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**Social-Political analysis of urban greenspaces in Nairobi:
Perspectives on the (re)production and (re)construction
of spatial injustice in the consumption of public nature
reserves in the city: A critical inquiry into outcomes of
non-state actors interventions in the management and
conservation of urban protected areas**

Teresa Wanjiru Mbatia

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Université Bordeaux Montaigne

École Doctorale Montaigne Humanités (ED 480)

THÈSE DE DOCTORAT EN GÉOGRAPHIE HUMAINE

Convention de cotutelle avec University of Nairobi (Kenya)

Social-Political Analysis of Urban Greenspaces in Nairobi.

*Perspectives On The (Re)Production and
(Re)Construction of Spatial Injustice in The
Consumption of Public Nature Reserves in The City.*

*A Critical Inquiry into Outcomes of Non-State Actors Interventions in the
Management and Conservation of Urban Protected Areas.*

Présentée et soutenue publiquement le 14 décembre 2016 par

Teresa Wanjiru MBATIA

Thèse en cotutelle

sous la direction de Bernard Calas, Université Bordeaux Montaigne

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*A Critical Inquiry into Outcomes of Non-State Actors Interventions in the Management
and Conservation of Urban Protected Areas.*

Teresa Wanjiru MBATIA

This thesis has been submitted in fulfilment of the requirements for a Doctor
of Philosophy Degree in Urban Geography, based on a International joint
doctorate supervision programme between University of Bordeaux
Montaigne in France and University of Nairobi in Kenya.

September, 2016

DECLARATION¹

I declare that this thesis is my own original work and has not been submitted to any other university or institution for any other degree or professional qualification.



.....
Teresa Mbatia

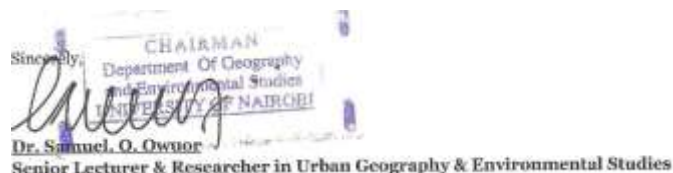
September 2016.

This thesis has been submitted for examination with approval from my research directors.



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Sincerely,
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Senior Lecturer & Researcher in Urban Geography & Environmental Studies

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Doctor Samuel O. Owuor

University of Nairobi, Kenya

¹ Electronic Signatures

DECLARATION²

I declare that this thesis is my own original work and has not been submitted to any other university or institution for any other degree or professional qualification.

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Teresa Mbatia

September 2016.

This thesis has been submitted for examination with approval from my research directors.

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Professor Bernard Calas

University Bordeaux Montaigne, France

September 2016.

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Doctor Samuel O. Owuor

University of Nairobi, Kenya

September 2016.

² Original signatures

DEDICATION

To all who endure marginalisation in the name of nature based conservation and recreation.

To Paul and Marjorie Mbatia

ABSTRACT

This thesis is about the historical and contemporary social, political and economic forces, that have led to the (re)production and (re)construction of spatial injustice, in the consumption of socially valued public urban green spaces in Nairobi. Using an Urban Political Ecology (UPE) framework, the study investigates the structuring forces and actors that have determined and continue to shape, patterns and trends, of use and access, of urban nature reserves in the city. The central research question of the study is, what are the past and present social, political and economic processes that determine use and access of urban greenspaces for different social user groups in Nairobi? The study was guided by three main objectives: (1) To investigate the historical context, that is, social, political and economic dynamics, involved in the creation urban greenspaces in Nairobi; (2) To investigate the past and present, policies and legislations guiding the use, management and conservation of the urban protected areas, as well as the outcomes of the legislations for different social user groups and (3) To examine the social outcomes of non-state actor's interventions, in the conservation and management of urban protected areas, on use and access of public urban green spaces, for different social user groups. The methodological approach used was environmental history and the social construction of nature. The study collected qualitative data and analysed the information using a critical discourse analysis style.

The first argument the thesis makes is that social and spatial inequalities in use and access urban greenspaces in Nairobi is grounded on the city's colonial urban history, as founded by the British imperialists and developed using institutionalised racial segregation, as the main strategy for urban planning and management. Based on a critical review of the social outcomes, of policies and legislations in the post-colonial period, I make the second argument that the early and middle post-independent governments, continued to reproduce unjust urban greenspaces, by failing to address the oppression and autocracy, built in the structuring forces and institutions, inherited from the colonial government. Therefore, for a long time after independence, further disenfranchisement of vulnerable and marginalised social groups continued, limiting their equitable use and access of socially valued natural resources.

The contemporary discourse is that opening up to non-state actors, will increase opportunities for the marginalised and vulnerable social groups, to be empowered in making decisions on sustainable resource use and management. It is believed that this will enable communities to sustainably use and access natural resources, reduce poverty, improve livelihoods, service delivery and enhance conservation and management. Thus, approximately for the past one decade, the post-independent governments have changed their policies, by opening up to public participation in management and conservation of urban nature reserves including in the city. These changes in policy are part of the wider shifts away from the state centred government, towards local empowerment, in line with the recently promulgated Constitution of Kenya (CoK) 2010. The main thrust of the thesis comes here, where I question the assertion that citizen participation will enhance social and spatial justice. Therefore, a larger part of the thesis investigates the social outcomes of interventions

by non-state actors in management and conservation of the urban nature reserves, on different social user groups.

The study focused on examples of interventions by non-state actors, through various forms of formal and informal coalitions with the state, for public participation in the management and conservation of three urban greenspaces in Nairobi, where proposed or implemented initiatives by them have been considered best practice of inclusionary public space at work, by the authorities. In the first case, the study investigated the contributions and outcomes of interventions in the rehabilitation of Karura Forest Reserve, located north-west of Nairobi, by the Friends of Karura -Community Forest Association (FKF-CFA), based on a formalised co-management partnership with the state agency in charge, Kenya Forest Service (KFS), as anchored in the Forest Act of 2005, provisions for public participation. The second case entailed investigating the outcomes of an array of habitat and wildlife conservation interventions by several Non-Governmental Organisations (NGO's), sometimes through occasional informal coalitions with Kenya Wildlife Service (KWS), the state agency responsible for the park, in a bid to preserve the greater ecosystem of Nairobi National Park (NNP), that wildlife habitats outside the protected areas.

The third and final case focused on investigating the interventions through resistance by the Friends of City Park (FoCP), a Civil Society Organization (CSO) made up of a variety of professionals and residents interested in the welfare of City Park Forest (CPF), a public parkland forest in the heart of Nairobi, under the jurisdiction of a local government, the Nairobi City County (NCC). Given that the three greenspaces in the city are under different government agencies, the study further set out to explore how the notion of spatial justice or inclusion, as set forth by the Constitution of Kenya, other official policy documents and discourses, is 'spatially practiced' in the governance strategies of the three different authorities, as anchored in their policies and legislations

Apart from a bit of variance in the case of outcomes of interventions by Friends of City Park (FoCP), the thesis argues that under the guise of community participation, non-state actors have perpetuated social-spatial inequalities in the form of excluding vulnerable and marginalised populations from using and accessing nature reserves in the city. Mostly composed of certain types of elites (NGOs, academics, business community and privileged social-cultural groups), non-state actors have used participatory policies to advance their own interests, at the expense of vulnerable and marginalised social groups they claim to represent. Moreover, powerful non-state actors have formed informal and/or formal coalitions with the state, which serve to deepen the exclusionary practices. These practices are traced to the historically unjust social, political and economic forces involved in the production of urban space and nature reserves in Nairobi. I argue that in the contemporary era, these unjust processes have been reproduced and reconstructed in more nuanced ways, evident in subtle discriminatory practices that deny local use and access rights on the basis of race, social class and gender. This is worsened by trendy global environmental management discourses that deny differences and encourage uniform rules and standards for environmental management and natural resource use. These has exacerbated local

challenges by solidifying fortress conservation models, encouraging privatization and commodification of public urban greenspaces.

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³ The Africas of the World

⁴ Planning, Development, Environment, Health and Society

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ACRONYMS

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|---------|--|
| ACC | African Conservation Centre |
| ADESS | Aménagement, Développement, Environnement, Santé et Sociétés |
| AKDN | Aga Khan Development Network |
| AKTC | Aga Khan Trust for Culture |
| ANAW | African Network for Animal Welfare |
| AWF | African Wildlife Foundation |
| BINGO | Big International Non-Governmental Organisations |
| BRITAK | British Army in Kenya |
| CBNRM | Community Based Natural Resource Management |
| CBO | Community Based Organisation |
| CCC | Community Conservancy Concept |
| CCO | County Council of Olkejuado |
| CGA | County Government Act |
| CLB | Community Land Board |
| COK | Constitution of Kenya |
| CONGO | Conservation NGO |
| CSA | Civil Society Associations/Organisations |
| CWCCC | County Wildlife Conservation and Compensation Committee |
| DRSRS | Department of Resource Surveys and Remote Sensing |
| EABL | East African Breweries Limited |
| EAWLS | East African Wildlife Society |
| EMCA | Environmental Management and Coordination Act |
| FCC | Forest Conservation Committee |
| FKF | Friends of Karura Forest |
| FKF-CFA | Friends of Karura Forest-Community Forest Association |
| FMA | Forest Management Agreement |
| FOCP | Friends of City Park |
| FONNAP | Friends of Nairobi National Park |
| G4S | Group 4 Security |
| GS | Greenspace |
| GBM | Green Belt Movement |
| ICIPE | International Centre of Insect Physiology and Ecology |
| ICRAF | World Agroforestry Centre |
| IUCN | International Union of Nation Conservation |
| IFRA | French Research Institute in Africa |
| ILRI | International Livestock Research Institute |
| INGO | International Ngo |
| KAHC | Kenya Association of Hoteliers and Caterers |
| KARI | Kenya Agricultural Research Institute |
| KATO | Kenya Association of Tour Operators |
| KECOBAT | Kenya Community Based Tourism |
| KEFRI | Kenya Forestry Research Institute |
| KENHA | Kenya National Highways Authority |
| KFEEC | Karura Forest Environmental Education Centre |
| KFEET | Karura Forest Environmental Education Trust |
| KFS | Kenya Forest Services |
| KFWG | Kenya Forest Working Group |
| KILA | Kitengela Ilparakuo Landowners Association |
| KLA | Kenya Land Alliance |
| KNBS | Kenya National Bureau of Statistics |
| KNCHR | Kenya National Commission On Human Rights |
| KPF | Kajiado Pastoists Forum |

| | |
|-----------|---|
| KTB | Kenya Tourism Board |
| KWCA | Kenya Wildlife Conservancies Association |
| KWS | Kenya Wildlife Services |
| LAM | Les Afriques Dans Le Monde |
| LED | Lion Entry Deterrent Lights |
| LUMP | Land Use Master Plan |
| MCF | Malignant Catarrhal Fever |
| MDG | Millennium Development Goals |
| MSP | Medium Size Project |
| NCC | Nairobi City County |
| NEMA | National Environmental Management Authority |
| NGO | Non-Governmental Organisation |
| NIUPLAN | Nairobi Integrated Urban Plan |
| NMK | National Museums of Kenya |
| NNP | Nairobi National Park |
| NSA | Non-State Actors |
| NUDP | National Urban Development Policy |
| PE | Political Ecology |
| PPA | Physical Planning Act |
| RAFTA | Rehabilitation and Funding Technical Agreement |
| TNC | The Nature Conservancy |
| TWF | The Wildlife Foundation |
| UACA | Urban Areas and Cities Act |
| UCL | Unversité Catholiqué Leuven |
| UNDP | United Nations Development Programme |
| UNEP | United Nations Environment Programme |
| UNHABITAT | United Nations Human Settlements Programme |
| UON | University of Nairobi |
| UP | Urban Pluralism |
| UPE | Urban Political Ecology |
| URT | Urban Regime Theory |
| UGS | Urban Green Space |
| UPA | Urban Protected Area |
| UNPEC | Urban National Parks in Emerging Countries and Cities |
| USA | United States of America |
| USAID | United States Agency for International Development |
| WB | World Bank |
| WB-GEF | World Bank- Global Environment Facility |
| WCL | Wildlife Conservation Lease Programme |
| WHO | World Health Organisation |
| WINGO | Wildlife NGO |
| WMCA | Wildlife Conservation and Management Act |
| WWF | World Wildlife Fund |

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PART 1: CONTEXT AND BACKGROUND

OVERVIEW OF CHAPTER

This thesis is about the historical and contemporary, social and political processes that have caused the (re)production and (re)construction of spatial (in)justice, as far as the use and access of socially valued urban greenspaces in Nairobi is concerned. Grounded on Edward Soja's (2010) inspiring work; '*Seeking Spatial Justice*' the study seeks to investigate the various structuring forces and actors that have caused social-spatial inequities in consumption of urban nature reserves, or opportunities to use and access them. (E. W. Soja 2010) argues that there are four primary sources of the production of spatial injustice, that is 'locational discrimination', prejudiced 'political organisation of space', 'geographically uneven development' and 'capitalist economy'. Accordingly, the study uses his ideas to explore the causes of unjust urban greenspaces in Nairobi.

