

Negotiating Power Dynamics for Sustainable Services Delivery in Informal Settlements in Nairobi Kenya

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ABSTRACT

Governments have a mandate to ensure that all residents have access to adequate water and sanitation. However, provision of basic services is more often than not elaborate in the middle- and high-income zones of the city than in informal settlements. This scenario offers a need for discussion on urban governance for basic services including water, electricity and sanitation systems to cushion the urban poor. Such conversations include the full range of arrangements through which governments and other actors work together to install and manage these basic services. These arrangements often fail the urban poor, who are at a disadvantage in both the market and in the public policy arena and often end up using water and sanitation delivery systems that are unhealthy and even illegal. Under such circumstances there arises a plethora of basic service providers ranging from formal to informal with varying dynamics. Based on this premise, this paper presents the nature of power dynamics in service delivery in Mukuru Slums in Nairobi. The paper aims to unpack existing power structures, the overlaps, interrelationships and the formal and informal pecking order within the slums as relates to ownership and control of land and basic services. The paper makes the point that there is a multiplicity of service providers in informal settlements, both formal and informal that depict a complicated web of relationships. Hence, there is need for sustained and carefully negotiated partnerships in service provision that should entail representation of the varied actors and their interests and influence.

Keywords: Informal Settlements | Informal Institutions | Power Dynamics | Partnerships | Service Delivery | Basic Services |

INTRODUCTION

Unabated urbanization and high incidence of unemployment and urban poverty have contributed to shortages of basic urban services such as water supply and sanitation, drainage and sewerage and has also resulted in the proliferation of informal settlements. Estimates by UN-Habitat (2005) indicate that the urban population of the world is estimated at 3.2 billion; of which 0.9 billion live in industrialized countries and that by 2030 the world's population will have grown by 75 percent. More than 1.8 billion people will have been added to the world's cities, and more than 93 percent of this increment (1.7 billion people) will be in developing urban regions (ibid). Cities of the developing world will absorb 95 per cent of urban growth in the next two decades, and by 2030, will be home to almost 4 billion people or 80 per cent of the world's urban population (ibid).

Kenya is facing an increasing growth of informal settlements in her urban centers. As rapid urbanization takes its toll, so has the development and growth of slums. More than 34% of Kenya's total population lives in urban areas and of this, more than 71% is confined in informal settlements (UN-Habitat, 2009). Kenya's annual informal settlements growth rate of 5%, is the highest in the world and it is likely to double in the next 30 years if positive intervention measures are not put in place (UNDP, 2007). With an annual growth rate of seven

percent over the past two decades, Nairobi remains one of the fastest growing cities in Africa (Digtas: 2008). Since the 1960s, Nairobi's population has increased from 350,000 in 1962 to over 3 million today. The City of Nairobi exemplifies rapid urbanization amidst deteriorating economic and health conditions that characterizes African cities. At the same time, more than half of the city's population lives in slum communities that occupy only 5 percent of the residential land area of the city.

This phenomenon of rapid urbanization facilitated by both natural factors (natural population growth within the urban areas) and artificial factors (forced rural-urban migration or urban-urban migration due to a plethora of factors including poverty, joblessness and conflict) has largely contributed to contemporary growth of informal settlements in Kenya. Kenya's turbulent economic misfortunes can also be a contributor to proliferation of informal settlements due to its effect on job creation, wages and housing. World Bank (2004) contends that slums in Nairobi-and in most other parts of the developing world-have some combination of the following four characteristics: in-formality or illegality of land tenure; housing units built, at least at inception, with poor quality construction materials and methods; settlement layouts and units that are usually in violation of legally-specified minimum space standards and various other planning regulations (e.g. regulations specifying plot and unit sizes, floor area ratios, building setbacks, public open spaces, space for facilities such as schools and community centers); and physical infrastructure and services-such as water supply, electricity, drainage, sanitation, and street lighting-that are highly inadequate.

