives.

To build a stronger movement, KENASVIT encourages networks with other NGOs to team up on relevant issues of informal settlements, land ownership or sanitation. The Kenya Land Alliance, for instance, facilitated KENASVIT's participation in the formulation of a national land policy (Mitullah 2010). The movement has also collaborated closely with transnational actors, such as StreetNet International. KENASVIT was also assisted by Streetnet, together with the Kenya Land Alliance and

³⁵³ COTU. Oct 29, 2012, Nairobi.

³⁵⁴ COTU. March 13, 2014, Nairobi.

³⁵⁵ It should also be mentioned that a plethora of youth organizations and other organizations promote micro-finance and self-employment in Nairobi, funded by various NGOs or other donors.

Pamoja Trust, to participate in the World Social Forum in Nairobi, Kenya. The UUSC facilitated KENASVIT's participation in the development of MSE Act.

Nonetheless, there are challenges within the movement for informal traders, leading to fragmentation and inter-organizational conflict. In contrast to Zambia, the dominant SMOs for informal traders affiliate with private-sector bodies and not the traditional trade union structures. While COTU claims that it wants to organize the informal self-employed, KENASVIT argues that it has tried hard to link up with COTU, without much success.³⁵⁶ For instance, KENASVIT claims that COTU did not send a representative when KENASVIT and Streetnet International organized talks on the informal economy. KENASVIT is of the opinion that COTU prefers members who can provide direct deductions, and that it fears that COTU members would not be elected in a collaborative arrangement.

There have also been conflicts and fragmentation among the associations that represent informal traders specifically. Kinyanjui (2010: 28) has criticized KENASVIT and NISCOF for disregarding existing *jua kali* clusters by superimposing new *jua kali* welfare associations, sometimes creating parallel organizations that front the same agenda, but with different strategies and poor integration. While these groups are considered “progressive” because they meet the prescriptions and requirements of the government and development practitioners, she claims that they do not necessarily command the constituents of *jua kali* clusters that have multiple social formation dynamics (Kinyanjui 2010: 28). The original associations have not been allowed space or opportunity to use their coordination and organizing strength in markets and societies without losing their identity, and may even be branded as troublemakers who defy government regulations and “progression” (Kinyanjui 2010: 33). Also Moyi (2014: 22) finds that conflicts between Kenyan umbrella associations for MSEs can be ugly and difficult to resolve.

As for securing collective benefits for their members, KENASVIT and NISCOF seem to have drawn the longest straw, in terms of engaging with government bodies.

³⁵⁶ KENASVIT. March 20, 2014, Naivasha.

Already in 2006, the Nairobi City Council formed the NCC Stakeholders Forum to build relationships between the informal sector and the regulatory arms of the government (Kamunyori 2007: 41). NISCOF participated in the review process of by-laws used by the City Council Inspectorate to harass hawkers. The Ministry of Local Government and the Ministry of Labor and Human Resources also held stakeholder forums where NISCOF participated through KEPISA (Kamunyori 2007: 46). Through these processes, street vendors were promised ten new markets as well as upgrading of existing ones in the CBD and surrounding areas.

The Presidential Decree of 2007 to establish Muthurwa Market was well-received by NISCOF (Kamunyori 2007: 45). Muthurwa was initiated to take into consideration the livelihood needs of the vendors and be centrally located, which illustrates the increasing influence of mobilization of informal traders. The market was intended to shelter between 6500 and 8000 vendors who would occupy 1.75m² each. However, “the agendas of the NCBDA and of public authorities met on a territorial consensus,” (Morange 2015: 257) whereby Muthurwa market became part of a scheme to make all traders operate from designated areas outside the CBD. Street trading thus became strictly forbidden after the 2007 municipal bylaws were passed. This shows the ambiguities in the approach that is intended to empower street vendors. During the vendor relocation to Muthurwa, at least two hawkers’ associations were active in trying to organize the relocation, and both claimed that their association had been assigned main responsibility for coordinating the move (Lindell and Ihalainen 2014: 123). These associations did not collaborate, which led to fragmentation and conflict; and the relocation was characterized by violence.

Another accomplishment from the perspective of KENASVIT and NISCOF was the passing of the MSE Act (2012). The MSE Act was the result of a “tedious process” of consultation and negotiations between the private sector and the government.³⁵⁷

³⁵⁷ MSE-Authority. March 18, 2014, Nairobi.

According to KENASVIT,³⁵⁸ the organization joined hands with other actors, including MPs, in lobbying for the MSE Act, which is intended to provide a legal shield for informal workers, including street vendors. The MSE Act has several provisions that are deemed friendly and protective. The Act established the MSE Authority, which has the mandate to develop, promote and regulate the MSE sectors.³⁵⁹ The Authority is to function as a bridge between the organizations and the government, and its directors include members of the most successful umbrella SMOs, among them KENASVIT and NISCOF.³⁶⁰ The MSE Act also established a tribunal to deal with cases of disputes in the MSE sector.³⁶¹

Devolution has also had implications for the MSE Authority and the SMOs. As some of the laws and regulations that affect informal traders lie within the mandate of the local/county government, this limits the Authority's ability to impact on street vendor-friendly outcomes. It may review existing laws, but only give advice and recommendations to county and national government, and report any problems discovered. However, devolution has also "forced" the national management board of KENASVIT to engage with county level rather than the national level.³⁶² This is considered a "gift" by the Alliance as it has made negotiations and policy influence easier, and brought them closer to the grassroots. The Urban Areas and Cities Act (2011) provides for one member to sit on the board at county level. This makes it easier for the organizations to exert pressure from the inside, rather than through politicians who are often considered more interested in rewarding their cronies.³⁶³

³⁵⁸ KENASVIT. March 20, 2014, Naivasha.

³⁵⁹ MSE-Authority. March 18, 2014, Nairobi.

³⁶⁰ However, the authorities face a formidable task, given the magnitude of the sector and its own capacity constraints, in terms of resources, staff and national outreach (MSE-Authority, March 18, 2014, Nairobi).

³⁶¹ The tribunal is not under the direct control of the MSE Authority, but is an extension of the judiciary.

³⁶² KENASVIT. March 20, 2014, Naivasha.

³⁶³ *Ibid.*

More than 1000 MSE associations already registered under the old Societies Act would retain their status under the new regime.³⁶⁴ However, the new act differentiates among four MSE sectors—manufacture (furniture, pottery), service (car mechanic, mobile operator), trade (newspaper, roasted maize, hawkers/vendors), and agro-business (anyone in agriculture)—and associations are expected to re-organize to reflect these. The new law and policy frameworks have thus strengthened the new umbrella SMOs at the expense of existing federations and associations. According to the MSE Authority,³⁶⁵ the Jua Kali Federation is one of the existing umbrella organizations that have grassroots associations that are not organized according to sector, and thus will have to be re-organized.

The reason for re-organization is that these sectors require different kinds of regulations and development interventions.³⁶⁶ As hawkers need markets for their products, in a harassment-free environment, the idea is to create government-owned “incubation” spaces to produce entrepreneurs that are allowed to operate in that space for 10 years. Privatization of this land would mean that land facilities would be exhausted. However, as most land in Nairobi has already been privatized,³⁶⁷ the Authority can only encourage assistance to pool resources to buy land, or engage the county governments to set aside land for development.

To sum up, the movement for informal traders has obtained several collective benefits for its constituents in terms of legislation and policies, and the establishment of institutions and formal representation. The SMOs are nonpartisan and engage with government bodies. Thus, in practice they seek to replace the existing informal structures of governing that have been characterized by insecurity and clientelism. Still, the main approach towards street vendors is to formalize them and have them work in designated spaces, rather than on the streets. The new, extraverted approach

³⁶⁴ MSE-Authority. March 18, 2014, Nairobi.

³⁶⁶ MSE-Authority. March 18, 2014, Nairobi.

³⁶⁷ While almost all local municipalities set aside land for MSE operations as a response to a circular from the Principal Secretary (PS Karega) in 1996, only two sites were provided in Nairobi (MSE-Authority, March 18, 2014, Nairobi).

has also contributed to marginalizing existing organizational structures for informal traders, in turn leading to fragmentation and inter-organizational conflicts among the organizations representing informal traders. Hence, both in terms of joint action, identities and networks, there is fragmentation.

Resource mobilization leaning towards clientship

By 2007, tensions between the hawkers and the authorities were so high, after the presumed killing of a hawker by the city police, that the Ministry of Local Government described the situation as follows in a Cabinet Memorandum: “The problem of dealing with hawkers has become critical and urgent because of the increasing ferocity of conflict between the Council enforcement structures and the traders. The threat of a general and widespread breakdown in law and order is now very real” (cited in Lindell and Ihalainen 2014: 121). Thus, the informal traders have been able to mount considerable pressure on the government, and create instability in response to unfavorable policies.

According to Mitullah (2010), street vendors and traders were unable to engage the urban authorities before KENASVIT was established. Mitullah (2010: 190) claims that neutral third parties represented by research institutes and transnational organizations (Streetnet, WIEGO and UUSC) were required to initiate alliance-building, leverage resources for start-up, and engage authorities and member affiliates in policy dialogue on street vending. The new SMOs for informal traders have close transnational links, and especially the newer organizations mobilize their resources from external funders or the business community.

As a consequence of re-organizing, their working environment is considered to have improved: now they are engaged in several government initiatives, including the national land policy, the 2010 MSE Act, development of city by-laws, as well as the establishment of a hawkers’ market in the CBD. According to KENASVIT,³⁶⁸ vendors have increasingly been provided with alternative locations when they are removed; harassment has been reduced; and the authorities act in a more predictable fashion.

³⁶⁸ KENASVIT. March 20, 2014, Naivasha.

Affiliated member organizations have also increased their visibility, confidence and ability to influence urban policies (Mitullah 2010: 194). Furthermore, whereas a large corporation previously would have the resources to take MSE businesses to a high court, the latter are now encouraged to take their business disputes to the tribunal, even if the dispute is with the government or the authority (e.g. as with a refusal of registration).³⁶⁹

On the other hand, while more resources can enhance the opportunities for a stronger movement for street vendors and informal traders, the structuring of these resource flows have also contributed to engaging the latter as clients. KENASVIT considers its strength to lie in the number of informal traders, as their constituency represents the largest population, creating sizeable government revenues and participating in nominations and elections.³⁷⁰ However, whereas transnational networks have strengthened KENASVIT and NISCOF's own capacity and political leverage to influence policy, their membership base is still small, compared to the number of informal traders in existence.³⁷¹ A main challenge for KENASVIT has been to establish a sustainable resource base. The Alliance depends on donors, as it can only rely on small contributions from its members.

There are several reasons for the low membership base. According to Chune and Egulu (1999: 22), the failure of the unions to reach out to the informal sector is partly attributable to the small size of the workforce in these enterprises. As most are family businesses or employ less than five people, they argue that family or ethnic loyalties may count more than working class solidarity —indeed, collective action might even be interpreted as rebelling against one's family members or relatives (Chune and Egulu 1999: 22).

³⁶⁹ MSE-Authority. March 18, 2014, Nairobi.

³⁷⁰ KENASVIT. March 20, 2014, Naivasha.

³⁷¹ NISCOF. March 19, 2014, Nairobi.

Limited financial resources have also restrained the scope and objectives of NISCOF and KENASVIT. To improve the situation, KENASVIT has directed all the urban alliances to embrace a national social security fund for retirement.³⁷² Saving schemes to bring people together is considered another important component. According to NISCOF,³⁷³ the main reason why vendors do not organize is that they are poorly informed, and want benefits that are tangible. The benefits from policy are too abstract to communicate. Many traders become “dormant” members, and the income base shrinks below the level that can maintain staff for the organization. Furthermore, while transnational networks tend to focus on national bodies, the local grassroots organizations sometimes remain largely untouched (Mitullah 2010: 201). Resource problems for KENASVIT and its affiliates have resulted in ineffective communication to members, which can create suspicion and destroy synergies and collective identity (Mitullah 2010).

Another recurrent problem within the labor movement and among associations representing informal sector workers has been the emergence of “briefcase associations.” Many hawkers may refuse to join associations altogether, due to distrust and earlier disappointments, when their interests have been misrepresented or insufficiently protected (Lindell and Ihalainen 2014: 130). Many unregistered “briefcase unions” simply function as employment for their founders.³⁷⁴ They receive deductions from employers, but their members do not receive any services, and that destroys the image of the overall movement. Members on the ground might not even know that the association is not a legal entity, and it is expensive to take the leaders to court.

Leadership conflicts in MSE associations also emerge when incumbent leaders fail to comply with their organization’s own constitution and do not call elections.³⁷⁵ Some

³⁷² KENASVIT. March 20, 2014, Naivasha.

³⁷³ NISCOF. March 19, 2014, Nairobi.

³⁷⁴ COTU. March 13, 2014, Nairobi.

³⁷⁵ MSE-Authority. March 18, 2014, Nairobi.

leaders do not account for the resources provided to the association's members. If members become dissatisfied and angry, sub-groups may emerge that establish an interim office. These interim arrangements do not have legal power or access to accounts, but they may have the support of masses on the ground, resulting in clashes. Also in savings groups, a team of leaders may disappear with the money.³⁷⁶ As members are often ignorant of organizational matters beyond their own contribution, they face difficulties holding anyone to account. A consequence of such scams has been widespread suspicion of people who approach workers, seeking to support them.

However, it is easier to judge associations that actually do provide facilities or services, and also allow insight into budgets. That can remove grassroots suspicions that funding is being abused.³⁷⁷ Registration under the new MSE Authority is also intended to safeguard members against "briefcase associations." According to the MSE Authority,³⁷⁸ one of the first questions members now ask the leader of an association is whether the association is legal, or privately owned by an individual.

The umbrella associations usually have the upper hand in relations with the primary associations. When street traders were recognized as fully fledged partners in government-led consultative discussions on the National Land Policy and SME Act in the early 2000s, the NBCDA approached them, seeking to get them to share the goals and visions of other stakeholders through consensual debates, and to refrain from political protest (Morange 2015: 258). However, internal tensions have risen between traders (and their associations) who have benefitted from formal market space, and those who have remained excluded and on the outside (Lindell 2008).

Lastly, the law also creates limits of operation and compels members to tax payments. The main approach towards street vendors is still to formalize them and have them work in designated spaces, and not on the streets. If the new legal and policy framework is not followed up with adequate resources to improve the working

³⁷⁶ Professor at Institute for Development Studies (University of Nairobi). March 20, 2014, Nairobi.

³⁷⁷ Ibid.

³⁷⁸ MSE-Authority. March 18, 2014, Nairobi.

conditions of informal traders, street vendors will continue to be marginalized, also under the new system.

There are thus several mechanisms whereby informal traders are engaged as clients rather than citizens through their SMOs. The structuring of resource mobilization creates a paradox. On the one hand, because of their limited access to resources, the umbrella bodies depend on support from the business community and external funders to extend their outreach to these groups and include them in policy development. On the other hand, these sources of funding create dependency and incentives for rent-seeking behavior, at the grassroots level and also further up the chain. At the umbrella level, the struggle over representation and resources has been won by the associations that have been supported and aligned with the business community. At the grassroots level, street vendors who are not organized by the proper entities still have limited empowerment and access to vending space. Marginalized street vendors who cannot afford the fees, or informal traders organized under pre-existing organizations, may lose out to the now-predominant organizations that operate under the auspices of the business community. These informal traders may be excluded, or choose to opt out of the formal movement structures.

9.3.2 Tenant clientification in a joint movement for slum-dwellers

Introducing the umbrella SMOs

Beginning in the 1990s, a social movement for slum-dwellers with strong transnational networks has been steadily developing in Kenya. It is made up of networks of a range of CBOs, national and international NGOs, alliances and federations, with Pamoja Trust and Muungano wa Wanavijiji as focal points. The following section sketches the activities of some prominent movement actors.

Muungano wa Wanavijiji (formed 1996/7) is a federation and a settlement-based network of slum-dwellers, supported by a technical secretariat—Muungano Support Trust (Muungano Support Trust 2015). The federation describes itself as a movement of the urban poor, formed to address problems of forced evictions, insecure tenure and land-grabbing, as well as to improve livelihoods in poor communities. The federation

is established in 15 counties, representing more than 64,200 members in 300 informal settlements (Muungano Support Trust 2015). According to SDI (2015), Muungano is one of its 14 affiliates that represent a mature federation (of a total of 34 country affiliates), meaning it has achieved national or citywide scale and worked with governments on behalf of the urban poor.

Muungano organizes and mobilizes communities through daily saving schemes, community-led enumeration, city profiling and cross-settlement learning exchanges, and implements community-driven housing and infrastructure projects. Mobilization takes place through regional leaders who introduce the network and its core activities to communities by establishing of a leadership committee representing the interests of the street/block, as well as task teams (Muungano Support Trust 2015). Muungano operates an urban poverty fund—Akiba Mashinani—to provide affordable project financing and livelihood loans to its members. The federation also engages in advocacy and lobbying, as well as litigation, where community participation in the engagement with authorities on planning and implementation is central.

The technical secretariat—which consists of professionals—“interprets” the aspirations of the poor communities to assist them in transforming their neighborhoods, and is meant to be driven by community demand, which is considered “essential for success” (Muungano Support Trust 2015). The Secretariat builds collaborations with (foreign) universities, likeminded NGOs, CBOs, banks, donors, service providers and government agencies at various levels, and mobilizes social, technical and financial support for the federation. The Secretariat mentions Slum/Shack Dwellers International (SDI), the Rockefeller Foundation, Ford Foundation, Forum Syd, UN-Habitat and the Government of Kenya as notable partners (Muungano Support Trust 2015).

Pamoja Trust is an NGO that promotes access to land, shelter and basic services for the urban poor (Pamoja Trust 2015). It originated from the need for institutional support to the anti-evictions movements that arose in Kenya in the late 1990s. Pamoja Trust uses strategies such as community-based saving schemes, “slum” enumerations

and house modelling to create consensus on upgrading and tenure (Weru 2004). It develops pro-poor models and does advocacy work for participation of the urban poor, and works to strengthen the federations' own capacity to participate in decisionmaking. Pamoja Trust seeks to build a critical mass of communities that engage with municipal authorities or national government, by building internal capacity to oppose demolition and forced evictions. It collaborates closely with Muungano wa Wanavijiji and is an affiliate to SDI (Pamoja Trust 2015).

Other NGOs work with slum-dwellers' access to housing as part of their broader agenda.³⁷⁹ The international human rights organization Amnesty International (AI) has the right to adequate housing as a main focus in Kenya.³⁸⁰ Amnesty Kenya works against forced evictions and for tenure security in slums, as well as the provision of essential services that are often privatized.³⁸¹ It brings together a large number of stakeholders, including landlords and tenants, in committees to train them on the draft bill on evictions, and strategize with the slum residents on specific eviction issues. The NGO has also established Rapid Response Teams to potential victims in the slums at grassroots level.

Also the international NGO, Global Communities,³⁸² has engaged slum-dwellers through mediation, peace and reconciliation building, via the USAID-funded Kenya Tuna Uwezo two-year program and through collaboration with PeaceNet and Kituo

³⁷⁹ The Kenya Land Alliance, also an NGO, describes itself as an advocate for land laws and policies to ensure equitable access to land and natural resources in Kenya. It has lobbied, participated in and contributed to several government commissions to reform land law systems and the Constitution to ensure provisions of relevance for farmers, women, squatters, informal sector residents, traders (hawkers), among other groups. It also works for awareness-raising among communities and the general public on land issues (Kenya Land Alliance 2015).

³⁸⁰ Amnesty International. March 17, 2014, Nairobi.