The first argument the thesis makes is that social-spatial inequalities in opportunities to use and access urban green spaces in Nairobi are grounded on the city's colonial urban history, as founded by the British government and developed using institutionalised racial segregation policies, as the main strategy for urban development (Obudho, *Populatio Growth and Urban Change: A Case Study of Nairobi , Kenya* 1991); (Olima, *The Dynamics and Implications of Sustaining Urban Spatial Segregation in Kenya* 2001); (Coquery-Vidrovitch, 2005); (Freund, *The African City: A History* 2007); (K'Akumu and Olima, *The Dynamics and Implications of spatial segregation in Nairobi* 2007); (Myers, *Seven themes in African Urban Dynamics* 2010). Based on a critical review of the post-colonial period, I make the second argument that the early post-colonial government, continued to reproduce spatial injustice using oppressive social, political and economic dynamics, by among others failing to address the historical injustices inherited from the colonial government, thereby limiting the opportunities for disadvantaged populations to use and access the existing nature reserves in the city.

Nevertheless, in the past one decade or so, the last two post-independent governments have changed policies and reviewed their institutions, by opening up to non-state actors to participate in the management and conservation of the greenspaces, as part of the efforts to enhance equitable access to opportunities to sustainably use and benefit from the nature reserves, improve livelihoods and reduce poverty. An example of this new policy is the Forest Act of 2005, which gives provision for public participation in the management of forest reserves. Therefore, residents living near urban forests can be involved in decision making and daily management of the nature reserve. These changes in policy are part of the wider shifts away from the state-centric government towards local empowerment and devolution in line with the recently promulgated Constitution of Kenya (CoK) 2010.

The contemporary discourse is that opening up to non-state actors is increasing opportunities for the marginalised and vulnerable social groups to be empowered in making decisions on sustainable resource use and management. It is believed that previously disadvantaged communities now have opportunities to equitably use

and access natural resources, reduce poverty, improve livelihoods, service delivery and be involved in making decisions that enhance sustainable use, conservation and management. The main thrust of the thesis comes here, where I question these assertions, particularly investigating the extent to which interventions by civil society actors enhances spatial justice. In order to do this, the study focused on examples of interventions by non-state actors through various forms of public participation in the management and conservation of three public urban greenspaces in Nairobi. Here, proposed or implemented interventions are considered by authorities as prime examples of inclusionary public space at work. Specifically, the study sought to investigate whether citizen participation in management and conservation of urban nature reserves has contributed to fair and equitable opportunities for all social groups to use and access public spaces in Nairobi.

Using an urban political ecology framework, the study, investigated the structuring forces and actors (social, political and economic processes) that have produced and reproduced exclusive patterns of use and access of urban greenspaces in Nairobi. In particular, the study investigated the social outcomes of non-state actor's interventions in the conservation and management of the urban protected areas, through various forms of formal and informal coalitions with the state. In other words, the study investigated how non-state actors have contributed to limiting or increasing opportunities for marginalised and vulnerable social groups, to use, control and access of socially valued natural resources.

The thesis argues that under the guise of community participation, non-state actors have perpetuated social-spatial inequalities by further excluding vulnerable and marginalised populations from using and accessing nature reserves in the city. Specifically, non-state actors, who are mostly composed of certain types of elites (NGOs, academics, business community and privileged social-cultural groups) have used participatory policies to advance their own interests, at the expense of socially disadvantaged groups, whom they claim to represent. Moreover, the powerful non-state actors have formed informal and/or formal coalitions with the state, which serve to deepen the exclusionary practices. The exclusionary practices carried out by non-state actors can be traced to the unjust historical social and political processes involved in the production of urban space and nature reserves in Nairobi. I argue that these unjust processes have been reproduced and reconstructed in more nuanced ways, evident in subtle discrimination and prejudiced practices that deny local differences in use and access rights and requirements, on the basis of race, social class and gender. This is worsened by fashionable global environmental management discourses that encourage uniform rules and standards for environmental management and natural resource use. These has exacerbated local challenges by solidifying fortress conservation models, encouraging privatization and commodification of public nature reserves.

Outline of the Chapter

This chapter starts as discussed above, with a synopsis of what the whole thesis is all about and the main arguments made. This is followed by an introduction of the concept of spatial injustice (section 1.2) based on (E. W. Soja 2010) ideas on the production of spatial injustice. The second section of the chapter discusses unjust

geographies, as manifested in the global and regional patterns of the distribution of urban green spaces, in cities around the world. Here, I highlight the cross cutting issues on the social-spatial inequalities in opportunities to use and access to urban green spaces in major cities around the world.

A discussion on the evolution of urban green spaces follows, setting the background for investigating the problem with the production of urban green spaces in cities. Going back to history, I discuss the evolution of the production of urban green spaces, by first reviewing the historical, philosophical and ethical foundation for the provision of urban green spaces in cities, stressing the importance and benefits of natural open areas in cities. Secondly, I present the traditional urban green space models, accentuating their objectives for achieving spatial justice, the manner in which they were applied, the outcomes of their real life applications and criticisms levelled against the models, according to various human geographers and urban scholars. During this discussions, I pick out instances where the so called ideal equitable green space planning models contributed to the creation of spatial injustice. Thirdly, I present and evaluate the contemporary green space provision models, discussing the two main approaches utilised by present day conservation and urban planning professionals.

As a background to the study problem, I introduce the urban green spaces of Nairobi, discuss the nature of their distribution and point to some of the social and political processes that resulted in the historical production of unjust urban green spaces in Nairobi. The statement of the problem trails the background to Nairobi's green spaces, where I explain the evolution of the research problem, based on my observations, initial layman's knowledge and assumption of use, access and control of urban green spaces in Nairobi. The objectives and research questions of the study are then stated, including the two main assumptions made by the study, followed by the justification, scope and limitations of the study. I conclude the chapter by giving an outline of the remaining thesis, highlighting where possible, the issues to be discussed in the rest of the thesis.

THE PRODUCTION OF SPATIAL INJUSTICE

According to (E. W. Soja 2010), spatial injustice refers to the "the (un)fair and (un)equitable distribution in space of socially valued resources and the opportunities to use them". Thus, the production of unevenness or inequalities in the use, provision, distribution, availability and access of urban green spaces entails spatial injustice. Using classic historical and contemporary examples from around the world, (E. W. Soja 2010) presents in details, the various methods in which spatial injustice is created. He starts by arguing that spatial (in) justices of all kinds are produced by various social, political, economic and historical processes. He identifies four primary sources of the production of spatial (in)justice, that is: (1) Locational Discrimination; (2) Political organization of space; (3) Capitalist Economy and (4) Geographically Uneven Development. Writing on 'locational discrimination' Soja (2010) points out that 'biases imposed on certain populations because of their geographical location', illustrate how spatial injustice is produced. Soja notes that 'locational discrimination' creates 'lasting spatial structures of privilege and

advantage'. He highlights 'class, race and gender' as 'the three most familiar forces shaping locational and spatial discrimination'. The other powerful source of the creation of spatial injustice in cities 'the political organisation of space'. He adds 'gerrymandering of electoral districts', 'redlining of urban investments', '...exclusionary zoning', 'territorial apartheid', 'institutionalised residential segregation', 'the imprint of colonial and/or military geographies of social control' and 'creation of other core-periphery structures of privilege from the global to the local scales' as credible examples of the political organisation of space that cause spatial inequalities. Soja perceives 'a capitalist economy' as 'a primary source of spatial injustice and inequalities'. He notes, 'the accumulation of locational decisions' leads to 'the redistribution of income in favor of the rich, over the poor'. He points out that 'Redistributive injustice', is brought about by 'the normal workings of an urban system in a capitalist economy', adding that 'many other forms of spatial and locational discrimination including racism, patriarchy and heterosexual bias' further 'aggravate spatial injustice'. He adds that 'these processes can operate without rigid forms of spatial segregation'.

The last main source of spatial injustice highlighted by (E. W. Soja 2010) is 'Geographically uneven development and underdevelopment', especially when the inequality is institutionalized or 'structured into permanent configurations of privilege and advantage, bringing about the need for intervention'. Soja argues that 'Every geography we live in has some degree of injustice embedded, suggesting that 'perfectly even development, complete socio-spatial equality, pure distributional justice as well as universal human rights are unachievable'. However, he suggests that it is possible to reduce the effects of injustice if we can understand the underlying processes that lead to injustice. He notes, '...making the selection of sites for interventions for spatial justice involves crucial decisions'. He looks at spatial (in) justice 'from a critical perspective' rather than 'as a substitute or alternative to social, economic or other forms of justice'. He argues, 'there is always a relevant spatial dimension to justice', and that 'all geographies have expressions of justice and injustice built into them'. He interprets spatial injustice as being both an outcome and a process, adding that 'it is relatively easy to see examples of spatial injustice... but... more difficult to identify and understand the underlying processes producing unjust geographies'. Interpreting (E. W. Soja 2010) concept of spatial injustice (Bret, et al. 2010) notes that spatial injustice can be seen as both an outcome and process...and as the processes that produce these outcomes', that is unjust geographies or distributional patterns.

GLOBAL PATTERNS OF UNJUST URBAN GREEN SPACES

In majority of the cities around the world, the supply of green spaces and natural areas is limited, and if available, the distribution is very unequal, even in cities which have attempted to incorporate green spaces into the built environments (Wolch, Byrne and Newell, Urban Green Space, Public Health and Environmental Justice: The challenge of Making cities 'just green enough' 2014). When available, the upper and middle class 'green leafy suburbs', are usually disproportionately advantaged, with access to both public and private green-spaces, in contrast to the poorer suburbs. Studies looking at the distribution pattern and density of green

spaces in cities (Heynen, Perkins & Roy, 2006) have observed large inequalities in the availability of green space inequalities between upper and middle income areas, in contrast with low income and urban poor areas. A cross-cutting observation in both developed and developing country cities is that of contrasts, between the upper and middle income residential areas commonly referred to as 'green leafy suburbs' with the low-income and poor people's localities, 'concrete jungles', which are often deprived of both public and private green spaces. Moreover, in cases where urban green spaces may be available in the lower income neighborhood's, the quantity, quality, location and maintenance of the urban green spaces may be poor and/or lacking. Other studies which have delved deeper to investigate the forces behind such spatial inequalities show that the distribution of green spaces in cities is related to social-economic factors that shows disproportionate favoring of certain groups based on race and/ or social class (Heynen, 2003).

Locational discrimination and political organization of spaces identified as sources of spatial justice are evident in the colonial legacies of cities in Africa and elsewhere in the world) as manifested in the socio-spatial inequalities of the distribution, location and accessibility of all basic services and facilities (see (Myers, Seven themes in African Urban Dynamics 2010); (Mbembe and Nutall 2004); (Freund, The Post Colonial African City 2007); (Cunningham 2007) including amenities such as public urban green-spaces.

This phenomenon is attributed to their former racially defined settlement patterns, characterized by social-economic and social-cultural segregation, now inherited from their colonial pasts (Myers, 2003); (Myers, Seven themes in African Urban Dynamics 2010). In USA for instance, such studies show that the availability of urban green spaces is positively related with higher socio-economic status and privileged race/ethnic groups. In South Africa, studies have the affluent and middle class suburbs, often occupied by white people have the highest area of green space per capita and low density housing, while the low cost housing areas are poorly endowed with both private and public green space and occupied largely by poor black South-Africans (McMonnachie and Shackleton 2010).

The inequality in use, availability and accessibility of urban green spaces affects not just the ecological health of the physical urban environment, but also human health and well-being, of the disadvantaged neighborhoods directly and indirectly. Poor urban environments, characterized by among others, lack of fresh open spaces, make urban poor populations vulnerable to urban stress and blight, leading to physiological, physical, emotional and mental illnesses. For instance, exposure to air pollution leads to increased frequency of respiratory diseases like upper respiratory tract infections, allergies and skin diseases. Studies on the relationship between air quality and health have shown that a significant burden of deaths, hospital admissions and exacerbation of cardiac-respiratory diseases are caused by air pollution (WHO, 2010). Green spaces have the ability to prevent such problems naturally through air filtering, gas and micro-climate regulation acting as carbon sinks for air pollutants.