Effective governance in basic services provision for the urban poor living in informal settlements is only realizable if there are adequate policy and legal provisions for the same, and more importantly a sense of magnanimity in their implementation. The Constitution of Kenya, 2010 is arguably the strongest indication at policy level of the assurance of all Kenyans irrespective of social class of the government's commitment for access to adequate housing, clean environment and access to water and reasonable sanitation. Based on this constitutional backdrop, this paper analyses the power dynamics that govern basic service provision in informal settlements in Nairobi with a view to clarify existing frameworks and propose conditions for building institutional legitimacy and accountability of public authorities in basic service provision in informal settlements.

LITRATURE REVIEW

Informal settlements are usually the first stopping point for immigrants as they provide low cost and the only affordable housing that enable the immigrants to save for their eventual absorption into urban society (UN-Habitat, 2003). The UN further notes that as the place of residence for low-income employees: slums keep the wheels of the city turning in many different ways; slum dwellers in cities in developing countries earn their living from informal sector activities located either within or outside slum areas; many informal entrepreneurs operating from slums have clientele extending to the rest of the city; most slum dwellers are people struggling to make an honest living, within the context of extensive urban poverty and formal unemployment.

Within these informal settlements there is a considerable population. In Nairobi about 60% of the population lives in over 180 different slums/informal settlements. Inadequate access to basic services such as water, sanitation, electricity and solid waste management within informal settlements and slums continues to be a major challenge limiting the Constitutional rights of a majority of the urban poor. According to the World Bank (2006), high water prices in settlements where the majority live below the poverty line bring about substantial externalities because of the likely outbreak of water-borne diseases arising from the limited use of water by the poor. UN-Habitat (2003) argues that this deprivation is probably one of the most important factors responsible for the high infant and child mortality rates encountered in so many deprived neighborhoods. Moreover, inadequate access to basic services also creates non-health problems, particularly for women, who tend to be especially inconvenienced by inadequate sanitation and typically have to fetch the household's water and care for sick infants and children (UN-Habitat, 2003).

Urban governance for basic services covers the full range of arrangements through which governments and other actors work together to install and manage water, electricity and sanitation systems. These arrangements

often fail the urban poor, who are at a disadvantage in both the market and in the public policy arena and often end up using water and sanitation systems that are unhealthy and even illegal (UN-Habitat, 2005). In many instances Governments do not always provide urban residents living in informal settlements with basic services, but they are invariably involved in the provision of these services to other urban areas and usually claim to be working to ensure that all residents have access to adequate water and sanitation (ibid). Under such circumstances there arises a plethora of basic service providers ranging from formal to informal with varying dynamics characterised by inbuilt inefficiency, high costs, and inaccessibility. The relationships and interaction of these actors form a web of very interesting and difficult reading. However, it is only by understanding these intricacies and dynamics that one is able to explore the potentials for appropriate models for enhanced service delivery.

Governance comprises the complex mechanisms, processes, and institutions through which citizens and groups articulate their interests, mediate their differences, and exercise their legal rights and obligations. Governance is understood to include not only the political and administrative institutions of government (and their organisation and interrelationships) but also the relationships between government and civil society (Mc Carney, 1996). Government is one of the actors in governance; and in addition to Government, media, lobbyists, international donors, multi-national corporations, etc. may play a role in decision-making or in influencing the decision-making process (Nabutola, 2007). Basically, UN ESCAP, advances eight major characteristics of good governance; participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law.

Basic service delivery within informal settlements always has a tendency to draw a line between the formal and informal actors involved in governance, decision-making and implementing decisions. Government, media, lobbyists, international donors, multi-national corporations, may play a role in decision-making or in influencing the decision-making process (Nabutola, 2007). Nabutola (2007) further argues that in some countries such as Kenya in addition to the civil society, organized crime syndicates or cartels also influence decision-making, particularly in slum settlements.