³⁸¹ The role of Amnesty Kenya is to implement AI's global campaign, "Demand Dignity," where a core theme is adequate housing. These demands are based on the UN Covenant on Social and Economic Rights, to which Kenya is a signatory. Amnesty also aims to include slums into Kenya's Master Plan with the elements of adequate housing, schools, human rights clubs and gender equality. One of its main strategies involves capacity-building among rights-holders and stakeholders by training in strategic campaigning, petitions, media, digital monitoring of evictions, documentation, and lobbying (Amnesty International, interview, March 2014).

³⁸² Global Communities works closely with communities worldwide to bring sustainable change and improve the lives and livelihoods of the vulnerable, based on the philosophy that people understand their needs best. The organization was founded in 1952, initially named the Foundation of Cooperative Housing (Global Communities Kenya 2015).

Cha Sheria.³⁸³ After the 2007 post-election violence, it initiated mediation efforts between Taliban and Mungiki to prevent new clashes between them. Despite initial threats of being kicked out of the slum areas, it managed to organize meetings between the fighting groups. Dialogue eventually resulted in the two rival groups agreeing on a set of common goals, and the formation of a joint CBO. According to its representatives, both vigilante groups have now been disbanded.³⁸⁴

Introducing the grassroots associations (in Kibera)

At the grassroots level, more specific interests of sub-groups of slum-dwellers dominate. To illustrate this diversity, I focus on grassroots associations in Kibera. While some of these organizations mobilize on conflict dimensions that apply to all slum-dwellers, other grassroots associations organize around conflicting issues.

The Nubian Rights Forum works to obtain community-based ownership of land in Kibera, as opposed to government-provided slum-upgrading or private titling.³⁸⁵ For the Forum, ethnicity is totally engrained in their socio-economic interest; it holds that the only way Nubians can be empowered economically and politically in the face of discrimination, historical land injustices and government land-grabbing, is through community ownership of land.³⁸⁶ In addition to litigation, the Nubian Rights Forum organizes demonstrations and petitions, and lobbies politicians and government to support their claim for community land. After a sustained campaign by the Nubian Rights Forum, newly elected President Kenyatta in 2013 decided to grant the Nubians land title in Kibera. A task force led by the Cabinet Secretary negotiated the size of land (reduced from 600 to 300 acres) to be given to the Nubians; the remaining 300

³⁸³ Global Communities. March 11, 2014, Nairobi.

³⁸⁴ Former member of Taliban. March 18, 2014, Nairobi.

Former member of Mungiki. March 25, 2014, Nairobi.

³⁸⁵ The Nubian Rights Forum. March 6, 2014, Nairobi.

³⁸⁶ The Nubian Rights Forum also addresses other discriminatory practices, such as the problems that Nubians experience in obtaining identity cards.

acres would be used for slum-upgrading for other ethnic communities staying on the land.³⁸⁷

Kibera Stakeholder Forum was formed to protect the structure owners who rent out housing units on the land that was to become Nubian community land.³⁸⁸ This Forum wanted the government to provide private titles that would allow dwellers to demolish their squatter structures and build proper housing structures to rent out themselves.³⁸⁹ They argue that if structure owners were allowed to build five-story buildings, these could create wealth for all dwellers (including tenants) and empower them. All dwellers were seen as suffering under the current Kibera landowners, most of whom were said to be rich people who lived elsewhere. The Forum claimed to be championing the interests of the tribes (Kemba, Kikuyu, Luo and Kalenjin) which may be affected by a Nubian community title, but it was also perceived as representing the interests of the Kikuyu ethnic group.³⁹⁰

The Kibera Inhabitant Forum was also established to mobilize other tribes against the granting of a community title to the Nubians without the involvement of other communities.³⁹¹ They mobilized due to fears about the consequences for individuals with structures within the land area, as well as the uncertainties surrounding the procedures for evacuation and compensation. In contrast to the Kibera Stakeholder Forum, the Kibera Inhabitant Forum has supported government-provided slum-upgrading to benefit slum-dwellers, in addition to the provision of private title deeds. The forum stated that it was composed of NGOs, churches, title-deed holders, tenants and members of the various ethnic communities, although it was also seen as representing the Luo.

³⁸⁷ The Nubian Rights Forum. March 6, 2014, Nairobi.

³⁸⁸ Kibera Stakeholder Forum. March 5, 2014, Nairobi.

³⁸⁹ My respondent informed me that although he was born in Kibera, he was no longer living in the slum himself, but that his brothers and sisters did.

³⁹⁰ Kibera Stakeholder Forum. March 5, 2014, Nairobi.

³⁹¹ Kibera Inhabitant Forum. March 4, 2014, Nairobi.

The Kibera branch of the Railway Dwellers Federation of Kenya,³⁹² representing 6000 dwellers, was formed in response to another government eviction plan to relocate squatters away from the railway tracks, as part of the government's strategy for upgrading the railway.³⁹³ As the railway dwellers needed proximity to their workplace as guards/domestics/casual workers, and since their churches and schools were close to the railway, relocation was considered difficult. Following a successful litigation process against the government (with the help of Amnesty), the Kibera railway dwellers were to move into the new structures by July 2015, followed by demolitions of the old shanty structures. However, questions remained as to who would own the housing structures and how the rent level would be determined. The Federation's scheme was for the dwellers to own the houses, and pay a low rate of 500 shillings per year, as the dwellers themselves had built the shanties that were to be demolished. The dwellers formed savings groups to prepare for relocation.³⁹⁴ As the houses were constructed, people were to be vetted, and a grievance committee led by locals was to be established.³⁹⁵

Contradictory interests (tenants versus landlords), but joint movement

Relations between the grassroots actors mobilizing on access to housing for slum-dwellers are often characterized by conflict. Grassroots organizations have emerged as a direct response to what is perceived as a threat to from other grassroots actors. They are deeply divided as to the correct (re-)distribution of rights and strategies towards ensuring them access to housing. While nearly all the Kibera associations purportedly represent the slum-dwellers, they still see their interests as being in conflict with one

³⁹² The Railway Dwellers Federation of Kenya (founded in 2005) champions the rights of dwellers along the Kenyan railway who face evictions threats due to railway upgrading. These people live in small shanties and iron-sheet constructions located dangerously close to the railway, but they are too poor to move elsewhere. The federation caters for dwellers nationally through branches in Mombasa, Gazia Chori, and Kibera, Nairobi. Its affiliate groups are formed by persons potentially affected by an eviction, and the federation claims to represent several thousand squatters. The federation elects its representatives. In collaboration with other organizations, including Muungano and Amnesty, it has litigated against evictions on behalf of its Kibera members, and entered into negotiations with the government to secure alternative housing for its members (Railway Dwellers Federation in Kibera, March 23, 2014, Nairobi).

³⁹³ Railway Dwellers Federation in Kibera. March 23, 2014, Nairobi.

³⁹⁴ A remuneration process had been carried out, by taking pictures of people in houses that subsequently were given numbers.

³⁹⁵ Railway Dwellers Federation in Kibera. March 23, 2014, Nairobi.

another.³⁹⁶ These conflicts were, like land conflicts in Kenya generally, rooted in how access to land and housing in the informal settlements have been structured around ethnicity. While people were similarly disempowered because of the uncertainty created through informality, the informal rules operating in the settlements have created groups that would benefit differently, depending on which type of rules and procedures for formalizing and distributing rights was chosen.

However, all umbrella SMOs frame their objectives and activities around slum-dwellers' shared interest in adequate housing and secure tenure. They seek to mediate conflicts among slum-dwellers, and empower them vis-à-vis the politically and economically powerful, by organizing them into joint associations that cut across existing conflict lines. The organizations Pamoja Trust and Muungano focus on building consensus among the inhabitants of informal settlements around issues of land and structure entitlements to overcome the ongoing conflict between landlords (structure owners) and tenants (Weru 2004).³⁹⁷ Huchzermeyer (2008), in her in-depth analysis of the housing markets in the slums of Nairobi,³⁹⁸ brings up the example of Pamoja Trust's savings and housing project in Huruma as a relatively successful participatory process that eliminated existing interest conflicts.

Furthermore, the umbrella SMOs employ a non-partisan political approach, targeting the government through strategies of protest, rights-based litigation, lobbying and participation in policy development, as well as project implementation. Amnesty International has even established procedures for disengaging staff or activists if they engage in party campaigns during elections.³⁹⁹ Hence, the umbrella bodies of the social movement for slum-dwellers in practice work to dismantle divisive partisan clientelism based on the tenant–landlord dimension.

³⁹⁶ These conflicts of interest, however, did not prevent some of my grassroots respondents from providing me with contact details for representatives of other organizations.

³⁹⁷ It should be noted that the author (Weru 2004) was also the executive director and a founder of Pamoja Trust.

³⁹⁸ Huchzermeyer (2008), in her in-depth analysis of the housing markets of the slums in Nairobi, does not focus much on social actors working on behalf of or representing the slum-dwellers, or sub-groups thereof. Instead, she argues for more state regulation, public housing, community participation and the encouragement of "social landlords".

³⁹⁹ Amnesty International. March 17, 2014, Nairobi..

Some political achievements have been made by the social movement vis-à-vis the government. A new draft Act that prohibits evictions is underway, the first of its kind in Africa.⁴⁰⁰ If implemented, the Act is intended to safeguard the rights of all slum-dwellers vis-à-vis the state and powerful private interests. Kenya's 2013 Master Plan also includes slums and adequate housing. The movement has also carved out spaces for slum-dweller participation and collaboration with government and donors in slum-upgrading projects. For instance, the UN-Habitat-financed Kenya Slum Upgrading Program (KENSUP) in Kibera involved local actors organized through SDI.⁴⁰¹ Stakeholders from the slum communities, like CBOs, residents, youths and women, were brought in after initial preparation in collaboration with the government. The SMO umbrellas have also contributed to grassroots associations entering into dialogue and negotiations with government authorities over land allocations, housing rights and tenure in the slums.

Challenges nonetheless arise among these actors. First and foremost, different types of title claims from slum-dwellers associations (community/private/tenancy) may contradict each other in a given area, resulting in conflict. These inconsistencies show that efforts to organize slum-dwellers have not yet produced a coherent social movement with collective interests, strong and sustained networks or joint action. Often, these organizations collaborate only around specific objectives and projects, without a strong collective identity as a social movement. Attempts to build a social movement that bridges conflicts among slum-dwellers have also been elite-driven. While the chief aim is to break the vicious cycle of ethnic conflict and disempowerment of the urban poor vis-à-vis the political and economic elites, the scale shift also covers up inherent conflicts of interests, especially between tenants and landlords.

⁴⁰⁰ Ibid.

⁴⁰¹ UN-Habitat. April 20, 2014, Nairobi. Skype interview.

Resource mobilization leaning towards clientship

The movement has had political impact in terms of laws and policy outcomes, but we must also consider how these representative bodies engage with their constituents, in order to understand what kind of agency they provide for the slum-dwellers.

Muungano's membership of more than 64,000 people is evidence of how the movement responds to the interests of at least some segments among slum-dwellers. The membership enrollment indicate that they consider this movement relevant to further their socio-economic interests.

Furthermore, there was no doubt among the interviewed grassroots activists in Kibera that the federations, NGOs and donors had strengthened their agency and helped them tackle conflicts and dependency resulting from political clientelism. Grassroots actors considered financial and technical support by these umbrella bodies as fundamental for their work. Kibera Stakeholder Forum claimed that NGOs like Mungaano had helped them end violence and engage with the government constructively.⁴⁰² Similarly, Kibera Inhabitant Forum mentioned interventions of NGOs like Global Communities and Amnesty as helpful in managing conflict.⁴⁰³ The Railway Dwellers Federation saw the assistance from Amnesty as instrumental in enabling them to take the government to court and avoid relocation. According to this federation, before Amnesty got involved, the government could "just come and kill them;" they claimed that while donors listened to people, the government "emplaces bottlenecks."⁴⁰⁴ The Nubian Rights Forum relied on support from the Kenya Land Alliance and other NGOs in their struggle for community titling.⁴⁰⁵

However, Harbeson (2012: 26-27) claims that Kenyan civil society has been less effective in making up for shortcomings of political parties in taking up land-tenure issues than the constitutional reform agenda on civil and political liberties. He

⁴⁰² Kibera Stakeholder Forum. March 5, 2014, Nairobi.

⁴⁰³ Kibera Inhabitant Forum. March 4, 2014, Nairobi.

⁴⁰⁴ Railway Dwellers Federation in Kibera. March 23, 2014, Nairobi.

⁴⁰⁵ The Nubian Rights Forum. Oct 18, 2012, Nairobi.

indicates that the urban, middle-class character of most CSOs, with leaders and constituents who are themselves not immune to sharing in land-tenure-related corruption, might be part of the explanation.

Returning to Muungano's national-level membership, it is difficult to ascertain the degree of support the federation has among slum-dwellers who are not formal members, especially tenants. According to Weru (2004), some community savings schemes tend to be dominated by structure owners or particular ethnic groups. For instance, out of five community saving schemes in Huruma in 2002, only one was able to meet the requirements for receiving financial support for house construction for its members, and this consisted of only 84 tenants and 270 structure owners (Weru 2004: 60). The challenge of mediating the right of urban poor to manage their own savings, versus the need for external audit to ensure that these groups are accountable to members and the outside world, has been addressed by providing external support in response to groups' own savings (for instance for house construction). However, this may bias support in favor of the more privileged structure owners (Weru 2004).

Rigon (2014) provides an account of how internationally-funded development projects in Nairobi contributed to institutionalizing pre-existing power imbalances between landlords and tenants through their creation of structures of community governance and "participatory enumeration." She highlights how scholars often fail to problematize the communities themselves, but focus instead on the community versus the state, even though slums are highly unequal settlements. Using "Kwa-maji" as a pseudonym for a Nairobi Urban Development Project, Rigon (2014) demonstrates how elections for a Residents' Committee, as well as a "participatory enumeration" process, served to institutionalize pre-existing inequalities by creating a power bloc within the Committee. The process was captured by local elites (structure owners) who effectively controlled the election outcome. They became the representative voices and implementers for the "community," at the expense of tenants (Rigon 2014). By ignoring the specificities and details through which the enumeration process affected the power distribution within the community, development partners allowed the

process to be captured by elites, while the target group of poor slum-dwellers were excluded.

Such problems seem to be a recurrent feature of projects and activities initiated by SMOs dealing with housing for slum-dwellers in Nairobi. According to Weru (2004: 49), the landlord–tenant conflict, and the threat that any accountable community organization poses to “leaders” and landlords in the informal settlements, make work with the urban poor difficult. She provides an example of when Pamoja Trust initiated an enumeration process in Korogocho in 2001. The structure owners’ organization (KOWA) opposed the process and spread the rumors that the enumeration was meant for selling the land to Indians, and that the director of Pamoja Trust was their land broker (Weru 2004: 52).

KOWA sought a court ruling, followed by threats against both the director and the provincial commissioner. The community became split between Kikuyu (landlords) and Luo (tenants). Truckloads of police, with the provincial administration, as well as SDI, had to be present in the initial phase of the project. The elected committee consisted of representatives who were village elders and structure owners, and were part of the informal political control system (Weru 2004: 52). In addition, some enumerators asked households for payments, and structure owners tried to pressure their tenants into providing inaccurate information. Nevertheless, by having the enumeration conducted by community members, and through verification processes, manipulation was more easily exposed (Weru 2004: 56).

The above-mentioned issues have also been encountered by grassroots associations in Kibera. According to respondents, the Kibera railway housing project, which included the Railway Dwellers Federation, Pamoja Trust, Amnesty, the government and the World Bank, created several informal obstacles to entry for the railway dwellers. These created uncertainty among the dwellers and opened up opportunities for, and suspicions of, clientelism within the project. Lack of information about the list of beneficiaries created suspicions among some grassroots activists that the list was being

meddled with.⁴⁰⁶ Another problem was the absence of clear guidelines stipulating who could join the member associations. People feared that the property would be rated and not given to community members for free. This fear was strengthened by rumors that membership in the associations was not based on voluntarism, but on payment of a fee that excluded the most marginalized railway dwellers.⁴⁰⁷ The lack of insight into the processes of enumeration and other procedures led people to form groups simply based on assumptions and hopes that they might be able to secure ownership after creating such associations. Critics of the project considered the railway dwellers' associations to be benefitting aspiring "businessmen" that dreamed of becoming project owners.

The railway federation has also experienced problems in previous election processes. In 2009, vigilante youth were mobilized by an elected representative who "reigned terror" on members when new elections were scheduled for his position.⁴⁰⁸ Two youth were killed as a result. In this case, however, international partners intervened by freezing the leadership until the dispute was solved. Thus, within the slum-dwellers' movement structures, actors may employ clientelist tools even to the extent of vigilantism that causes death.

The empirical findings show that the social movement for slum-dwellers in Kenya currently engages the slum-dwellers both as citizens and clients, in a complex, multilevel structure. Hence, the agency that slum-dwellers can enact through this movement should be seen as being of a hybrid nature. The violent incidents show the high stakes involved in these processes of housing allocation for the poor. Often, these organizations are turned into clientelist tools, with slum-dwellers ending up as clients. Overall, the movement has been able to have some impact on legal and institutional changes that tilt the power, or at least participation, in the slum-dwellers' favor. Due to

⁴⁰⁶ Youth activist. March 2014, Nairobi.

⁴⁰⁷ Community Leader in Kibera. March 20, 2014, Nairobi.

Youth activist in Langata/Kibera. March 2014, Nairobi.

⁴⁰⁸ Amnesty International. March 17, 2014, Nairobi.

the problematic merging of structure-owner and tenant interest, however, tenants are particularly prone to become reduced to clients.

Table 14 summarizes the power asymmetries between Kenyan SMOs for informal traders and slum-dwellers on the one hand, and their constituents on the other, which contribute to clientship or even subalternity (exclusion) for the latter. We have seen how lack of adequate information to the grassroots makes them unable to evaluate the activities of their umbrella bodies, and leaves them ignorant and vulnerable to manipulation. Further, formal membership criteria and project designs may result in the exclusion of the more marginalized groups. Priority has been given to formalizing land, housing and trade, by providing space to those who can pay for it. Power has not been adequately balanced among members. Lack of, or manipulation of, democratic procedures obstructs collective decisionmaking, and the use of financial or other incentives for participation is widespread. Even more problematic is the use of coercion in order to make the grassroots comply. The many examples of coercive practices demonstrate the extent to which these movements are involved in high-stake issues, which creates strong incentives for keeping the grassroots as clients. However, we have also seen examples of how the grassroots have been able to engage as autonomous citizens by using these organizations as vehicles for advancing their interests vis-à-vis the state.