EVOLUTION OF URBAN GREEN SPACES

Philosophical and Ethical Basis of Urban Green Spaces

Cities have been negatively criticised for a number of social and environmental evils from as early as the 18th century. For instance, Philosopher Jean-Jacques Rousseau noted, *"Cities are the abyss of the human species ...they need to be refreshed, and it is always the countryside which furnishes replenishment"* (Rousseau 1765) cited by (Marchand and Salomon 2007). Rousseau was a philosopher and writer who suggested that the cities needed to be invigorated through the incorporation of natural elements like trees and grass. For Rousseau, the city was hell and countryside was heaven. About a century after Rousseau had published his works, (Engels, 1969 (first published 1845) (English editions: 1885 & 1887)) wrote an article, 'Condition of the Working Class in England', detailing the deplorable living and working conditions of the factory working class in the 19th century industrial capitalist cities. Engels described in detail the big industrial cities in England particularly London and Manchester in the 19th century, noting,

"...The streets are generally unpaved, dirty, rough, filled with vegetable and animal refuse, without sewers or gutters, but supplied with foul, stagnant pools instead. Moreover, ventilation is impeded by the bad, confused method of building the whole quarter, and since many human beings here live crowded in small space, the atmosphere that prevails in these working class men's quarters may be readily imagined..."

Engels delineated the pathetic housing, sanitary and ecological status of the great cities during the Industrial Revolution, relating them to the class and character of the industrial urbanisation. Further, he elaborated the ambience of 'indifference', 'isolation', 'private interest', 'narrow', 'self-seeking', 'separating' attitude of the upper and middle bourgeoisie against the proletariat,

"...the working class is crowded together. True poverty ... in hidden alleys, close to the palaces of the rich; but in ...a separate territory.... assigned ..., removed from the sight of the happier classes...The town itself is peculiarly built, so that a person may live in it for years, and go in and out daily, without coming into contact with a workings peoples quarter, or even with workers, that is, so long as he confines himself to his business or to pleasure walks. This arises chiefly from... unconscious tacit agreement, as well as with outspoken conscious determination, the working people's quarters are sharply separated from the sections of the city reserved for middle class; or if this does not succeed, they are concealed in the cloak of charity".

Apart from Engels, other anti-urban scholars and social reformists in the 19th century observed and wrote on the exploitative and deplorable character of industrial cities (see (Owen 1818); (Buckingham 1849) (Tonnies 1887); (Howard, Tomorrow: A peaceful Path to real reform - (Reprinted as Garden Cities of Tomorrow). 1898 (reprint 1902); (Robinson 1901, 1913 (reprint 1999)). Following earlier anti-urban ideologies (see (Rousseau 1765), (Engels 1845), these urban societal reformists observed the causes and consequences of overcrowding in the 19th century industrial cities. They highlighted the role of accelerated and unplanned urban growth in the production of congestion, unsanitary living conditions, social stress, high housing prices, land speculation, social-economic inequalities, pollution

and desertion of agricultural fields and lack of open spaces (See Aalen, 1992; Ward, 1992b; Girling, 1994; cited by (Maruani and Cohen-Amit 2007). These urban theorists understood the processes that had created the spatial injustices in the industrial capitalist cities in Europe and United States of America (USA).

A cross-cutting belief among Engels and his contemporaries was that industrial capitalism had created the spatial injustices experienced by the poor working class populations. The understanding of the exploitative practices and processes that had led to the creation of poor living and working conditions to the factory working class, fostered a quest for reform among urban social reformists to either (1) eliminate capitalism or (2) find solutions within the capitalistic system, to remove the exploitative practices and improve the living and working conditions of the masses. They then proposed solutions to the problems of congestion and unplanned growth, with the aim of getting rid of the piteous and distressing living conditions among the poor factory working class populations. Consequently, two main campaigns for reforms aimed at improving socio-spatial justice or quality of life in cities in the late 18th century cities became prominent. These included reforms focused on improving (1) working conditions, wages and benefits, with proposals on minimum wages, reduced working hours, eradication of child labour, medical insurance and (2) improving living and housing conditions, with proposals for provision of housing, water, sanitation, drainage, social, education, health and community facilities and amenities.

Side by side with improved housing and sanitary conditions, the provision and inclusion of social and community amenities was considered particularly important, for individual and community health and wellbeing. The early urban social reformists pointed out the environmental, social and health benefits that could result from having natural areas in the form of parks and open spaces in cities (Hamilton-Smith and Mercer 1991); (Rohde 1997). In particular, as a solution to overcrowding and congestion, green spaces, courtyards and other forms of public open spaces were proposed to be incorporated within living habitats, as one of the strategies to improve living conditions in the industrial city. They made propositions for reducing overcrowding and improving the living and working conditions of then urban residents, by proposing the incorporation of open natural areas within living spaces, to refresh and elevate the physical and the social aspects of the city (LeGates and Stout 1996). They stressed the importance of preserving, planning and incorporating public open spaces and natural green areas to enhancing the ecological qualities of the environment and human health and wellbeing, hence improving quality of life and contributing to spatial justice.

The basis of producing green space in cities stemmed from the dreadful conditions of the industrial cities, which had immersed humanity into a state of wretchedness, inexperienced before. In a bid to improve the quality of life for the majority, who were poor, it was deemed necessary to incorporate aspects of nature, ranging from open green spaces, clean air and natural light. The need to improve living conditions and quality of life for the working class population in the 19th century industrial capital cities was the main justification for the calls for provision and incorporation

of green space in cities and preserving wilderness in areas outside of cities for public use.

In contemporary times, many continue to emphasize on the ability of proactively planned, developed and maintained green spaces to improve the quality of life of urban communities, provide a framework for nature conservation and guide urban development and economic growth (Van der Ryn 1996). Like their predecessors, contemporary urban professionals continue to emphasise on urban green spaces as a foundation of city planning because of their importance role in promoting public health. City planners argue that if such spaces are appropriately designed, by being integrated part of people's everyday living environments, that is near the home and workplace, they could help reduce the city dwellers' experiences of stress (Stigsdotter In Press). Conservation Biologists like (Dearborn and Kark 2009), note that urban biodiversity is conserved for 'preserving local biodiversity, creating stepping stones to non-urban habitat, understanding and facilitating responses to environmental change, conducting environmental education, providing ecosystem services, fulfilling ethical responsibilities, and improving human well-being'. Scholars from several other disciplines continue to emphasise the fact that green space promotes physical activity, psychological well-being, and the general public health of urban residents. (Wolch, Byrne and Newell, Urban Green Space, Public Health and Environmental Justice: The challenge of Making cities 'just green enough' 2014) is the most recent compilation of such research summarising the public health benefits of urban green spaces.

Traditional Urban Greenspace Production models

Some of the earliest proposals for the preservation and incorporation of green spaces in cities emanated from the early anti-urban social reformists' particularly Frederick Law Olmstead, Ebenezer Howard, Frank Lloyd Wright and Le Corbusier. The revolutionary thinking of the social reformists resulted into several green space planning models and concepts, which have since been implemented to various extents by landscape architects and city management authorities. The earliest model was Frederick Law Olmsted's (1865) 'Continuous interconnecting Parkways system in Cities'. The second model was Ebenezer Howard's (1898) open 'Garden City Model', considered a classic which inspired the development of other models for reconnecting cities with nature, mainly Frank Lloyd Wright's (1935) decentralised 'Broadacre City' and Le Corbusier's 'Radiant city' and corresponding 'Towers in the Park'.

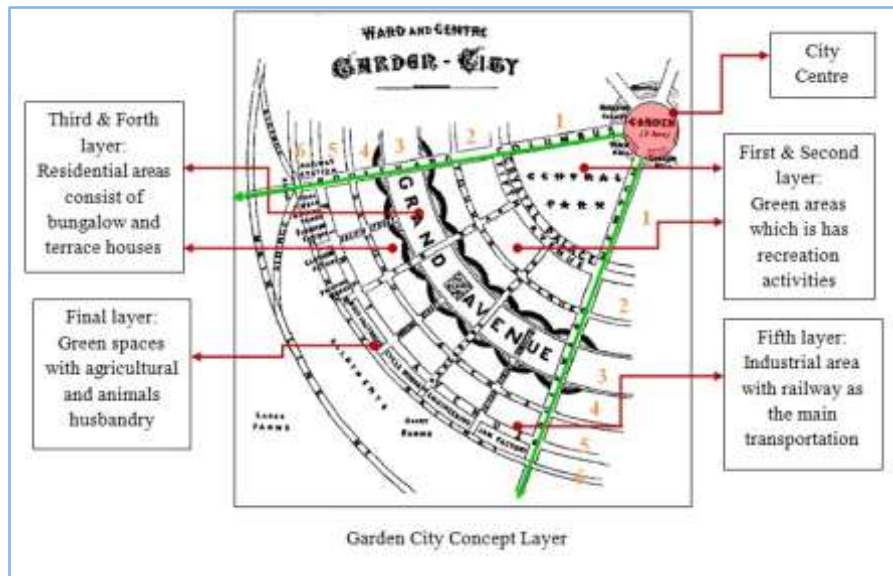
Despite being very different in terms of physical layout, the four models were very similar in terms of their spatial and social objectives. The four models promised many benefits associated with open green spaces for human health and wellbeing in cities, such as restored beauty, clean fresh air and surroundings, sunlight, better protection from climate extremes, improved sanitation and enhanced public health. The models marked the beginnings of the physical and social production and construction of urban green spaces in cities. In addition, they resulted in the creation of several urban social movements that campaigned for the metabolising of urban nature, namely the 'Garden City Association' in England, the City Beautiful Movement, 'New Towns Project', and the contemporary popular versions like 'New

Urbanism', 'Green Cities' and more recent 'Eco-Cities'. A detailed review of each of the four urban green space production models is presented below.

Howards Garden City Model for Urban Social Reform

One of the most revolutionary and progressive ideas on the provision of urban green spaces to enhance socio-spatial justice originated from Ebenezer Howard, who proposed the *Garden City Concept* in England towards the end of the 19th century. His concept contained ideas which aspired to solve the problems of the congested industrial city and the undeveloped countryside and enabling people in towns to live in leafy, airy and healthy environments, the overriding principles of his garden-city model. Howard outlined his proposal in a book, *Garden Cities of Tomorrow* (1902) originally published *Tomorrow: A Peaceful Path to Real Reform* (1898), a title that expressed his emphasis on social-economic reform and land restructuring. The Garden City Model regarded urban green-spaces as an integral part of development and related their spatial array to the configuration of developed zones (Aalen, 1992) cited by (Marauni and Cohen-Amit 2007). The *Garden City* so conceptualized guaranteed the integration of the countryside's natural environment with the city's neighborhoods. The original features of the Garden city model included urban decentralisation; the establishment of cities with limited size; use of a surrounding greenbelt to help limit city size and to serve as agricultural recreational areas; cooperative landholding to ensure that the community rather than private individuals benefit from the appreciation of land values; and the economic and social advantages of large scale planning (Lubove 1967).

Figure 1: Ebenezer Howard's Garden City Model for Urban Social Reform.



Source 1: Modified from by (Ahmad 2012)

The advantages of garden cities according to Howard's original ideas were: (1) contribution to socio-economic reform (land, co-operativism and self-containment); (2) environmental reform (creating buffers between residential zones and pollution sources) and (3) structural reform (a radial structure with open spaces, central parks, as green fingers between neighbourhods and peripheral greenbelts) (Lubove, 1967);

(S. Ward 1992); (Alexander 1992); (Girling and Helphand 1994); (Tibbets 1998). For a very long time since it was introduced, the garden city model has been considered to be the cornerstone of modern urban planning in general, and urban green-space planning in particular (Alexander, 1992). Lubove (1967) notes,

'The scheme appealed to planners disillusioned with the visual and social fruits of speculative capitalism in the urban setting; and to others who had lost confidence in market disciplines as a source of social order. It interested land and tax reformers who viewed slum housing as an inevitable consequence of high land values fostered by speculation and overcrowding. The opportunities for large-scale planning attracted socially oriented architects who believed that the maximum effectiveness of their profession depended upon the design of total environments rather than fragments' (pages 10 &11).