The majority of investments in water, sanitation and electricity have been traditionally financed by the public sector (Rogers and Hall, 2003). Private investments have also played a major role, but these investments are currently inadequate to meet existing demand, leaving a gap that will continue to grow with urbanization (Nabutola, 2007). Nabutola further explains that there are also substantial institutional and regulatory barriers in developing water and electricity services, which limit expansion, particularly in informal urban settlements where land tenure is often insecure or unresolved. Collignon and Vezina, (2000) note that in some developing countries, part of the gap in service delivery has been filled by Small-scale Private Service Providers (SPSPs) - independent entrepreneurs who finance, develop, and manage the delivery of small-scale services to their client base. In water, their services range from small handcart vendors and standpipes, to tankers and private networks of all sizes. In electricity, services range from battery charging stations to solar home systems, isolated mini power grids, and the resale of electricity bought in bulk. SPSPs also have a niche in other infrastructure sectors such as sanitation, solid waste, transport, and broader energy services (ibid).

UN-Habitat, (2005) argues that water and sanitation governance for the urban poor does not necessarily mean that the government needs to provide these services, but it does imply that there is a need to work to ensure that the poor groups can obtain adequate water and sanitation. This means working with utilities (public or private), small-scale vendors, civil society organisations and perhaps most important, the low-income residents themselves (ibid). Moreover, the responsibility to ensure quality of water governance rests on different government agencies and authorities and not just the agencies formally in charge of water and sanitation services (ibid).

METHODS

A mixed method approach was adopted to successfully collect both quantitative and qualitative data. The mixed method included both secondary and primary data collection methods. Secondary data was collected

through reviewing of relevant literature contained in documents, publication and websites as listed in the bibliography. Relevant literature was accessed on basic services provision and governance issues in informal settlements. On the other primary data was collected by conducting fieldwork and was designed to gather information that was not available from secondary data sources and also to confirm and compare the information gathered.

Field work for understanding the power dynamics in regard to provision of basic services was done under three main methods of data collection i.e. using a questionnaire with both closed and open-ended questions, key informants' interviews using an interview schedule, and focus group discussions based on a guide. A total of 121 questionnaires were administered in the entire study area. The distribution of the sample size was based on population size of clustered villages within the larger Mukuru. Clustering was based on proximity i.e. villages that are close together were put in one cluster. A total of 4 clusters and 5 clusters were identified for Mukuru Kwa Njenga and Mukuru kwa Reuben respectively. A total of 70 and 51 questionnaires were administered at Mukuru Kwa Njenga and Mukuru kwa Reuben respectively covering key social, economic, physical and environmental aspects.

Key informant interviews covering both settlements were done. These brought together various individuals with vital information on provision of basic services, land tenure and housing typologies. These included community leaders, structure owners and service providers (water, electricity, sanitation and solid waste collection). On the other hand, focus group discussions covered community leaders and service providers. This important approach enabled the generation of useful debate and deeper insights into the issues being discussed among a representation of men, women and the youth. A total of 7 focus group discussions were conducted. These were mainly based on thematic areas such as those in service provision and structure/land owners.

Data analysis entailed use of appropriate methods to synthesize data to answer the research questions and therefore seeking to make meaning of the data collected. In this regard, data collected from household questionnaires was analyzed using SPSS and presented using statistical methods such as charts, frequency distribution, and analytical tables. Data from focus group discussions was transcribed and organized into research objective themes covering the main basic services. Similarly, data from key informant interviews was analyzed using content analysis and presentation of narratives and descriptive notes.

RESEARCH FINDINGS

Water, sanitation and electricity are basic services and by any means necessary, thus, households in informal settlements will risk to access them as the minimum for human living and wellbeing. Water is important for cooking, washing and drinking; waste is generated and need disposal, and lighting for children's night study; these basic needs are not just necessary but rights of individuals and families. However, provision of basic urban services in Nairobi's informal settlements is a commercial entity and strongly rooted in the informal economy of these settlements. According to the research findings, there are about three aspects of power dynamics that govern basic service provision. These include: formal power dynamic exercised by the local administration, informal power dynamics characterized by cartels, and gender-based power dynamics.