Table 11: Mechanisms that forge clientship agency between Kenyan CSOs and their constituents

| | |
|------------------------|--|
| Information | <ul style="list-style-type: none"> • <i>Unclear membership criteria</i> • <i>Lack of information to expose briefcase associations (partly addressed by MSE Act)</i> • <i>Lack of training on rights and benefits of organizing</i> • <i>Irrelevant skill training</i> • <i>Lack of insight into budgets, accounts, project plans, beneficiary criteria/lists, reports on activities and programs, and election procedures from umbrella bodies/donors (while grassroots must be transparent)</i> • <i>Intermediary partners in control of information flows between donor and grassroots, which create suspicions of and opportunities for manipulation of information. Lack of verification checks/feedback loops</i> • <i>Paid moles report on strategies of grassroots during conflict</i> • <i>Inconvenient timing for participation (enumeration)</i> |
| Decision-making | <ul style="list-style-type: none"> • <i>Formal membership and inclusion in projects depend on ability to save/pay fee</i> • <i>Non-democratic (or manipulated) procedures for electing representatives</i> • <i>Participation without collective decisionmaking rewarded with financial/food incentives</i> • <i>Overruling of established procedures for collective decisionmaking (e.g. through the creation of parallel governance structures)</i> • <i>Lack of oversight mechanisms to control and regulate rent-ceiling for tenants in slum-upgrading projects</i> |
| Coercion | <ul style="list-style-type: none"> • <i>Engagement of vigilantes and security forces that disrupt activities and internal elections with impunity, and arbitrary detentions</i> • <i>Threats of court cases, where lack of finance and information (evidence) prevent the grassroots from fair trial</i> • <i>Lack of protective mechanisms for whistle-blowers</i> • <i>Unclear or manipulated procedures for market relocation that result in space distribution based on physical force</i> • <i>Threats to tenants to lie during enumeration processes</i> |

9.4 Extraversion and members—varying levels of political agency

In both Kenya and Zambia, the same pair of social movements of the urban poor stands out—those of slum-dwellers and informal traders. The member-based federations and alliances are all affiliated to the transnational movements—either Streetnet International or Shack/Slum-Dwellers International. They largely share the same core principles, objectives and strategies as their transnational movements. These umbrella bodies try to organize their constituents around collective interests in affiliated grassroots associations, through membership with rights and obligations. In addition, they lobby the government to provide formal rights, policies, as well as institutional arrangements for these constituencies. To mobilize support from both

external actors and their constituents, they depend on a legitimate claim to represent these groups.

All the SMO umbrellas are explicitly nonpartisan as regards political parties, and in practice work towards dismantling political clientelism that exploits the criminalization of the livelihood strategies of the urban poor. That being said, the complexities found in the comparatively larger civil society sector in Kenya, as well as other contextual differences between the two cases, are also reflected in these movements, giving them somewhat different dynamics.

In terms of Amenta et al.'s (2010) categories of collective benefits (agenda setting, legislative content, passage, implementation, and policy), the movements have differed in terms of the collective benefits they have obtained. In Kenya, the informal traders' movement has contributed to the MSE Act, the formation of an MSE authority (where they have formal representation), a tribunal, as well as formal inclusion in decisionmaking bodies at all government levels. In Zambia, there has, paradoxically, been no formulation of new policy or legislation for street vendors, even though the street vendor constituency was an important support base for the new government. The degree to which the Zambian movement had an impact (agenda setting) on President Sata's decision to ignore the laws prohibiting street vending is difficult to ascertain, but no institutionalized collaboration between these SMOs and the government has been established. An interesting difference between the two countries is that while the informal traders' SMOs have affiliated with private business associations in Kenya, they affiliate with the trade union federation, ZCTU, in Zambia.

The Kenyan movement for slum-dwellers has also contributed to a Draft Act (pending in Parliament) that prohibits evictions. Rights to housing have been included in the 2010 Constitution, while the land reform process has removed the authority to allocate land from the executive arm of the government to the bureaucracy. The slum-dweller movement has also facilitated participation for its grassroots members in slum-upgrading projects to formalize land in the slums of Nairobi. In Zambia, a new land policy has not yet been drafted. However, the Zambian slum-dwellers' movement has

been able to establish amicable, albeit small-scale, collaborative relations and project-based partnerships with the government, and has successfully negotiated with local governments for land and support to construct houses for its members. Nevertheless, the scope is still limited and the process moves slowly.

The differences in terms of impact seem highly attributable to country context. Lack of legislation in Zambia should be seen in a broader context, whereby legal reform processes, including constitutional revision, face setbacks and often do not come to a conclusion due to politicization (Berrisford 2011; Gould 2006). However, it could also be seen in connection with movement consistency and the leverage provided by international actors to various SMOs. The dominant SMOs have relied on technical and financial support from external actors.

The four movements studied here vary in terms of movement consistency, due to differing levels of fragmentation and conflict. The Kenyan movement for informal traders has remained fragmented, with several umbrella bodies seeking to represent similar constituencies of street vendors, hawkers and informal traders. However, the recently formed KENASVIT and its affiliate NISCOF have increasingly become the most influential vis-à-vis the government, through collaboration with donors and the business community. In Zambia, there have been conflicts among the organizations that represent informal traders, concerning failure to meet subscription fees requirements, as well as on how they engage their grassroots through activities. Although external partners tried to mediate, the Street Vendors' Association was deregistered. As a result, street vendors (in Lusaka) lacked a formal association that catered for their specific interests prior to the 2011 elections, and were represented only indirectly by the umbrella body for all informal workers (AZIEA).

In Kenya, the SMO umbrellas for slum-dwellers have focused on bridging divisions among slum-dwellers around the ethnicized landlord-tenant dimension, and many domestic and international partners have engaged in this endeavor. Nevertheless, several of the grassroots associations they support continue to be organized precisely around these highly conflictual sub-interests. In Zambia, on the other hand, a relatively

consistent slum-dwellers' movement has focused on organizing squatters (structure owners and tenants) jointly, in order to obtain formal land and housing for its members, through project collaborations with the government and donors.

Although support from external partners has strengthened the ability of the SMO umbrellas to lobby and engage the government, these organizations are still struggling to establish a sustainable resource base aggregated from their constituents, especially from the more marginalized groups. However, the slum-dweller movements are significantly better at recruiting members than those of the informal traders, which indicate that these SMOs resonate with the interests of a substantial segment of their constituencies.⁴⁰⁹ In contrast, the *Zambian alliance for informal workers (AZIEA)* does not have an affiliated street vendors' association in Lusaka, whereas the *Kenyan alliance* and its Nairobi urban affiliate represented 3000 and 1100 members, respectively.

The low level of member-enrollment should be seen in connection with how the SMO umbrellas engage with their grassroots. While some organizations seem to engage the urban poor as autonomous citizens, others do so only partly; and yet others subsume them to clientship or set up barriers that make them choose to opt out. The analysis shows that the most marginalized urban poor, such as tenants (as opposed to structure owners) or street vendors (as opposed to marketers) are underrepresented. They face difficulties in meeting the criteria for formal membership, and may also be overrun by other interests, in line with what Pommerolle (2010) and Wit and Berner (2009) suggest. The more disadvantaged also face challenges in obtaining and understanding information, and are more prone to trade their autonomy for small material rewards. These problems, which result in exclusion or clientelism, are common in both countries. In all these cases, it is questionable whether these organizations' claim to represent and be accountable to the more marginalized groups is legitimate.

⁴⁰⁹ The slum-dwellers' federation in Zambia counted 46,000 families enrolled in savings groups, while the Kenyan federation covered 64,200 members.

While a lack of information and procedures for collective decisionmaking may be due to resource constraints within the organizations themselves, the deliberate manipulation of information, decisionmaking, and especially the use of coercion, indicate how some organizations also work as engines for amassing material wealth and/or political power through clientelism. Coercive mechanisms for clientelism seem more prevalent within the Kenyan movements. However, when SMOs are highly reliant on external partners, this also limits the SMOs' ability to be accountable to their constituents.

The findings suggest that if the urban poor are to be able to act as autonomous citizens through SMOs, they must, at a minimum, be provided with adequate information that allows them to make informed decisions on whether these organizations are indeed acting in their interest. Whether due to resource constraints or other motivations, top-down approaches that limits engagement with the grassroots deprives them of the ability to act as citizens, thereby making them a ready target for clientelism. Hence, not only through neopopulist party strategies, but also extraverted movement strategies, the agency of the urban poor becomes of a hybrid nature. Overall, the hybrid agency that the Kenyan urban poor, especially tenants and street vendors, exercise through these movements is tilted towards clientship. The Zambian street vendors face more problems of marginalization, while the members of the Zambian slum-dwellers' movement appear to engage more as citizens.

10. Interaction between political parties and SMOs

“A perception has been created that they [NGOs] tend to further the interests of foreign countries. Nonsense! Was it not for these, I do not know where this country would have been.”⁴¹⁰

“[Organization X] wants soft people (...). It is the same tricks that are used in political parties, of course it is similar.”⁴¹¹

In the previous chapters, we have seen how, through multiparty elections and political pluralism, the political role of the urban poor has changed. They have become the targets of opposition parties and SMOs claiming to represent and mobilize them for political action. However, changes in political opportunity structures created two contradictory chains of resource mobilization for these representative organizations—legitimacy was generated through (promises of) collective benefits, portraying themselves as representatives of the urban poor. At the same time, material resources could be mobilized by keeping the grassroots as clients (contingent benefits) (Figure 1 in the introductory chapter).

In order to compete with the incumbent party, opposition parties restructured their linkages to sub-segments of the urban poor, whereby they fused clientelism with Leftist, populist party links. Social movements emerged in parallel that sought to represent sub-segments of the urban poor through member-based organizations that operated outside the electoral arena. However, citizen agency was also curtailed within these structures due to their extraverted resource strategy. Consequently, groups of urban poor have advanced from being mere subalterns, but have been engaged only partly as autonomous citizens, and partly as clients, reflecting a situation of hybrid agency.

The urban poor undoubtedly have received significant political attention from both camps, but I have not yet covered the interaction between opposition parties and SMOs. Chapter 10 is concerned with this, and the implications for the agency of the

⁴¹⁰ Human rights lawyer and politician. March 20, 2014, Nairobi.

⁴¹¹ Youth activist in Langata/Kibera. March 25, 2014.

urban poor (research question d in the introduction). Civil society extraversion can also contribute to a reforming authoritarianism (Pommerolle 2010), and “reinforce patrimonialism by providing a parallel chain of supply via preferred actors from civil society” (Duncan et al. 2003: 49). Research has shown how political elites in sub-Saharan Africa and Latin America threaten to co-opt or weaken movements (Larmer 2010; Levitsky 2007), creating hybrid social movements. However, Cheeseman and Larmer (2015) and LeBas (2011) have also suggested that a legacy of autonomous, cross-ethnic labor movements or other organizational structures can provide incentives and opportunities for opposition parties to align with social movements to overcome incumbency advantages.

This chapter will show that the urban poor often are mobilized at different scales by opposition parties and SMOs, and that these organizations lack institutional links. However, it also finds that the interaction between the two mobilizing structures sometimes adds another layer of hybridity through political co-optation. As a consequence, the urban poor find themselves in highly complex and sometimes self-defeating processes if trying to engage as citizens.

10.1 Zambia

MMD’s success in Zambia in the 1990s bears some resemblance to neopopulist parties in Latin America in the same period. Whereas Zambia’s first democratically elected president in the 1990s, Frederick Chiluba, was a former trade union leader, the MMD soon broke with the trade unions, who on their side insisted on retaining their autonomy (Rakner 2003). In 1993 and 1994, strike action resumed against the MMD, and the churches and interest groups began criticizing government policy openly (LeBas 2011: 223). By weakening and circumventing organizational interests and institutionalized forms of representation in Zambia, the MMD government cleared the way for direct, unmediated mobilization of non-organized masses by personalist, neopatrimonial leaders (Rakner 1998: 284)—similar to what neopopulist parties in Latin America (Levitsky 2007) did in the same period. In response to economic decline and dissatisfaction with the old corporatist model, Zambia’s highly un-

institutionalized and executive-heavy MMD used its momentum from popular disgruntlement to introduce wide-reaching neoliberal reforms, and thereafter sought to retain its support base through clientelism. However, in contrast to neopopulists in Latin America, the MMD increasingly relied on pre-existing ethno-regional clientelist networks to mobilize party support.

During the MMD era, some of the slowest reforms that development partners engaged in were those which most threatened the patrimonial powers of the state (Duncan et al. 2003). In addition, some NGOs were considered party-affiliated, although this was not their public position, or had even been established by the government to promote a pro-government agenda. CBOs were also prone to politicization and manipulation by political actors (Duncan et al. 2003: 42). When civil society organizations supported the government, this could be due to anticipated rewards in the form of political appointments or payments from discretionary funds. Hence, Zambian civil society remained vulnerable to political co-optation and patronage under the MMD. However, the party also applied authoritarian tools to repress dissent and control civil society (Freedom House 2015b). In 2009, the MMD government passed the NGO-Act. The Act established a government-appointed board to provide guidelines to regulate NGOs, and gave the government broad discretion to refuse registration.

When the opposition party PF developed its strategy after the turn of the century, it began aligning with the issues of discontent raised by critical CSOs, on constitutional and democracy matters as well as on pro-poor issues. In the 2006 elections, urban civil society was still suspicious towards Sata and the PF (Larmer and Fraser 2007: 630-631). *The Post* warned against voting for Sata. The ZCTU refused to endorse any of the candidates. The leader of FFTUZ, Nonde, personally supported Sata, while underlining that FFTUZ was autonomous from the PF. Although civil society shared much of Sata's "anti-neo-liberal rhetoric," they were skeptical given his political record, and were also incorporated into elite decisionmaking processes and distrustful of street politics (Larmer and Fraser 2007: 631).

According to one legal expert,⁴¹² the PF benefitted from civil society prior to the 2011 elections, and perfected its art of aligning with stakeholders to foster perceptions that they were on the same side. Many civil society actors took partisan stances in support of the PF in the run-up to the 2011 elections, including newspapers like *The Post*. Hence, as an opposition party, the PF could be considered to have formed part of a broader social movement advocating pro-poor and democratic political change. After winning office, there was a honeymoon period between the PF government and civil society.⁴¹³ Because many CSOs had supported the PF, they were initially apologetic and compromised, and feared to criticize old friends. Upon assuming office, however, the PF government quickly resorted to applying many of the same strategies of co-optation and repression used by its predecessor.

According to a representative from Caritas,⁴¹⁴ people had over-rated Sata prior to the elections because of *The Post*; and after the elections, the relationship became even stronger. *The Post*, which was “pro-poor” and took a partisan stance, was later seen as doing propaganda for the new government.⁴¹⁵ A few newspapers, such as *The Daily Nation*, were viewed as oppositional, but these did not have wide outreach.⁴¹⁶ The PF government sought to include its CSO supporters in government, and absorbed many critical voices.⁴¹⁷ A platform for civil society was therefore lacking after the 2011 elections.⁴¹⁸ Many organizations that had supported the PF during MMD rule had in practice been turned into government-organized NGOs (GONGOs).

⁴¹² Legal expert. Nov 26, 2013, Lusaka.

⁴¹³ Political scientist at University of Zambia. Oct 11, 2012, Lusaka.

⁴¹⁴ Caritas. Nov 19, 2013, Lusaka.

⁴¹⁵ Political scientist at University of Zambia. Oct 11, 2012, Lusaka.

⁴¹⁶ Caritas. Nov 19, 2013, Lusaka.

⁴¹⁷ FODEP. Oct 2, 2012, Lusaka.

The Norwegian Embassy. Oct 1, 2012, Lusaka.

⁴¹⁸ Political scientist at University of Zambia. Oct 11, 2012, Lusaka.

According to a legal expert,⁴¹⁹ the PF knew it was in their favor to weaken CSOs and the media after assuming office, and they opted for a more quiet, workshop-type participation in hotels, rather than mobilization of people. The CSPR, for instance, had sought to build a clique of MPs to work for poverty reduction, but found that only some appeared committed, while many were not in evidence until the next elections.⁴²⁰ While the PF did not consist of a homogeneous group, and there were still some features of a social movement, many PF politicians were people who had left the MMD, and there was no clear identity or ideology.⁴²¹ However, some civil society actors who had supported the MMD were more critical of the PF government. As frustration with the PF government began to grow, especially in the sphere of democracy and human rights, several respondents believed there was some realignment within civil society.

The PF government also began to show more authoritarian tendencies. According to Operation Young Vote, PF politicians began pouring in huge resources aimed at instilling fear in other interest groups, and were considered “ready even to kill.”⁴²² The PF government resorted to enforcing the Public Order Act, and also tried to implement the 2009 NGO Act, which had been signed by Banda (MMD) but not implemented (Freedom House 2015b). Against its promise to review the Act, PF instead tried to implement it by requiring all groups to register. Many resisted, citing violation of their freedom of association, and mounted a legal challenge. In 2014, the government and NGOs decided to resolve the dispute out of court, leading to a suspension of forced registration and negotiations for a self-regulatory framework (Freedom House 2015b). Other youth and women’s groups had started campaigning for a new constitution, and some CSOs were building coalitions against the poor governance of PF.⁴²³

⁴¹⁹ Legal expert. Nov 26, 2013, Lusaka.

⁴²⁰ The Civil Society for Poverty Reduction. Oct 11, 2012, Lusaka..

⁴²¹ Legal expert. Nov 26, 2013, Lusaka.

⁴²² Operation Young Vote. Nov 28, 2013, Lusaka.

⁴²³ Ibid.

Thus, after its first years in office, the PF government had cut off both the citizenry and critical CSOs from information and participation. More importantly, it had resorted to violence, intimidation and repressive laws in order to silence its critics in civil society and the media. These general developments should be borne in mind when we consider the interaction between SMOs of the urban poor and party politics.

10.1.1 Informal traders: co-optation

From opposition alignment to neopatrimonial co-optation

The Zambian labor movement has always had a complicated relationship to party politics, and the country has a history of former trade union leaders taking on leadership positions in government via opposition politics. Although President Chiluba of the first MMD government had been the leader of the Zambian Congress of Trade Unions, the MMD adopted a policy of not consulting with the ZCTU, and continued to carry out the economic reforms of privatization and liberalization that the UNIP had initiated (Rakner 2001: 533).

By 1994, the ZCTU had again become an outspoken critic of the new MMD government that it had supported a few years earlier. In response, the government abolished the provision of union monopoly. In 1994, the trade union split in two over the issue of privatization, with the mine workers' union supporting privatization (Rakner 2001: 533). Five unions (mostly representing private-sector workers) left for the FFTUZ, so that the ZCTU lost one third of its membership. The split resulted in ZCTU losing 80 percent of its revenues (from the mineworkers and teachers) (LeBas 2011: 223). Further, the MMD began to threaten with deregistration of ZCTU and other unions. However, while the MMD undercut the influence and negotiating power of the labor movement in the 1990s, this did not translate into MMD control over these constituencies (LeBas 2011: 230). According to the Norwegian Confederation of Trade Unions (LO),⁴²⁴ international partners such as LO, ILO, ITUC and the Friedrich Ebert Foundation came to the rescue of ZCTU; after a while, some of the unions returned to the federation.

⁴²⁴ Regional Consultant for The Norwegian Confederation of Trade Unions Africa. Nov 25, 2013, Lusaka.

National party politics have continued to be intertwined with trade union politics in Zambia.⁴²⁵ Politicians have tried to interfere with the unions, which has led to disorganization and disunity within the movement. According to the FFTUZ,⁴²⁶ the MMD government tried to change its leadership by issuing a statutory instrument to prevent the federation from proceeding with elections. The FFTUZ has had to spend its resources on taking the MMD government to court in response (the court case was still ongoing at the time of my interview).

Interference from politicians has also been a problem for the organizations of informal workers. AZIEA claims that individuals within informal associations as well as trade unions may use the name or resources of organizations they belong to in order to rally voters for political candidates or parties.⁴²⁷ People may also establish similar organizations to steal members from organizations that are seen as a threat to their preferred political party, thereby weakening their movement base. AZIEA has been approached by political candidates who come to their offices and ask for help in organizing their campaigns. There have also been incidents where politicians have sought to blackmail or threaten people in these associations into providing support.⁴²⁸

Since the turn of the century, however, the objectives of the movement for informal traders, in particular as regards street vending, increasingly converged with the mobilization strategy of the opposition party, the PF. War on Want (2014) viewed President Sata's "legalization strategy" towards the street vendors during the 2011 elections as one of AZIEA's successes. AZIEA was initially positive about the PF's stance of not penalizing or evicting street vendors.⁴²⁹ Both trade union federations were positive to the PF approach towards workers during its first period in office.