Application of the Garden City Concept

An eclectic mix of various approaches to the garden city model diffused throughout Europe and USA, articulating a comprehensive approach to urban planning and design. The linking of landscape design and city planning ideals had been the principle legacy of the garden city movement. The earliest attempts made to implement the garden city idea, resulted in the construction of new housing neighbourhoods in the early 20th century cities including with Letchworth, England's first Garden city built in 1903 about 30 miles north of London and designed by architect and town planner, Raymond Unwin and Barry Parker; Welwyn Garden City built in 1920, about 20 miles north of London and designed by architect and town planner, Louis de Soissons and promoted by secretary/estate manager (for a more complete chronology, see (S. Campbell 2013).

Figure 2: Application of Garden City Model in UK⁵



Source 2: <http://www.hortweek.com/garden-cities-phrase-everyones-lips-does-mean-practice/landscape/>

The garden city concept has been applied elsewhere in the world, in several places in Europe and USA. In France, *Nord-Pas-de Calais* was the first to be built on the Garden city concept. However, it stays true to the concept only with regard to low density construction, shape of roads and landscape appearance. The application of Garden cities in France followed the publication of Georges Benoit-Levy 1904 Publication, *La Cité- Jardin* after his travels as a journalist to investigate Garden cities in Great Britain, where he describes Port Sunlight and Bournville Garden City before explaining the concept and different forms of Garden Cities. He later created the association of garden cities in France (Devereux 2013).

In USA, the Garden city association of America was established in 1906. Several garden cities were built including: (1) Forest Hills Garden, built as a middle and upper income garden city like development in Queens, New York, designed by Frederick Olmsted, (2) Sunny Side Gardens constructed in New York. In Germany, the first garden city, Hellerau, was built adjacent to Dresden in 1909 (Campbell, 2013).

In Africa and other developing countries, the GC concept emerged in the 20th century, applied by the colonial administrators as an urban planning tool in the colonial capital cities like Nairobi, Johannesburg, Cape Town, Lusaka and Lagos. It gave colonial planners the opportunity 'to implement their designs sooner and more

⁵ Uxchester Garden City: a theoretical model of a city that is a blend of Chester, Gloucester and Worcester

comprehensively than to graft them on extant European centers' (Simon and Christopher, *The Apartheid City* 1984).

Besides physical implementation of the concept, several urban social reform movements grew out of the Garden City Idea, beginning with the Garden City Association, in 1898 by Ebenezer Howard (which later became the Town and Country Planning Movement), New Town Movement in 1945, City Beautiful Movement, New Towns Project, New Urbanism in the 1950's (see Campbell, 2013), intelligent urbanism in 1971 and the modern-day Eco-Cities and Green Cities movements. These urban social movements are centered on the ideas of metabolization of urban nature.

Criticisms of the Garden City Model

The garden city model has been negatively criticised by many, for being utopian and impractical ideal (Rapoport 2014); (Evalina and Sawab-Nalars 2011) (Pinder 2005); (S. V. Ward 2005). Attempts to find a synthesis between nature and culture have been seen as leading towards greater degrees of spatial polarisation (M. Gandy, *Urban Nature and the Ecological Imaginary* 2006). With burgeoning middle class aspirations, efforts to dismantle the inner core of modern cities using garden city ideals are seen to increase segregation (Caldeira 2000) ; (LeGates and Stout 1996).

Writing on colonial cities (Simon and Christopher, *The Apartheid City* 1984) argue, '*the Garden city movement provided the means for institutionalizing contemporary social cultural ideas and values of the dominant group on to the physical fabric of urban areas*'. For instance, in Lagos in Nigeria, the current segregation in the settlement pattern was created by the colonial government on the basis of the Garden City concept (Adedokun, 1999); cited by (Olaleye, Ayoade and Omisore 2013). The European Reserved Areas (ERA's) now Government Reserved Area (GRA's) were reserved as fruit and flower gardens where the European residents could sit in shady verandas in the privacy of their homes. In pursuit of government policy houses on the European Reserved Area, were built around a Race Course (Olomola, 1999); cited by (Olaleye, Ayoade and Omisore 2013).

Given the apparent social, health and ecological benefits that urban green spaces could provide, the linking strand of the Garden city idea, movement and spatial plans was the production of spatial justice, by improving quality of life and creating quality urban living spaces, which are balanced in terms of the proportion of nature vis a vie the built environment. Thus, despite the criticisms levelled against the Garden City Model, the original objectives of the garden city model continue to receive a lot of positive criticism, for their ability to respond the socialistic and urbanistic preoccupations, in the current debate today on the metropolis of tomorrow. Indeed, the garden city is considered by many as still modern, constituting a reference point which can always inspire the high quality development of cities and neighbourhoods (S. V. Ward 2005) Though not a land professional of any kind, Howard is now regarded as the father of modern day city planning because of his well-articulated ideas of merging the benefits of both town and country in one place, in an attempt to improve the quality of life and spatial justice in cities. Howard ideals have been credited for creating quality urban natural

landscapes see (Heynen, Kaika, & Swyngedouw, 2006).

Olmsted's Continuous Park System in Cities

Frederick Law Olmsted, was a landscape architect popularly regarded as the father of the park system of green ways in America (Fabos 2004), or rather, for his contribution to the idea of a continuous system of parks and boulevards in the urban community. Olmsted's (1870) reprint (2003) publication, *Public Parks and the Enlargement of Towns*, negatively criticized the unhealthy density of populations in towns and cities, further making the point that *'man's enjoyment of rural beauty increases, rather than diminishes with advance in civilization'*. He then proposed the creation of *'accommodations for recreations'*, which are *'agreeable, accessible, efficiently attractive ...counteractive to the special enervating conditions of town'*. He saw these *'accommodations for recreation'* as *'open and green, with trees and grass, water features and wildlife'*. Olmsted emphasized that it was important to provide and plan for these public open green spaces, in the same way other infrastructures like roads, rails, sewers, and electricity, water and gas pipes are provided. As a proposal for the extension of sub-urban advantages to people living in cities, he suggested *'the creation of numerous small grounds, distributed throughout the large town in a way that they could be reached by a short walking distance'*. He believed that the creation of *'many small open spaces (distributed) all over, well connected and supplemented by a series of trunk roads or boulevards'* was better than the creation of *'a single area of greater extent, however rich in landscape attractions a large area might be'*.

Further, Olmsted perceived two main types of recreation which are generally pursued and must be provided for, namely: (1) exertive - where physical activity is involved and (2) receptive - with no physical effort. For each type of recreation, he suggested different types of accommodations. For the exertive type, he suggested facilities already existing then for the upper and middle classes like athletic sports grounds, race-courses, cricket and baseball courts. In-addition he proposed new installations like swimming pools for the exertion recreation types. In the second case, he subdivided receptive recreation further into two sub-types: (1) gregarious receptive recreation, which he explained as non-intellectual, childish, savage and playful, and (2) neighbourly receptive recreation - which is social, friendly, and non-exertive. He described the accommodation for neighbourly receptive recreation as allowing *'the prattles of little children to mingle easily with the conversation of the adults'*.

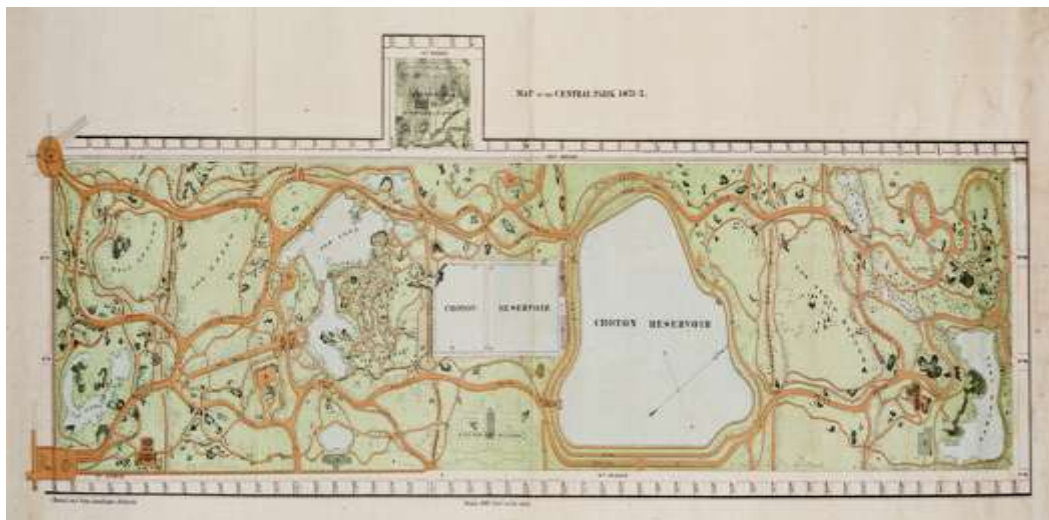
In essence, Olmsted conceptualized an entire system of parks and interconnecting parkways to connect cities to green spaces. He conceived public spaces and parks as *'social safety valves, which would mix classes and ethnicities in common (bourgeois) recreations and enjoyments'* ((Olmsted, 1870), (reprint 2003)). Improving the quality of life in the dreary, unnatural, industrial cities were some of the primary motivations of Olmsted's city park proposals (Heynen, 2003). Olmsted idealised parks as *'salubrious places that provide relief from the stresses of every day, describing them as "lungs in the city", as well as places of social interaction'* which would *'increase contact between social classes and foster egalitarian inclusiveness'* (Olmsted, 1870 (2003)). Olmsted argued that natural resources provided by parks like trees, would combat air pollution, lend social cohesion and improve quality of life in the city (Rosenzweig

and Blacmar 1992); (Byrne and Wolch 2009). Lubove (1967) summarized Frederick Olmsted's political and philosophical case for public parks in terms of three great moral imperatives: (1) the need to improve public health by sanitation measures and use of trees to combat air and water pollution; (2) the need to combat urban vice and social degeneration, particularly among children of the urban poor and (3) the need to advance the cause of civilisation by the provision of urban amenities that would be democratically available to all.

Application of Olmsted's Ideas

Central Park in New York and several other landscape initiatives that bring nature into US cities were mostly Olmsted projects (Wilson, 1989 cited by (Heynen, 2003). Olmsted got to design central park after winning an entry into a public competition for park design. Olmsted and his colleague, Vaux, entry for the park design competition was the *Greensward Plan*. Their plan involved large expanses of natural landscape and demonstrated their opposition to the then distressing urban conditions (Schuyler 1988).

Figure 3: *Greensward Plan as Implemented in Central Park, New York*



Source 3: <http://www.olmsted.org/research/olmsted-archives>

The main purpose of their plan was to create an expanse of natural rural beauty within the urban environment. In the late 1850's, construction of Central Park in New York City began. A landscape which was as good as natural was created. Few could tell the difference between the real and the artificial landscape. The park was built on a former swamp and slum/squatter settlement. Based on their plan, they created an artificial park, which was as good as a natural environment in the man-made city. Trees, water bodies and wildlife were to be part of the life of the artificial-natural park. Landscape elements were to be arranged to enhance the impression of spaciousness, suggesting "freedom and repose" (Olmsted, 1870); cited by (Schuyler 1988).

The *Greensward Park* design as implemented in Central Park, New York City substantiated Olmsted's ideals of the park as an instrument and institution of social and moral progress, meeting intrinsic human needs of naturalistic recreation,

managing rapid urban growth and creatively incorporating scenic country beauty in the burgeoning New York city from 1845 (Schuyler 1988). More importantly Olmsted saw his park designs as exercising '*a distinctly harmonizing and refining influence over the most unfortunate and lawless classes of the city*' (Olmsted, 1870); cited by (Schuyler, 1988).

In other parts of the United States of America (USA), landscape architects adopted Olmsted's concept of the continuous *City-Park-Garden* (Lubove 1967); (Fabos 2004) in various forms. Other cities closely watched Central Park example, with a phenomenon of "Parkomania" sweeping the nation. Among these included Philadelphia's Fairmount Gardens which utilized the existing beauty of the area, used edges and roadways to separate the city from park, increased surrounding land values and issued bonds based on tax increment to acquire additional land, just like Central Park. Despite its piecemeal planning by 1870, Fairmount Park covered an area of 2,648 acres.

In Brooklyn, New York, Olmsted was brought in to design Prospect Park in Brooklyn Heights after unsuccessful attempts to overcome the difficulties of the site by the city employed civil and topographical engineer. Taking advantage of the sites topography, Olmsted designed a pastoral scenery. He included a lake for fishing, boating and ice-skating. While designing Prospect Park, Olmsted used some of the greatest lessons he had learned from the design and implementation of Central Park that, '*by itself the park was inadequate to the task of refining and civilising America's cities*'. Therefore, he additionally included other facilities including a parade ground and brought in some structure into the park.

