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The vulnerability context of urban farmers in Eldoret

This chapter presents the various economic, political and social trends and related policies, institutions and processes at the macro (national) and meso (municipal) levels that interrelate to define the vulnerability context within which urban farming households in Eldoret in general, and in Langas settlement in particular, strive to make a living. The first section focuses on the macro context and the second section on the meso context. The policy context specific to urban agriculture is, however, discussed in Chapter 5.

The macro context

The focus in this section is on the national trends in urbanization, urban growth and economic performance and their impact on urban poverty. Also highlighted are the various economic and social policies and processes that have been instituted by the national government to address poverty and gender inequalities.

Urbanization, urban growth, economic development and poverty in Kenya

Kenya's urban population growth and urbanization rates are among the highest in sub-Saharan Africa (Obudho 1999a). The urban population grew from 671,000 constituting 7.8% of the total population in 1962 to 5.4 million or 19% of Kenya's population in 1999 (Obudho 1999a; GoK 2007). It then more than doubled in the 1999-2009 inter-censal period to reach 12.5 million, while the total population grew by 34% over the same period from 28.7 million to 38.6 million (GoK 2007; GoK 2010). Thus from 19% of the total population in 1999, the proportion of the urban population grew to 32% in 2009. It is estimated that by 2030 over 50% of Kenya's population will reside in urban areas (GoK 2007).

As with many countries in sub-Saharan Africa, this rapid urbanization and urban growth has occurred for the most part against a backdrop of sluggish economic growth, poor urban planning and governance, and a lack of capacity to effectively manage the challenges associated with rapid urban growth (Obudho 1999a, 1999b; Situma 1999; GoK 2007). While the country registered impressive economic growth in the 1960s and early 1970s (Githinji 2010; Rono 2002), the economy took a downturn in the 1980s owing to poor political and economic governance characterized by incompetence, official corruption, and inequitable distribution of resources and opportunities, especially during President Moi's dictatorial rule. The economic situation was aggravated by the introduction of IMF-World Bank structural reforms (Rono 2002). Manufacturing has been on the decline and its estimated contribution to GDP stagnated at about 10% since the 1960s (GoK 2007: 69); agricultural output fell between 1993 and 2001 (Gitu 2004); and wage employment has declined in absolute terms over the years (Odhiambo & Manda 2003).

Thus while poverty eradication has been one of the major development priorities of the government of Kenya since independence in 1963, poor economic performance has negated government efforts despite consistent anti-poverty policy pronouncements. Until 2003 when it began to decline slightly from 56%, the proportion of Kenya's population afflicted by absolute poverty had been increasing – and doing so faster in urban than in rural areas. While the proportion of the poor grew from 29% of the urban population in 1992 to 49% in 1997, the rural poor increased at a relatively slower pace from 42% to 52% over the same period (Odhiambo & Manda 2003). The plight of the poor is worsened by a lack of formal social security and welfare programmes to cushion them against shocks. For instance, household survey data showed that between 95% and 98% of the lowest three quintiles of the Kenyan population lack health insurance (Xu *et al.* 2006, cited in Mathauer *et al.* 2008). This means that in times of failing health, the poor are expected to meet the cost of health care by themselves. It was further shown that one in every three poor people do not seek medical care, half of them because of a lack of finances, while others have had to incur 'catastrophic' expenditures¹ (*ibid.*).

After a change of government in 2003, the Kenyan economy started on a recovery path. The new government instituted economic reforms – under the *Economic Recovery Strategy for Wealth and Employment Creation* (ERS) 2003-2007 policy – that saw a steady recovery from 0.6% in 2002 to over 6% in 2007 (GoK 2007). However, this upward trend in economic growth reversed in the aftermath

¹ Defined as expenditures in excess of 40% of disposable household incomes.

of post-election violence in 2008.² However, the resolution of the political conflict, and the subsequent restoration of relative peace and implementation of political reforms that culminated with the enactment of a new constitution in 2010, put the economy back on an upward trend. The government also followed up ERS with the adoption of a longer-term policy blueprint dubbed *Kenya Vision 2030* (GoK 2007) that now forms the reference point for all government programmes and planning activities. Mooted in 2005 and officially launched in June 2008, *Kenya Vision 2030* provides a blueprint for economic, social and political transformation of the country into “a newly-industrializing, middle income country providing a high quality of life to all its citizens in a clean and secure environment” (GoK 2007: vii).

As a result of positive economic growth since 2003, the national levels of poverty dropped from 56% in 2002 to 46% in 2006. However, policy makers and development practitioners agree that poverty in urban Kenya is on the increase and deepening and requires urgent attention (GoK 2007; Oxfam 2009). Urban poverty has manifested in various ways, including food insecurity, burgeoning of the informal sector and mushrooming of informal urban settlements.

Owing to poor agricultural performance, the country has continued to rely on food imports³ and food aid to meet her ever growing domestic demand and in the process exposing the urban population to the vagaries of the world food market, with the poor being the most affected (Musyoka *et al.* 2010). Thus, while absolute poverty may have declined, the proportion of the ‘urban food poor’⁴ has been on the rise, growing from 38% in 1997 to about 41% in 2006 (Oxfam 2009). It is believed that Nairobi is home to one third of the estimated 4 million urban food poor, while as high as 50% of urban populations of some urban centres (e.g. Mombasa and Nakuru) suffer food poverty (*ibid.*). Food insecurity among poor households is caused not so much by problems of food supply at the aggregate level, as by declining real incomes compounded by rising food prices⁵ (Gitu 2004; Musyoka *et al.* 2010).

² In December 2007, Kenyans went to the polls in a closely and fiercely fought presidential race between the incumbent Mwai Kibaki and a leading opposition candidate, Raila Odinga. Although the campaigns and actual voting proceeded peacefully, the declaration of Mwai Kibaki by the electoral body as the eventual victor was disputed by the opposition and sparked unprecedented violence across the country, and especially in the opposition stronghold of Rift Valley province. The violence claimed over 1,000 lives and displaced about 600,000 from their homes (Kenya Human Rights Commission & National Network for IDPs in Kenya 2011).

³ For instance, wheat and sugar imports rose from 48,500 and 3,100 tonnes in 1980 to 636,000 and 96,000 tonnes in 2000, respectively (Gitu 2004). Rice imports increased even more exponentially over the period, from 1,200 to 105,800 tonnes (*ibid.*).

⁴ According to Oxfam (2009: 1), the ‘urban food poor’ “are even poorer than the ‘absolute poor’ and can barely meet their nutritional requirements, let alone other basic needs”.

