CHAPTER 8

‘We will be back to the street!’: Protest and the ‘empires’ of water in Nairobi

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You and water can never be close even a little bit, how many days have you not washed? – Michi, *The Real Househelps of Kawangware*

You ask yourself ‘why do people have water and electricity and I don’t?’
– Youth Leader, Mathare

Introduction

On 25 August 2016 there was a water protest in Mathare, and a resolution was prepared for prompt dissemination. Community members from the six wards of this poor settlement sent a message to all concerned through the mobile phone platform WhatsApp, which I set out unedited below:

25th August 2016 Mathare protest resolution. Let’s petition government to remove Nairobi water company CEO for failing to supply adequate, clean and safe water. For several months now residents of Mathare and other informal settlements have lacked sufficient, clean and safe water to drink and for use on there day to day activity at there house, due to cartel surrounding the business and incompetency man power. For example residents of Mathare, Mashimoni, huruma and ngei in average are forced to purchase water for at least ksh 20 per 20ltr up from ksh 5 per 20ltrs on normal days. Today on 25th August 2016 resident of Mathare staged a protest along juja road to demand the reconnecting of water pipes that has led to water shortage for mathare for almost 2week resident blocked road with tires, rocks, mukokoteni, and human shield from as early as 8am to 3pm in a bid to attract the attention of the relevant authority. The bid by Pangani OCPD, Huruma AP commander

and deputy OCS to stop the angry protesters mostly comprised of women and children did not succeed in return they opted to arrest Richard Bonke whom they later released unconditional after public opted to continue with the protest over night. Most of the protester claimed they have not bathed for 3days due to lack of water, other claim there haven't cleans there kids uniform keeping in mind school are opening next week, mzee onyango, and mutisia claimed there kids are now admitted hospital due to poor hygiene due to lack of water. The demo stopped at around 3:30pm after some area started receiving some traces of tap water and the release of Richard Bonke. Note: this 3rd protest in four months over inadequate water supply, result have been the safe the pipes are reconnected after several hours. This were some of the resolution. 1. We will be back to the street in case of water shortage and supply since is the only solution with immediate answer. 2. A bid to open a long time camp across Nairobi on right to clean and safe water. 3. To develop a petition to impeach Nairobi water company [CEO] for failing to execute his mandate to give clean safe and adequate water to Nairobi resident.

It is important to note that residents were not protesting the ongoing lack of water from taps in their *own* houses, but the absence of water in the few communal and 'illegal' water points that dot the landscape, infrastructures usually shared by hundreds if not thousands of people (Dafe 2009; MSJC 2019; Kimari 2019). The objective of this chapter is to attend to the histories that have enabled these now formalised drought conditions and elaborate on the methods that residents of Mathare take up to address this situation.

For almost a century Mathare has stubbornly existed within, but also seemingly without, Nairobi's city grids. Despite its endurance and the unusual distinction of being (against popularised narratives about 'recent' rural-urban migration causing slums in Nairobi) one of the city's oldest neighbourhoods, it remains unconnected to the formal water system and other basic services. As a consequence, the residents' actions for water noted above register the persistent and metamorphosing violence of uneven urban governance in Nairobi. This is spatial management that, through seemingly intentional omission, deprives many residents of basic rights guaranteed in the Kenyan Constitution. At the same time, however, the fact that this was the third water-related protest in four months and was accompanied by innovative solutions (including a call to impeach the CEO of the city water company), illustrates the many incremental ways that residents, long tired of pursuing the path of least resistance, stake enunciatory and material claims for their rights (Deleuze & Guattari 1987). They engage in imperfect 'messy-labours' (Simone 2015), comprised of both 'machinic assemblages and collective assemblages of enunciation' (Deleuze & Guattari 1987),¹ to ensure they have water, however temporarily, while also acting to counter narratives

1 Derived from Deleuze and Guattari (1987) I use 'machinic' assemblages to refer to the multidimensional physical work residents take up to improve their terrain, while collective assemblages of 'enunciation' are joined up to index the language residents use symbolically to alter the status quo. These assemblages come together to bring about the effects desired by their protagonists, although unanticipated consequences may also be produced.

that position them as undeserving of this resource. To these ends, they organise meetings and campaigns like the ones I describe within this chapter, which – in the absence of real political will to provide water to the poor – target access to this resource while also deploying local narratives that speak of imperial orders to explain the absence of, and demand, this service within their community.