In Baltimore, a street-car funding to park acquisition (1 cent of every ride to parks) was organised by the mayor, raising \$35,624 within the first nine months of 1863. A 517-acre estate for park use was purchased from a private landowner. Construction began in 1860. The park offered escape from the noise and pollution of the factories, with it aesthetic rural scene and trees. Users were educated about the park use by a hired police force.

Criticisms of Olmsted's 'Continuous City Park System'

The manner in which land was acquired for the creation of central park was one of the main controversial features that arose. In order to create the park, urban squatter residents had to be evicted forcefully. Thus, despite the seemingly noble intentions, some have argued that Olmsted's ideas of park system create uneven landscapes in some cases, through displacement of marginalised urban communities. Other political controversies were scandals involving expenditure, juicy patronage opportunities in construction that strained the local/state government relations. In addition, power conflicts were experienced as the republican state legislature took control of central park from the democratic city government, and created a state-appointed board of commissioners for the park (Schuyler, 1988); (M. Gandy, *Concrete and Clay: Reworking Nature in New York City, Urban and Industrial Environments* 2002); (Heynen, 2003).

Other scholars note that industrial age parks were actually very undemocratic spaces (Marne, 2001) cited by (Byrne and Wolch 2009). For instance, the creation of Lincoln

Park in Chicago and Griffith Park in Los Angeles were highly contested by urban poor and ethnic minorities, who were not included in the decision making to create the parks in their communities, leading to 'race riots'. For more on this, see (The Chicago Commission on Race Relations, 1922); (French, 1973); (Turtle Jr, 1996); (Davis, 1992); cited by (Byrne & Wolch, 2009). As Davis, (1992) notes, '*this reformist vision of public space – as the emollient of class struggle...is now as obsolete as Keynesian nostrums of full employment*' (cited by Byrne & Wolch, 2009)

Le Corbusier's 'Towers in the Park' and 'Radiant City'

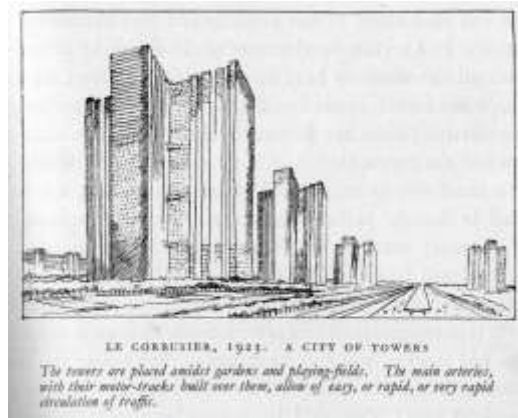
French architect and planner, Le Corbusier (1887-1969) is considered a key figure, for his central ideas that modern architecture and planning could do away with urban disorder and heterogeneity, therefore creating new forms of collective association and transforming individual and social life. He attempted to address issues of sustainability (Goonewardena, et al. 2008), and established the ideal of the modernist city, which became very influential in many parts of the world. Le Corbusier believed that an ideal city form, which was neat, ordered and efficient would achieve the objectives of regulating and controlling society (Hall 1988 (Reprints 1988, 1996, 2002)), which he considered necessary in order to address the problems of congestion, pollution and poor living conditions of industrial cities. He published a number of books *La ville Contemporaine* (1922), *Urbanisme* (1924) retitled *The City of Tomorrow* and *La Ville Radieuse* (1933). In *The City of Tomorrow*, Le Corbusier outlines what he believed were 'fundamental principles of town planning', that would 'hold a wild beast at bay', the beast being the great city. He proposed that city's need lungs, arguing that,

'work in our modern world becomes intensified day by day, and its demands affect our nervous system in a way that grows more and more dangerous. Modern turmoil demands quiet and fresh air, not stale air. The towns of today can only increase in density at the expense of open spaces which are the lungs of a city. We must increase the open spaces and diminish the distances to be covered. Therefore, the centre of the city must be constructed vertically'. He proposed increasing parks and open spaces by building sky-scrapers which are surrounded by open spaces or parks as the most aspects of the city. Additionally, he planned a protected zone of woods and green fields all around the city. Beyond these, he proposed garden cities forming an encircling band, noting that, '*we must build in the open*' emphasising the need to incorporate nature with built environments.

Le Corbusier's urban plan *La Ville Radieuse* (1933) (translated) *Radiant City* conceptualises green spaces as the most important aspect of the city. He planned the radiant city such that open green spaces occupy most of the land in the city. He conceptualised collective services and facilities as the main aspect in the '*Unités*' or high rise apartment blocks, which he planned as the centres of life in the radiant city. He planned the apartment blocks such that they covered only 15% of the land, while the remaining 85% was left as open space, elaborately landscaped playing fields, gardens and parkland. He called for the imposition of a pre-ordained harmony on all productive life in urban areas, believing that a far more social, varied and beautiful environment can be provided to all social classes by the cooperative sharing of leisure facilities. He therefore incorporated a full range of shared public spaces like

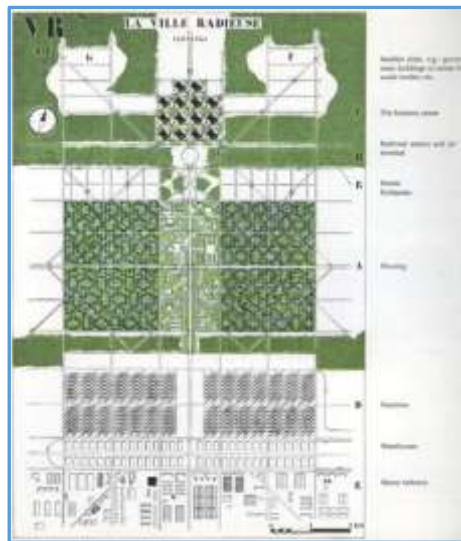
gymnasiums, tennis courts and swimming pools for each apartment block. He believed that the imposition of social order and harmony in every aspect of public and private life is necessary, in-order to eliminate urban disorder at the social, physical, economic and political spheres, and achieve a good quality of life for all social classes living in the city. The idea of his authoritarian and utopian plan was to replace free market competition with total administration.

Figure 4: Conceptualisation of Le Corbusier's Towers in the Parks Projects



Source 4: Le Corbusier, 1923

Figure 5: Plan of the Radiant City



Source 5: <http://expositions.bnf.fr/utopie/grand/>

Application of 'Le Corbusier's Towers in the Parks' and 'Radiant City'

Le Corbusier's *Ville Contemporaine* (1922) was developed in reaction to the congestion, pollution and poor living conditions of industrial cities; (Fishman 1982); (LeGates and Stout 1996); (Gans 2006). A group of sixty-story skyscrapers, set within large, rectangular, park-like green spaces was the main idea of the plan. Placed at the centre of the sky-scrappers was a commuter's hub for different kinds of transportation. Smaller low-story apartment blocks surrounded by green spaces were set on the outskirts from the central skyscraper city. Writing on Le Corbusier's '*La Ville Contemporaine*', (Hall 1988 (Reprints 1988, 1996, 2002)) notes,

'at the centre was a skyscraper,...intended as office for the elite cadres: industrialists, scientists and artists; 24 of these towers would provide for between 400,000 and 600,000 top peoples jobs at 1,200 to the acre, with 95% of the ground area left open. outside these areas, the residential storeys would be two types: six story luxury apartments for the same cadres, designed on the so called step back principle (in rows) with 85% of ground space left open, and more modest accommodation for the workers, built around courtyards, on a uniform grid iron of streets, with 48% left open'.

Le Corbusier's ideas were influential in many countries in the 1950's and 1960's in the building of public housing (Fishman 1982); (Gans 2006). However, many of these public housing projects built in the Le Corbusian style were poorly maintained and lacked upkeep, turning into sink estates for the poor. In some cases, the conditions became so bad leading to their demolitions, e.g. Ronan Point in Britain ended up being destroyed (Colquhoun 2008).

Criticisms of Le Corbusier's green Space Provision models

Different viewpoints exist on whether Le Corbusier's plans were actually sustainable or not. While some credit Le Corbusier's tower in the parks for their intentions and capability to save land and concentrate services (see Richard Ingersoll), others have considered his "Tower in the Parks" projects to be unsustainable from both an environmental and social point of view. According to (Goonewardena, et al. 2008) "from an ecological point of view, his designs were badly flawed", while other scholars perceive his city plans as extremely authoritarian, because he planned every aspect to be administered from above (see (H. (-S. Lefebvre 1974. (1991)).

Case in point are the social aspects of Le Corbusier's plans, which have been heavily criticised by (H. (-S. Lefebvre 1974. (1991)) in his work on 'The social production of space'. According to Lefebvre, *'Le Corbusier worked towards a technician, scientific and intellectualised representation of space'*. In his analysis, Lefebvre argues, *'Le Corbusier's models can be interpreted as programmes that produce space'*, and that, *'despite the fact that Le Corbusier's projects were hailed as a revolution, his work expressed, (formulated and met) the architectural requirements of state capitalism, rather than the requirements of state socialism'*.

Writing on the contradictory nature of Le Corbusian inspired urban projects, Lefebvre further notes, *'Le Corbusier thrust volumes into abstraction, separating them from the earth by means of piles and pillars, on the pretext that he was exposing them to open air and sunshine'*. He criticises Le Corbusier's projects for being, *'a moral discourse on straight lines ,...right angles and straightness in general, combining a figurative appeal to nature (water, air, sunshine) with the worst ever kind of abstraction (plane geometry, modules, etc)'*.

For Lefebvre, the outcome of projects of Le Corbusier and his contemporaries, *'has been an authoritarian and brutal spatial practice...with the effective application of the analytic spirit in and through dispersion, division and segregation'*. (Bridge and Watson 2010) note that Le Corbusier desired to change the 'unplanned, fluid, complex fragmented city, by imposing order and rationality and producing 'a transparent and readable city'. Even though Le Corbusier's conception of the modern city has conflicted with more vernacular urbanism of the past, some still continue to credit

him for his efforts to place nature at the centre of his work (Heynen, Kaika and Swyngedouw, 2006).

Frank Lloyd Wrights 'Broad Acre City'

Frank Lloyd Wright was an American architect well known for his social revolutionary ideas in architecture and city planning. The physical embodiment of his social revolutionary ideas is his utopian Broad-acre City, where he expresses city planning ideals for the radical transformation of social, economic and physical make up of society (Le Gates and Stout 1998). According to (Wright 1935) man has three social rights, which include the right to 'a direct medium of exchange in place of gold as a commodity' or 'social credit'; 'the right to a place on the ground as he had it in the sun and air' which he explained as 'land to be held only by use value and improvement' and 'the right to the ideas by which and for which he lives'. These three social rights guide his revolutionary ideas for cities.

Figure 6: A sketch of Broad-acres city as conceptualised by Frank Lloyd Wright



Source 6: <https://growingupinamerica.wordpress.com/2011/04/10/designing-perfection-a-glance-of-frank-lloyd-wright/>

Wright's first proposal is based on the redistribution of land by the state to all the citizens, depending on the family size. He conceptualized that every family should have a minimum of one acre of land, with the smaller families getting one acre parcels, while the larger families getting two acres or more. As a solution to living in crowded, congested and decadent cities, he proposed that people should live in rural landscapes, with countryside virtues of individual freedom and self-reliance (Le Gates and Stout 1998). He planned Broad-acres City as an open and fresh natural environment, full of nature, trees, flowers, where farms and animals are the most attractive units of the city. He proposed additional related amenities, mainly the stadium, zoo, aquarium and arboretum (Wright, 1935) cited by (Le Gates and Stout 1998).

In addition, Wright advocated for equality and equity of all men living in Broad-acre cities, noting, '*in ... Broad-acres, no distinction exists between much and little, more and less. Quality is in all, for all, alike. What differs is only individuality and extent. There is nothing poor or mean in Broad-acres*'. In-order to guarantee social harmony and avoid class struggle, he believed that land ownership was mandatory, for the achievement

of personal freedom and dignity of persons.

Wright adopted the principle of active participation in city politics, reckoning, '*public utilities would be concentrated in the hands of the state and the county government, as were matters of administration, patrol, fire, post, banking, license and records, making politics a vital matter for everyone...*' He conceptualized a decentralized government, cultural activities and city administration through radio contact, with the chief executive of the decentralized city being a professional architect, best equipped to see that buildings and occupants are in harmony.