⁵ It is estimated, for example, that the national food price index shot by 70% between 2005 and 2008 (ASAREC 2008, in Musyoka *et al.* 2010: 179). In the November 2007 – June 2008 six-month period, food prices rose by 50%, while wages remained static (Oxfam 2009) leading to food riots that have

On the other hand, the decline of the formal employment sector – accentuated by retrenchment and employment freeze in the formal public sector as part of structural adjustment reforms that began in the 1980s – has left the informal sector as the major alternative for an estimated 500,000 new entrants into the job market annually, but also for formal sector employees experiencing a decline in real incomes (Odhiambo & Manda 2003). The informal sector is estimated to account for up to 75% of Kenya’s urban employment (Odhiambo & Manda 2003; Oxfam 2009). However, because the sector is flooded and characterized by low productivity and low levels of income, participation in the informal sector has been more a manifestation of poverty than a route out of poverty for a majority of the participants. Daniels (1999) concluded from the survey results of micro and small enterprises (MSEs) in Kenya that whereas a small percentage of MSEs realized higher incomes than the average modern sector incomes, 72% of the MSEs in urban areas earned incomes that fell below the poverty line. According to the 1997 Welfare Monitoring Survey, about 70% of the working poor were in the informal sector (Odhiambo & Manda 2003); and the majority of them live in informal settlements. It is the government’s goal, as articulated in *Kenya Vision 2030*, to integrate the informal sector into the formal economy so ‘they can grow into sustainable small- and medium-sized businesses’ (GoK 2007: 66).

It is estimated that between 50% and 60% of Kenya’s urban population live in informal and squatter settlements (GoK 2007; Oxfam 2009). Such settlements are overcrowded and characterized by unsanitary conditions, insecurity, environmental health risks, and a lack of basic services. Only about 25% to 55% of urban waste in large urban centres is collected and disposed of safely (Obudho 1999a), up to 90% of households in informal settlements have no piped water connection (Mitullah 1999), and only 30% of the 142 gazetted urban areas in 1999 had sewerage systems (Situma 1999). On the government’s own acknowledgement, environmental conditions in slums are worse than those in poor rural settlements: “rural houses are less crowded and are more likely to have better access to sanitation facilities than houses located in dense urban slums” (GoK 2007: 143). The government attributes the proliferation of poorly serviced and provisioned informal and squatter settlements to the rapid urban population growth and the inability (on the part of both the public and private sectors) to provide decent low-cost housing at as fast a pace.⁶ In particular, the government takes issue with “outdated legal and regulatory frameworks, which affect the

been christened *unga* (or maize flour) riots. There have been intermittent *unga* riots in Nairobi since, the most recent occurring in July 2011.

⁶ It is estimated that out of a total of 150,000 housing units required annually in urban areas, only an estimated 35,000 are produced and only 20% of these cater for the needs of low-income households (GoK 2007).

amount of serviced land available” for housing, and especially with poor urban planning:

(...) urban areas have grown haphazardly, most without physical development plans, which have caused economic inefficiency and environmental degradation and led to poor living conditions. Planning, when done, has tended to react to urban development, rather than direct it (GoK 2007: 144)

Kenya Vision 2030 sets out to henceforth evolve “the right urban-planning strategy” to guide urbanization and to “promote sustainable urbanization by creating functional, vibrant and efficient urban centres” (GoK 2007: 144). The strategy will encompass, among other things, strategic development, physical and investment plans for all urban areas; a national land use policy; and provision of physical and social infrastructures to slums and formalization of slums (*ibid.*). Some of this work has already begun. Of particular relevance to this study, as shall be seen below, is the development of *Sessional Paper No. 3 of 2009 on National Land Policy* (2010)⁷ and the draft *National Urban and Peri-Urban Agriculture and Livestock Policy* (2010) made public in May 2010 by the ministries of Agriculture and livestock Development.

Social norms, gender inequalities, and formal institutions

On the gender front, gender mainstreaming has been a longstanding objective of the Kenya government’s development planning process. Over the years, the government has not only acknowledged existing gender disparities in all spheres of economic, social and political life, and the importance of gender equality for national development, but it has also successively instituted various policy and institutional mechanisms aimed at closing the gender gap.⁸ This is in addition to a corpus of statutory legislations that provide for gender equality and the protection of women’s rights. However, progress towards gender equality has been slow, and as the government has acknowledged, “a lot of effort still needs to be made” (GoK 2007: 133).

Women continue to be disadvantaged at all levels of societal life – from the household, through to the community and up to the national level. Although they shoulder the greatest responsibilities in household reproduction and community management, as in many parts of sub-Saharan Africa (see Chapter 1), women in

⁷ Other related initiatives include the Kenya Slum Upgrading Project (KENSUP), a collaborative effort between the GoK and UN-Habitat, and the World Bank-financed Kenya Informal Settlement Improvement Programme (KISIP).

⁸ For an assessment of the various government policies, instruments and institutions on gender mainstreaming, see Wanjala & Odongo (2010); also Ouma & Maina (2010). These include *National Policy on Gender and Development* (2000); National Commission on Gender and Development (2003); *Sessional Paper No. 2 of 2006 on Gender Equality and Development* (2006); *Plan of Action (2008-2012) to Implement the National Policy on Gender and Development* (2008); *Monitoring and Evaluation Framework for Gender Mainstreaming* (2009), etc.

Kenya have limited endowments and entitlements and are relatively poorer than men. Statistics show that poverty levels are higher among women compared to men (46% to 30%) (GoK 2007: 134), and higher among female-headed households (46%) compared to male-headed households (30%) (Oxfam 2009). Cultural practices and social norms discriminate against women in the inheritance of property and in ownership and control of productive assets, including, for example, land, cattle, and housing (Gitu 2004; Githinji 2010; Ellis *et al.* 2007). In most part women only enjoy user rights over the resources and are commonly disinherited on their spouses' death or on separation or divorce. Women own only 1% of all registered land individually, and another 5-6% jointly with men, yet they provide about 70% of Kenya's agricultural labour (see Ellis *et al.* 2007). In terms of access to credit, 18% of women had access to formal credit compared to 28% of men in 2009, but a higher proportion of women accessed credit through informal channels (33% to 19%) (see Wanjala & Odongo 2010).

Gender inequalities are also reflected in education attainment gaps at all education levels as well as the general adult literacy levels. Although the introduction of free primary education and secondary tuition waivers in recent years have substantially raised gross enrolment rates for both boys and girls at primary and secondary levels, enrolment levels are still higher among boys compared to girls (see Wanjala & Odongo 2010; Ouma & Maina 2010). The gender gap in education is even wider in middle-level colleges and, more so, in public universities (Ouma & Maina 2010). Many factors combine to limit the girl child's access to education. These include perceptions by poor families that investment in girls is a waste of resources given cultural expectations that girls will eventually marry into other families. Thus "[a]s long as families are struggling to meet basic needs and children are required to pay tuition fees and other costs of pursuing an education, the tendency has been to withdraw the children – and more so girl children – from school" (*ibid.*: 97; also Mitullah 1999). Cultural expectations that girls should assist their mothers with domestic chores also place greater demands on their time relative to boys' as a result of which girls do not concentrate well on studies leading to poor performance in school and lower transition levels. In regard to urban literacy levels, slightly higher (91%) literacy is recorded among men compared to women (84%) (Ouma & Maina 2010).