⁴²⁵ ZCTU. Dec 6, 2013, Lusaka.

FFTUZ. Oct 11, 2012, Lusaka.

⁴²⁶ FFTUZ. Oct 11, 2012, Lusaka.

⁴²⁷ AZIEA. Dec 9, 2013, Kitwe.

⁴²⁸ Ibid.

⁴²⁹ Ibid.

ZCTU considered the PF government to be good for workers as it reviewed the minimum wage, and began working on a social protection plan for the informal economy.⁴³⁰ The new government also appeared willing to enhance redistributive elements. The FFTUZ also expressed satisfaction with how the PF government ignored the legal instrument that the FFTUZ had been fighting in court and how it stayed out of union elections.⁴³¹

Nevertheless, also during the 2011 elections, relations between the FFTUZ and the ZCTU were not considered “very healthy,” and both parties accused each other of doing a lot of politicking.⁴³² The ZCTU was accused of having strong ties to the MMD and of campaigning for the former government party in the 2011 elections, which distanced the ZCTU from the PF government.⁴³³ At the same time, the new Minister for Labor and Social Protection under the PF government was the former president of the ZCTU, Fackson Shamenda. The lack of social dialogue with the PF government was considered a problem by all the former organizations representing street vendors, including the ZCTU, AZIEA and the SVA.⁴³⁴ This is a paradox, considering that the PF also mobilized this constituency. Moreover, upon assuming office the PF actively contributed to weakening AZIEA and co-opting the street vendors by creating its own United Street Vendor Foundation (USVF).⁴³⁵

⁴³⁰ ZCTU. Oct 12, 2012, Lusaka.

⁴³¹ FFTUZ. Oct 11, 2012, Lusaka.

⁴³² ZCTU. Dec 6, 2013, Lusaka.

⁴³³ FFTUZ. Dec 5, 2013, Lusaka.

FODEP. Oct 2, 2012, Lusaka.

ZCTU. Dec 6, 2013, Lusaka.

⁴³⁴ AZIEA. Dec 9, 2013, Kitwe.

Street Vendors' Association. Dec 2, 2013, Lusaka.

ZCTU. Dec 6, 2013, Lusaka.

⁴³⁵ Interestingly, none of the representatives from the other organizations mentioned this newly formed foundation during the interviews.

Previously, it was the trade associations within the markets that were the main targets of political clientelism. Jongh (2013: 50-51) finds that the power shift from MMD to PF had a heavy impact on the circumstances under which the marketers and street vendors could operate, and describes it as a “honeymoon” between the PF government and street vendors. Upon assuming office, the PF decided to fully implement the Market and Bus Stations Act of 2007 (Jongh 2013: 32). One of the Act’s previously dormant regulations were the prohibition of the existence of organizations for operating in the markets. Implementation of the regulation led to de-registration of what had been the largest national marketer organizations, ZANAMA and the ZATMA, both affiliated to the AZIEA. According to ZANAMA (referred to by Jongh 2013: 52), they had decided to become politically affiliated to the then leading party, the MMD, in order to protect their existence after the passage of the 2007 Markets and Bus Stations Act. ZATMA, on its side, had been affiliated to the PF. As a consequence of the implementation of the Act, AZIEA’s membership was halved. For marketers, de-registration affected the quality of facilities such as toilets and storage, as well as security in the markets, and left the local authorities fully responsible for running the markets (Jongh 2013: 32).⁴³⁶

The USVF was established in 2011 by the Ministry of Local Government and Housing, to represent street vendors vis-à-vis the local and national authorities. The foundation was completely dependent on government funding (Jongh 2013: 36). The PF stimulated the formation of the foundation after entering office. A main task for the USVF was to advise the authorities on how to deal with street vending. They zoned different streets and appointed representatives for each zone. The objective was to group together street vendors with similar businesses, to invest in procurement of equipment for better profits, as well as to improve sanitary facilities and legalize certain streets for street vending (Jongh 2013: 31). Their regional coordinators were elected by local street vendors. The local street branches tried to govern the streets by

⁴³⁶ However, others have felt that there had been more fighting when ZANAMA and ZATMA were active in markets (Jongh 2013).

encouraging vendors to behave properly, and by mediating disputes. If unable to solve these problems, they reported to regional coordinators.

The USVF only had links to the government and local authorities, and was not connected to AZIEA or other domestic or international informal economy associations (Jongh 2013: 36). The closeness of the PF government and the USVF is reflected in how the then Vice-President Guy Scott gave a vehicle to the USVF Cooperative in Lusaka during a speech in support of street vendors in 2014 (Lusaka Voice 11.04.2014). Upon assuming office in 2015, the new Vice-President, Inonge Wina, stated that the government had put in place a program to empower all vendors to help their businesses grow (Zambia Daily Mail 2015). Approximately 900 street vendors, under the leadership of the new USVF, marched to her office to show solidarity with her appointment as the first-ever female vice-president, and in “gratefulness” to the government for allowing them to trade on the streets.

According to SVA,⁴³⁷ some of the smaller street-vendor associations were formed by politicians. After the PF came to power it had become very difficult for the SVA to recruit members, because NGOs representing the informal sectors had become politicized and were now weak. Politicians did not want the street vendors to be associated with NGOs, fearing loss of popularity, and there was therefore competition between politicians and NGOs. As the primary goal of the NGOs had been to legalize street vending, they were able to mobilize the street vendors only at times when politicians were harassing them.⁴³⁸ The street-vendor cadres in Lusaka were also hostile towards the SVA. Its attempts to approach street vendors after the 2011 elections resulted in threats of violence. The SVA representative argued that if the PF cadres would even fight within the party, they would definitely fight those outside, such as the NGOs, through “muscles” and brute force. He attributed this to their high illiteracy levels and lack of understanding.

⁴³⁷ Street Vendors' Association. Oct 4, 2012, Lusaka.

⁴³⁸ Ibid.

Hence, the SMOs representing informal traders became further divided and weakened due to the implementation of a dormant regulation, and the establishment of a competing, non-autonomous organization for street vendors. Only the umbrella bodies representing the informal workers as a whole were affiliated to the transnational movement, while the association that represented the street vendors was tied to the government, which funded it. The USVF was not part of the structures of the labor movement which so far had sought to organize this group. These developments resemble earlier attempts at fragmenting the labor movement. Thus, PF's neopopulist strategy of mobilizing street vendors by bypassing existing organizations and supplement electoral promises with clientelism was combined with more classic style co-optation, through the creation of a parallel, party-loyal association.

Street-vendor agency: preferring neopopulism to movement disconnectors¹

The political agency of street vendors must be considered to have been strengthened during the past decade. Previously, they were simply considered a nuisance and illegal element to be removed. Prior to the 2011 elections, Lusaka's street vendors had been politically mobilized through two separate structures: an opposition party, and a social movement. These were not mutually contradictory in principle. After the 2011 elections, the rights and interests of street vendors were recognized by SMOs as well as by the new incumbent government.

However, while Sata's Presidential Decree allowed vendors to ignore discriminatory laws, he was yet to amend the laws in favor of street vendors. AZIEA grew concerned as they wanted some form of legislation for their members.⁴³⁹ The Alliance considered President Sata's gesture a payback for the vote, and wanted it to move beyond patronage. There had been no response to the initiatives of the already existing organizations representing street vendors to pass favorable legislation and policy and to establish bargaining institutions. As a consequence, the street vendors had to depend on the discretion of the political leadership and a non-autonomous association, as well as the party cadres who had imposed their own controls over the markets and streets.

⁴³⁹ AZIEA. Dec 9, 2013, Kitwe.

However, the options open to Zambia's street vendors did not seem like much of a dilemma, neither before nor after the 2011 elections. Despite the clientelistic features, the political agency obtained by the street vendors through the PF's neopopulist strategy must be considered to have improved, in the short run at least. Street vendors have gained a voice, legitimacy and political recognition at the highest government level, as well as the liberty to work on the streets without being harassed and rejected by government authorities and the police. Their pre-election mobilization seemed to have paid off. A few years later, the street vendors were still holding the PF to account for what it promised them—less tax, more jobs, and more money in their pockets—based on the logic that they should have the right to operate freely to earn a livelihood until the government could come up with something better to offer.

While a patronage component is evident in the PF-formed street vendor foundation, the strategy seems to resonate better with the street vendor constituency. In part, this might be due to the fact that the USVF represents only the interests of street vendors. The PF filled a vacuum, as the social movement structure lacked well-functioning grassroots associations to the street vendors in Lusaka. In addition, implementation of the Act that effectively outlawed marketer organizations from the markets (Jongh 2013) served to politicize the sub-conflict between marketers and street vendors, whereby the incumbent party was in favor of the street vendors. According to the SVA,⁴⁴⁰ donors (here: the European Union) in Zambia had their own agenda when financing modern markets, and did not side with the poor. The SVA representative argued that participation should come with respect, mutual understanding and genuine consultation, rather than slave/master consultation.

At the same time, the streets and markets in Lusaka were, as a consequence of the withdrawal of formal authority (LCC), increasingly run by self-proclaimed cadres of the PF. It was important for vendors or others not to be on bad terms with these informal controllers of work, as vendors depended on these cadres' good-will, rather than any legally enforceable rights. The street vendors may face a dilemma if the PF

⁴⁴⁰ Street Vendors' Association. Oct 4, 2012, Lusaka.

continues the same strategy. In order to maintain at least a minimum of improvement in working conditions—non-harassment from the authorities and freedom to work in the streets—street vendors have been subordinated to the discretion and informal rules of the party leadership and their political cadres, who increasingly seemed to be creating a shadow government through informal taxation and violence.

It is difficult to ascertain to what extent the recognition of the plight of street vendors by the PF leadership is a result of earlier work of the SMOs. Political clientelism, however, is undermining the social movement's work towards more long-term and institutionalized benefits for the street vendors (given that they actually reflect what the street vendors want). Hence, by supporting the PF so as to obtain short-term gains through clientelism, street vendors may weaken the movement's prospects of influencing long-term changes. On the other hand, as the movement was already internally fragmented and represented the (Lusakan) street vendors only indirectly, the latter may not have seen this as a competing alternative to the PF. Considering their lack of ties to any autonomous SMOs, the street vendors' political agency predominantly reflect clientship through a neopopulist party. Nevertheless, the case also shows that clientelist relations combined with a programmatic component may improve political agency, as opposed to mere exclusion.

10.1.2 Slum-dwellers: government collaboration

Government collaboration: a limited threat to clientelist resource mobilization

In the 1990s and early years of the 2000s, collaborative partnerships between the MMD government, donors and civil society on issues of urban land management were structured in ways that weakened the ability of CSOs to engage autonomously vis-à-vis political elites. Schlyter (1998) claims that community projects on housing carried out in cooperation with external NGOs and donor agencies were followed by conflicts due to unclear responsibilities. One example was the MMD government's freezing of support to the NGO, CARE, in 1995, after the NGO was accused of acting too independently and without coordination with the proper authorities (Tait, 1997, referred to in Schlyter 1998: 262).

Berrisford's (2011) account of the Zambian revision process on spatial planning legislation, which began in 2007, is illuminating for understanding how the MMD government sought to restrain the SMOs that were working for slum-dwellers. Berrisford, who was a consultant in the revision process, argues that consensus and lack of resistance from the stakeholders pointed to a flawed "participatory" process, given the controversial, substantive issues that the legislation was to deal with. He attributes this failure to erroneous assumptions made by the consultancy and donors.

First, while all stakeholders were to read prepared documents and provide detailed comments to the drafts, in reality, few people outside government structures were able or willing to engage (Berrisford 2011). Civil society had few organizations dealing with housing and urban development, as their focus was on rural areas. However, Berrisford also found that the NGOs were under strain during the drafting, due to government efforts to control their activities and funding. This problem was aggravated by the fact that the main priority of the donors and the consultancy was to get the ministry officials on board—not acknowledging that without broad support within and outside government, implementation would be difficult. Consequently, only a handful of individuals contradicted or questioned the proposals from the consultants.

Additionally, main blocs of stakeholders held strong interests in the current planning system, both politically and materially, and the reform process could threaten their livelihoods, professional status, political power and even their homes (Berrisford 2011). Keeping the status quo posed less risk. Thus, the assumed support for the existing Housing Act, lauded internationally as a "good regulatory practice" with provisions for land-tenure regime where large numbers of poor were living, was simply not present. On the contrary: most dominant voices wanted to repeal the Housing Act (Berrisford 2011).⁴⁴¹ Furthermore, parallel legal reforms process in other areas, such as on land and decentralization, could leave the residents of informal settlements highly vulnerable to eviction if a time-lag occurred between the new planning act and the land act that was to replace the housing act in catering for tenure

⁴⁴¹ Expectations regarding the effects on national planning were also ambitious, given the short time-frames and limited budgets, in addition to limited staff expertise and capacity for implementation (Berrisford 2011).

arrangements, as the residents would have no protection in the interim period (Berrisford 2011).⁴⁴² Hence—and in line with Pommerolle’s (2010) argument—this form of extraverted engagement, as well as the neglect of the vested interests of the political elites in terms of resources, contributed to upholding the political status quo.

Representatives from the slum-dwellers’ movement in the ZHPPF/PPHPZ generally perceived its relationship with the government (both the old and the new) as amicable and collaborative. Initially, most municipalities had believed that the federation was an NGO and therefore assumed that it had its own funding.⁴⁴³ When the municipalities realized what type of federation it was, they have generally wanted to help, although the response has differed from one municipality to another. The federation engaged the government through housing forums, teaching government officials about how the federation works in other countries. In the beginning, it was difficult to convince the municipalities that a strategy based on group members saving one kwacha a day would be a feasible project, who had though “they were dreaming.”⁴⁴⁴ Through visits to Zimbabwe, municipalities understood the benefit and gave the federation members 34 plots. The councils were seen as appreciating the work of the federation because it supplemented their own efforts. They also contributed by negotiating with electricity companies, surveyors and materials.

While nonpartisan and autonomous, the PPHPZ/ZHPPF did blame the former MMD government for demolitions and forced evictions.⁴⁴⁵ Furthermore, one year after the 2011 elections, the Director of the organizations expressed a slight hope that the new PF government would follow up on some of its electoral promises, despite indications that the party appeared caught up in the “MMD syndrome of non-implementation.” The implication was that if the PF would implement its electoral promises in office, that would not contradict the goals and objectives of the slum-dweller movement, but

⁴⁴² Berrisford (2011) suggests that more incremental reforms would also make it difficult for a consultancy to transplant laws made elsewhere to a context for which it was not designed.

⁴⁴³ Grassroots member in ZHPPF. Nov 25, 2013, Lusaka.

⁴⁴⁴ ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.

⁴⁴⁵ ZHPPF/PPHPZ. Oct 4, 2012, Lusaka.

rather be considered a positive development. There was therefore some alignment in the articulated goals of the movement and the PF.

However, federation members later observed that the change of government affected their work negatively.⁴⁴⁶ PF's promises concerning housing seemed to follow the pattern of non-implementation. Cadre allocation of urban land was widespread also during the 2011 elections, and led to demolitions and evictions afterwards. With new staff, PF officials began demarcating idle land, continuing existing practices under the previous MMD government. Some officials were accused of giving land to people who were not entitled to it, or of removing files proving that land had been granted. Still, at least one incident was mentioned where the movement was able to halt an illegal land transfer after the 2011 elections. The federation intervened by demanding to know who had authorized the demarcation. After meeting with the town clerk, the federation successfully stopped this illegal acquisition of land.⁴⁴⁷

ZHPPF/PPHPZ representatives did not bring up aggressive political encroachment in the form of co-optation or repression from the government—the old or the new—as a challenge.⁴⁴⁸ A reason may be that the land patronage structure is not considered particularly threatened by the current activities of the movement. Simply by not implementing land and housing policies, the clientelist practices of the government or political cadres are allowed to continue. The limited encroachment by political patrons can be attributed to the strategy pursued by the ZHPPF/PPHPZ towards the government, basically complementary and non-confrontational. Their engagement was described as “boot-licking” the government, or like an African woman told by her aunt that if her husband beats her, that shows he loves her.⁴⁴⁹ Long-run involvement was still considered more fruitful, slowly leading to change.

⁴⁴⁶ Grassroots member in ZHPPF. Nov 25, 2013, Lusaka.

⁴⁴⁷ Ibid.

⁴⁴⁸ The grassroots associations of the federation might also be approached by political patrons seeking political support in exchange for land and housing. I do not have data to verify whether this has been the case.

⁴⁴⁹ ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.

Hence, while not being a target itself, the work of SMOs was hurt by the prevalent political clientelism that exploited the informal land markets. The continuation of clientelist use of land indicates that the PF strategy towards slum-dwellers proved to be one of populism underpinned by clientelism, similar to Latin American neopopulist parties. The limited scope of collaboration and transformation from the side of the slum-dwellers' movement did not interfere with or undermine the neopopulist strategy of the PF, which was based on limited institutionalization and direct ties to slum-dwellers. The movements could be seen as complementary: the two could operate side by side, and even collaborate, arguably without problems for the PF party.

Slum-dweller agency: one for the short run, one for the long run

Also in the area of slum housing, the success recipe of the opposition party was to fuse its clientelist linkage brokered by cadres with a programmatic linkage that centered on affordable low-cost housing. Hence, whether convinced by cadres or programmatic promises, the slum-dweller constituency was effectively mobilized by the opposition. Furthermore, in the 2011 elections, the programmatic aspects of the PF's political campaigns did not contradict the objectives of the movement. In 2012, the ZHPPE/PPHPZ was still hopeful that the PF might lend them an ear and work in partnership, as the party was seen as being quite tolerant.⁴⁵⁰ Hence, the movement and the opposition party were pulling slum-dwellers in the same direction.

For slum-dwellers, their best short-term chance of obtaining access to housing was in the informal market, which contributes to its demand-side. Some slum-dwellers had an almost Robin Hood-perspective on the cadres who provide land brokerage. Even one of the experts who were interviewed suggested that, since illegal, informal land distribution tended to be more efficient and reach the target groups, the government should employ a similar mechanism.⁴⁵¹ However, the counter-argument is that such brokered deals are unpredictable and insecure, leading to recurring episodes of

⁴⁵⁰ ZHPPE/PPHPZ. Oct 4, 2012, Lusaka.

⁴⁵¹ Geographer at the University of Zambia. Oct 3, 2012, Lusaka.

demolitions and evictions as new political parties enter government. In the aftermath of the 2011 elections, conflicts over cadre redistribution of land began to re-surface, with resultant evictions. Political dependency relations were reproduced.

To access (land for) housing through member-based SMOs requires personal investments, time, patience and collective action. While this strategy may pay off for slum-dwellers in the long run through secure tenure, the number of people to have benefited from this arrangement is still low. Most slum-dwellers must rely on the informal land market. Slum-dweller participation in both mobilization structures was not necessarily contradictory around the 2011 elections. The slum-dwellers benefit from the informal land markets in the short run, while the long-term process of acquiring land legally can be pursued. While the aggregate impact of mass engagement in informal land markets probably is severe delays in the legal process, the urban poor have few options, since they need housing immediately. Furthermore, due to the low levels of contention between the (new) government and the movement, a slum-dweller would probably not be punished for being active in the slum-dwellers' movement while also taking part in the cadre-mediated informal housing market. Voting for the PF in the 2011 elections based on its programmatic content was also not contradictory to the goals of the slum-dweller movement.