He believed that the building of cities according to his plan would automatically end unemployment and all evils associated with cities, like inequality and segregation. In Broad-acres, economic independence would be certain, because men would do whatever they needed to do, by themselves, for themselves, without being exploited by others. Rather than indifference to city politics, people would participate in city administration and activities. Decentralisation was the basic principle of his plans supported by rules of equity and fairness in distribution of land resources, harmonious development, equality, economic independence, participation in cultural and political administration activities, freedom and individualism. For Wright, these principles were a necessary and sufficient condition for improving quality of life in cities and achieving spatial justice.

Application of broad acre city plans

Criticisms of Broad Acre City Plans- (as above)

Contemporary Urban Green Space Production models⁶

Current scholarship on the values and benefits of urban green spaces on environmental quality, human health and well-being in cities reiterates the thinking of 18th century urban social reformists, emphasizing the link between use, access and availability of urban green spaces with improving quality of life in cities and achieving spatial justice. Such scholarship has triggered research that proposes various models and instruments for increasing the amount of public urban green spaces in cities. As a result, several green and open space planning models have been developed and proposed in-order to assist in the planning design and management of urban green spaces in cities.

A review of green space planning models employed by public institutional planning systems has been done by (Marauni and Cohen-Amit 2007). According to them, contemporary urban green space planning reveals two main approaches: (1) the 'demand approach' is a response to human demands for recreation, amenities and environmental quality. Here, green space planning is basically meant to fulfill the needs of a targeted population, and relates mainly to attributes such as size, demographic variables, residential distribution and density. The demand approach models include: (i) Opportunistic Models; (ii) Space Standards models; (iii) Park System Models; (iv) Garden City Models and (v) Shape Related Models. This approach is typical of planners and geographers and is expressed by the types of

⁶See appendix for summary table of Contemporary approaches in the production of urban green spaces

green spaces provided; usually gardens and neighborhood parks within or close to urban and metropolitan areas (French, 1973; Heckscher, 1977; Turner, 1992) cited by (Tibbets 1998)

The second, the 'supply approach' is green space planning meant to protect existing landscape and natural values (Safriel, 1991) cited by (Marauni and Cohen-Amit 2007). It aims at conserving high quality natural landscape values. The supply approach models include: (i) Landscape Related Models; (ii) Ecological Determinism Model; (iii) Protected Landscapes and (iv) Biosphere Reserves. They rely on visual, ecological and spatial attributes of the existing natural environment (Marauni & Amit-Cohen, 2007). This approach is typical of ecologists and conservationists.

According to Marauni & Amit-Cohen, (2007), 'the "demand" models are more suitable for the developed urban areas, while the 'supply' models are much more useful in natural undeveloped areas.' The authors suggest that the supply approach models may be a better fit for growing metropolitan regions, where there still exists a relatively broad swath of natural settlements and agricultural fields. A detailed summary of the green space planning models is presented in appendix 1. Items highlighted include a description of the model, its origin, main features and examples of its application, the advantages and/or limitations of the model. Marauni & Amit-Cohen (2007) note that, '*no single model is universally applicable to all green space functions and needs*'. Some of the models presented only focus on either: (1) recreational needs; (2) conservation; and (3) either recreational or conservation, depending on circumstances such as site attributes or planner's inclination. As they note,

'only the ecological model is oriented at conservation while being flexible enough to fit almost any site and scale...and the application of ecological principles is a necessary requirement in every planning project'.

The authors suggest that the ecological models may be applied to form regenerative and rehabilitation measures and give an example of the Emscher Park in the Ruhr region, which demonstrates that with adequate planning efforts, even in the most severely degraded environments may be restored, rehabilitated and environmental quality improved. Particularly in the more developed countries, the loss and change of urban green spaces has led to the design and establishment of urban green infrastructure plans at the regional, city and neighbourhood levels. These green infrastructure plans are meant to guide and ensure the provision of urban green open spaces, just like any other urban infrastructure. Examples include: (1) the Flemish Environmental Report, *Milieu Natuurrapport Vlaanderen (MIRA)* - which specifies different sizes, functions and proximities to which each urban resident ought to have access to green space in Flemish cities (Sandstrom, 2002) cited by (Marauni and Cohen-Amit 2007); (2) the Accessible Natural Green Space Standards (ANGST) model - that provides a set of standards for the provision of natural places and recommends appropriate size and distance criteria for urban populations (Pauliet, 2003) cited by (Marauni and Cohen-Amit 2007); and (3) comprehensive green space planning based on landscape ecology principles (Jim & Chen, 2003; Li et. al, 2005) cited by (Marauni and Cohen-Amit 2007); developed and applied for the compact city of Nanjing China. Such standards and models aim to provide

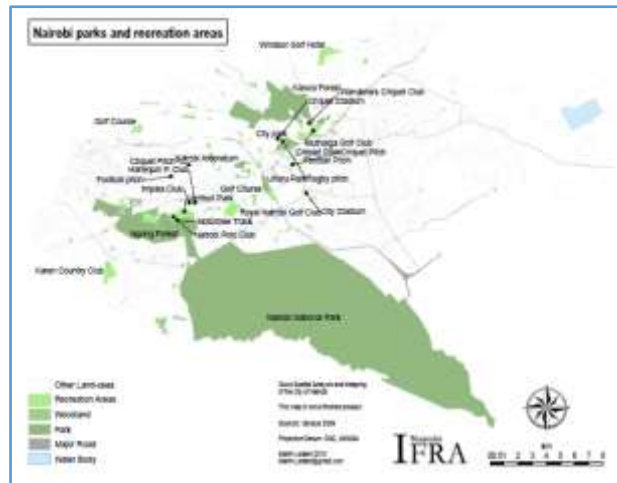
benchmarks for the provision of places where all people can experience and benefit from urban nature and enhanced their quality of life.

Both the classical and contemporary models green space planning models highlight the fact achieving spatial justice in urban areas is inextricably linked to the quality of living environment. The cross-cutting objectives of incorporating green space in cities is to enhance quality of life and achieve spatial justice, with the principles of equality and fairness in distribution of resources, economic independence and participation in social, political and cultural life. However, despite the good intentions of the green space production models as laid out, we see from the discussions on each of the models above, evidence of the creation of further spatial injustice where they were implemented in the post industrial cities of Europe and USA. The effectiveness of the green space planning models is not just dependent on the internal attributes (physical aspects), but also on external factors such as institutional structure, cooperation between organizations and institutions, or prevailing normative values (Marauni and Cohen-Amit 2007). Therefore, securing a satisfactory and effective set of open spaces requires a thorough understanding and control of institutional systems and regulations that are involved in green space planning.

A GREEN CITY IN THE SUN? NAIROBI'S NATURE RESERVES

Nairobi is famously known as the 'green city in the sun', because of the presence of valuable green areas within the city. The city is rather well endowed with a variety of natural urban green spaces or protected areas. The green spaces range from a wide variety of natural protected areas and reserves in the form of a national parks and several urban forest reserves, to highly modified man-made urban parks and gardens. The natural green spaces or protected areas include FoCP forest in the north-west, the Arboretum Woods to the west of the Central Business District (CBD), City Park Forest to the north west of the CBD, Ololua Forest and Ngong Road Forests to the south-east and south-west parts of the central city the famous Nairobi National Park, which happens to be the largest green space in the city, running from the south west to the south eastern parts of the city. The natural pristine areas in the city almost form a North-South green corridor, together with a series of other smaller public and privately owned green spaces, specifically *Uhuru* gardens to the south, Railway Golf Club, *Uhuru* Park and Central Park in the Centre, UoN Sports grounds and a couple of other golf and sports clubs. Despite the abundant availability of green spaces in Nairobi, these green spaces are very unevenly distributed. As one can see (Figure 7: Publicly and Privately Owned Green Spaces in Nairobi), the western regions of the city have a high percentage of both private and public green spaces while the eastern marginalised areas has limited availability of both private and public green spaces.

Figure 7: Publicly and Privately Owned Green Spaces in Nairobi



Source 7: Prepared by Martin Ledant in 2010 for IFRA, Nairobi.

The uneven distribution of green spaces in Nairobi is ironical, given that the city was planned using the principal of the Garden City Model by the colonial government. However, contemporary scholars studying Nairobi have observed that the garden city model, as applied in colonial cities was used as a tool for socio-spatial segregation by the colonial government (Caldeira 2000); (Low,1996); (Home,1990); (Simon and Christopher, The Apartheid City 1984). Indeed in Nairobi, the unevenness of greenspaces in the city is attributed to the segregationist colonial urban planning policies founded on racialized segregation (Obudho, 1997); (Owuor and Obudho, Urban open Spaces in the City of Nairobi, Kenya 1997) (Olima, The Dynamics and Implications of Sustaining Urban Spatial Segregation in Kenya 2001); (K'Akumu and Olima, The Dynamics and Implications of spatial segregation in Nairobi 2007); (Boniburini 2015). Additionally, they note that during the colonial era, the African reserved areas, where the majority of the population lived, were mostly unplanned and in the cases where planning took place, no genuine attempts were made to reserve natural green spaces or protected areas. The city planning strategies created during the colonial times aimed at separating the Europeans from other inhabitants. According to (Blevin and Bouczo, 1997) buffer zones between the races mostly consisted of natural spaces, like rivers and hills. This phenomenon can easily be observed when one looks at the map of the residential neighbourhoods in the city, vis a vis the location of the green spaces where one can deduce that the urban green spaces, greenbelts and forests could also have been used to separate the zones. The most obvious is the Uhuru Park, which clearly marks a separation between the Nairobi City Centre (no man's land) and the European areas, in upper Nairobi, consisting of neighbourhoods like upper hill, Mlimani, State House and Kileleshwa. The European reserved areas (Western parts of Nairobi) were located on the high altitude on best parts of the city, with a cooler climate and on the most convenient spots, particularly near water bodies and the montane forests in the region. The Nairobi National Park, which is the only green space on lower ground, served to separate the Europeans living in the south west regions of the city from the Asian, African and industrial areas, in addition to attending to European recreation needs of sport (game) hunting. The garden city model, as used in the 1948 master plan for

Nairobi institutionalised social-spatial segregation by the British colonial government, who founded the city.

Table 1 Urban Protected Areas (green spaces) in Nairobi

| Name of Green space | Area | Locality | Neighbourhood served |
|-----------------------|--------------|------------------------------|--|
| Nairobi National Park | 28,963 acres | South mid-west to south east | Karen, Langata, South C, |
| Karura Forest | 1041 ha | North west | Muthaiga, Parklands; Runda, Ridgeways, Gigiri, Spring Valley |
| Ngong Forest | 638.4 ha | South Mid-west | Karen, Lavington, Woodley, Kilimani, Langata |
| Ololua Forest | 667 acres | South west | Karen, Langat |
| Nairobi Arboretum | 25 ha | Mid-west | Kilimani, Kileleshwa, State House |
| City Park Forest | 60 acres | north mid-west | Parklands, Highridge, Pangani, Ngara, Muthaiga |

Source 8: KWS, 2006; JICA 2005

In contemporary Nairobi, the former European reserved neighborhoods are still well endowed with natural green spaces. The former European reserved areas are currently inhabited by upper middle class citizens, consisting of a mixture of Europeans, Indi-Asian Kenyans and wealthy black African Kenyans. These neighborhoods include present day Karen, Langata, Kilimani, Muthaiga, Lavington, Woodley, Kileleshwa, Upper hill, Milimani, State House, Westlands, Parklands and Ngong Road with newer suburbs like Runda and Ridgeways. These areas have with them, large public green spaces/nature reserves like Nairobi National Park, Ololua Forest and Ngong Road Forests (serving the upper middle class and affluent suburbs of Woodley, Langata and Karen), FoCP Forest (serving Runda, Muthaiga, Ridgeways and Gigiri), the Arboretum Forest Reserve (serving Kileleshwa, Statehouse and Kilimani areas) and City Park forest (neighboring Muthaiga and serving Parklands neighborhoods). Due to the nature of their location, these nature reserves are not accessible to the majority of the low-income and urban poor people living in the eastern marginalised fringe of the city, as well as some middle income persons from other suburbs. Evidently, it is mostly the affluent and upper middle income residents of the city who can easily access a decent provision of both private and public green spaces in the city. The lack of provision for public green spaces in the disadvantaged areas is threatened by congestion, deterioration, rapid rate of urbanisation, poor planning, weak management and illegal alienation of existing public open spaces (Makworo and Mireri, *Public Open Spaces in Nairobi City Kenya Under Threat 2011*) and worsened by the lack of a comprehensive green space planning master plan.