Partly as a result of lower education and capability levels, and partly as a result of employment discriminatory practices, women have limited access to employment opportunities in the formal sector. At independence in 1964 women took up only about 12% of formal sector employment, a proportion that rose to 21% in 1990 (Mitullah 1999). According to the 1997 Welfare Monitoring Survey, women constituted only about 30% and 24% of formal public and private sector wage employees, and were overrepresented among the unemployed (62%),

and among the unpaid domestic workers (90%) (see Odhiambo & Manda 2003). This situation remained virtually unchanged at the close of 2009. A survey of 36 of 42 government ministries by the Ministry of Gender, Children and Social Development for that year showed that women accounted for only 32% of the workforce in the ministries and related government institutions and departments compared to 68% men, and that the women employees were concentrated in the lower job groups (see Ouma & Maina 2010). Locked out of the formal employment sector, and against the backdrop of declining household incomes in the aftermath of men's job losses in the formal sector and/or declining purchasing power, women have been pushed by the urgency to supplement household incomes into the informal sector. Daniels (1999: 63) has also concluded that women "may choose the convenience of operating from the home in order to combine their MSE (micro and small enterprise) activity with household responsibilities instead of finding work in the modern sector".

Women's level of participation in the informal sector has increased steadily over the years to match men's (Daniels 1999; Odhiambo & Manda 2003). It has been estimated that by 1998/9, 89% of urban women (compared to 93% of men) were involved in income-earning activities, mostly in the informal sector, up from 39% compared to 84% of men in the 1970s (Odhiambo & Manda 2003). Earlier in 1995, a nation-wide survey of MSEs also indicated that the number of men and women operating MSEs was more or less the same, but that women's enterprises were less profitable than men's (Daniels 1999). The latter point is partly associated with the fact that support for the informal sector from the government and development agencies has focused more on activities dominated by men compared to those undertaken by women (Mitullah 1999).⁹

As regards differentials in autonomy, ownership and control of resources, and decision-making power between men and women, studies have similarly highlighted women's weak position, which becomes more precarious with a drop in education attainments and social status. For instance, the 2003 Kenya Demographic and Health Survey (CBS/MoH/ORC Macro 2004) established that 10% of women did not exercise control over their money and for another 23% someone else was involved in deciding how their money should be used. The survey also found out that for 43% of married women and those cohabiting with male partners, it is the men who took decisions about the women's health. Such women were more likely to have no formal education or to have received only primary education. More educated women tended to exercise greater control over

⁹ For instance, Mitullah cites the *Sessional Paper 1 of 1986* as evidence of gender bias in informal sector support. The Sessional Paper provides that "special attention will be paid to informal sector entrepreneurs in manufacturing, construction, transport, housing and those firms with the potential to acquire the experience and capital necessary to make a transition to large enterprises". No doubt enterprises in these fields are largely the domain of men.

their health and to enjoy greater autonomy and decision-making power at the household level more generally.

The slow progress towards gender parity despite government efforts has been attributed to poor harmonization of the various gender-related policies; poor co-ordination between different government departments and agencies involved in the implementation process; a lack of political goodwill; weak technical capacity; and a lack of financial resources for policy implementation (GoK 2007; Wanjala & Odongo 2010; Ouma & Maina 2010). Attainment of gender equality is also bogged down by poor enforcement of existing statutory laws; contradictions in the laws; women's lack of access to justice due either to illiteracy and lack of financial resources or for fear of social stigmatization and retribution; and, perhaps most importantly, by entrenched patriarchy and related social norms and gender ideologies. Despite the existence of statutory laws that recognize women's property rights, patriarchal customary law systems that exclude women from property ownership still prevail at the local level in most Kenyan communities:

The extent to which discriminatory customary law overrides largely non-discriminatory statute law in relation to women's property rights has been a major source of judicial determination and is still an uncertain area of law. But for most women, the formal legal position is irrelevant in practice. For them justice is dispensed at the local level, without recourse to the formal courts, and customary norms apply. (Ellis *et al.* 2007: 5)

As a continuation of the government's sustained efforts, *Kenya Vision 2030* stipulates that 'specific policy measures will be taken to correct the glaring gender gaps in access to and control of resources, economic opportunities, and in power and political voice' (GoK 2007: 133). And at the time of writing, a new constitution had been promulgated, which has been widely hailed as perhaps providing the best platform yet for protecting women's rights, redressing gender imbalances, and transforming gender relations at all levels of society.

The meso context

This section begins by highlighting trends in Eldoret's economic growth, residents' livelihood responses to economic changes, and Eldoret Municipal Council (EMC) policies and their impact on the livelihood strategies of the poor. It then focuses on the political context in terms of poor people's relations with EMC, their positioning within the national political matrix and what this means for their livelihoods. The social context is considered next, followed by an overview of the town's land tenure regime and its implications for urban planning and urban agriculture.

The economic context

As was pointed out in Chapter 3, Eldoret's hinterland is richly endowed with agricultural and other industrial raw materials and strategically positioned within the nation's transport and communication network. As a result, Eldoret has attracted many industries and other economic activities. These include agricultural food processing, agricultural non-food manufacturing, as well as non-agricultural manufacturing and service industries. In 1994, there were 190 industrial establishments in Eldoret municipality, which provided direct formal employment for an estimated 19,000 urban dwellers in 1990, excluding those in mining and quarrying industries (Ombura 1997). Indirectly, the industries have also provided many more income-earning opportunities in support services such as commercial transport, housing, retail trade, and distribution. Because of industrial activities in the town, Eldoret is said to enjoy higher per capita incomes compared to other Kenyan towns (*ibid.*).

However, in concert with what was happening nationally, some sectors of the Eldoret economy suffered economic downturn starting in the late 1980s leading to a decline in earnings especially in the manufacturing and construction industries. Some of the most important employers in Eldoret previously like Rift Valley Textiles (Rivatex) and Raymonds Woolen Mills¹⁰ – and indeed many other textile industries in other parts of the country, estimated at 87 in all – collapsed in the 1990s partly as a result of the liberalisation of the Kenyan market. Coupled with high costs of inputs, a flooding of the market with cheap imports and second-hand clothes, and the country's economic recession of the 1990s and falling prices on the world market, these industries could no longer sustain their profitability and were forced to close, leading to loss of many jobs and a disruption of people's livelihoods. For state-supported industries like Rivatex, the withdrawal of government support was particularly crippling. Located in the vicinity of Langas settlement in Eldoret, Rivatex alone reportedly supported over 8,000 people in the locality.¹¹ Other Eldoret-based industries that closed down during this period include the East African Tanning and Extract Company (EATEC), and the Eldoret plant of Kenya Co-operative Creameries (KCC).¹²

Most of those affected by redundancies and lay-offs of this kind as well as those who aspired to secure employment in the public sector were forced to look for income-earning opportunities elsewhere, mostly in the informal sector including urban farming (see Chapter 5). While some were lucky to rebound within short periods of time, others took longer. Several male respondents reminisced

¹⁰ Information accessed at: <http://www.actionaid.org/main.aspx?PageID=324>

¹¹ *Ibid.*

¹² Unlike the other industries, the collapse of KCC has been largely blamed on mismanagement and rampant corruption.

'better days' when they were engaged in meaningful employment (or *kazi ya maana*, as they put it, in reference to formal sector employment). In Eldoret, the informal sector absorbs a large majority of the more than 60% of the labour force that does not find employment in the formal sector (Nyakaana 1997). Kamau's (n.d.) study of poverty among female household heads in four informal settlements in Eldoret found that 80% of them were involved in the informal sector. However, various obstacles limit the productivity of the informal sector in Eldoret.