Nevertheless, if the PF fails to deliver on any of its housing promises to the slum-dwellers before the next elections, and only provides highly insecure, particularistic and even violent, clientelist land transfers, slum-dwellers might face more of a dilemma between party and social movement mobilization the next time around. Interestingly, also the PF government might find itself in a dilemma. The new government has arrested some cadres who had engaged in illegal land distribution. However, when interviewed, a ZHPPF/PPHPZ representative indicated that the PF's arrest of people who had engaged in illegal cadre distribution would ensure that the party would not be re-elected, because if the PF followed the law, the majority would not have land.⁴⁵² As with street vending, clientelism has begun to resemble ties of

⁴⁵² ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.

accountability and representation of a more democratic nature in a context of limited state capacity and resources, following the logic of Walle (2007) and Kitschelt (2000). However, the violence that underpins these transactions, and how they reproduce political and economic asymmetries, is more reflective of the reproduction of a neopatrimonial order. Slum-dweller agency through political parties can thus be considered predominantly as clientship, while the slum-dwellers have a channel to engage more as autonomous citizens through the SMOs, within certain parameters.

10.2 Kenya

In Kenya, neopatrimonial encroachment on civil society was carried out with highly violent and punitive authoritarian measures in the beginning of Kenya's multiparty era. Although the Kenyan NGO sector was guaranteed independence in law, this was not realized in practice (Kameri-Mbote 2000: 14). During the KANU era in the mid-1990s, at the height of tensions, Kituo cha Sheria and Kenya Human Rights Commission were firebombed six times, several NGOs were banned and their meetings violently disrupted by police.

In 2001, a survey showed that 56 percent of rural NGO activists and employees reported interference and harassment by local authorities, especially in opposition areas, as harassment and intimidation of political opposition grew (Orvis 2003: 58, referred to in LeBas 2011: 233). Orvis (2003) found that NGOs that sought to establish a rural presence through civil education and paralegal programs began to achieve a measurable impact on citizens' understanding of politics, but did so by relying on ethnic, clan, partisan or other "non-civil" networks to build supporters. These networks nearly always involved patronage flows, with constituencies mainly from these networks. Despite this, Orvis argued, such CSOs could at least serve as (underfunded) alternative sources of patronage that could limit the power of the state.

Kenyan CSOs have periodically expressed support in favor of the incumbent party or opposition. As many civil society actors are also involved in party politics, Orvis (2003) considered a presumed distinction between civil and political society to be

artificial and unhelpful. After the 2007 post-election violence, Kanyinga (2011) found civil society to be divided in its response to the crisis along partisan lines, between conservatives (status quo) and progressives. The former considered peace an end in itself, while the latter focused on justice and truth as a foundation for peace. The “peace” position was in line with the incumbent PNU, who wanted to close the chapter on alleged electoral fraud. The progressives, who demanded accountability for the vote count and the state’s role in violence, were in line with the ODM. The churches in particular formed part of the conservative civil society side, while a second bloc of organizations and individuals from the governance and human rights sector coalesced around the Kenyans for Peace with Truth and Justice group. In addition to consonant positions, civil society actors also stood for election as candidates of political parties, or campaigned for change through the ODM (Kanyinga 2011: 94). However, Kanyinga did not consider the main ethnic divisions of the political conflict to affect the civil society groups, who were more divided on ideological issues. Also ODM representatives claim that they mobilize together with civil society on critical issues, such as the constitution, devolution, or historical injustices.⁴⁵³

When donor priorities determine funding there has been a danger of the public sector corraling the voluntary sector, “which could deflect attention away from issues of accountability to the poor, and also bring the whole sector into disrepute” (Kameri-Mbote 2000: 16). When projects came with large resources, or had agendas that might challenge the political status quo, they became vulnerable to political capture. Grassroots respondents expressed frustration with NGOs (implementing partners) that functioned as engines of vested government interests, and were run or “owned” by the elites. NGOs were believed to be hijacked by the government before entering the communities.⁴⁵⁴ A common opinion among my interview respondents was that donors should surpass implementing partners and engage directly with the grassroots actors, as NGOs were considered patronage tools for political elites. Co-optation of critical voices in civil society was also seen as a problem. When activists got appointed to

⁴⁵³ ODM Secretariat. March 7, 2014, Nairobi.

⁴⁵⁴ Former vigilante member. March 17, 2014, Nairobi..

political positions, they were perceived to become demoralized and soft on issues they had previously criticized.⁴⁵⁵ Another strategy for silencing critical voices was to appoint them to positions not in line with their area of expertise, thereby diverting their focus to other, less threatening issues.

Grassroots organizations become linked to political patronage through different means or for different purposes than for instance NGOs. They are closer to the voters. Youth organizations were concerned about what they would have to give in return if they asked an MP to raise their issue in parliament.⁴⁵⁶ To stay out of partisan politics, they sought to build MP caucuses of supporters from different political parties. However, youth groups were considered an easy target for politicians, as these were seen as being less aware of what they were being drawn into. The problem of vigilante groups causing havoc often began with politicians approaching these groups with promises of supporting their work. Later, the politicians would take control over the associations.⁴⁵⁷

Grassroots activists who had challenged their representatives on the use of constituency development funds, after being informed about the actual budget transfers, had received death threats in front of witnesses, and been forced into hiding, while their witnesses were threatened into silence.⁴⁵⁸ When activists began to oppose the authorities, a smear campaign against them targeting their community or other stakeholders could follow, with the activists being accused of corruption, lies or instigating violence. Politicians also interrupted CSO projects organizations by planting “moles.” When a project was against the interest of a political party or candidate, or when it could benefit their “own”—whether family members, cronies or tribes—moles were used to sabotage and manipulate the organization from the inside, eventually resulting in project failure.⁴⁵⁹ When organizations experienced hostility

⁴⁵⁵ Youth activist. March 2014, Nairobi.

⁴⁵⁶ Youth activist. Interview, March 2014. Nairobi

⁴⁵⁷ Youth activist in Langata/Kibera. Oct, 2012, Nairobi.

⁴⁵⁸ Youth activist. March 2014, Nairobi.

⁴⁵⁹ Railway Dwellers Federation in Kibera. March 23, 2014, Nairobi..

from the government, it was considered important to ensure that people who applied for membership were vetted, to avoid government moles.⁴⁶⁰

After being elected into office in 2013, the Jubilee government has continued government interference in civil society. In 2013 and 2014, it proposed amendments to the Public Benefit Organization Bill that would cap foreign funding of NGOs at 15 percent, which sparked protests from civil society (Freedom House 2015a). In 2014, the Non-Governmental Organizations Coordination Board de-registered more than 340 NGOs accused of not submitting financial records, claiming they were vulnerable to terrorism financing and money laundering. However, even if denied registration, some have chosen to operate outside formal channels through movement structures, such as Bunge la Mwananchi.⁴⁶¹

The ability of the executive branch to use security agencies as its prolonged arm has been somewhat reduced after recent police reforms following the post-election violence.⁴⁶² Still, movement activists are placed in custody numerous times without any criminal charges. Others experience that government officials intimidate their social surroundings (such as teachers or girlfriends) to isolate them.⁴⁶³ They may be denied admission into schools or have their bank accounts frozen. Some activists do not rent housing in their own names, for fear of being monitored or kidnapped. Some use only public transport, taking different routes every day to avoid the authorities. Witnesses against Rutu and Kenyatta for the ICC trial disappeared or withdrew amid threats (Freedom House 2015a).

Thus, Kenyan CSOs operate in a rough environment where the government and politicians use legal means as well as co-optation, repression and violence to curb their activities. The interaction between the movements of the urban poor and party politics should be seen against this backdrop.

⁴⁶⁰ Bunge la Mwananchi. March 2014, Nairobi.

⁴⁶¹ Ibid.

⁴⁶² District Officer in Kibra Constituency. March 4, 2014, Nairobi..

⁴⁶³ Bunge la Mwananchi. March 2014, Nairobi.

10.2.1 Informal traders: government collaboration and ethnic co-optation

Government collaboration and ethnic “divide and rule” co-optation

Unlike in Zambia, the conflict dimension of marketer versus street vendors does not appear to have become a rallying point for political parties or for the dominant movement umbrellas in Kenya. Instead, both seek to organize them jointly under the bracket of informal traders, with the aspiration of formalizing them and have them work in stipulated trading spaces.

Moyi (2014: 18) argues that as the formation of most MSE-organizations has been driven by pressures from government policy, political interventionism and donor funding, this top-down influence has reduced the “self-help spirit” that should drive collective action processes in Kenya. As shown in the previous chapter, the agenda of the movement and its collaboration with the business community do not directly challenge the agenda of the incumbent government, which is considered business-friendly. In addition, the majority of street vendors in Nairobi are considered to be Kikuyu, the ethnic group associated with the incumbent government.⁴⁶⁴ This may be a reason why the opposition party, the ODM, has not targeted the street vendors in the same manner that the opposition party PF did in Zambia.

NISCOF is of the opinion that all party manifestoes reflect that politicians know their constituencies’ problems.⁴⁶⁵ Although speaking the same language as the movement, in practice, none of the political parties can be considered to have a stronger programmatic link to this constituency or the movement. The Jubilee coalition, for instance, promised substantial budget allocations for women and youth businesses. It is the implementation, and the ability for lay persons to access this money, that are

⁴⁶⁴ One of the leaders of NISCOF says that the fact that he is Kikuyu is a challenge and weakens the organization, because of the systematic ethnic manipulation by politicians. At the same time, he can more easily criticize the Kikuyu president (NISCOF, March 19, 2014, Nairobi).

⁴⁶⁵ NISCOF. March 19, 2014, Nairobi.

problematic.⁴⁶⁶ KENASVIT claims that politicians do not share their interests and do not even talk about them in their campaigns.⁴⁶⁷

Instead, organizations that seek to represent and organize informal traders experience an encroachment from political patrons trying to bring these constituencies (back) into their neopatrimonial structures. The challenge has been to develop a consistent movement that can protect the rights and interests of informal traders from being manipulated by patrons for political or material gain. According to KENASVIT,⁴⁶⁸ the government can more easily take advantage of a divided people. It fears unity, as it would then be bound to listen.

During the 2007 market relocation of street vendors, political interference contributed to weakening the vendors' collective organization. Competition and antagonism were created through divide-and-rule activities by politicians (Lindell and Ihalainen 2014: 128). Because the market was considered a positive accomplishment at the time, politicians from different party blocs competed in taking credit for the new market in order to rally this constituency before the elections. By creating divisions among the street vendors, it became easier for politicians to intervene and rally votes (Lindell and Ihalainen 2014: 123). One of the associations was suspected of having been "encouraged" by a politician to carry out the relocation on its own, with the promise that its members would get ownership of some of the market facilities and permission to enter the market before it opened, in order to secure the most lucrative sites for themselves. Street-vendor associations have also faced considerable interference when attempting to gather their members for meeting: hooligans hired by politicians have appeared to start fights and disrupt their activities. According to the chairman of one association, politicians feared the organization of people in the informal sector because they could endanger the positions of some politicians (Lindell and Ihalainen 2014: 123).

⁴⁶⁶ Ibid.

⁴⁶⁷ KENASVIT. March 20, 2014, Naivasha.

⁴⁶⁸ Ibid.

In fact, KENASVIT claims that their main opponents are local authorities and politicians that prey on their members, either directly or through mushrooming associations created by them.⁴⁶⁹ NISCOF confirms that there are problems of leadership in the informal economy, and argues that politicians “kill off” organizations by making sure they are disorganized and disenfranchised.⁴⁷⁰ While organizations register as non-political, individual members engage in party mobilization on their own, sometimes due to corrupt payments. Politicians would always “poke in” to these associations to have them work for them, using ethnicity as a linkage.⁴⁷¹ When grassroots associations are formed, members form “silent” sub-groups within the associations with their own interests, secretly connected to politicians. Some politicians also start their own trade associations to reward cronies.

Politicians have also interfered with the internal politics of SMOs. A KENASVIT interviewee provided an example of county elections for one of its affiliates.⁴⁷² The alliance went to the county to organize and educate its members. The process went well up to election day, but then, police had to intervene and elections were postponed. Five factions were sponsored by five different political parties. Manipulation by politicians was considered a major reason why the informal traders’ organizations would not support the CORD or the Jubilee coalition. Instead, their strategy has been to identify and engage supportive, individual policymakers, and to manage and balance divisions in town halls and between government levels.⁴⁷³

The SMOs for informal traders and their grassroots are continuously targeted by politicians trying to co-opt or weaken them. However, the movement on the whole is not considered to directly challenge the government in ways leading to an aggressive backlash. The dominant SMOs have aligned with the business community and

⁴⁶⁹ Ibid.

⁴⁷⁰ NISCOF. March 19, 2014, Nairobi.

⁴⁷¹ Professor at Institute for Development Studies (University of Nairobi). March 20, 2014, Nairobi.

⁴⁷² KENASVIT. March 20, 2014, Naivasha.

⁴⁷³ Professor at Institute for Development Studies (University of Nairobi). March 20, 2014, Nairobi.

engaged in more institutionalized and collaborative relations with the government, sometimes at the expense of pre-existing organizations. This might help to explain why there has not been any close alignment between the opposition party and the movement. Nevertheless, the SMOs are systematically undermined by politicians of all stripes and at different levels, seeking clientelist brokers to access voters, or wanting to sabotage organizations that might threaten their clientelist resource base.

Informal trader agency: ethno-clientelism or exit

A fragmented movement, troubled with briefcase associations and patronage, makes many informal traders prioritize action through other channels. The informal traders are caught up in contradictory mobilization structures that are also entangled with one another. The SMOs try to include the street vendors under the umbrella of informal traders. The fact that politicians encroach on the SMOs for informal traders is a clear sign that the movement actually has access to a constituency of interest to politicians. However, membership is low, considering the potential. Their extraverted strategy, ties with the business community and close collaboration with the government with formalized representation, has not been translated in a strong grassroots foundation. Although informal traders have obtained formal rights and participation through the dominant SMOs, which should facilitate citizen-based engagement, only a small minority have chosen to do so.

Due to constant political encroachment on these SMOs by politicians, as well as the forging of clientelist ties to the grassroots by association leaders themselves, informal traders face difficulties in knowing whom to trust and how to further their own interests most effectively. While street vendors as a political constituency are not reflected in programmatic party cleavages as they are in Zambia or as tenants are in Kenya, political clientelism is still systematically used to divide and disorganize their movement. Even when informal traders are aware of this form of manipulation, they face a dilemma. If relocated to the market, they have no common enemy (Lindell and Ihalainen 2014: 126), and internal conflicts emerge over the limited space available. Without a political patron, informal traders are likely to lose out in the markets, as

SMOs often lack the capacity to safeguard their rights, and grassroots associations are politicized.

Also for vendors who choose not to enter the markets but prefer operating on the streets, it is difficult to know which associations to engage with. As access to trading space is restricted and subject to regulation and fees, street vendors have limited voice through the current institutional collaboration between the movement bodies and the government. Poorer vendors who have abandoned their slots in order to go hawking seem to be particularly unprotected and vulnerable to “order restoring” raids and hostilities from other vendors (Lindell and Ihalainen 2014: 126). According to Lindell and Ihalainen, the entanglement with politics illustrates how street vendors become part of vertical clientelist networks that facilitate the penetration of the power of the state into the lower echelons of society. By becoming “politically disconnected, deserted by the market committee, and unable to count on whatever association they may have belonged to prior to the relocation, the hawkers were left to fend for themselves” (Lindell and Ihalainen 2014: 129).

As a consequence, street vendors may prefer to collaborate in small-scale groups and networks instead of upscaling into visible and vocal associations, as a way of deflecting political attention and avoiding co-optation and pressure of politicians (M. Kinyanjui, personal communication, quoted in Lindell and Ihalainen 2014: 130). By either withdrawing from political engagement altogether, or by participating in ethno-clientelist politics, they passively or actively contribute to upholding the neopatrimonial power structure. Still, as the MSE Act is relatively new, it remains to be seen if its provisions will create more citizen-based agency for informal traders over time.

10.2.2 Slum-dwellers: government collaboration and co-optation of sub-groups

A movement at odds with the neopopulist strategy

As the objectives of the umbrella SMOs—to formalize and secure tenure for slum-dwellers—directly interferes with the clientelist mechanism of party elites, a backlash

from the government party, with repression or co-optation, might be expected. However, as the party cleavages between NARC/TNA and ODM reflect sub-conflicts between tenants and landlords that are organized at the grassroots level, there are incentives for both the incumbent and opposition party to fragment and/or co-opt parts of the movement. These movement actors have since their inception been operating under the threat and influence of existing political patronage networks. This is not surprising, given the political influence and economic resources that are generated through clientelist control over slum housing in Kenya.

In the end of the 1990s, initial efforts to establish a network of local organizations to promote rule of law and just governance in the management of public land (the project was called Operation Firimbi) faced difficulties in mobilizing due to repression from the government of President Moi (Klopp 2000: 21). According to Weru (2004: 48), disagreements emerged in the 1990s over the role of Nairobi's NGOs towards the repressive and anti-poor KANU government. While some preferred protest and demands that targeted the state without close engagement, Indian and South African members of Slum/Shack Dwellers' International encouraged Kenyan NGOs to use the methodologies of urban poor federations. The representative community organizations based on saving schemes were developed precisely for the purpose of turning the communities into agents rather than objects in their relationship to the state, while recognizing that only the state could solve some of their problems (Weru 2004).

Initially, the Moi government tried to close down Pamoja Trust. Their offices were even firebombed, and its community organizers arrested (Weru 2004: 50). This illustrates the perceived threat that such community organization posed to the government. Although the governments that succeeded President Moi and his KANU party have been less repressive, politicians and the state have continued to encroach on these SMOs to undermine their work.

A more recent slum enumeration process in 2010, which was a part of the "Kwamaji" (pseudonym) slum-upgrading project (Rigon 2014), can illustrate how the government extended its neopatrimonial rule through co-optation (although Rigon did

not see it that way). The project was funded by an international development agency, and was to be implemented through a participatory approach that involved development agencies, an NGO, a government agency and community organizations. However, the Resident Committee from the NGO, which was dominated by structure owners, consented to enumeration only if that took place under their control and by the government agency, rather than the UN body that originally had the implementing role (Rigon 2014: 267). The donors accepted this demand. A housing survey was hastily conducted, during business hours. The results were completely out of line with previous population and household estimates, and negatively affected tenants. Verification checks to avoid errors were dismissed as unnecessary by the government agency, as the Resident Committee representing “the community” was supervising the process.

According to Rigon (2014), the government dismissal represented its failure to consider how the Resident Committee was an expression of the structure owners and their interests, as well as its fear of confronting the structure owners, which would be time-consuming and conflictual. She therefore argues in favor of a stronger display of power from the “outsiders”—the government and development agencies—to manage participation and avoid local elite capture. However, I will argue that the government agency was probably well-aware of this local elite capture, and that Rigon’s conclusions lack understanding of how these processes intersect with clientelist party politics. The property-owners belong to the constituency mobilized by the incumbent government party through its fusion of programmatic and ethno-clientelist linkages: the project was co-opted by the political interests representing landlords.