The first instances in the production of spatial injustice in the use and access of urban green spaces in Nairobi were created through the colonial segregation and discriminatory practices. While it is easy to see examples of spatial injustice descriptively, for instance, the uneven distribution of green spaces in post-colonial and post-apartheid cities like Nairobi and Johannesburg, it is more difficult to understand the contemporary underlying processes reproducing inequitable patterns in use and access of urban green spaces. The aim of this study is therefore to investigate the underlying social processes that are reproducing inequalities or produce spatial injustice, in the use and access of urban green spaces in Nairobi.

STATEMENT OF THE PROBLEM

At the beginning of this research, I wanted to confine my analysis to relating form, function and the morphology of the city to the use and access of urban green spaces. These would have included looking at aspects such as location, distribution, quantity, quality, type and proportion of built up area (grey space) versus open spaces. At that time, my argument was that access and use of public urban green spaces is determined by aspects such as proximity and location of the greenspaces, relative to where people live, as well as favourable transport networks. My task then was to prove using scientifically collected evidence, that people who do not reside near the public greenspaces and are not well served by good transportation networks to physically access the green spaces, do not use them, while people who reside near the greenspaces or are well served by transport networks, easily access and use the greenspaces.

However, after doing literature review, I realised that several studies had already been done relating use and access of urban greenspaces to the physical form and function of the city, particularly in the western world. Most of these studies show a positive relationship between proximity and location of urban greenspaces to their use and access by nearby residents. I therefore thought that this would not be adding any new knowledge. Secondly, as a resident in Nairobi, I had noted through lay observations that public greenspaces which were in the central of the city, man-made, well-manicured, highly managed and aesthetically pleasing were popular only among people of a certain socio-economic profile, specifically, the low income and the urban poor populations. It was interesting to me that despite the good quality, aesthetics and safety of greenspaces in the central city like Uhuru Park and Central Park, there were no people of a higher socio-economic status using them, yet these greenspaces are bordered to their immediate West and North West by the upper-middle class residential areas like Statehouse, Milimani and Upper Hill.

Some exploratory visits to the greenspaces, which happen to be urban nature reserves or protected areas which are located a bit further away from the CBD (5-7) kilometres but well accessible by public transport networks revealed a different kind of social economic profile of users. These include Karura Forest and Nairobi National Park, which despite being public spaces meant for all, mostly only people of a higher socio-economic status and certain privileged racial groups visit these greenspaces. particularly the upper middle class. On one hand, this was kind of

understandable, given that most of the upper middle class and affluent suburbs in Nairobi are in the same localities with the natural urban protected areas or greenspaces are located. However, it was interesting to note that despite having a few small and large pockets of highly dense low income residential areas located near the wilder natural greenspaces, there were very, if any, people of a low socio-economic status visiting or using these urban nature reserves for any purposes. It became apparent to me that the urban nature reserves, were not being accessed by the majority of the low income and urban poor population, even where the entry fees are rather low, for instance the kshs 100/- per adult for a visit to Karura Forest.

On the urban side of Nairobi National Park, it is understandable that low income and urban poor will not visit because one must have a car to go in for a game drive. Additionally, the entry fee is rather high because they charge per vehicle as well as person in the car, which is out of reach for the majority low income residents. However, in the case of a green space like Karura Forest, it was strange to find very few black people in using these greenspaces. During repeated visits between 2011 to 2013 to study the socio-economic profiles of the users, I noted mostly only European and Indo Asian Kenyans, having picnics, running, jogging or walking their dogs in the forest. The discoveries on racial composition of the users raised questions as to why the Africans (black Kenyans), even among the middle and upper middle class, were not visiting the forest for recreation, despite being the majority population and the entry fee being low, atleast in the case of Karura. This initial observations triggered my curiosity on the causes of the class-based profile of users.

On one or two instances, I saw some small groups of two or three black women in the urban forest, collecting and carrying firewood on their backs. On my way out, I shared my thoughts on the racial composition with the forest scouts at the gates, who collect entry fees and act as guides for visitors. They confirmed my observation on the racial composition. When I asked them why this was the case, despite the low fees, one of them (a woman) answered it is not in the culture of Africans (black people) to engage in recreation and leisure such as physical activity or picnics, the other (a male guard) said it's because kshs 100/- is still alot of money for the majority of the black people, while the other male guard answered that he did not know, and could not find an explanation or answer for the observation which he too had observed and found strange.

From then on, I started questioning the various assertions by urban planning and design scholars in particular, who argue that use and access of urban greenspaces is determined by such things as location and proximity issues (spatial constraints) or affordability issues (money). My queries were on whether there could be other factors, such as race, class, culture that shaped or determined the use of certain greenspaces in Nairobi, 50 years after independence. This realisations shifted my curiosity to wanting to investigate the historical and contemporary social, political and economic processes that shape the patterns and trends of use and access of urban greenspaces by different social groups in Nairobi. Consequently, I shifted my focus from the urban design focus on form and function of urban greenspaces, to

drawing on sociology and political science, in order study the relationship between use and access of urban greenspaces with social connections, cultural norms, class formation and political and economic power. As (Smith and Low 2006) observe, *"It is impossible to conceive public space today outside the social generalization...private space and its full development as a production of modern capitalist development."*

RESEARCH GOAL, OBJECTIVES AND QUESTIONS

Research Goal

The main objective of the study was to investigate the historical and contemporary social-political processes that have resulted in the (re)production and (re)construction of spatial injustice in the consumption of socially valued public urban green space resources in Nairobi, for different social groups. According to (S. M. Low 1996),

'social production of space entails all the social, economic, ideological and technological factors that result in the physical formulation of the urban space', while the social construction of urban space refers to, 'the actual transformation of space-through people's social exchanges, memories, images and daily use of the material setting-into scenes and actions that convey symbolic meaning'.

The concept can also refer to 'phenomenological and symbolic experience of space as mediated by social processes such as exchange, conflict and control' (S. M. Low 1996). In this study, social (re)production of space refers to the creation, conservation and management of the urban greenspaces, in different time/space contexts. A critical historical and contemporary background analysis of where, how and why the spaces were created, within the larger social, cultural, political and economic context, is the first sub-objective of this study.

Authors like (Cuthbert, 2007; Healey, 2007; Bentley,1999 and Madanipour,1996) cited by (C. Calderon 2013) have emphasised on the need to understand the political-economy guiding the urban development and the interaction between different actors involved and affected by, in order to understand the intricacies of the processes guiding public spaces (C. Calderon 2013). Further citing (Healey 2007,1999 and 1992), (C. Calderon 2013) notes that

'it is the interaction between structuring forces and actors of a specific time/space context that determine and at the same time exclude the ways in which problems are framed and solutions conceived within a particular urban plan or urban design project.'

Thus, in other words, the major aim of this study was to investigate the political, economic and social processes that have shaped and continue to determine the use and access of urban nature reserves, for different social groups, in Nairobi. (Giddens 1984) refers to this processes as structuring forces, which he defines as: (1) allocative structures (the way material and human resources are distributed); (2) authoritative structures (formal and informal rules and norms) and (3) systems of meanings (knowledge and cultural structures which shape how actions are developed and legitimated). Within the urban design and planning field, (Healey 2007) and (Madinpour 1996) cited by (C. Calderon 2013) note that this structuring forces refer

to: (1) the sources and amount of resources allocated for the development of an urban area and (2) the regulations and procedures governing the development of an urban area and (3) the ideologies and discourses which inform what is considered to be the appropriate development of an urban area. Thus, this study entails investigating the allocative (sources and amount of resources allocated), authoritative (rules, regulations and procedures) and ideological structures (systems of meanings), as well as actors involved in the use, control and access of the urban green spaces in Nairobi.

Research Objectives

- i. To investigate the historical social, political and economic processes that produced and constructed urban greenspaces in Nairobi
- ii. To investigate the evolution of policies and legislations guiding the use, management and conservation of the urban protected areas and the social, political and economic outcomes of these legislations for different social groups.
- iii. To examine the social outcomes of non-state actor's interventions in the conservation and management of urban protected areas, on use and access of public urban green spaces among heterogeneous socio-economic/cultural user groups.

Research Questions

- i. What are the historical and contemporary political, social, economic processes that have (re)produced and (re)constructed social-spatial inequities in use and access of urban green spaces in Nairobi?
- ii. Have the new changes in policy and legislations guiding the management, governance and conservation of urban protected areas enhanced spatial justice or increased opportunities for use and access urban green spaces by marginalised and vulnerable social-economic/cultural user groups?
- iii. What are the social outcomes of non-state actor's interventions in the conservation and management of urban protected areas, on use and access of public green spaces among different social economic/cultural user groups?

ASSUMPTIONS OF THE STUDY

In this thesis, I start with the assumption that use and access of urban greenspaces or socially valued natural resources in Nairobi is shaped by the by the historical colonial dynamics that configured social-spatial injustice in the allocation, management and conservation of the urban green spaces. Thus, the first assumption is:

- i. The opportunities to use and access of urban greenspaces for different social groups in Nairobi is fashioned by the city's colonial urban history, characterised by segregation and oppression in the allocation and regulation of urban nature reserves or protected areas in the city.

In other words, the colonial legacies inherited continue to create contemporary patterns of exclusion experienced in use and access urban greenspaces in Nairobi. In order to enhance equity in use and access of the green spaces, improve livelihoods and reduce poverty, the contemporary post-colonial government has in the past one

decade, changed its policies and created space for citizen participation in the management and conservation of urban green spaces. I therefore presume that the involvement by non-state actors or public participation in the conservation and management of urban green spaces has enhanced the opportunities for equitable use and access of urban green spaces for marginalised and vulnerable social-economic user groups. Thus, the second assumption was that:

- ii. the interventions by non-state actors in the conservation and management of urban green spaces has resulted in equitable opportunities for all social groups to use and access urban green spaces and/or protected areas in the city.

JUSTIFICATION OF THE STUDY

This study set out to investigate the historical and contemporary social, political and economic dynamics that determine use and access of urban greenspaces in Nairobi, for different social user groups. Thus, the research sought to address three main sub-objectives, that is: (1) to investigate the history of the production and construction of urban greenspaces in Nairobi; (2) To investigate the evolution of policies and legislations guiding the use, management and conservation of the urban protected areas and their social-political outcomes and (3) To examine the social outcomes of non-state actor's interventions in the conservation and management of urban protected areas, on use and access of public urban green spaces among heterogeneous socio-economic/cultural user groups.

Inequitable distribution, control and access public urban green spaces is a challenge in many cities in both the developed and developing countries (Wolch, Byrne and Newell, Urban green space, public health, and environmental justice: The challenge of making cities 'just green enough' 2014); (Byrne and Sipe, 2010); (WHO, 2006); (Heynen, Perkins and Roy, The Political Ecology of Uneven Urban Greenspaces: The Impact of Political Economy on Race and Ethnicity in Producing Environmental Inequality in Milwaukee 2006). In cities in developing countries, where there are large gaps between the rich and poor, different social groups have different requirements for accessing urban nature reserves. While the middle-class and affluent are interested in the leisure and recreation needs of the urban greenspaces, the poor rely on nature reserves in the city for their daily needs and survival (Personal Observations). However, there is lack of information on how the balance between satisfying the luxury non-consumptive recreational needs of the upper middle class vis a vie meeting the consumptive resource dependent needs of the urban poor, is being achieved. Specifically, in Nairobi, there is limited and inconclusive theoretical literature and empirical studies on the social, political and economic forces that (re) produce and (re) construct spatial (in) justice in use and access of socially valued urban green space resources.

Moreover, very few studies, if any have attempted to critically analyse how the historical social, economic and political processes have affected the contemporary use, management and access of urban green spaces in developing country cities (Personal observations); see also, (Mng'ong'o 2004); (Kotze, Donaldson and Visser 2014). In some cases, due to the colonial background of most developing country cities, it is taken for granted that the spatial injustices experienced in the use and

access socially valued natural resources were inherited from the colonial legacies that created privilege and opportunities for some, based on race and subsequently, social economic status. See for instance (Olaleye, Ayoade and Omisore 2013) (K'Akumu and Olima, *The Dynamics and Implications of spatial segregation in Nairobi* 2007); (Olima, *The Dynamics and Implications of Sustaining Urban Spatial Segregation in Kenya* 2001) (Owuor and Obudho, *Urban open Spaces in the City of Nairobi, Kenya* 1997). While this is largely true, there is need to investigate the contemporary structuring forces and actors that shape the current trends and patterns in the use, control and access of the urban green space reserves. Moreover, in light of general trends in shifts away from the state-centric management of public spaces to citizen participation in the management and conservation of urban greenspaces, very few studies, if any, have investigated the social outcomes of non-state actor's interventions in enhancing equitable use, control and access of socially valued urban nature reserves, for different social user groups.