I, therefore, centre ‘the[ir] desperate, indignant, and defiant acts that duress’ can produce (Stoler 2016: 35), in this case, the institutionalised lack of a basic service. What’s more, I also make evident how Mathare residents narrativise their lives without this resource, and, in the context of hypermodern city developments for which the public purse always pays, highlight what they see as the continuation of empire in their poor region. In the following section, a brief history of Mathare is provided to contextualise the chronic lack of water that residents continue to endure. Thereafter, under the rubric of ‘waterless scars,’ I document the failures over the years of urban planning in Nairobi, before turning to some of the ‘machinic’ and ‘enunciatory’ community-led initiatives to ensure residents access to water, and show how they frame its scarcity as connected to the persistence of ‘empire’ – an imperial governance of the city. I conclude by reviewing my main arguments and suggesting directions for future research on water access in Nairobi.

Mathare

Both in public discourse and in the archival record, Mathare is imagined through a number of registers. On a socio-political index it is constructed, as a recent member of parliament for the area decreed, as a site of ‘criminals and prostitutes’ (Kimari 2016). Current and not so current alcohol raids have also firmly entrenched it as the headquarters of illegal brew in the city. And while it is also identified sympathetically as a ‘slum’ or ‘unplanned settlement’ (County of Nairobi & Japanese International Cooperation Agency 2014: 2–4; Médard 2010), there is an unspoken insistence that it is unworthy of basic services due to the amorality supposedly fixed in this setting.

While other local ‘slums,’ many of which are also located in the eastern part of Nairobi, are subject to similar representations,² Mathare is consistently constructed as a more extremely immoral geography. In this sense, there are definitely hierarchies of rectitude applied to this region that legitimise its exclusion vis-à-vis other poor urban settlements and Nairobi broadly, even though in geography and population it remains relatively small. It is only 3km² in size and has roughly 350 000 inhabitants – significantly less area and population than Kibera and even the Mukuru settlements (Muungano Support Trust 2012). Certainly, Mathare is depicted as a site where ‘the real thugs live,’ and the habitat of the city’s detritus, casting a long shadow over the mainstream ‘visions’ of this East African metropolis.

Elsewhere (Kimari 2017) I have documented how these now normalised positionings of Mathare residents as amoral citizens, established over decades, influence urban planning discourse and practices, enabling what I argue is spatial governance not of inclusion but of neglect and force. This is since these negative framings are popularly anchored within the decaying ‘slum’ environment, engendering a space-subjectivity

2 In my experience, Dandora and Korogocho are framed in similar ways.

enterprise that, in a 'cognitive feedback loop' (Vargas 2006: 51, 63), maps this polluted ecology onto residents' bodies and subjectivities in a process that has been reified, formally and informally, across decades. As these monikers of home (and their residents) coincide and inform one other, they cascade into the many scales of urban spatial management, principally animating the omissions and exclusions within 'master-planning' for Mathare and the other poor settlements of Nairobi. Accordingly, such an imperial order reproduces a negative symbiosis between subjects and their space in the *longue durée* and is often called upon to explain shortages of water and other basic services.

Despite provisions for the right to water in Article 43 of the Constitution, nationally, 41% of the Kenyan population relies on 'unprotected wells, springs or informal water providers,' and another 69%, many of whom live in poor urban settlements, do not have 'access to safe and hygienic toilets or latrines' (Wekesa 2013). A study conducted in Mathare in 2015 found that, on average, about 315 people, and in some areas up to 1 500, relied on a single public water point (Corburn & Hildebrand 2015). A more recent study by a community organisation identified approximately 117 public water points in this settlement. Therefore, if everyone in Mathare needed to use them, it would amount to 2 560 residents for each water point (MSJC 2019). Furthermore, given both regular leakages and regular shortages, long waiting lines to access water are common (Corburn & Hildebrand 2015). In sum, residents of Nairobi's informal settlements are disadvantaged fourfold: they pay more for an inferior supply, inferior access and inferior quality (Ng'ethe 2018), even as the governor of the city continues to promise 'water for all' (*Capital News* 2019).

Against this background, residents' life stories highlight what they see as the continuation of empire, since the neglect of Mathare – part of the former 'native city' – began with the colonial administration and continues today, both formally and informally, under postcolonial urban governance regimes. As a consequence, the grounded discourses expressed by Mathare residents are intentional everyday ideological practices contesting an ongoing imperial city management, one that, in this case, provokes community members to threaten: 'we will be back to the street!'