Lack of financial capital to invest in profitable ventures has been identified among major constraints faced by informal sector workers, with women known to disproportionately suffer financial difficulties for lacking collateral (in the form of other capital assets such as land) to access formal credit given low rates of property ownership among them (Kamau n.d.; Otunga *et al.* 2001; Nyakaana 1997). For instance, Kamau's study showed that 70% of the widows had been chased away from their matrimonial homes by their in-laws and never inherited their husband's property, forcing them into urban slums (Kamau n.d.). Moreover, 31% of the women also expressed the wish for financial assistance from the government, while a few (3%) had sought and failed to access credit. A study by Otunga *et al.* (2001) among women entrepreneurs in Eldoret established that only 4% of their respondents had received credit from formal financial institutions (1% from banks and 3% from co-operatives) and another study by Nyakaana (1997) found out that only 23% of entrepreneurs in the town's informal economy received credit financing from a variety of sources. As a result of these, income levels of many self-employed informal sector workers were low. Kamau (n.d.) reports that the majority of female household heads in his study mainly operated small businesses that required little financial capital investment, with some of them probably involved in such activities as prostitution and brewing of prohibited liquor¹³; and that 80% of those participating earned incomes below the minimum monthly requirement for urban households.¹⁴

Another major obstacle that prospective entrants into the informal sector have to contend with is a lack of infrastructure in terms of space from where to carry out trading activities. Fewer sheds exist in a few specially designated localities within the municipality than can meet the overwhelming demand for them and some designated areas are far-removed from the town centre and located in sparsely populated areas with limited demand for goods and services (Otunga *et al.* 2001). Consequently, large numbers of informal sector operators have been

¹³ Kamau based this conclusion on the fact that 26% of the women did not specify the activities they were involved in and that they reported being "in constant conflict with the law enforcement agents" (p. 9).

¹⁴ At the time this was estimated at Kshs. 3,725 (approximately 62 US\$) per month (Kamau n.d.).

forced to utilize whatever space is available to undertake their business activities. Activities in the informal sector are conducted mainly within the CBD along busy streets, on pavements and near municipal markets and bus parks, and in high density residential areas, notably Langas, Huruma, King'ong'o, Munyaka and Mathare (Nyakaana 1997). For urban residents who own houses, often their houses can constitute important physical assets in form of business shelter. However, many poor urban residents stay in rental houses; only 11% of female household heads in Kamau's (n.d.) study owned dwellings.

Capability development opportunities such as apprenticeship, business training, agricultural extension services, etc. are other limiting factors (Kamau n.d.). Given their generally low education levels, women would particularly benefit from such opportunities and services. Above all, the existing policies and by-laws regulating informal sector activities in Eldoret are stringent and official attitudes towards the activities unfavourable. As a consequence, harassment of informal sector operators, including urban farmers, by the EMC has been commonplace. This was the most serious problem for 31% of the respondents in the study conducted by Otunga *et al.* (2001) among women entrepreneurs in Eldoret town (see also Kamau n.d.). I return to urban agriculture-related policies and harassment in Chapter 5.

The political context

Participation by the poor in decision-making within local governance institutions is hailed as a prerequisite for efficient delivery of services and equitable redistribution of power, ostensibly because it ensures that local affairs are administered in line with local felt needs as expressed by the people themselves. In fact, poor people's participation in making decisions that affect their well-being is considered not only as empowering in itself, but also as "an essential ingredient to notions of democratic citizenship and sustainable development" (Mercer 2002: 102).

The EMC is the primary local governance institution responsible for the delivery of essential public services in Eldoret town. However, some respondents viewed EMC as an institution remote to them, and one whose policies did not resonate with their needs. Indeed, as shall be demonstrated in Chapter 5, there seemed to be minimal dialogue between EMC and residents of Langas, as expressed, for instance, by the respondents' lack of accurate information regarding EMC policies on urban agriculture and their acquisition of information on EMC policies from channels other than EMC itself. Respondents complained about EMC's harassment and brutal enforcement of council by-laws and policies such as poisoning of pigs and destruction of roadside kiosks, and non-provision of essential services. Langas is not connected to the municipal sewerage system, lacks

garbage collection and disposal services, and has no single public school or public health centre. Commenting on the apparent disconnect between EMC's policies and urban farmer's interests, a focused-group-discussion participant noted thus:

Why should the Council outlaw livestock keeping on the pretext that animal waste makes the town untidy when human waste is spilling all over Langas. Which is better; animal waste or human waste? The Council has not been able to fix the sewage system and cases of burst sewers are common in the town. They should fix the problem of sewers before talking about animal waste messing up the town.¹⁵

The residents' sense of powerlessness vis-à-vis the EMC was further amplified by a general lack of robust interest groups and civil society organizations within the area that could afford them a voice and through which they could lobby the EMC and other local institutions on matters of interest to them. At the time of the first phase of the fieldwork for this study in 2007, pig farmers were in the process of forming an association to represent their interests; three years later in 2010 during the third fieldwork, the idea had not yet come to fruition. Similarly, there did not seem to be any initiative to organize petty traders operating in Langas, despite common incidents of harassment and difficult working environments.¹⁶ Nyakaana (1997: 98) attributes the lack of political and economic organizing among informal sector entrepreneurs in Eldoret to "[t]he low status and economic dependence of many of the informal sector occupations, combined with the intensely competitive individualistic mentality" of the entrepreneurs. One could also argue that effective mobilization of the informal sector operators and the local community in general into collective action in pursuit of economic and development interests is less likely in a context of deep-seated inter-ethnic suspicions and antagonisms such as was the case in Langas.

Like in other highly politicized multi-ethnic settings in the country, and more so in urban areas, sectarianism determines patterns of social and geographical interaction as well as mutual communication and political action more profoundly than shared local problems and interests *per se* (Simiyu 2008). Especially in the context of electoral competition, inter-ethnic suspicion can explode into violent conflicts as was witnessed in the context of the December 2007 elections and its aftermath. For reasons related to ethnic diversity and historical land grievances, the Rift Valley province and major urban areas have always borne the brunt of election-related ethnic violence. With regard to the particularly devastating post-election violence of 2008, the Kalenjin (who dominate North Rift region) overwhelmingly supported the opposition candidate, Raila Odinga against his rival Mwai Kibaki. Immediately Mwai Kibaki was declared to have won elections –

¹⁵ In a focused group discussion with village elders, held on 31 August 2007.

¹⁶ Informal interviews with village elders and traders in Langas.

contrary to many opposition supporters' and observers' belief that Raila Odinga had won – Odinga's Kalenjin supporters turned against Kikuyus (Mwai Kibaki's co-ethnics), in particular, for their presumed support for the incumbent. It must be remembered that the Kalenjin have historically resented Kikuyu settlers in Rift Valley, for allegedly migrating into the province and taking away their land with government facilitation under both presidents Kenyatta and Moi.

Given its multi-ethnic nature and having a substantial presence of Kikuyus, Eldoret, the largest town in the Kalenjin-dominated North Rift region, fast turned into the epicentre of the region's post-election violence. Many people were displaced from their homes, others killed, many more injured, property destroyed and businesses looted and people's livelihoods devastated. Many residents of Langas recounted how marauding gangs took away their livestock from the grazing fields or how the gangs broke into compounds to steal sheep and chickens, ducks, etc. sometimes as they looked on. Others fled their homes for safety and came back only to find the homes had been broken into, property stolen, and their gardens destroyed.