These are further discussed below:

Formal power dynamic exercised by the local administration

Formal local administration agents including the Chief, Police and village Elders play a vital role in service provision. Based on their influence and close relationship with major players such as the area Chief and Police, village leaders were highly regarded by the youth who provided services such as waste collection in the

settlement. The youth groups for example perceived the village elders as very active in conflict resolution as they respond to them quickly in times of need. The role of the Chief is crucial in-service provision either by design or default. For instance, the study found out that for one to start building a toilet/sanitation block the approval must be given by Chief. They must sanction and negotiate such construction since residents usually do not want such facilities in close proximity to their buildings.

Approval of the Chief is paramount as it ensures protection of the provider in the event there is a problem such as blockage. The chiefs have the power to commission and decommission any water or sanitation facility if they were not involved in its implementation or if it is a threat to the residents. Additionally, all developers intending to provide a basic service have to seek the consent of neighbors where the facility is intended to be constructed. A respondent for this study summed it up by noting that it is the Chief, elders and neighbours you will have to consult before constructing a facility and that if one proceeds without their knowledge, the leaders will follow up and stop the project.

The youth involvement in community activities was reported to be complicated by their relationship with the chief especially those engaged in solid waste collection within the settlement. The youth allege that the Chief regards them as crime perpetrators using the cloak of waste collection to carry out their activities. The youth on the other hand view the Chief as a major stumbling block in the enhancement of their work of solid waste collection. The relationship between the chief and the youth is best expressed in the words of one of the respondents from Mukuru kwa Reuben who averred that them and the chief are like water and electricity. The respondent argued that the chief is rarely interested in anything to do with the youth solid waste collection venture. According to the respondent, future community endeavors must explore mechanisms to enable the youth and the administration to work together in harmony.

To illustrate the expected harmony, there is ongoing collaboration between the city government and the local slum community in waste management. The Nairobi County Government has introduced a new system aimed at regulating the solid waste management industry. The registered solid waste collection groups within the slum collect solid waste and will get paid for their services by the City Government. The resident operators become franchise partners and are provided with training and access to financing. Despite previous poor relationship between the City Government and slum groups / residents where the former did not recognize them, the new direction by the City Government is perceived to offer a solution that will solve some of the challenges they face like payment after offering services and logistical services to ferry the waste collected from the settlement. The youth driven solid waste collection initiative was supported by the Mukuru ward representative who encouraged all registered youth groups to enlist and reap the benefits accruing from the new arrangement involving the City Government.

Informal power dynamics characterized by cartels

Involvement of informal power players to fill the gap left by formal institutions in another manifestation of power dynamics in service delivery in the slums. Accessing electricity supply through formal means is a tall order for most residents. Electricity provision exhibits one complicated maze of formal/informal providers, threat to danger and safety of users, as it requires rather technical knowhow to install and maintain. The associated charges and other requirements such as the ownership of a permanent structure are way out of reach of the residents. According to residents, electricity is not metered since it is not officially connected to structures. A respondent noted that the electricity supplies they get is not metered but from what they commonly refer to as ‘sambaza’ system”. The system involves electricity distribution by middlemen or groups of persons who have legal and illegal power connection from the main distributor lines. All tenants / users have to access through this system of supply. A monthly charge of between Kshs 300.00 and Kshs 500.00 is charged for use. These connections are not approved by the Kenya Power and Lighting Company, which makes it unsafe and dangerous to human life if not connected well.