Waterless scars: The failure of urban planning

Since its early days, Nairobi's administration has not been immune to accusations of investing in inappropriate infrastructures as well as financial malfeasance. Anderson (2005) details how in the 1950s colonial city administrators used public monies to build swimming pools for their own residences and engaged in numerous nepotistic contracting ventures. More recently, in 2015 the governor of Nairobi, Evans Kidero, reportedly allocated KES 50 million (Kenyan Shilling) from the county purse in order to give the city a 'face lift' for former US President Obama's 'homecoming,' a significant portion of which went towards planting a few kilometres of what has come to be known as 'Kidero grass' (BBC 2015b). While these events contribute to an archive documenting the proliferating infrastructural irresponsibility and corruption in both local and national government operations, it is Mathare residents, and those from similar settlements, who know, intimately, the follies of an urban governance that refuses to provide equal and accessible basic services to the majority of Nairobi's residents.

Historically, municipal documents have often argued otherwise, that the city administration consistently invests in, as its current motto provides, a 'better city, better life.' Nairobi's first Master Plan, the 1948 *Nairobi, Master Plan for A Colonial Capital* (White, Silberman & Anderson 1948), for instance, purported to eschew the racial segregation established in the city since its beginnings as a railway town in 1899. Rather, the three South African planners who were its authors argued:

The Master Plan however, is able to be completely neutral on the subject of racial segregation by being confined to the principles of planning which take their measure on the human and technical needs. It is concerned with the satisfaction of wants which all men require such as privacy, open space, education, protection from through-traffic, water supplies, etc. The more attention that can be devoted to what is common to man the more likely are we to concentrate on what can to-day be planned in the light of reason while leaving to political and educational action and to the individual to sort out the rest. If the plan has a bias it is this humanistic one. (White, Silberman & Anderson 1948: 49)

Of these humanistic claims to universal 'privacy, open space, education, protection from through-traffic [and] water supplies,' few were made available to all: little urban infrastructure was provided for the majority of Nairobi's residents (Médard 2010; Slaughter 2004).

Scholars such as Hake (1977) and White (1991) document the negative impacts of infrastructural distinctions drawn and implemented between the east of the city and other more prosperous parts of Nairobi, both before and after this 1948 plan. In this context, Lonsdale (2001: 220) is able to argue that the colonial metropolis 'was a perfect Apartheid city without trying.' Postcolonial urban governance efforts unfortunately cannot be said to have improved on these segregatory practices, in particular in areas like Mathare – the former 'native city.' Accordingly, Hake (1977: 248, 99) comments that formal post-independence spatial management practices remained 'ambiguous, half-hearted, confused and self-contradictory' with little change 'since 1922, when the Municipal Council discussed native squatters on Kikuyu Road.'

Thirty years after Hake's (1977) evaluation, Owuor and Mbatia (2008) do not see any definitive change between the first post-independence urban plan, the 1973 *Nairobi Metropolitan Growth Strategy*, and earlier colonial spatial designs. In their paper they show how the first postcolonial planning proposal emerged from within the embryonic Nairobi Urban Study Group, which sought to chart the development of Nairobi until the year 2000. However, despite some of the more progressive interventions proposed in this vision, Owuor and Mbatia (2008) contend that this 1973 submission 'supported the interests of the hegemonic class alliance of the local bourgeoisie and the multinational corporations.' And, as a result, 'the urban majority were marginalised further and informalisation thrived since the late 1970s to date.'

Subsequent efforts such as the 1988 Nairobi City Commission Development Plan and the 'Nairobi We Want' forum of 1993, also failed to bring about any substantive changes for the majority of poor areas in the city (Owuor & Mbatia 2008: 4). And while more recent interventions pursue 'world-class city' status, such as the *Integrated*

Urban Development Masterplan for the City of Nairobi (NIUPLAN) (County of Nairobi & Japanese International Cooperation Agency 2014) and *Nairobi Metro 2030: A World Class African Metropolis* (2008), when it comes to providing basic services for the large number of disconnected city residents, they only inspire what Myers (2015) calls a 'jaundiced optimism.' As a consequence, many Nairobi dwellers, like those in Mathare, have to continue to find ways to sustain their own neighbourhoods themselves. In terms of access to water, these residents have to bear a quadruple penalty: they are exposed to higher costs for a less dependable, accessible and safe water supply (Médard 2010; Rodriguez-Torres 2010; Corburn & Makau 2016; MSJC 2019).