Redempta¹⁷ separated with her husband many years back. The 47 years-old single woman had nine children, including six orphans. She owned one-eighth of an acre. To sustain her family, and without the help of a spouse, Redempta practiced intensive farming on her plot – a fact she took pride in saying she had used the plot the best way she knew how. She grew more than ten different types of crops. Apart from *sukuma wiki*, most of the farm produce was used for home consumption. Before the post-election violence, Redempta had allegedly kept 200 chickens (the traditional variety), over 180 ducks, 30 sheep and some doves (the scale of her activities then was corroborated by the village elder). For her, the main reason for taking up farming was to ensure that the 'children have food, they go to school and clothe'. She kept chickens primarily for raising school fees. On the other hand, she planned to sell some sheep in order to buy a dairy cow so she could save on the cost of buying milk. The rest of the sheep would cushion her against emergencies – she would easily sell sheep in case there was an urgent matter to address. Redempta had been keeping ducks since 1996 and sold them mostly in December to buy Christmas clothes for her children. Unfortunately, people stole her livestock during the skirmishes. They stole all the chickens and ducks. Out of the 30 sheep, only one was spared by the roaming gangs. By the time of the interview, her stock had started growing once again. She had four sheep and six ducks.

Prior to the post-election violence, Gitau had six goats and about 30 chickens, which he kept on his then well-fenced half-acre plot. He had kept the goats primarily as a store of cash which he could easily dispose of in case of an urgent need for money. He also had a vegetable garden on which he grew *saga* (spider plant) and *sukuma wiki* (kales). Sometimes he would grow maize which would give him about six sacks, enough to last the family about four months. He however, preferred growing vegetables on the plot because they not only saved the household money but also provided a regular income for household expenditure. The vegetables used to generate between Kshs. 100 and Kshs. 150 per day for most of the year. However, during the post-election violence of early 2008, people destroyed his fence, took away his goats and chickens and destroyed his vegetable garden. Following this incident, Gitau did not do any farming for the rest of the year, during which period 'feeding the family was hard'. In 2009 he decided to plant maize on the plot, about which he lamented:

¹⁷ Interviewed on 26 May 2009.

“Now I have been buying vegetables throughout and I can’t get the money I used to get. My business is also down. The problem with maize is that you only harvest once in a year. I am still organizing myself to fence the plot once again before planting vegetables. So I will continue buying vegetables.”

Other urban farming households were affected by the violence differently. For instance, while Makori¹⁸ was not exposed to direct theft by violent gangs, he nonetheless lost his chickens too.

During the skirmishes, Makori and his family were confined in the home for several weeks by insecurity. As such, they could not find feeds for the chickens, on which the family also turned for food because it could not access alternative sources of food. Once Makori realized that the violence was widespread and the chickens would not survive for long, he and his wife decided to slaughter about 30 chickens which they smoked and preserved for household consumption during the time of insecurity. Only about five chickens were spared. At the time of the interview in 2009, the household had about 15 chickens and 40 chicks.

Photo 4.1 Counting the losses: Displaced residents of Langas estate in Eldoret check through the ruins of their dwellings, which were razed down in the 2007/8 post-election violence.



¹⁸ Interviewed on 30 May 2009.

Photo 4.2 An encampment of the post-election internally displaced persons (IDPs) located within agricultural society of Kenya's Eldoret showground.



While some urban farming households were able to rebound from the shock and rebuild their livelihoods after normalcy returned to Eldoret, some remained destitute for longer periods while others were not even able to return to their former homes for fear of fresh attacks. It was also evident that the events of the post-election violence had forced some households to rethink their livelihood strategies, with multi-locality being one option to guard against similar devastation in the future. I substantiate these with the following two narratives, the first of which is adopted from a Habitat for Humanity Kenya report, while the second is based on personal interviews:

I am 70 years old and a mother of five children though not living with them at the moment. I am now living with three of my grandchildren since we came here in Maai Mahiu IDP (internally displaced persons) camp two years ago (in 2008) (...) after we were displaced from Langas by the post-elections violence of 2007/2008. By then, I was selling vegetables in Eldoret which were giving me substantial income enough to support my family. In my entire life, it never came into my mind that Kenyans could turn against each other. We were beaten and our properties looted while others burned. It was a dark moment in my life. We had to seek refuge at Langas police station for a period of one month before (the) government took us to Eldoret showground where we stayed for one year. In March 2009, the government through the *Rudi Nyumbani* (literally: return home) programme gave us Kshs. 35,000. We did not want to go back home for fear of been (sic) attacked again; so we pooled resources together and (...) bought a piece of land in Maai Mahiu area and pitched our tents there. Since we had no other resources left, we had to contend with the daily hardships of living in

the tent. (...) [Before Habitat for Humanity Kenya offered assistance] I had lost hope of ever owning a house again in my life.

(Nyaroiro Gatonye, adopted from Habitat for Humanity Kenya)¹⁹

During the violence that broke out after elections, I lost nine big sheep. They had gone out to graze but were taken away and slaughtered by rioting gangs. Only two managed to return. It was so risky you couldn't go out in the field. We also voluntarily gave out one of the two sheep that had remained to young men from our ethnic community so they could defend us. There was no food and no money so members of our community from this section of Langas decided to contribute whatever we could afford for our own security. I have since learnt a big lesson. I no longer feel safe in Eldoret. (...) I recently managed to secure a loan of Kshs. 50,000. I had applied for the loan before the violence broke out. I intended to invest the money in a business which I had not fully decided on. Because of what happened to us last year I decided to bank the money. We are planning to sell our plot in Kipkenya settlement (the settlement is located within Eldoret municipality) and add the Kshs. 50,000 so that we may purchase another plot in a safer place like Nakuru town. We will relocate our mother-in-law first as we continue to monitor the situation in Eldoret. If it deteriorates like last year then we will also move to Nakuru. If the situation improves then we will stay but we will at least have somewhere safe to go to in case of any problems in future.

(Njeri, 19 May 2009)

The socio-cultural context

In mapping the social context for urban farming households, attention is drawn to social norms and how men and women relate to them in the process of making a living. Also considered here are farming households' social security arrangements and social mobilizing and networking.

Cultural norms and gender relations

Most respondents agreed that there were certain cultural norms that determined which responsibilities each sex had and which tasks they performed within the household context. In many Kenyan cultures, traditionally men were the breadwinners for their households. Their responsibility was to provide food for their families and to ensure the sustainability of household livelihoods more generally. They were expected to 'go out' and search for food and/or the means with which the family could access food and other resources for well-being. On the other hand, women were expected to 'stay home' and to concentrate on reproductive and home management responsibilities, including taking care of their husbands and children. As a natural derivative of the role of breadwinner, respondents also seemed to uphold the cultural norm that designates men as the main decision-makers for their households.