As the opposition party ODM has been mobilizing another sub-constituency of the slum-dwellers—the tenants—through a neopopulist strategy, any close alignment to the SMO umbrellas is not expected. Rather, the ODM has established closer ties to the grassroots associations that predominantly represent tenants. One example can be drawn from Kibera. Grassroots associations there are deeply ingrained in partisan politics, along the main division between the CORD and Jubilee coalitions. The Nubian Rights Forum’s struggle for community titles was fought mainly outside the

electoral arena, because the Nubians are a small ethnic minority without political representation at the party level.⁴⁷⁴ However, when newly elected President Kenyatta in 2013 decided to grant the Nubians a land title in Kibera, that immediately triggered a backlash from two grassroots associations more aligned with political parties: the Kibera Stakeholder Forum and the Kibera Inhabitant Forum.

It may seem puzzling that two forums in Kibera both claim to represent structure owners and tenants in response to the perceived threat of the Nubian community title, especially since the conflict between landlords and tenants is considered a major conflict issue. However, the Kibera Stakeholder Forum was established with the specific purpose of protecting structure owners,⁴⁷⁵ and for the transferal of private titles to these owners.⁴⁷⁶ By contrast, the Kibera Inhabitant Forum has been supportive of the UN-Habitat slum-upgrading project,⁴⁷⁷ initiated by the previous government and Prime Minister Odinga, which was intended to grant tenure to all dwellers—landlords and tenants. The Kibera Stakeholder Forum is seen as being aligned to the Jubilee Coalition, which focuses on a property-owning society, while Kibera Inhabitant Forum is aligned to the ODM, which has taken the credit for slum-upgrading projects. The leader of the latter forum has even been the ODM campaign organizer in Kibera.⁴⁷⁸

The transfer of the community titles to the Nubians was halted due to massive demonstrations in Kibera (*Daily Nation* 08.12.2013), and led to new rounds of consultations. The Kibera Inhabitant Forum staged protests and demonstrations against the government, including a large-scale demonstration to prevent President Kenyatta from visiting Kibera to hand over the Nubian community title, eventually forcing him to cancel the event.⁴⁷⁹ The tenants' representatives in the forum mobilized this group

⁴⁷⁴ The Nubian Rights Forum. March 6, 2014, Nairobi.

⁴⁷⁵ Kibera Stakeholder Forum. March 5, 2014, Nairobi.

⁴⁷⁶ If the new buildings were to be rented out at market prices, most current tenants could not afford them and would have to move elsewhere. Thus, from a pro-poor perspective, this strategy does not make sense unless some mechanism could be provided to enable tenants to afford the rent.

⁴⁷⁷ Kibera Inhabitant Forum. March 4, 2014, Nairobi.

⁴⁷⁸ Ibid.

⁴⁷⁹ Ibid.

for demonstrations. According to the Kibera Inhabitant Forum,⁴⁸⁰ the difference between them and Kibera Stakeholder Forum was that the latter had no teeth to bite with and no political good-will, since they were seen as belonging to the Jubilee Alliance, and Kibera is ODM territory. Although some NGOs were involved in bringing the conflicting parts together for negotiations, we can see how the opposition party, ODM, was more attuned to the interests of grassroots associations catering for tenants.

Although the above example may show how grassroots associations and the opposition party jointly mobilized for a common cause, other instances illustrate how the opposition party also applies neopopulist strategies. The slum-upgrading project KENSUP in Kibera, which initially adopted a participatory approach that included donors, the Kenyan government, NGOs (including Shack/Slum-Dwellers' International) and CBOs, can be seen as an example of how the movement structures become intertwined with patronage politics of the opposition. The project, financed by UN-Habitat, was deemed a failure by many grassroots respondents from Kibera because it did not reach the intended beneficiaries—the marginalized slum-dwellers. KENSUP was considered the flagship of ODM's Odinga (at the time Prime Minister in the coalition government). However, many interview respondents in Kibera, including ODM supporters, felt that the project had been turned into a campaign tool. Oversight mechanisms to ensure that slum-dwellers were the beneficiaries of the housing project seemed lacking, such as additional regulations to penalize those who sub-let or increased rents.⁴⁸¹ The non-transparency involved in the transfer and implementation resulted in politically connected middle- and upper-class families soon taking over the newly constructed housing units.⁴⁸²

⁴⁸⁰ Ibid.

⁴⁸¹ Ibid.

⁴⁸² District Officer in Kibra Constituency. March 4, 2014, Nairobi.

Youth activist in Langata/Kibera. March 2014, Nairobi.

Political clientelism towards slum-dwellers has also emerged in projects that do not follow the main party divisions. The railway relocation project shows how politicians and government officials may intervene in these social movement efforts, reproducing dependency. Interview respondents claimed that, at the outset, the ministries and donors did not provide clarifying information directly to the communities about the process, only through intermediaries that were perceived as withholding information.⁴⁸³ When conflicts grew around the enumeration process that was to map out intended beneficiaries of the new housing structures, bulldozers were brought in, without warning, to demolish parts of the squatter settlement, destroying evidence of existing housing patterns among the dwellers. As a result, the beneficiary list became prone to manipulation based on backdoor deals negotiated with brokers, while the dwellers lost most of their leverage power. Speculations arose about the complicity of government officials, NGO actors and local politicians who were involved in the project, but this was difficult to verify, given the lack of transparency.

When grassroots associations try to hold land-grabbing politicians to account, they can be exposed to harsh attacks. A youth organization sought to hold their local MP accountable for illegal evictions and grabbing of public land reserved for a health center and a school, with the intention of building a commercial mall.⁴⁸⁴ The youth group collected evidence that included official records for land-use planning of the area, which they were to present for discussion at a community meeting. In response, police broke into the home (shack) of the leader of the association, confiscated the material, and beat and arrested him. The arrest prevented the activists from participating in the community meeting. While the leader, upon release, came under the protection of an NGO that provided him with secure accommodation (a hotel

⁴⁸³ Community Leader in Kibera. March 20, 2014, Nairobi.

Youth activist in Langata/Kibera. March 2014, Nairobi.

⁴⁸⁴ Community Leader in Kibera. March 20, 2014, Nairobi.

Youth activist in Langata/Kibera. March 2014, Nairobi.

room), he was brutally attacked on the street and ended up in hospital.⁴⁸⁵ This clearly shows the vulnerability of grassroots associations vis-à-vis political elites.⁴⁸⁶

To sum up, while the slum-dweller movement seeks to unite the grassroots associations of structure owners and tenants, the latter associations are divided along partisan lines. The opposition party, the ODM, and the movement are not closely aligned. While both the government and opposition parties have been engaged in slum-upgrading projects in collaboration with donor agencies and slum-dweller organizations, they simultaneously exploit these organizations and the projects for clientelist purposes. Politicians from both camps also seek to co-opt or repress smaller organizations that challenge their clientelist assets.

Tenant agency: neopopulism or marginalization through movement

The political agency that Kenyan slum-dwellers can enact through their representative bodies is complicated by two factors. The first concerns at what level their socio-economic interest is best taken care of—slum-dwellers jointly, or through organization of sub-interests. The second factor concerns the incentives that current resource mobilization structures create for engaging the slum-dwellers as clients and not as citizens. These two aspects are intertwined. Here I will focus on the tenants, who besides constituting the weaker economic group who are marginalized both by the incumbent government and through the movement structures.

The structuring of political mobilization of Kenyan slum-dwellers is highly complex and contradictory, leaving them in tricky dilemmas that are sometimes self-defeating. On one side, they are mobilized by SMOs that seek to bridge their internal divisions as (Luo) tenants and (Kikuyu) landlords and organize them around joint socio-economic interests, by engaging with the government of the day. On the other side, political parties seek to mobilize slum-dwellers by appealing to internal conflicts of interest among them, and strategically use their housing grievances as assets to punish or

⁴⁸⁵ This happened during my fieldwork, a day after our second interview.

⁴⁸⁶ Later, however, newspapers reported that the election results for the politician had been nullified by the courts, and he was not re-elected in the subsequent by-elections.

reward them. By engaging in one of these mobilizing structures, the slum-dwellers simultaneously contribute to undermining the other. Tenants may be involved in social movement processes of enumeration and allocating of formal land for housing in schemes that bring together tenants and landlords in a given area, which may reproduce inequalities among them. At the same time, tenants may engage in divisive political clientelism against landlords to secure informal access to housing as a reward from their political patron, which maintains clientelist structures.

What reinforces partisan loyalty is the confounding of programmatic and ethno-clientelist linkages, whereby ethnic identity, socio-economic interest and clientelist rewards all pull in the same direction through a shared narrative. Moreover, clientelist tools commonly associated with practices of authoritarian states are also found within the social movement structures. The consequence of this has been to empower the structure owners, who are also considered to be the constituency base of the party in power. As allocation of housing is an important aspect of the clientelist structure of partisan politics, political patrons also encroach on the SMOs, sometimes effectively co-opting them.

If slum-dwellers felt confident that they could achieve secure housing through predictable procedures as equal members of a social movement, this could enable them to refrain from vigilante activities or other forms of clientelism. Today, however, the lack of information, exclusion from decisionmaking processes and the threat of violence that the slum-dwellers meet from elites in both camps severely weaken the prospects for having their interest in housing guaranteed through the social movement. The potential cost of not abiding by political patrons becomes highly risky. Furthermore, it may be hard to distinguish between political patrons and social movement patrons. This makes it highly questionable whether the political agency that Nairobi slum-dwellers exercise through their representatives reflects citizenship at all.

Despite the clientelist features of opposition mobilization, the ODM and the grassroots associations collaborate to mass-mobilize tenants. The Kibera Inhabitant Forum

representative claims that they were able to mobilize against the President's Decree to give Nubians land in Kibera because they had the political goodwill of the MP and county commissioner, who were both ODM.⁴⁸⁷ Therefore, most community members joined Kibera Inhabitant Forum instead of the Kibera Stakeholder Forum. The ability of this grassroots association affiliated to the ODM to mass-mobilize may be an indication that the opposition party is more in tune with the tenant interests. While being engaged through both programmatic and clientelist means by the ODM, tenants may experience more agency through this structure than through the movement structure, which is dominated by structure owners.

10.3 Caught between a rock and a hard place

Chapter 10 has shown that in addition to the hybrid agency the urban poor experience through either movements (due to an extraverted strategy), or party politics (due to clientelism), the interaction between the two mobilization structures sometimes adds another layer of hybridity: political co-optation.

The Zambian opposition party, the PF, was able to leverage support by aligning with the pro-poor civil society prior to the 2011 elections (Cheeseman and Larmer 2015). Also the Kenyan opposition party, the ODM, has drawn strength from mobilizing together with pro-poor civil society groups.⁴⁸⁸ Despite a shared focus on pro-poor issues, however, the SMOs and opposition parties have not developed close affiliations or institutional links to each other. I find this to be rooted in how the two types of players mobilize their resources.

The movement umbrellas depend on external support, whereas opposition parties amass political and economic resources through clientelism. Extraversion and neopopulism have led to a consensus on weak ties between the movements and opposition parties. External actors generally do not want to be involved in party

⁴⁸⁷ Kibera Inhabitant Forum. March 4, 2014, Nairobi.

⁴⁸⁸ ODM Secretariat. March 7, 2014, Nairobi.

politics, and adhere to a pluralist ideal of separation of the civil and political spheres. This ideal is reflected in the domestic organizations, and reinforced by their past experiences with non-autonomy from the state. By contrast, the neopopulist strategies of the opposition parties rely on flexible, personalistic links to the voters and clientelist exchange.

Weak links between opposition parties and the SMOs are reinforced when social movements differ from the opposition parties regarding which sub-constituencies are their main targets. While the Kenyan ODM party emphasized tenants, the Kenyan slum-dweller movement sought to unite slum-dwelling tenants and landlords. In Zambia, the PF targeted street vendors, while the movement for informal traders sought to unite marketers and street vendors under its umbrella. Thus, the movements sometimes operate at a higher scale than the opposition parties.⁴⁸⁹

The weak links seem to be further reinforced when the approaches of the SMOs are in line with those of the government party. The approaches of the Kenyan movements for informal traders and slum-dwellers have resulted in increasingly institutionalized collaborations with the government. Also the Zambian slum-dwellers' movement have had amicable, albeit small-scale, collaborative relations and project-based partnerships with both the old *and* new government. Paradoxically, however, although the Zambian SMOs for informal traders mobilized the street vendors, who were also a target constituency of the PF when in opposition, the PF gave these SMOs the cold shoulder once in government.

The varying levels of interaction or cooperation between political parties and SMOs do not simply reflect different ideological positions or accountability to different grassroots constituents. Despite the officially weak ties between SMOs and political parties, SMOs experience attempts at political co-optation and fragmentation from incumbent as well as opposition parties. The fact that these movements are constantly being encroached upon by political patrons who are interested in their members

⁴⁸⁹ However, while conflicts between marketers and street vendors have also occurred in Kenya, these have not been reflected in party cleavages, whereas Zambian slum-dwellers were mobilized jointly by both the opposition party and the social movement.

confirms a perceived political influence of these SMOs, as well as ties to their grassroots base. However, rather than supporting strong, autonomous movements, politicians try to fragment them if they are perceived as threats, and/or politically co-opt them into their clientelist networks. Successful attempts to co-opt or clientify the SMOs illustrate what Pommerolle (2010) identifies as a reforming authoritarianism, resulting in hybrid movements (Waal and Ibreck 2013). How do the interactions between social movements and party politics affect the political agency of the urban poor?

Kenyan slum-dwellers find themselves in a difficult situation. Their socio-economic interests as either tenants or landlords are infused with ethnicity. These divisions are mobilized by political parties by combining programmatic and clientelist linkages. Simultaneously, tenants and landlords are mobilized as one collective group by SMOs that target the government of the day. However, the movement itself is ridden by clientelism due to rent-seeking behavior, as well as political co-optation. As a result, tenants are marginalized to the advantage of structure owners both within the movement itself and by the government party, while the opposition party provides them with a neopopulist linkage.

The situation is somewhat different for Zambian slum-dwellers. Slum-dwellers are not systematically split along sub-cleavages such as landlords and tenants or along ethnic lines. The opposition party, the PF, mobilized the slum-dwellers jointly on a populist platform with promises of low-cost housing, in line with the social movement's position. However, after the PF assumed office, slum-dweller access to land and housing continued to depend on political allegiance to the right party cadres. As the tide shifted towards the PF, remaining with the incumbent MMD camp increasingly posed a risk to (informal) tenure. The slum-dwellers' engagement in informal cadre allocations of land is counterproductive to the social movement's objectives of achieving land for its members through formal procedures. However, slum-dwellers who can commit to the movement's approach of member-based contributions and government collaboration are provided with a more citizen-based agency in the long run.

The street vendors in Zambia have also been mobilized by the PF through a populist linkage, intertwined with clientelist cadre structures. Street vendor entitlements depend on the discretion of the PF government and its street-vendor cadres, but at the same time street vendors are allowed to carry out their livelihood strategies. However, the PF government weakened the existing SMOs representing both street vendors and marketers under a joint umbrella, and created and funded its own non-autonomous street vendor organization, leading to further fragmentation and co-optation of the street vendors' movement. Recently, however, the street vendors have obtained greater agency through neopopulism than via the SMOs, where they no longer had formal representation through an association for street vendors.

In Kenya, informal traders are mobilized jointly by both the main political parties and SMOs, through an approach of formalization and the facilitation of trade. Furthermore, both political parties mobilize street vendors on a populist, *ad hoc* basis. However, informal traders are also opportunistically mobilized by political brokers who allocate or deprive them of work space and other benefits to mobilize votes, often on the basis of ethnicity. Furthermore, politicians use a similar strategy for co-optation and fragmentation of the SMOs. Lastly, as SMO membership requires a personal investment that most informal traders have been unwilling to provide, and closer engagement with the government, street vendors in particular remain marginalized within both the movement and party politics.

All four social movements struggle to establish a sustainable resource base from their grassroots constituents, especially from the more marginalized segments such as tenants and street vendors (perhaps with the exception of slum-dwellers in Zambia). These groups are effectively mobilized by neopopulist opposition strategies. A Zambian opposition politician from one of the smaller parties provided an anecdote that can illustrate the difference in strategy between “populist” politicians and an “extraverted” civil society.⁴⁹⁰ A call-in radio program on “urban renewal” focused on how unplanned settlements could be transformed into habitable areas through urban

⁴⁹⁰ ZED. Oct 12, 2012, Lusaka.

planning. The politician criticized the forum for not taking its audience into consideration. The term “urban renewal” would not be understood because they were communicating to semi-literates. He argued that while politicians were seen as using a “populist language” (understood in a negative way), idealists who were communicating in abstract terms, such as *equity*, would not be understood, and would thus fail to mobilize.⁴⁹¹ “Populist” strategies by politicians may thus reflect a better understanding of their constituents, compared to the extraverted, elitist movement organizations and their donors. Nevertheless, the violence and coercion that underpin neopopulist strategies are evidence of a strategy that is motivated less by accountability and representation of the urban poor, and more by neopatrimonialism.

I find that the mobilization/recruitment challenges facing SMOs are attributed to power asymmetries between these movement actors vis-à-vis the urban poor, which result in disengagement and alienation. These power asymmetries may be a result of these organizations’ resource constraints, which limits their outreach and ability to engage with their members. However, SMOs may also fail to mobilize because their agenda do not resonate with the interests of their potential members, their barriers to entry are too high, or they are not deemed trustworthy. In such cases, they will not be seen as legitimate representatives by their constituents.

If the grassroots are not meaningfully engaged by SMOs in collective decisionmaking, are not allowed insights into organizational processes, and especially if they fear repercussions if a conflict erupts, they may feel safer sticking to the devil they know. A failure of SMOs, or their funders, to consider the vulnerable and complex position the urban poor are positioned in, or the suspicions that certain arrangements create, given the grassroots’ experiences with clientelism and corruption for decades, may make engagement in patronage politics seem a safer bet for the poor.

⁴⁹¹ Ibid.

11. Hybrid agency of the urban poor – navigating between citizenship and clientship

“We spent a lot of time speaking with people and they promised to make sure it was a peaceful election. We proposed a youth from the slum as a county representative, but we did not know the caliber. We voted as a bloc, Mungiki and Taliban, and thought it was better with a ghost you know. He became a headache (...) At least we changed the situation by picking one of us.”⁴⁹²

“We will try to see in the next election (...) then we are ready for a new guy. The community believes in us now. They see we do all we can (...) If you want to catch a thief, use a thief.”⁴⁹³

This study has shown how the conditions of illegality in which the urban poor in Zambia and Kenya pursue their livelihood strategies constitute a basis for political mobilization through the available political channels. The two country comparison was based on expectations that Zambia could be considered a most-likely case for enhanced citizen-based agency for the urban poor, and Kenya a least-likely (though possible) case.

Zambia had a successful, pro-poor opposition party (Resnick 2014; Cheeseman and Larmer 2015), a large urban population, and cross-ethnic mobilizing structures within society—most prominently, the labor movement (LeBas 2011). In Kenya, by contrast, the opposition party has emerged as an ethno-clientelist party machine (although with some pro-poor populist features) (Cheeseman and Larmer 2015), there was a smaller urban population, and mobilizing structures within society (especially economic interest groups) were characterized by ethnic brokerage and fragmentation (LeBas 2011). However, the emergence of social movement organizations (SMOs) in both countries, with close ties to transnational actors, was seen as having the potential to create another political avenue for the urban poor to enhance their agency as citizens, outside the electoral sphere.

The study finds that the introduction of multiparty competition and political pluralism in these former patrimonial autocracies has strengthened citizen-based agency for the

⁴⁹² Former member of Taliban. March 18, 2014, Nairobi.