Waterless scars: Local mobilisation

Beyond protests like that of 25 August 2016 highlighted in the introduction to this chapter, there have been many fervent collective attempts to change the grave water situation in this settlement. For example, Hake (1977) describes an instance in the early 1970s when some Mathare residents and their sympathetic MP collaborated to take up the cost of laying pipes within a yard of the city's water arteries, in a bid to get formal access to this network for Mathare. This was in the same decade that an average of 870 residents shared the same water tap and there were roughly 136 people to each latrine (Corburn & Makau 2016: 164). In spite of these collective efforts, the city declined to include Mathare in the water network and their inflexibility prompted a question that was widely asked in response: 'Who, then, was responsible if they drank impure water?' (Hake 1977: 161). No one has claimed responsibility yet.

Four decades later, in a series of community meetings held in 2018 and organised by local activists, a cross-section of residents of all ages and genders – fathers, students, carwash operators, mothers, young workers – continued to lament the absence of this basic service. It was noted that even in the formal building where these water campaign meetings were being held, the last time anyone had seen 'even a drop of' water was in November 2016, almost two years earlier.³

Attendees spoke of the increased costs of water when they purchased it from unregulated local providers, expenses far beyond what those connected to formal water grids paid, and how this impacted what were already very tiny family economies. Speaking to these costs, one participant shared that:

It is expensive to buy because of cartels. In a week people can even pay 900 shillings [USD 9] if they have kids, when they do not even have 200 shillings [USD 2] extra for water.

What's more, the water that came was 'so-so' water, a resource whose providence and purity was heavily suspect. Claims were made that it brought typhoid and cholera and even caused the death of a brother of one of the water campaign activists, who said of his kin: 'He just fetched water to drink from a jerrican that my mother had bought, and the next day he was sick and died.'

3 See Anand (2012) and Graham et al. (2013) for similar examples of this in Mumbai.

For those who came to these community meetings from other peri-urban informal locations, such as Kayole and Ruai, complaints of paying for water meter connections even when these instruments did not work, and water never appeared, were raised. In addition, they lamented that their piping was of poor quality, held together by rubber bands, and, especially during the rainy season, had seepage from sewage and sanitation systems, making many local residents sick. The extent of illness was so bad that, and as one female participant from Kayole shared, 'in 2017 we had the highest cases of cholera in Nairobi.' The 'slum' equivalent of these meters are the neoliberal-era automated 'ATMs' for water that were established with much fanfare in 2015 (BBC 2015a), but that have since stopped working, and have never been repaired by county authorities.

Besides the costs to purse, health and time, participants also discussed the 'stigmatisation by people if you are dirty' that leads to a lack of self-esteem. In a country where ethnic identity can have shifting and tragic salience, the lack of water at times contributed to an ethnicised spatial divide in Mathare. For example, one interlocutor shared that:

It brings ethnic conflict because, for example, in August 2017 [during the elections] there was no water in Mathare except in the 4A and 4B [Luo] area, and then people here had to go and buy 20 litres for 50 shillings and even 100 shillings across the river – this caused conflict.

There were, indeed, many 'waterless scars' in Mathare.

Undoubtedly, water rationing occurs in other neighbourhoods in the city, including in wealthy areas, and is scheduled to continue for a few years until adequate dam infrastructure is built. Notwithstanding these shortages across Nairobi, what participants in these Mathare campaign meetings were contesting was not rationing, but a systematic absence, what Graham et al. (2013) term 'systemic dehydration,' or a lack of 'hydraulic citizenship' (Anand 2012). This systemic absence is anchored in long-term colonial neglect and divestments from populous city areas, providing fertile ground for a wide array of actors to build water 'empires.'

The empires of water

'Empires' of water in Nairobi, established by local water operators – usually city elites with strong connections to the main water regulator – were regularly identified during the 2018 community meetings. That they were seemingly above the law and had consistent access to water to sell to various consumers even when most of the city was 'dry,' illustrated the reach of their business kingdoms.

In one area close to Mathare, it was reported that despite frequent house fires, 'cartels had stopped a fire hydrant from being constructed because they were afraid people would get free water.' At the same time, notwithstanding the criminality inherent to these operations, the generous profits produced by these businesses proved alluring even to those who suffered from a chronic lack of this resource. So much so that one young participant shared how some of his peers were 'think[ing] about getting or stealing water to sell.'