It was clear from in-depth household interviews, however, that a rigid observance of traditional norms was no longer tenable within the changing economic

¹⁹ Habitat for Humanity Kenya, *Internally Displaced Family profiles*, available at: http://www.ktf.co.ke/documents/Kenya_Tourism_Federation_Thank_you_family_profiles.pdf.

environment. Men and women alike noted that the prevailing socio-economic hardships had overwhelmed men in their role as breadwinners for their families. Narratives abounded of men who previously provided for their families no longer being able to do so – either as a result of rising commodity prices against a backdrop of stagnating incomes, diminishing job opportunities, or redundancies. As such, they recognized not only the need to diversify their income sources, but also the role of women in contributing towards household sustenance (see Chapter 6). Women, in particular, noted this urgency as the basis for their (desire for) involvement in income-generating activities, some of which were located beyond their domestic sphere. As one woman remarked:

Nowadays everybody tries to look for a means of earning a livelihood for the household. You cannot just rely on the husband to bring food home. Sometimes men find themselves in a position where they are unable to provide for their families so women must work hard to fill the gap.

(Njeri, 19 May 2009)

This is consistent with much of the literature on informalization and feminization of labour that gained greater significance in the wake of economic restructuring in many African economies in the 1980s and 1990s, and which seem to have persisted as many economies continued to stagnate while the growth of their populations and labour force remained on an upward spiral. In many cases, women's activities became important supplementary income sources to their husbands'. In other cases they became the main sources of income for the households, making women the 'real' breadwinners for their families.

Social security

Many poor households in Langas lacked access to formal social security and welfare programmes. The exception to this was the case of displaced victims of post-election violence who received some humanitarian support from the government and non-governmental organizations. The support was mainly in the form of emergency relief food and temporary shelter and medication during displacement, and financial support and agricultural inputs to rebuild their livelihoods thereafter. However, the support was short-lived and for many victims of post-election violence, it was slow to come and too inadequate to rebuild, let alone sustain their livelihoods.

Poor households in Langas were also exposed to other shocks which, while not as dramatic as the post-election violence, are nonetheless as devastating to the livelihoods of the poor who lack formal social insurance and access to safety nets. For instance, household in-depth interviews revealed how ill-health (and resultant death) cost some poor households more than just catastrophic expenditures; it actually deprived them of labour and depleted other capital stocks. As

the testimonies of Margaret and Akinyi below show, the effects of ill health (and especially death) can be particularly devastating to household livelihoods where the main breadwinner for the household is involved. In the absence of formal security and welfare programmes, and given their limited financial capacity and capital portfolio, the poor often turn to their social relations for support in times of need. Various types of social networks were identified in Langas, among them rotating savings and credit associations (ROSCAs) and credit associations mainly formed for purposes of accessing credit from micro-finance institutions. Both these groups were rooted in relations of trust that developed from localised interactions in the neighbourhoods or, and to a lesser extent, wider ties in the marketplace. They were usually small and primarily addressed individual needs of their memberships. As shall be demonstrated in Chapter 8, these groups were instrumental in enabling members to access financial capital for smoothing consumption and for investment as well as social support in times of need.

Margaret's husband, a former college tutor, was the main breadwinner and decision-maker for the household. He owned most of the family property, including the plot and rental houses. The plot measuring three quarters of an acre was bigger than the average plot size in Langas. The husband had constructed a permanent family house and additional three rooms which he rented out to tenants at a monthly rate of Kshs. 1,500 each, and planned to construct more rentals. Most of the remaining space was used for urban farming. Margaret was responsible for farming, an activity that she said she enjoyed doing, not only because of its economic value, but also because of her farming background. She cultivated different types of crops on her plot including *sukuma wiki*, Napier grass, and traditional vegetables like *suja*, and *saga*. The household also kept two dairy cows, which produced milk for home use as well as for sale, and had 10 chickens which produced eggs. Apart from farming, Margaret also had a stall in the municipal market where she sold vegetables, some of which she got from her own plot. She had been doing the business since 1989. On a good day she could earn an income of between Kshs. 500 and Kshs. 700.

With the income from farming and from her stall, Margaret was able to 'take care of many small things in the house' without relying on her husband, who now concentrated on development such as housing, and met bigger expenditures such as school fees for their son. Although he had retired, he used to receive some pension and he had started the process of claiming his retirement benefits. When her husband fell sick and his health deteriorated in 2007, Margaret closed her business in the municipal market to take care of him. She sold the two cows to settle the hospital bill since they had no other means of raising money. She also sold some of the chickens to buy medicine and slaughtered the rest to enrich his diet. She sought assistance from her husband's former employer and workmates regarding his retirement benefits without much success. She found the process cumbersome and complicated: "I tried to ask the people he was working with but I did not get clear answers. They referred me to places and offices I do not even know. They told me to look for a lawyer and I am told lawyers are very expensive and I don't have the money to pay them. My in-laws are not keen on helping me. So I just have got no idea how to go about it. Maybe when my son finishes college and we get money he will start following up the matter."

Without her husband and any external support, Margaret was left to entirely rely on her plot and rent for survival as well as paying college fees for her 25-year old son. She also lived with eight relatives who depended on her. She particularly relied on *sukuma wiki* which earned her at least Kshs. 200 per day throughout most of the year. After selling her cows, she also had to buy milk on a daily basis which she could not afford. Initially she was getting

milk from her neighbour. The neighbour relied on her plot for Napier grass so he would give her some milk in return. Unfortunately the neighbour's cow died, so she could no longer take the 'good tea' she was used to previously. Margaret said she couldn't afford to carry on her husband's plans of putting up other rental rooms on her own. Aware of her vulnerability, she regularly tithed in church – an amount of Kshs. 50 every month – because as she put it, "I know that in times of need the church would come in to help."

Akinyi (67 years old), was widowed in 1990. All her children were married but she stayed with seven grandchildren who depended on her. She stayed in a rented house which sat on one-quarter of an acre. She paid rent of Kshs. 2,500 and cultivated the space around the house, which she had been doing even when her husband was still alive. Akinyi also sold *mitumba* (second-hand clothes) which she described as a 'very profitable' business. On a market day she could earn up to Kshs. 2,000. She then used the income from the *mitumba* business to buy beans from the village and sell at a profit in Eldoret. With a regular income from her *mitumba* business, Akinyi was able to join a 25-member ROSCA where they paid Kshs. 150 weekly. She was the ROSCA's chairperson.

Although she was cultivating the plot and engaged in business, her husband was the one who provided for the household and paid school fees for their children. However, after his death, Akinyi took up all the responsibilities. Soon she ran out of money, could not replenish her stock and eventually her *mitumba* and beans businesses collapsed. Unable to afford weekly ROSCA contributions, Akinyi pulled out of the ROSCA altogether. One of her children had promised to help her restart the *mitumba* business but she died in 2008, leaving her 'helpless'.

Akinyi now relied entirely on urban farming to sustain her household. She grew different types of vegetables on her plot, including *sukuma wiki*, *saga* and cowpeas. She earned at least Kshs. 100 per day, although there were days she did not make any sales. She used the money on household expenditure and met school-related requirements for her grandchildren. Besides the vegetables, Akinyi also grew maize and kept two chickens. She harvests about one-and-a-half bags of maize every year, which could take the family for about two months before she starts buying maize. On the other hand, the eggs produced were primarily for home consumption. Akinyi noted that sometimes she could not afford fertilizer and that the money she made from her plot was not enough to pay rent and cater for other family needs. She was lucky though that her long-time landlady, who was then working in Nairobi, had not only come to understand her predicament but to also empathize and develop close relations with her. As such the landlady had decided that Akinyi would continue staying in the house and to take care of her plot – as the latter looked for an alternative accommodation – until she relocated from Nairobi on retirement expected in about five years thence.