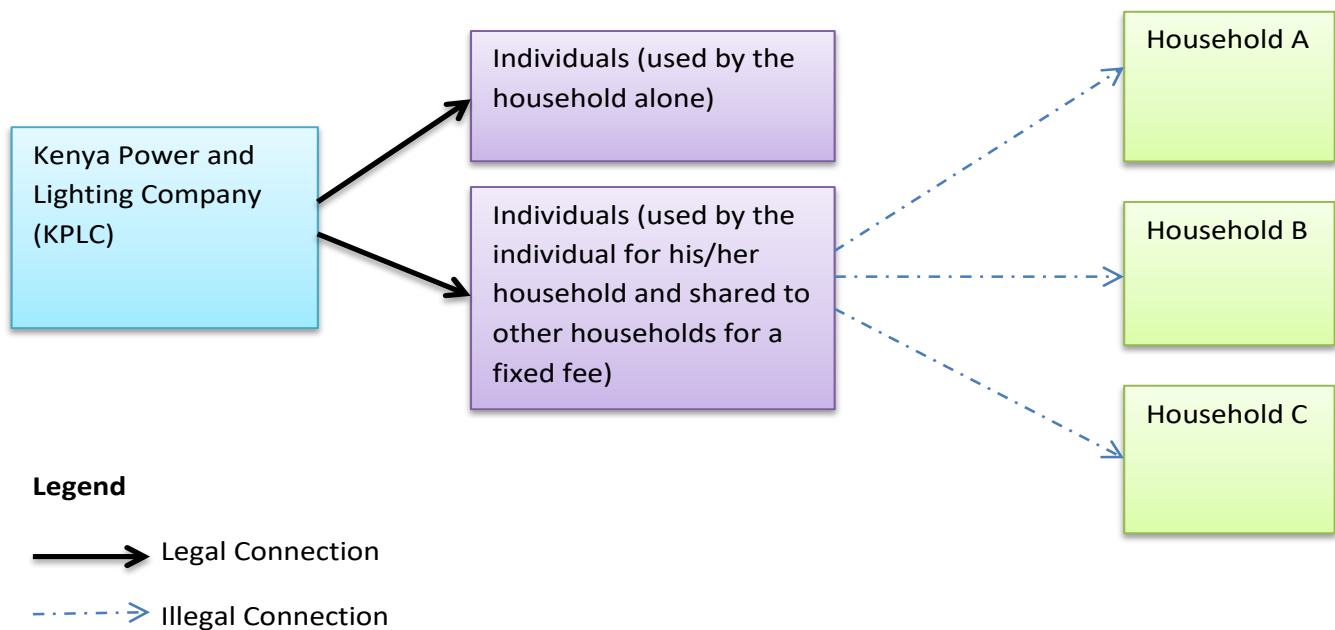


Figure 1: Electricity actors and provision model in the informal settlement

To illustrate the precarious state of affairs, one of the residents observed that in most cases the person who charges you for electricity connection and the owner of the distribution power lines are different persons. Further, the connections in the settlement are risky as they hang loosely and very close to the structures many of which are constructed using iron sheets. As such, the respondent noted that the fires in the settlements are caused by electric faults.

While justifying why residents prefer local providers to Kenya Power, during a focus group discussion, a participant said that in most cases the onboarding amount charged by the company for connection is expensive and out of reach of many households. This is because, such application includes charges for transport, transformer fee and cables among others. Consequently, for the residents, the informal connection from the informal provider commonly referred to as “Mukuru Power” is an affordable option despite the risks. This is because all that is required is a connection cable and a connection fee of Kshs 500 and one gets connected instantly. Figure 1 illustrates this intricate power dynamic.

Gendered and youth power dynamics in the informal service governance

The study found that there is gendered dimension to entry into service provision in Mukuru slum. When asked if there were women involved in the water and electricity supply cartels, respondents indicated that the sectors had few women who deal in water and electricity supply. The reason given for the few women involvements in the business was that being a broker in water or electricity was very risky and hence not preferred by women. To illustrate this point, one respondent said that any person intending to get into the informal service provision sector must be prepared because there are risks involved, as one can get murdered because the business is dangerous. it was further noted that in cases where women who are in such business, then it is their husbands who started them.