Unlicensed ‘booster’ pumps that were paid for among neighbours in Mathare, and used to tap into the water network, are prohibited and oftentimes confiscated violently by the police and Nairobi City Water and Sewerage Company (NCWSC) officials who accuse residents of ‘dragging water from the main pipes.’ Though these officials complain of the ‘waste’ of what they term ‘non-revenue’ water in poor urban settlements – water ‘illegally’ tapped from main lines and that could not be costed – it was in fact in the more prosperous city areas where more blatant abuse of this network was and remains in play (see Kimari 2019; MSJC 2019).

Ultimately, however, it is long-term exclusionary spatial conditions, based upon clear ‘biopolitical’ choices (Graham et al. 2013: 123), that have created conditions for the development of these mini empires. One respondent at a community meeting stated:

I think the people responsible for Mathare are the British because they are the ones who took land away from the communities. They forced them to establish a slum in Mathare. I also think the leaders who came immediately after independence are responsible because they did not return the land back to the original owners. And politicians to date, they keep promising people that they will change issues, but they don’t, so I think they are also responsible.

It is the persistent *longue durée* neglect in this part of the city by subsequent county administrations that is held responsible for the dearth of water in Mathare and in similar communities. As is apparent in the interview excerpt below, it is the commodification of water in an unequal urban environment that ought to bear the blame:

Water is life! It is becoming a normalised thing that you can sell water. It did not used to be this normal in the 1990s, and now people are accepting this and there is even rationing. Ten years ago it was not such a big problem, but now it is increasingly a commodity when WATER IS A RIGHT! Kwani we don’t pay taxes ama? It is our right!

While residents within elite neighbourhoods such as Runda can dig their own boreholes and create their own water company that provides water exclusively to this wealthy area, Mathare residents are left at the whim of empires, both recent and not so recent, that deprive and exploit. At the same time, their incremental actions — going to the streets, trying to impeach water CEOs, ‘illegally’ tapping into the water system and consistent demands for basic services — appear to be bearing some fruit: the governor of Nairobi, who campaigned on the promise of bringing water to poor settlements in 2016, had, during our 2018 community meetings, further committed himself to this intention, and was to begin with Mathare and a few other spaces. I was informed of these governmental promises a few weeks after I had participated in a water meeting where the participants were seeking to sue the government for not providing water. Okocha (not his real name), a resident and activist, asked me whether I had heard of the governor’s new water intentions. And when I replied that I hadn’t, he said:

It [is] as if he has heard all of the work we have been doing and what we have been saying. Let us see if he will bring water like he said in the campaign, at the same time we will still continue with our campaign.

Conclusion

Nairobi, named after the Maasai term *Enkare Nyrobi*, the ‘place of cool waters,’ has, despite its original name, never been able to provide adequate water for its growing population. Certainly, for those who live in the ‘slum’ settlements that persist in what was formerly the native city, provision has always been a dream. While Article 23 of the 2010 Constitution states that all citizens are legally required to have access to ‘clean and safe water in adequate quantities,’ those confined to what is considered ‘informal’ and ‘impermanent’⁴ regions and infrastructures, have never been privy to any formal inclusion in the water network. Their own community efforts, ‘machinic’ initiatives – that produce ‘non-revenue’ water – are often criminalised. And their voices on the streets of Nairobi – ‘enunciatory’ community-led initiatives – have not to date succeeded in enabling long-term access to this resource. As a consequence, they continue to pay more for irregular and unsafe water brought to them by various ‘empires.’

Yet, undoubtedly, there will continue to be many more resident-led efforts directed towards finding alternative sources of water, and towards achieving a more just urban environment. These are not perfect, and constitute the ‘illegal’ improvisation and ‘development from below’ that have become the daily enterprise of many of those confined to poor neighbourhoods in the Global South (Hake 1977; Bayat 1997, 2000; Simone 2004). Future research on ‘systemic dehydration’ in Nairobi should continue to document and historicise the long-term denial of ‘hydrological citizenship’ for the majority, and how residents narrate the absence of water through a tale that speaks of colonial and postcolonial empires, against which they are always ready to protest, to come ‘back to the streets.’

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4 I use impermanence within quotation marks since, given the longevity of these structures, and the fact that they are built and rebuilt over decades, it is highly contradictory that literature on ‘slums’ reinforces the alleged informality of this and other poor urban settlements.

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