Also identified among social networks were ethnic-based associations formed by and for members of particular ethnic communities, mainly for social support and mutual aid in times of calamities such as death. Church-based groups and congregations also constituted important networks of social support and mutual aid. As has been noted in the preceding sections, more robust and broad-based interest groups transcending sectarian divisions were rare to come by in Langas. As was evident during the December 2007 elections and the events that followed, ethnic differentiation and inter-ethnic antagonism in the area engendered by national political power struggles was a source of great shock to the well-being of many households.

The environmental context

As has already been noted, and like in many other informal settlements of Eldoret, Langas was not serviced by the sewerage system, and garbage collection and disposal services were non-existent. Residents used pit latrines and sometimes disposed of human waste and garbage anyhow in open spaces. Kimani-Murage & Ngindu (2007) report that up to 30% of the children in Langas used open spaces as disposal sites for human excreta. Such an environment poses health risks to not only humans, but also livestock. Many livestock keepers practiced free-range grazing in open spaces within the municipality; even those who confined their animals heavily relied on fodder obtained from open fields, on road reserves and along plot edges. As explained by a veterinary officer, such animals are exposed to tapeworm infection, which may be passed on to humans through meat consumption.²⁰

For pig farmers like Obachi, the non-collection of garbage meant that they could access the ever-present household food wastes from people's compounds to feed their animals whenever they could not afford market feeds. However, according to Obachi's own admission, this was achieved at the expense of personal dignity:

Sometimes when I don't have money to buy feeds for my pigs, I wake up very early in the morning, before people start waking up, to scavenge for food remains in dustbins in people's compounds. Sometimes people think I am a *chokora*²¹ but that does not bother me because my pigs are my biggest investment.

(Obachi, 6 June 2009)

In terms of water supply, the area was well-connected with piped water and many residents had dug shallow wells on their plots. However, wells were exposed to contamination especially from fecal matter due to overflow of pit latrines during the wet season (Owuor & Foeken 2009), but also from surface runoff and underground pollution due to close distances between pit latrines and the wells. From their laboratory analysis of water samples from shallow wells in Langas, Kimani-Murage & Ngindu (2007) found out that all the samples were heavily contaminated with fecal matter and did not meet WHO standards of safe drinking water. They also found out that in 40% of the cases, the distances between pit latrines and wells were less than the recommended 15 metres. Other possible causes of water pollution were identified as defecation by livestock around wells and poor sanitary practices such as washing clothes next to the wells, drawing of water using dirty containers, and non-protection of wells.

²⁰ District Veterinary Officer, Uasin Gishu District, interviewed on 28 August 2007.

²¹ Kiswahili word for street children, often used pejoratively to refer to someone looking dirty and untidy.

Thus, although shallow wells were sources of water for irrigation and animal watering, residents of Langas who relied on shallow wells for drinking water were exposed to water-borne diseases. Yet, the absence of public health facilities had left the residents with the option of seeking services from private clinics, which by definition are expensive and beyond reach of the majority of the poor. When individuals are exposed to public health risks and cannot access health services, human capital is jeopardized.

Weather patterns also posed ecological challenges for urban farming households in Langas. Several farming households had suffered crop failure and a decline in productivity and loss of livestock due to drought or adverse weather. On the other hand, due to the swampy nature of some parts of Langas, on the one hand, and poor drainage on the other, water logging and flooding was a common feature of Langas during the wet season. Cases of livestock deaths due to disease outbreaks were also common especially among poultry-keeping households. These, and other problems facing urban farmers, are the focus of Chapter 7.

Land tenure

Land tenure regime

Two main types of tenure systems were identified in Eldoret, as in many other urban centres in Kenya. The first one is private leasehold/freehold which vests land ownership rights to individuals, groups and private institutions. Much of the land in Eldoret municipality – estimated at between two-thirds (Musyoka 2004) and four-fifths (Olima & Obala 1999) – was held under this arrangement. Such land was largely brought under the jurisdiction of the municipality following outward extension of municipal boundaries to respond to the needs of urban growth. In the leasehold system, the owner holds title to the land for a specified period of time (usually 99 years) and is expected to utilize it only for purposes for which it was allocated and in accordance with the regulations and conditions specified by the state or the local authority. On the other hand, freehold tenure confers, in theory, absolute ownership and use rights to the land owner, who may use it without any restrictions. However, in practice, some urban planning regulations may, and often do, place limitations on such freedoms.

Private freehold was the main source of land supply in Eldoret town against the town's ever-rising demand for land occasioned by rapid population growth. However, the formal process of land transaction, transfer and registration is stringent and cumbersome. Consequently, the majority of urban land seekers use informal channels in order to access land from private landowners. These channels are more flexible and less complicated so that land seekers can buy plots of the sizes they need when they need them and at prices and terms of payment they

can afford. While informal land transactions are particularly attractive to land seekers from low income groups, they are nonetheless also used by the non-poor (Musyoka 2004). This explains why non-poor urban residents were also found in Langas, despite its characterization as a low-income unplanned settlement.

The second tenure system involves public/government land, which the government holds in trust for the public. It is estimated to account for about 17% of land within Eldoret municipality (Olima & Obala 1999). Public land is mainly under the ownership of the government and government institutions (e.g. Kenya Railways) as well as the municipal council. Compared to private tenure, public land was by far a minor supplier of land to the urban land market in Eldoret. It is estimated that it supplies up to 10% of residential plots (Musyoka 2004).

From time to time the government alienates portions of land under its custody or acquires land from private owners for allocation. Such land is advertised and applications from interested members of the public invited. However, besides being complicated, long and winding, the process of land allocation by the government is mired in secrecy and corruption making it amenable to manipulation by the rich and the powerful to the exclusion of the deserving poor and those without political connections. To begin with, the channels of communication about availability of the land – the Kenya Gazette and daily newspapers – are not easily accessible to the poor for reasons of illiteracy and poverty. Moreover, such plots are often never advertised in the first place thereby excluding many would-be applicants who lack the information about their availability.

Land allocation programmes specifically targeting low-income groups have also been implemented in Eldoret by the municipal council (Musyoka 2004). The first such programme was implemented in 1972 involving 52 residential plots and the second in 1978 involving 96 low-cost housing units each with additional space for future development by the beneficiaries. Other two schemes were introduced in 1986. One of them supplied 571 plots and the other 653. Although these schemes were intended for the low-income groups, some wealthy and non-poor individuals benefited from the allocations at the expense of the poor. For instance, some deserving individuals could not even apply for land allocation in the second scheme because they could not afford application fees, let alone the required deposit and initial monthly rent. Similarly, poor beneficiaries of plots in one of the 1986 schemes were elbowed out of their allocations by rich individuals because the former could not afford to develop their plots to prescribed housing designs and standards. Again, the majority of urban residents in Eldoret do not have information about such land allocation programmes. Musyoka's study found out that only about 1% of the respondents did.