Provision of services fulfils the dual purpose of access and a livelihood. The youth involvement in service provision paints a different picture. Respondents believe that even when opportunities are available, the youth shun jobs which according to them are a disgrace and likely to lower their esteem such as collecting and disposal of human waste. New sanitation venture that has been introduced by local non-governmental organizations has not managed to attract many youths from the settlement. On the flipside some residents believe that it is pertinent to involve the youth in service provision. The youth are used to install and maintain supply lines for both water and electricity. Residents who attempt to obtain connections without involving the youth risks having his lines tampered with and disconnected.

Youthful respondents interviewed contend that it is expensive and difficult for the youth to engage in service provision. The cartels in water provision for instance, have become exclusive and rarely allow for new entrants into the sector. Those who do, have inherited the businesses from their fathers and relatives who protect and guard their interests. The cost of installation is approximately Kshs. 20,000/= a figure too for the youth to afford.

DISCUSSION AND RECOMMENDATIONS

The high cost of services in informal settlements and the affinity of providers to exploit users cannot be overstated. For the providers provision of a service is a major household/family livelihood whose lives depend upon. To users, this is also a necessity albeit from a different dimension, that is, one of survival. It is apparent that in situations of economic hardships (which most families undergo) people tend to reduce their expenses on these basic services or to completely do without them. In case of access to toilet, this not only compromises the dignity of the people but also the physical environment, as people continue to use open spaces as toilets.

Several issues come in play when discussing the power dynamics in service delivery in informal settlements. There is a definite overlap between and among the actors, the method of provision and the service being provided. For instance, electricity provision is dependent upon the willingness of the users to pay and therefore the readiness to take the risk of the local providers; in case of water once the water company gives the approval, local 'technicians' provide the necessary back up; there is very little safety risks involved. The risks involved and the possibility of doing without the service is translated in the charges and cost borne by the users. It is the interplay of all these issues that makes a discussion of the same rather complicated.

Undoubtedly, most basic urban services are available in Mukuru informal settlement, albeit sometimes in a most rudimentary style. These services/networks are operated informally and with the prime target of making profits. Whereas these services are 'tapped' from the city's main (formal) distribution networks, the end consumer is often serviced by an informal service provider. In most cases, cartels emerge to fill the service deficit gap and despite the inherent challenges, slum communities depend on these systems. It is a preference that is undeniably not cheap but one of contextual convenience.

To rationalize these power dynamics and to ensure sustainable service provision, there should be deliberate initiatives to co-manage service delivery in the informal settlements. This should include formal government agencies, the local slum community and resident non-governmental organizations. The intention should be to utilize the existing community arrangements with some form of recognition by the government as partners in service delivery. This requires clear modes of operation and eventual benefit to those involved to ensure that such noble idea is not hijacked by cartel-like entities. Key areas of concern in negotiating such partnerships should cover aspects of payment for services and any incidental logistics.

CONCLUSION

It is apparent that the biggest barrier in service provision seems not everything else (land tenure, financial, or willingness (of slum dwellers) to pay, since slum residents are already paying for the services, but rather the legitimacy of the institutions and the ability to conveniently provide these services. It is undeniable that service provision plays the dual purpose of access to basic needs and as livelihoods. However, efforts need to be taken to curb the exploitative trends of the providers; address hygiene and safety concerns associated with provision of basic services within the informal settlements. There is need for a gendered perspective to service provision. Women bear the brunt of poor services particularly water and sanitation. New partnership arrangements call for enhanced involvement of women. At the moment, there are fewer women brokers than men in this business due to the risks involved and the business is considered dangerous. A model that involves women and youth more will lead to empowerment and improved economic wellbeing of women and slum households.

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