⁴⁹³ Former member of Mungiki. March 25, 2014, Nairobi.

urban poor through opposition parties as well as SMOs in both countries. There is a convergence towards neopopulism and extraverted movements. A dynamic political game has evolved in response to changing political opportunity structures. Due to political competition, opposition parties and SMOs increasingly need to offer legitimate claims of representing the urban poor in order to remain relevant. If they are unable to deliver benefits and an agenda that resonate with this sector, other actors will enter to fill the vacuum. The diverging patterns of political mobilization of the urban poor illustrate this dynamism.

We have seen the variation in how collective benefits have been mobilized by different actors, and that the contentious issues that surround “illegality” are far from settled. Some mobilize slum-dwelling tenants and landlords jointly, while others mobilize on the basis of interest conflicts among them. The same applies to marketers and street vendors. Varying constellations of collaboration or conflict have emerged among SMOs, incumbent and opposition parties, and various forms of legislation, policy, and programs have been articulated (sometimes implemented) by different actors, depending on the sub-constituency targeted. Increasingly, the urban poor are being taken seriously as citizens.

Also important, however, are the opportunities and incentives that exist for amassing material resources at the expense of the urban poor. While opposition parties and SMOs may mobilize on the basis of collective benefits, in practice they often end up providing contingent benefits to their constituencies. Both types of organizations have incentives for accumulating economic and political resources by engaging the urban poor as clients. This may be motivated by personal reasons—rent-seeking, or the protection of economic privilege—but also at the organizational level, the cheapest or easiest way of generating material resources is often by turning the urban poor into clients.

The ways in which political parties and SMOs mobilize material resources have led to the exclusion of the more marginalized groups, or deliberate attempts to reduce their autonomy by restricting their access to information and decisionmaking. In cases

where elites are challenged by the grassroots on their practices, and if grassroots actors are not susceptible to bribes or other clientelist rewards, patrons have at their disposal a range of methods for forcing compliance, sometimes through well-orchestrated and prolonged efforts to weaken or frighten them. Such situations create dilemmas for the urban poor: should they engage as clients, or opt out? However, power asymmetries may also be present without any deliberate attempts by the elites to turn their constituents into clients, for instance due to unawareness of how these power asymmetries contribute to clientifying them, or due to a lack of capacity.

Hence, under conditions of political competition and pluralism, opposition parties and SMOs in Kenya and Zambia mobilize resources through two contradictory mechanisms: legitimacy through collective benefits; and material resources through contingent benefits. The result is hybrid agency for the urban poor.

11.1 The history of urban poor mobilization

Chapter 5 demonstrated how the criminalization of the urban poor has been a feature since the colonial era. The illegality of informal trade and street vending reflected a deliberate attempt to discourage the African populations from settling in the cities. The laws and policies that criminalized the livelihoods of the urban poor were largely continued in the post-colonial state. As urbanization continued, this illegality produced distinct socio-economic grievances and conflicts of interests between the urban poor and more affluent economic groups. The latter often overlapped with political elites. The processes of economic liberalization and privatization that began in the 1980s usually resulted in the transferral of formal property rights to political and economic elites, and reinforced a formal-informal dichotomy. Thus, slum-dwelling and street trade continued to be illegal under the new economic model of “neoliberalism”.

The grievances and interest conflicts stemming from illegality created opportunities for various forms of political mobilization. Chapter 6 showed that in the first multiparty period after independence, slum-dwellers and informal traders were mobilized by political parties, including opposition parties, often through ethno-

clientelism. In response, these regimes imposed *de jure* one-party states to contain political contestation at the local level. However, pro-democracy opposition forces capitalized on how the economic mismanagement of the one-party regimes aggravated the economic grievances of the urban poor. As urban poor, middle- and upper class groups coalesced around calls for democracy, the pressure eventually led to democratic transitions.

Chapter 7 found that multiparty elections and political pluralism did not initially translate into enhanced political agency for the urban poor. The democratic struggle was led by the middle- and upper classes, and the urban poor were mobilized on an *ad hoc* basis. The new government parties reverted to ethno-clientelism. Furthermore, although a new form of civil society emerged, largely supported by the international donor community, these organizations were more concerned with democracy, human rights and service delivery. Thus, the urban poor continued to be politically marginalized. However, a democratic foundation had been created for increasing political mobilization of these large urban segments in the longer run.

11.2 Neopopulist opposition parties

Seeking to challenge ethno-clientelist incumbent parties that emerged in the wake of the democratic transitions, more Latin-style, neopopulist parties (Weyland 2003; Levitsky 2007; Burgess and Levitsky 2003; Stokes 2005) have developed in Kenya and Zambia (Chapter 7 and 8). These neopopulist strategies should be seen in connection with the low institutionalization of party structures and how the opposition parties depend on charismatic leaders, in turn according great flexibility to the party leadership.

New programmatic linkages have been provided to street vendors and/or slum-dwellers through promises of (government-provided) low-cost housing and trading spaces, and an end to evictions, criminalization and harassment. However, it is precisely these aspects of illegality that are used by the same parties for clientelist purposes. In practice, low-cost slum housing and access to trading space have been

informally redistributed through party brokers as rewards and punishments for voters, often by highly coercive and violent means. The brokers usually belong to the urban poor segments themselves, and the extent to which they benefit from brokerage varies substantially. The neopopulist strategies have either replaced pre-existing clientelist structures (as with Zambian street vendors), or added to them (Kenyan tenants and landlords). Although the opposition parties rely on a pro-poor, programmatic linkage to compete with incumbent parties, also for them, the urban-poor vote becomes cheaper if they combine such appeals with clientelism, in line with the argument of Stokes et al. (2007). The hybrid agency that the urban poor exercise through party politics is highly skewed towards clientship.

Although ethno-clientelism still operates at the national level to mobilize the vote in rural areas (Resnick 2014; Cheeseman and Larmer 2015), empirical analyses of the interaction between the urban poor and political parties in Nairobi and Lusaka indicate a shift in these cities towards neopopulism. Socio-economic interests, not necessarily ethnicity, have become the basis for party linkages. However, the role of ethnicity differs in the two countries. Through its pro-poor strategy, Zambia's PF was able to mobilize all urban constituencies in the country, thereby winning the presidency and the majority of MP seats in all urban areas. By contrast, although the Kenyan ODM's presidential candidate won the majority in the capital, he did not win the Presidency, and the urban vote at the national level was divided. Ethnicity trumps pro-poor populism also in urban areas. Paradoxically, the ICC intervention seems to have aggravated the importance of ethnicity *and* negatively affected the ODM, as the former ODM ally, the URP (Ruto), switched to an alliance with Kenyatta (Jubilee).

Another difference between the two countries concerns how ethnicity and sub-conflicts among the urban poor are perceived to overlap. Considering Stokes' (2005) argument of how "perverse" machine politics requires administrative infrastructure, ethnicity could be seen as a short-cut for garnering votes. However, empirical findings indicate that Kenyan party brokers are not necessarily loyal to their political parties, and that Kikuyu and Luo may mobilize for both political coalitions. The Kenyan case

highlights the difficulty of knowing whether party linkages should be understood primarily on the basis of ethnicity or of socio-economic interest.

11.3 Extraverted, member-based social movements

In response to the lack of democratic representation of and accountability to the urban poor, member-based social movements have emerged to fill the void in both Kenya and Zambia (Chapter 9). They do so through mobilization of the urban poor outside electoral politics. These SMOs seek to provide collective benefits through laws, policy and projects in which their grassroots constituents are meant to play a fundamental role through democratic participation as well as personal investment, as also claimed in the literature (Ballard et al. 2005; Bieler 2012; Kapoor 2007; Köhler and Wissen 2003). However, movements differ in terms of their consistency and what kind of agency they provide for different sub-constituencies of the urban poor.

According to Pommerolle's (2010) "extraversion" argument, dependence on external resources produces winners and losers among SMOs. New forms of coercion emerge as external modalities come to dominate, sometimes resulting in the exclusion of more marginalized groups. Further, their dependence on external resources creates problems of clientelist relations and rent-seeking, similar to those that Wit and Berner (2009) found in India.

SMO umbrellas in both Zambia and Kenya seek to organize informal traders under a joint movement. In both countries, however, these umbrella bodies struggle to mobilize their large constituency base, due partly to problems of clientelism and briefcase associations within the movement structure, and partly to membership requirements, which marginalize street vendors. The SMOs for informal traders in Zambia, which belong to the labor movement, have experienced inter-organizational conflicts between AZIEA and the Street Vendors Association, as well as conflicts of interest between marketers and street vendors united under the joint umbrella of AZIEA. Because of organizational conflicts, street vendors in Lusaka had no formal representation by an association catering specifically to their interests prior to the 2011

elections, and that led to marginalization. In Kenya, the dominant SMOs for informal traders have bypassed pre-existing organizational structures. They have aligned with the business community and engaged in closer government collaboration. In this way, the umbrella bodies have achieved formal representation and what they consider advantageous legislation and policies for their members, but these laws still make street vending illegal.

In both countries, SMO umbrellas also seek to unite slum-dwellers (tenants and landlords) under a joint movement. In both cases, these movements have been able to recruit considerable memberships, and collaborate with governments on land and housing projects for their members. Especially in Kenya, the SMOs have been perceived by grassroots activists as enhancing their agency, enabling them to work together and with the government in a less conflictual manner. They have also contributed to the formulation of new legislation on land and evictions. However, the Kenyan movement has also become caught up in landlord–tenant conflicts, and tends to reproduce clientship in their housing projects, which marginalize the tenants. It is perhaps the Zambian slum-dweller movement that has best managed to create a citizen-based agency for its members. Its projects mainly benefit those who can meet membership requirements, but expected contributions are fairly low. However, its scope and approach is limited and non-confrontational, and it has not effectively contributed to legislation.

Overall, the extraverted strategy of the movements has produced collective benefits for their constituents, but also resulted in patron-client relationships and/or marginalization. More clientelist mechanisms have been identified within the social movements in Kenya than in Zambia. In the latter case, marginalization of the weaker groups seems more problematic, which is correlated with weak organizational capacity.⁴⁹⁴

⁴⁹⁴ However, as the study could rely on more secondary sources on Kenyan SMOs, further research should be carried out on the interaction between SMOs and their grassroots in Zambia.

11.4 Interaction between party politics and social movements

LeBas (2011) and Cheeseman and Larmer (2015) indicate that opposition parties can leverage support by aligning with broad-based organizational structures in society. However, Weyland (2003) and Levitsky (2007) argue that neopopulist parties have an interest in weakening, rather than strengthening, interest organizations in society in order to establish direct, populist relations with the urban poor. In addition, a pluralist-oriented civil society accords greater weight to autonomy from the state and from political parties (Rakner 2003). Given that opposition parties pursue a neopopulist strategy, and SMOs pursue an extraverted strategy that conform to predominant pluralism ideals, weak institutionalized links between opposition parties and civil society were expected.

The thesis confirms these expectations (Chapter 10). In neither Kenya nor Zambia have opposition parties and SMOs tried to establish strong, institutional links to each other. However, politicians from both the incumbent and opposition parties have sought to capitalize on these organizations through co-optation, or to weaken or fragment these SMOs if they are perceived as a threat. Thus, SMOs treat their constituents as clients also because of co-optation by political patrons, resulting in what Waal and Ibreck (2013) and Larmer (2010) consider hybrid movements. These tend to reproduce the existing (authoritarian) order.

Attempts at co-optation and fragmentation indicate that the SMOs have organized their grassroots constituents in a manner that challenge the clientele base for politicians. However, the difference in scale between the SMOs and opposition parties—slum-dwellers versus tenants, or informal traders versus street vendors—give rise to questions as to which of these “representative” organizations are in fact more representative and accountable towards their constituents.

In Zambia, as the PF aligned with pro-poor calls from civil society while in opposition, these SMOs initially held (moderately) positive expectations as to what the opposition party would do on these issues when in office. However, they were soon disappointed,

as PF began using its cadres for informally allocating and redistributing trading space and land for housing through coercion and violence. Although the Zambian SMOs for informal traders initially welcomed the new President's decision to ignore laws prohibiting street vending, they later experienced direct attempts at fragmentation and co-optation when the PF government de-registered its marketer organizations and created its own street vendor foundation. However, the Zambian street vendors endorsed the neopopulist strategy of the PF, as they had become marginalized within the SMOs. The relationship between the Zambian SMOs for slum-dwellers and the government remained amicable, perhaps because the movement's strategy did not pose a threat to clientelist party linkages. Slum-dwellers would therefore engage in PF-brokered, informal land deals while also pursuing formal, secure tenure through the SMOs' engagement with the government for the longer run.

In Kenya, the opposition party, ODM, also portrayed itself as a pro-poor party, concerned with evictions and low-cost housing, as the slum-dwellers movement also did. However, because the SMOs for slum-dwellers were dominated by (Kikuyu) landlords, seen as the main constituency for the incumbent party, grassroots associations representing (Luo) tenants were used for mobilization by the opposition party. This strategy was combined with brokered clientelism, providing a neopopulist linkage to tenants through the opposition party. Furthermore, as the Kenyan movement for informal traders had developed collaborative relations with the business community and the government, informal traders did not constitute a main constituency for ODM. As the Kikuyu were seen as overrepresented among informal traders, they were even less likely to become a main support base for the opposition party. Instead, politicians of all stripes would seek to mobilize or clientify sub-groups of informal traders and their associations (often based on ethnicity), in order to gain their votes. For Kenyan informal traders, the choice often stood between engaging in ethno-clientelism or exiting, especially in the case of street vendors who found it difficult to meet SMO requirements.

These dynamics show that despite SMOs trying to remain autonomous from party politics, and engage the government of the day, the two mobilization structures are

bound to interact as long as these actors compete over the same grassroots constituents. When the neopatrimonial political order permeates these SMOs, the result is hybrid movements. However, although political parties use neopopulist tactics towards the urban poor, and seek to weaken the organizations representing these groups, it often remains unclear whether the SMOs are more representative of and accountable to the interests of their constituents (even if they are not co-opted by politicians).

11.5 A shared framework: resource mobilization and power asymmetries

How do supposedly democratic representatives of the urban poor clientify them? Despite the empirical complexities, these political dynamics can be analyzed within a shared framework of resource mobilization and power asymmetries. The urban poor do not want to live in the insecurity that stems from illegality. If an incumbent party provides benefits that are contingent and only for the few, other organizations may garner legitimacy by claiming to represent the collective interest of the many. If the urban poor can choose between which organizations to support, they will prefer those that not only provide them with contingent *ad hoc* benefits, but also more durable, long-term collective benefits. If, however, SMOs depend on external, material resources while opposition parties generate material resources through clientelism, both will also have incentives for engaging the urban poor as clients.

This contradictory pattern of resource mobilization—legitimacy versus material resources—is what causes hybrid agency for the urban poor. The outcome can be understood in light of Elster's (1998) Type B mechanisms: the triggering of two causal chains (resource mobilization) that affect an independent variable (democratic competition) in opposite directions, leaving the net effect (agency) indeterminate.⁴⁹⁵ As political parties and SMOs need to generate both legitimacy (through collective

As mentioned in the methods chapter, Type A mechanisms concerns the indeterminacy of which (if any) of several causal chains that will be triggered, but that are mutually exclusive (scared animals either freeze or flight).

benefits) and material resources (through contingent benefits), the urban poor are engaged simultaneously as citizens and clients.

It is easy to identify outright violent suppression or total neglect of democratic procedures. However, when opposition parties and SMOs depend on a legitimate claim to democratically represent their constituents, attention to how mechanisms deprive constituents of agency in ways that are not immediately apparent becomes more important. By depriving their constituents of necessary information, of collective decisionmaking power, or by subjecting them to (subtle) coercion, these constituents may easily fall prey to clientelism. It is the most hidden, discreet or non-deliberate mechanisms that are the most relevant for explaining clientship in these contexts. The more sophisticated these systems become, the more focus should be placed on the devil in the details. As shown in the empirical chapters, power asymmetries forged towards the urban poor can be manipulated and combined in an almost infinite number of ways. Such clientelism can be expected when the incentives are in place.

Grassroots responses to attempts at clientification vary. Some simply exit. Those who remain, either accept being clients, or they fight these asymmetries. Much of the data that has informed the development of this framework have been drawn from interviews with respondents who have struggled to obtain reliable information, to participate in supposedly collective decisionmaking, and to avoid coercive sanctions. The urban poor do fight to enhance their political agency and socio-economic interests, despite the obstacles put in their way. It is they who must bear the consequences of decisions made by influential SMOs or political parties.

11.6 Is the glass half empty or half full?

Do the political developments witnessed over the past decade, which have resulted in a hybrid form of political agency for the urban poor, reflect a path that will continue in the same direction, eventually enabling the urban poor to engage as autonomous citizens in pursuing their interests? Or might this be a cyclical trend, which will regress back to (ethno-)clientelism?

Is the glass half full? The urban poor studied here have arguably become more politically influential through dual mobilization by opposition parties and SMOs, despite the prevalence of clientelism. Instead of being mere subalterns or opting to exit, the urban poor engage through the political channels available. They have become freer to choose which organizations to support or not. As they gain experience from interacting with political parties and SMOs, they can make increasingly informed decisions as voters, members and activists.

We have seen many examples of how urban poor grassroots have appreciated SMO efforts to advance their interests, and have increasingly become empowered as citizens vis-à-vis the state. Especially the slum-dweller movements have attained a rather large membership base. In Kenya, the SMOs are satisfied with new legislation and increased institutionalized collaboration, which indicate a more robust process. In Zambia, the urban poor have learned that they can change the political leadership at the national level. Although the study has exposed how neopopulist parties engage the urban poor through clientelism, it remains to be seen whether these parties will follow up on their programmatic promises once in office. The new PF-government in Zambia shows indications of following up on some of its promises but seems restrained by capacity and its own cadres. ODM has not yet won the general elections, but it delivered on some goals through the constitutional process (facilitated by the international community). As new collective benefits are provided to some constituents, other struggles may emerge from those who were left out.

Is the glass half empty? As shown in Chapter 6, the urban poor have been mobilized before, and subsequently ignored or harassed, while ethno-clientelism has resumed. There might be a difference between when a political party is in opposition and after it enters office. As long as widespread poverty prevails, large cohorts of inexperienced poor youth will remain vulnerable to clientelist exploitation. Politically trained brokers have spiraled out of control, resulting in increasing levels of crime and violence. Furthermore, in Kenya, the urban vote is split at the national level. The ethno-regional voting pattern may indicate that the Kenyan urban poor population is simply not large

enough to make pro-poor populism the predominant strategy—although the possibilities for political entrepreneurship cannot be discounted.

Further, the new governments in both countries have recently sought to limit the space for civil society. Hence, a neopatrimonial backlash against civil society from the government can also result from mobilization. Worries about attempts of the terrorist group Al-Shabaab to recruit youth from the slums of Nairobi have surfaced from civil society as well as from the government.⁴⁹⁶ This has been used for government crackdowns on NGOs (Freedom House 2015a), but it also reflects the dangers of not engaging the urban poor in meaningful ways. Social movements with differing constituencies and goals have also ebbed and flowed. They depend on shifting donor trends, and are vulnerable to co-optation.

The overall findings from this study indicate that in pluralist, competitive regimes in Africa where the “poor” constitute the urban majority, not only ethnicity, but also the socio-economic interests of the urban poor are used for establishing clientelist linkages, often in combination with (promises of) programmatic benefits. As the socio-economic grievances of the urban poor largely stem from the illegality of their livelihood strategies, this illegality becomes an effective tool for both programmatic and clientelist mobilization.