Besides exacerbating inequalities by limiting the low income groups' access to land while at the same time favouring the rich and powerful, these land tenure

systems have also impacted urban development in Eldoret variously (Olima & Obala 1999). While the freehold system is the main supplier of land for private land seekers, it has held back land supply for development of social amenities and infrastructure to meet urban growth needs. It has also frustrated land use planning by limiting urban planners' authority to enforce land use planning regulations and guidelines on privately owned land. Such frustration was aptly captured by one urban planner in Eldoret when he noted that "In so far as private landownership in urban areas is still permitted, there is no justification for the preparation of urban land use plans" (quoted in *ibid*: 118). As a result of these planning challenges associated with freehold land tenure system, haphazard land use patterns and unplanned settlements have emerged in the event straining the provision of social services and infrastructural development and leading to environmental degradation, especially in low-income areas such as Langas.

Land tenure in Langas

Settlement in Langas began in 1965 (Kimani-Murage & Ngindu 2007) on land measuring 1,050 acres (or 425 ha.). The land was purchased from a European settler by a land-buying company of 53 members from the Kalenjin community (Musyoka 2004). The land was initially subdivided into approximately 3,360 plots measuring about one-eighth of an acre each for sale (*ibid*). Subsequently, a dispute arose among the shareholders derailing the land adjudication and titling process. The dispute was referred to court for arbitration and at the time of writing it remained unresolved and the original settlers had yet to receive titles to their land. However, this has not stopped them from developing the land nor has the implied insecure tenure discouraged people from purchasing (and developing) land in Langas. Further subdivision and sale of plots has occurred subsequently, and development has proceeded without regard for municipal council and town planning regulations and guidelines. As a result, the settlement has developed haphazardly, hampering the provision of essential infrastructures and services. As has already been mentioned, the estate is not serviced by a sewage system; it lacks garbage collection and disposal services, and has no public schools or health facilities.

It must be pointed out that the insecurity of tenure in land has to some extent given the district's Department of Physical Planning some leverage over the patterns of development and especially land subdivision. The physical plans for the settlement were initially done by the department and all the plans and related records on plot attributes such as location, size and ownership remain in the department's custody. Since the owners lack titles for their plots and therefore have no documentary evidence of plot ownership, they have to seek the advice of the physical planning department whenever they want to sell land. Similarly, inter-

ested land buyers in Langas seek information from the department to ascertain the bona fide owners of the plots they are interested in. The physical planning department has used this leverage to restrict subdivision of land below one-sixteenth of an acre; this has created some order in Langas.

Implications of the land tenure regime for urban agriculture

Besides impacting urban planning, Eldoret's land tenure regime has had implications for urban farming by the poor as well. To begin with, and as has been implied above, access to public land for urban farming is limited for the urban poor who lack power and/or financial resources with which to gain favour of the municipal authorities in land allocation. However, the need for farming space has compelled the poor to invade vacant public spaces, in the process exposing themselves to harassment by the authorities. The undeveloped lands belonging to Kenya Railways and EMC were singled out as some of the areas commonly invaded by urban residents²² and on which EMC routinely destroyed farmers' crops.²³ It must be noted, however, that the EMC rents out some of its land for farming.²⁴ One such piece of land is located near the town's sewer treatment plant (see Map 3.3) and measures approximately 300 acres. Prospective urban farmers are required to apply to the EMC for plot allocation at a yearly rent of KShs. 1,000 per acre – a cost that is about five times cheaper than the market price. The vetting of applicants is based on one's ability to pay, and preference is given to individuals who reside near the farm. The maximum plot size one may be allocated depends on the number of successful applicants, who are usually many. However, the arrangements were usually done secretly and the process and procedures involved were unknown to many would-be interested urban residents. As with informal access to vacant EMC plots that requires information about the location and status of such plots, so it was with the formal access process that only those close to the farm and/or with EMC connections, and especially EMC employees themselves, had benefited. An officer of the municipal council²⁵ explained that publicizing such information regarding land allocations for farming would be misconstrued by the public to mean that the council encourages urban farming; an eventuality that the council supposedly fears would make farming in town to spiral out of control.

If private leasehold/freehold is the dominant tenure system in Eldoret, then the omnipresence of urban agriculture across the municipal space must similarly be attributed to the preeminence of private lands as suppliers of farming space. This

²² Senior Enforcement Officer, EMC, interviewed on 31 July 2007.

²³ Locational Extension Officer, Pioneer Area, interviewed on 22 August 2007.

²⁴ Director of Environment, EMC, interviewed 4 July 2007.

²⁵ *Ibid.*

should be so because the municipal council has limited mandate to both enforce its anti-urban agriculture policies and planning regulations on private lands, and to leverage the conversion of such lands – including those found within the town’s built-up area – to commercial use or public infrastructure development. There are many undeveloped plots within the town’s built-up areas, and several swathes of land are interspersed with built up areas as well. Whether such lands remain undeveloped because their owners lack financial capital or are held for speculative reasons, they provide an important source of farming space for the urban poor, who may access such spaces by squatting, through renting from landowners, or by entering into caretaking arrangements with the land owners.

The municipal council has also had to tolerate agricultural activities in traditionally agricultural areas when such areas are brought under its jurisdiction by periodic boundary extensions. Beyond having limited control over such private lands, EMC also recognizes the challenges associated with a cultural re-orientation from farming to commercial activities for many farming households; not to mention that the cost of making the transition is prohibitive for the poor. As an EMC officer put it, “if you do not allow farming in those areas, what would the owners of those large farms do with their farms?”²⁶

But the private land tenure system also poses its own risks to urban agriculture. Just as the land owners have undertaken farming on their private holdings against the municipal council’s wishes, so too have they put their plots to other livelihood activities that do not conform to EMC regulations and which compete with urban farming for space. For many landowners, construction of low-cost unplanned housing structures for own accommodation, but also to earn a regular income from rent, was the ultimate investment goal. This is because of the high demand for low-cost housing in such areas, the relative ease with which such houses can be put up, and the promise of a regular income from such one-off investments. The relative uncertainty of urban agriculture owing to climatic variability and seasonality as well as official restrictions against its practice underlined by a history of punitive actions against offenders has also made low-cost housing a preferred investment compared to urban agriculture. As a result, land owners continuously extended housing structures into any available space whenever they accessed financial resources thereby reducing farming space and rendering farming a more or less transitory activity for many landowners. As shall be demonstrated in Chapter 7, the implication of this is that many women face the risk of losing their means of livelihood in the long term.

The predominance of private freehold land tenure system also meant that although the poor stood to benefit the most from urban farming, the majority of

²⁶ Director of Environment, EMC, interviewed 4 July 2007.

them had limited access to land for farming because of a lack of financial ability to participate in the formal land market. Thus, the proportion of urban farming households was lower in the worse-off Block 3 than in the better-off Block 4 (16% versus 32%). As has been stated above, the informal land market is the only viable route to land ownership for the poor, while informal arrangements such as squatting and care-taking as well as inheritance were the other options of establishing entitlement over land for urban farming. Whatever the case, the plots accessed by the poor are usually small, uneconomic and of insecure tenure, and women are more disadvantaged. I return to the issue of access to land by the farming households in Langas in Chapter 7.

Photo 4.3 A farmer in Langas constructs a rental house on his plot. He previously grew *sukuma wiki* on the entire plot