Currently, political parties do not seem inclined to abandon their clientele base among the urban poor, as clientelism constitutes such an important source for material resources. The extent to which party clientelism relies on coercion and violence supports this argument. SMOs and their funders might be more willing to address barriers to engaged and active citizenship, especially if the forging of clientelist relations has not been deliberate. However, if SMOs do not allow their constituents insight into how they conduct their business, and fail to create space for their constituents to shape the agenda, the urban poor may end up acting in the interests of

⁴⁹⁶ Youth activist in Langata/Kibera. March, 2014, Nairobi.

SMOs or donors, rather than the other way around.⁴⁹⁷ In such cases, civil society does a poor job in shaping civic-minded citizens, as Schmitter and Karl (1991) indicate, and the urban poor may find their interests better served through neopopulism.

In this thesis, a main focus has been how opposition parties mobilize the urban poor to win political office. A pertinent follow-up to this study would be a more comprehensive analysis of how pro-poor, populist parties follow up on their electoral promises for collective benefits when in office, through legislation, policy and budget transfers. Second, research on internal processes in the party organizations and parliamentary processes would provide insights into the nature of these parties, as well as the effects of populist party strategies on party system developments. Third, this study found that urban poor brokers, activists and party members in Nairobi increasingly mobilized for political parties on other grounds than ethnicity. It would be interesting to study the extent to which such fluctuations are reflected also among voters, and the degree to which voters are punished or rewarded on the basis of ethnicity or party loyalty (as the latter seems to be the case in Lusaka). Fourth, research on how programmatic and clientelist mobilization of the urban poor may vary across urbanized regions in a country would be valuable to differentiate between national and more regional/local processes. Fifth, the study found clientelism to be more prevalent in Kenyan SMOs than in Zambian ones. However, this finding may be attributed to the fact that the analysis could rely on more secondary literature from Kenya. Further research is needed on the relationship between Zambian SMOs and their constituents to understand whether similar types of movement organizations create different incentives for clientelism, and why.

⁴⁹⁷ Information is essential for being able to act autonomously. SMOs and donors provide their constituents with far less insight into what they do than they themselves might tolerate from their own representatives—whether politicians, trade unions or other groups.

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Appendix A: Tables

Table 1: Diani and Bison's (2004: 281-309) typology of collective action processes

| Dense vs. sparse informal networks | Network identity vs. organizational identity | Conflictual vs. consensual action | |
|------------------------------------|--|-----------------------------------|-------------------------------|
| | | Conflictual action | Consensual action |
| Dense informal networks | Strong network identity | <i>Social movement</i> | <i>Consensus movement</i> |
| Dense informal networks | Weak network identity | <i>Conflict coalition</i> | <i>Consensus coalition</i> |
| Sparse informal networks | Weak network identity | <i>Conflict organization</i> | <i>Consensus organization</i> |

Table 2: Number of constituency seats to political party in each province in Zambia

| Province | PF constituency seats | MMD constituency seats | UPND constituency seats | Others | Total |
|---------------|-----------------------|------------------------|-------------------------|--------|-------|
| Central | 3 | 9 | 2 | 0 | 14 |
| Copperbelt | 18 | 5 | 0 | 0 | 23 |
| Eastern | 1 | 15 | 0 | 3 | 19 |
| Luapula | 13 | 1 | 0 | 0 | 14 |
| Lusaka | 8 | 4 | 0 | 0 | 12 |
| Northern | 15 | 4 | 0 | 1 | 20 |
| North-Western | 0 | 9 | 3 | 0 | 12 |
| Southern | 0 | 1 | 17 | 0 | 18 |
| Western | 2 | 7 | 6 | 2 | 17 |
| Total | | | | | 149 |

(Electoral Commission of Zambia 2011b)

Table 3: Number of constituency seats to political party, by county in Kenya

| County | ODM | TNA | URP | Others | Total | Majority |
|-----------------------|-----|-----|-----|--------|-------|----------|
| Nairobi | 7 | 10 | 0 | 0 | 17 | TNA |
| Mombasa | 4 | 0 | 0 | 2 | 6 | ODM |
| Kwale | 2 | 1 | 0 | 1 | 4 | ODM |
| Kilifi | 4 | 0 | 1 | 2 | 7 | ODM |
| Tana River | 0 | 1 | 1 | 1 | 3 | Na |
| Lamu | 0 | 0 | 0 | 2 | 2 | Other |
| Taita Taveta | 3 | 1 | 0 | 0 | 4 | ODM |
| Garissa | 3 | 1 | 2 | 0 | 6 | ODM |
| Wajir | 5 | 0 | 1 | 0 | 6 | ODM |
| Mandera | 6 | 0 | 0 | 0 | 6 | ODM |
| Marsabit | 2 | 0 | 1 | 1 | 4 | ODM |
| Isiolo | 0 | 0 | 2 | 0 | 2 | URP |
| Meru | 2 | 4 | 0 | 3 | 9 | TNA |
| Tharaka-Nithi | 0 | 1 | 1 | 1 | 3 | Na |
| Embu | 0 | 3 | 0 | 1 | 4 | TNA |
| Kitui | 0 | 0 | 0 | 8 | 8 | Other |
| Machakos | 0 | 0 | 0 | 8 | 8 | Other |
| Makueni | 0 | 0 | 0 | 6 | 6 | Other |
| Nyandarua | 0 | 4 | 0 | 1 | 5 | TNA |
| Nyeri | 0 | 5 | 0 | 1 | 6 | TNA |
| Kirinyaga | 0 | 4 | 0 | 0 | 4 | TNA |
| Muranga | 0 | 6 | 0 | 1 | 7 | TNA |
| Kiambu | 0 | 12 | 0 | 0 | 12 | TNA |
| Turkana | 1 | 1 | 3 | 1 | 6 | URP |
| West Pokot | 0 | 0 | 3 | 1 | 4 | URP |
| Samburu | 0 | 2 | 1 | 0 | 3 | TNA |
| Trans Nzoia | 0 | 0 | 1 | 4 | 5 | Other |
| Uasin Gishu | 0 | 0 | 6 | 0 | 6 | URP |
| Elgeyo- Marakwet | 0 | 0 | 4 | 0 | 4 | URP |
| Nandi | 0 | 0 | 6 | 0 | 6 | URP |
| Baringo | 0 | 0 | 5 | 1 | 6 | URP |
| Laikipia | 1 | 2 | 0 | 0 | 3 | TNA |
| Nakuru | 1 | 7 | 1 | 2 | 11 | TNA |
| Narok | 0 | 1 | 4 | 1 | 6 | URP |
| Kajiado | 1 | 4 | 0 | 0 | 5 | TNA |
| Kericho | 0 | 0 | 5 | 1 | 6 | URP |
| Bomet | 0 | 0 | 5 | 0 | 5 | URP |
| Kakamega | 6 | 0 | 0 | 6 | 12 | Na |
| Vihiga | 2 | 0 | 0 | 3 | 5 | Other |
| Bungoma | 1 | 0 | 0 | 8 | 9 | Other |
| Busia | 3 | 0 | 2 | 2 | 7 | ODM |
| Siaya | 5 | 0 | 0 | 1 | 6 | ODM |
| Kisumu | 5 | 0 | 0 | 2 | 7 | ODM |
| Homabay | 8 | 0 | 0 | 0 | 8 | ODM |
| Migori | 5 | 0 | 1 | 2 | 8 | ODM |
| Kisii | 4 | 2 | 0 | 3 | 9 | ODM |
| Nyamira | 3 | 0 | 0 | 1 | 4 | ODM |
| Total/majority | 84 | 72 | 56 | 77 | 290 | TNA/URP |

(The Independent Electoral and Boundaries Commission 2013)

Table 4: Distribution of seats based on political party in 2013 County Assembly Ward representatives, Nairobi County⁴⁹⁸

| Constituency | ODM seats | TNA seats | URP seats | Others | Total |
|---------------------|------------------|------------------|------------------|---------------|--------------|
| Westlands | 4 | 1 | 0 | 0 | 5 |
| Dagoretti North | 4 | 1 | 0 | 0 | 5 |
| Dagoretti South | 0 | 4 | 0 | 1 | 5 |
| Langata | 5 | 0 | 0 | 0 | 5 |
| Kibra | 3 | 1 | 0 | 1 | 5 |
| Roysambu | 0 | 5 | 0 | 0 | 5 |
| Kasarani | 0 | 5 | 0 | 0 | 5 |
| Ruaraka | 5 | 0 | 0 | 0 | 5 |
| Embakasi South | 3 | 1 | 0 | 1 | 5 |
| Embakasi North | 1 | 4 | 0 | 0 | 5 |
| Embakasi Central | 1 | 4 | 0 | 0 | 5 |
| Embakasi East | 4 | 1 | 0 | 0 | 5 |
| Embakasi West | 1 | 3 | 0 | 0 | 4 |
| Makadara | 3 | 1 | 0 | 0 | 4 |
| Kamukunji | 1 | 4 | 0 | 0 | 5 |
| Starehe | 2 | 4 | 0 | 0 | 6 |
| Mathare | 4 | 2 | 0 | 0 | 6 |
| Total | 41 | 41 | 0 | 3 | 85 |

(The Independent Electoral and Boundaries Commission 2013)

⁴⁹⁸ At national level, elections in 35 wards were postponed while 11 wards were unopposed.

Appendix B: Interviews

Table 5: Interview respondents according to sector/collective actor

| Sector/ collective actor | Field- work | Kenya | Zambia |
|--------------------------------------|----------------|--|--|
| <i>Political parties</i> | <i>1st</i> | Labor Party (political aspirant, Kibera) ODM (ward/county representative) UDF (political aspirant, Kibera) | ZED |
| | <i>2nd</i> | ODM Secretariat (2 representatives) Safina (political aspirant) TNA (political aspirant) UDF (political aspirant) | MMD (Information Secretary) MMD (youth Leader) UPND (MP) |
| <i>Trade unions</i> | <i>1st</i> | COTU (2) | FFTUZ ZCTU |
| | <i>2nd</i> | COTU | FFTUZ LO Regional Office ZCTU |
| <i>Informal economy associations</i> | <i>1st</i> | Jua Kali Kamukunji Area Association | AZIEA (Lusaka District) Street Vendors Association (2) |
| | <i>2nd</i> | KENASVIT (2) NISCOF | AZIEA (2) Street Vendors' Association |
| <i>Land/housing organizations</i> | <i>1st</i> | Nubian Rights Forum | PPHPZ/ZHPPF Zambia Land Alliance |
| | <i>2nd</i> | Kibera Inhabitant Forum Kibera Stakeholders Forum Nubian Rights Forum Railway Dwellers Federation | PPHHZ/ZHPPC ZHPPF (2 grassroots members) |
| <i>Media</i> | <i>1st</i> | Pamoja FM | |
| | <i>2nd</i> | Journalist and activist Pamoja FM | Journalist and web-activist |
| <i>NGOs/CSOs</i> | <i>1st</i> | Legal Resources Foundation | CSPR FODEP ZCSD |
| | <i>2nd</i> | Amnesty International Global Communities Inuka Ni Sisi! | 2410 FODEP Operation Young Vote SACCORD |
| <i>Grassroots associations/</i> | <i>1st</i> | 8 activists (6 associations in Kibera and Mathare) | |

| | | | |
|---|------------|--|---|
| activists | <i>2nd</i> | 9 youth activists from various associations in Kibera (6), Korogocho (1), Mathare (1), and central (1) Bunge la Mwananchi (3) Human rights activist/lawyer | Women's group Kanyama (focus group: 30 +) |
| International community | <i>1st</i> | | Norwegian Embassy, Lusaka (2) |
| | <i>2nd</i> | Norwegian Embassy, Nairobi UN-Habitat | |
| University/research institutions | <i>1st</i> | Geographer (Institute for Development Studies) | Geographer (UNZA) Political Scientist (UNZA) |
| | <i>2nd</i> | Professor (Institute for Development Studies) | Center for Policy Dialogue Geographer (UNZA) Political Scientist (UNZA) Panos Institute Southern Africa PMRC |
| Churches | <i>1st</i> | | Caritas JCTR |
| | <i>2nd</i> | | Caritas |
| Central government | <i>1st</i> | | |
| | <i>2nd</i> | Micro- and Small Enterprise Authority National Cohesion and Integration Commission | Ministry of Local Government and Housing National Pension Scheme Authority |
| Local government level | <i>1st</i> | District Officer, Langata/Kibera | MP office staff (Kanyama) |
| | <i>2nd</i> | District Officer, Langata/Kibera | Former Chairman, Kanyama Ward Housing and Social Services (Lusaka City Council) Officer at Lusaka City Council |
| Cadres/brokers/vigilantes | <i>1st</i> | | |
| | <i>2nd</i> | 1 former Mungiki member 1 former Taliban member Former gang in Korogocho (focus group: 4) | Former PF/MMD cadre |
| Other | <i>1st</i> | | |
| | <i>2nd</i> | | Geography class discussion (UNZA) Lilanda community meeting (focus group: 8 persons) Market vendor (Soweto Market) Technical Committee on Constitutional Draft |

Alphabetical list of interview respondents as referred to in the thesis (note that several individuals have similar reference):

Kenya:

Amnesty International. March 17, 2014, Nairobi.
 Bunge la Mwananchi. March 2014, Nairobi (3 representatives).
 Community Leader in Kibera. March 20, 2014, Nairobi.
 COTU. Oct 29, 2012, Nairobi (2 representatives)
 COTU. March 13, 2014, Nairobi.
 District Officer in Kibra Constituency. Oct 19, 2012, Nairobi.
 District Officer in Kibra Constituency. March 4, 2014, Nairobi.
 Former gang member in Korogocho. March 14, 2014, Nairobi (focus group: 4 persons).
 Former member of Mungiki. March 25, 2014, Nairobi.
 Former member of Taliban. March 18, 2014, Nairobi.
 Former vigilante member. March 17, 2014, Nairobi.
 Geographer at Institute for Development Studies (University of Nairobi). Oct 23, 2012, Nairobi.
 Global Communities. March 11, 2014, Nairobi.
 Human rights activist/lawyer. March 20, 2014, Nairobi.
 Inuka Ni Sisi!. March 28, 2014, Nairobi.
 Journalist and activist. March 3, 2014, Nairobi.
 Jua Kali Kamukunji Area Association. Oct 27, 2012, Nairobi.
 KENASVIT. March 20, 2014, Naivasha (2 representatives).
 Kibera Inhabitant Forum. March 4, 2014, Nairobi.
 Kibera Stakeholder Forum. March 5, 2014, Nairobi.
 Legal Resources Foundation. Oct 22, 2012, Nairobi.
 MSE-Authority. March 18, 2014, Nairobi.
 National Cohesion and Integration Commission. March 25, 2014, Nairobi.
 NISCOF. March 19, 2014, Nairobi.
 ODM Secretariat. March 7, 2014, Nairobi (2 representatives).
 ODM Ward/County representative. Oct 26, 2012, Nairobi.
 Pamoja FM. Oct 17, 2012, Nairobi.
 Pamoja FM. March 5, 2014, Nairobi.
 Political aspirant Labour Party. March 5, 2014, Nairobi.
 Political aspirant Safina. March 27, 2014, Nairobi.
 Political aspirant TNA. March 20, 2014, Nairobi.
 Political aspirant UDF. Oct 22, 2012, Nairobi.
 Political aspirant UDF. March 24, 2014, Nairobi.
 Professor at Institute for Development Studies (University of Nairobi). March 20, 2014, Nairobi.
 Railway Dwellers Federation, Kibera. March 23, 2014, Nairobi.
 The Norwegian Embassy. March 20, 2014, Nairobi.
 The Nubian Rights Forum. Oct 18, 2012, Nairobi.
 The Nubian Rights Forum. March 6, 2014, Nairobi.
 UN-Habitat. April 20, 2014, Nairobi. Skype interview.
 Youth activist in Korogocho. March 10, 2014, Nairobi.
 Youth activist in Langata/Kibera. Oct, 2012, Nairobi (5 persons)
 Youth activist in Langata/Kibera. March 2014, Nairobi (6 persons)
 Activist in Mathare. Oct 27, 2012, Nairobi (3 persons).
 Youth activist in Mathare. March 12, 2014, Nairobi.
 Youth activist. March 12, 2014, Nairobi.

Zambia:

2410. Nov 22, 2013, Lusaka.
AZIEA Lusaka District. Oct 6, 2012, Lusaka.
AZIEA. Dec 9, 2013, Kitwe (2 representatives).
Caritas. Oct 3, 2012, Lusaka.
Caritas. Nov 19, 2013, Lusaka.
Expert at Panos Institute Southern Africa. Nov 27, 2013, Lusaka.
FFTUZ. Oct 11, 2012, Lusaka.
FFTUZ. Dec 5, 2013, Lusaka.
FODEP. Oct 2, 2012, Lusaka.
FODEP. Nov, 26, 2013, Lusaka.
Former MMD/PF cadre. Dec 4, 2013, Lusaka.
Former Ward Chairman in Kanyama. Nov 27, 2013, Lusaka.
Geographer at the University of Zambia. Oct 3, 2012, Lusaka.
Geographer at the University of Zambia. Oct 18, 2013, Lusaka.
Geography lecture discussion at University of Zambia. Nov 21, 2013, Lusaka.
Grassroots member in ZHPPF. Nov 25, 2013, Lusaka (2 members).
Housing and Social Services at Lusaka City Council. Nov 29, 2013, Lusaka.
Information and Publicity Secretary in MMD. Nov 28, 2013, Lusaka.
Jesuit Center for Theological Reflection. Oct 5, 2012, Lusaka.
Journalist and web-activist. Nov 19, 2013, Lusaka.
Legal expert. Nov 26, 2013, Lusaka.
Lilanda community meeting. Nov 22, 2013, Lusaka (focus group: 8 persons).
Marketer/shoe seller at Soweto Market. Dec 4, 2013, Lusaka.
Member of Parliament (UPND). Nov 28, 2013, Lusaka.
Ministry of Local Government and Housing. Dec 5, 2013, Lusaka.
MMD youth leader. Dec 3, 2013, Lusaka.
MP office staff in Kanyama. Nov 11, 2012, Lusaka.
National Pension Scheme Authority. Dec 4, 2013, Lusaka.
Officer at Lusaka City Council. Nov 20, 2013, Lusaka.
Operation Young Vote. Nov 28, 2013, Lusaka.
PMRC. Nov 20, 2013, Lusaka.
Political scientist at University of Zambia. Oct 11, 2012, Lusaka.
Political scientist at University of Zambia. Nov 20, 2013, Lusaka.
Regional Consultant for The Norwegian Confederation of Trade Unions Africa. Nov 25, 2013, Lusaka.
Researcher at Center for Policy Dialogue. Nov 25, 2013, Lusaka.
SACCORD. Nov 26, 2013, Lusaka.
Street Vendors' Association. Oct 4, 2012, Lusaka (2 representatives).
Street Vendors' Association. Dec 2, 2013, Lusaka.
The Civil Society for Poverty Reduction. Oct 11, 2012, Lusaka.
The Norwegian Embassy. Oct 1, 2012, Lusaka (2 representatives).
Women's Club Kanyama. Nov 27, 2013, Lusaka (focus group: 30+ members).
Zambia Council for Social Development. Oct, 2012. Lusaka.
Zambia Council for Social Development. Dec 2, 2013, Lusaka.
Zambia Land Alliance. Oct 11, 2012, Lusaka
ZCTU. Oct 12, 2012, Lusaka.
ZCTU. Dec 6, 2013, Lusaka.
ZED. Oct 12, 2012, Lusaka.
ZHPPF/PPHPZ. Oct 4, 2012, Lusaka.
ZHPPF/PPHPZ. Nov 22, 2013, Lusaka.