Thus, the study pursued two main questions: (1) what are the past and present structuring forces and actors that shape the use and access of urban nature reserves by different social user groups in Nairobi; (2) in light of new change in policies that provide for public participation, what are the social outcomes of non-state actors interventions in the management and conservation of urban greenspaces on their use and access by marginalized and vulnerable social groups? The study contributes to the understanding of processes that continue to reproduce and reconstruct spatial injustice or disenfranchisement of certain social groups in urban and peri-urban societies, from using and benefiting from the socially valued natural use and access of urban nature reserves. The relationship between the historical forces in the creation, conservation and management of the urban greenspaces with contemporary trends and patterns of their use, control and access in will be a major contribution of this study. An analysis of the conceived (allowed and legal) vis a vie the perceived (illegal) uses of the urban nature reserves, will contribute to an understanding of the beneficiaries of the urban green spaces are, why they are benefiting and how, vis a vie the disenfranchised. The research will contribute to informing policy on enhancing equity in use, control and access of urban greenspace resources for different social groups.

SCOPE AND LIMITATIONS OF THE STUDY

The study was limited to the investigation of public urban green spaces which are gazetted urban protected areas or nature reserves within the boundaries of Nairobi city, managed and conserved with limited human modification and popularly used for urban recreation and leisure. Due to resource and time constraints, it was not possible to study all the urban green spaces in the city. An appropriate site selection sampling procedure, explained in the methods chapter was utilised to ensure proper representation of all green spaces in the city.

THESIS OUTLINE

The thesis is divided into three main parts. The scene of investigation or background to the study, is set in this section, part one, which includes this chapter, the

introduction, which starts with an overview of the whole thesis, followed by background literature review that introduces and discusses the main philosophies that guided the study. The theoretical framework to investigate the production and construction of urban green spaces is then presented in chapter two. Here the viewpoints guiding the study are presented chronologically and thematically. For each, the criticisms and empirical applications are presented and discussed. Chapter three presents the research methods that were used to carry out the study. The section highlights the methodological approach that was used, identified based on the theoretical framework of the study. The fourth section of part one presents the study area, Nairobi, by discussing the historical evolution of Nairobi, as well as presenting the contemporary physical, social and economic context of the city.

Part two of the thesis is the findings and analysis section. This section contains three chapters, one each per case study site. The first chapter of part two is chapter five, on Karura Forest case study. This chapter is titled *"Eco-Gentrification of a Public Urban Greenspace: Contradictions of Public Participation in The Management of Karura Forest Reserve"*.

Chapter six on Nairobi National Park is titled, *"Conservation Interventions in the Preservation of the Greater Nairobi National Park Ecosystem: Viabilities, Futures and Strategies of Sustaining an Urban Protected Area"*. The last chapter in part three of the thesis is chapter seven on City Park Forest, Nairobi, titled, *"Watchdogs, Land Grabbers and 'Knights with Shining Armour's': Civil Society Resistance Against Private Appropriation of City Park Forest, Nairobi"*. Each of these chapters starts by setting the physical, social, economic context of the greenspace site. This is followed by a social-political history of the evolution of the public nature reserve, including a separate discussion on the past and contemporary policies guiding its management, use and conservation. A discussion of the non-state actors involved follows. Here, their role, profiles, contributions, activities and achievements are presented and analysed. The chapters end with a summary and a conclusion, presented more like a personal reflection, based on the findings and analysis.

Part three of the thesis is a synthesis section, with two chapters. The first one, chapter eight, is a summary of findings and discussions. It starts with a recap of the results by highlighting the main issues, similarities and differences. It then goes on to address the main themes in the research question (historical and contemporary structuring forces and actors) in the discussion sub-section. The main thesis ends with Chapter nine, the conclusions chapter which has as much as possible, synthesised the various issues raised in the study, provided answers to the research questions, highlighted the study limitations and provided direction for areas for future research. The appendices follow the conclusion and bibliography. The appendices are organised in an ascending style for each of the chapters. Additionally, where there is more than one appendix for the chapter, the appendices are arranged thematically according to the individual chapter's outline.

INTRODUCTION

This chapter presents the various social, political and economic theories and concepts that can be used to investigate the (re)production and (re)construction of public urban greenspaces. The main research question that the study investigates is, what are the historical and contemporary structuring forces and actors that determine the current use and access socially valued urban greenspaces by different social groups in Nairobi? In order to answer the main question, the study reviews the social, political and economic forces that explain how urban spaces are created and consumed.

The aim of the chapter is to highlight the context in which spatial (in)justice is situated, or how opportunities to use and access of public urban nature reserves by different social groups are shaped. In other words, the main objective is to investigate the social, political and economic philosophies that explain the use and access of public urban greenspaces in cities. As part of the urban fabric, greenspaces in cities are continuously created, transformed and maintained by a multiple set of dynamic political, historical, socio-economic, social-cultural and ecological processes (Heynen, 2003). Therefore, this study uses an urban political ecology framework to investigate the production of urban natures in Nairobi.

Section 2.2 discusses the concept of political ecology, the overarching underpinning theory under which this study is based. This is followed by subsection 0, which introduces the concept of urban political ecology and discusses the evolution and definition of the concept by various scholars. The political ecology of uneven urban greenspaces is deliberated next, where empirical case studies on the production and reproduction of unjust urban geographies are presented. Given that urban political ecology is still a new and emerging field, there are not many theories on specifically urban political ecology. Therefore, most urban political ecologists rely on urban political economy theories to investigate their work. Therefore, sub-section 0 presents and discusses the urban political economy theories, the foundation on which urban political ecology is based upon. The various sub-perspectives under urban political economy each are presented thematically and chronologically. The chapter ends in section 0 with a summary and conclusion of the chapter

POLITICAL ECOLOGY

Political ecology is the newest approach currently being utilised in the study of the relationship between space, society and nature. The political ecology perspective has now been considered as 'one of the most' relevant and crucial, 'provocative', 'intellectual terrains for understanding the future of socio-natural relations', including the urban, by its main proponent (see Blaikie 1984 and (Blaikie 2008); cited by (N. Heynen, *Urban Political Ecology1: The Urban Century* 2013) (N. Heynen 2013), thirty years after he first developed the framework for the study of rural poverty and marginalisation in developing countries (see Blaikie 1984 and (Blaikie

2008). Robbins (2004) defines political ecology as the body of knowledge that combines the concerns of ecology and political economy. He notes that,

'a political ecology framework contributes to the understanding of how urban forms and transformations impinge on both the ecological systems operating within cities and the social and political configurations that are entangled.'

Since it is multidisciplinary in nature, Political Ecology brings together several fields to demonstrate, *'how politics is inherently ecological and how ecology is always political'* (Heynen, Kaika and Swyngedouw 2006). In other words, Political Ecology brings together political, economic and ecological perspectives, in order to understand the interconnections between nature and society. It involves seeing the ways in which the ecologies are affected by political, economic and social processes.

Scholarship in political ecology takes a normative stance, *'exploring the operation of power in the material and discursive constitutions of human environment relations'* and *'seeking to address issues such as environmental justice, access to resources, environmental degradation, landscape management or environmental conflict source'* (Harris 2011). This is because it is rooted in social and political theory, grounded in ecology and has an international scope. It is therefore regarded as a potent weapon for comprehending produced natures, especially when complemented by an environmental justice politics (Heynen, Kaika and Swyngedouw 2006).

Traditional political ecology focused its attention on researching rural environments. As (Robbins 2004) notes, *'Political Ecology theories had been long-rooted in agrarian politics / and the conflicts that arise around natural resources outside the city'*. (N. Heynen 2013) concurs noting that, *'many engaged in political ecology had failed to acknowledge the impact of cities within their framing of political ecology'*. Two main reasons for this have been observed as: (1) many social scientists saw (and may still continue to see) the city as artificial and separated from the natural world, with many of them failing to comprehend the city as natural and (2) the *'rural third world trap'* which political ecology had traditionally focused on (N. Heynen 2013). Fortunately, increasingly, the attention of political ecology has drifted to urban environments, and have now been extended to cover urban politics. As (Robbins 2004) notes, *'Political ecology has increasingly been brought to bear to explain how urban forms and transformations infringe on both the ecological systems operating within cities, and the social and political configurations that are entangled with them'*. The next sub section discusses the concept of urban political ecology, which according to (Heynen, Kaika, & Swyngedouw, 2006) *'attests to the re-entry of ecological agenda into urban theory important for understanding contemporary urbanization process and engaging in meaningful environmental politics'*.

URBAN POLITICAL ECOLOGY

Erik (E. Swyngedouw 1996) came up with the concept of Urban Political Ecology in his article, *The City as a Hybrid: Nature, Society and Cyborg Urbanization* where he emphasized on the need to integrate, *'ecological thinking, political-economy, urban studies and critical social and cultural theory'*, in order to understand the city, as the

place where 'society and nature, representation and being are inseparable, integral to each other, infinitely bound-up' yet at the same time, 'full of contradictions, tensions and conflicts ...'. On the other hand, (Robbins 2004), attempts to define the practice of urban political ecology. He starts with the proposition that,

'Immediate effects observed in urban environments may be the product of more deep structures and relationships that produce recurrent or repellent outcomes. The loosely confederated field of research and activism that surrounds this proposition is... referred to as political ecology.'

In agreement with (E. Swyngedouw 1996), (Robbins 2004) notes,

'There is no such thing as an unsustainable city...rather there are a series of urban and environmental processes that negatively affect some social groups while benefiting others...questions on how ecological change in time and space empowers or dis-empowers those involved, locally and globally, how institutions and imaginations are utilized in envisioning and executing ecological urban-ism are investigated by UPE.'

The issues of spatial and material patterns of creative destruction, accumulation, and flows transfer that accompany all urban economic and political activity are explored by urban political ecology. Clarifying this point, (Robbins 2004) notes that,

'Urban political ecology is essentially an empirical effort to assess the social and political forces that regulate and direct the simultaneous flows of ecological elements (i.e. nutrients, water, shade, pollutants, information) and the flows of value and cost (i.e. profit, labor, amenities, suffering) that emanate from the changing configuration of cities.'

According urban political ecologists, the material conditions that comprise urban environments are controlled and manipulated to serve the interests of the elite at the expense of marginalized populations (Swyngedouw, 2004a; cited by (Heynen, Kaika and Swyngedouw 2006). These conditions are related to the social, political, economic and cultural processes that form constructions of what constitutes 'the urban' or 'the natural' (see Kaika and Swyngedouw, 1999; Kaika 2005 cited by (Heynen, Kaika and Swyngedouw 2006). In expounding the concept, Heynen et. al (2006) note,

'The central message that emerges from urban political ecology is a decidedly political one. To the extent that cities are produced through social-ecological processes, attention has to be paid to the political processes through which particular social-environmental urban conditions are made and remade...In other words, urban political ecology is about formulating political projects that are radically democratic in terms of the organization of the processes through which the environments that we (humans and non-humans) inhabit become produced.'

Urban political ecology encourages us to think about the greening of the city, not simply as a social good but as one with potentially uneven effects on differing populations, based on the deeply conditioned and sometimes seemingly invisible relationships (Robbins 2004). According to Robbins,

'The value of political ecology for producing green cities ...lies in its cautious insistence that alternative and sustainable forms of urbanism may well exist, but they

necessarily require the ongoing investigation of how new urban forms present both opportunities and problems, rooted in the tangled and sometimes divisive social and political contradictions already inherent in cities.... ecological urbanism is inevitably political; facing this head-on is the key to sustainability.' Summarizing this point well, (Heynen, Kaika and Swyngedouw 2006) observe,

'from a progressive or emancipatory position..., urban political ecology asks questions about who produces what kind of socio- ecological configurations for whom'.

Using the urban political ecology framework, geographers have been able to reveal how political economy and other social processes produce and reproduce urban environments that often tend to favour the elite at the expense of marginalized individual (J. Njeru 2010). Considering the undeniable impact of the social production of urban nature across the globe observes, 'the language and logic' of Urban Political Ecology is 'explicitly' justified 'now more than ever' (N. Heynen 2013). There is need to continue considering more earnestly, that uneven urban environments and environmental injustice are the explicit manifestations of the social production of urban environments (Heynen, 2003).

The Political Ecology of Uneven Urban Green Spaces -Empirical Case Studies

(Lawrence 2013) promotes the utility of Urban Political Ecology as a concept and theory, extending to environmental justice. He uses the urban political ecology perspective to reveal the 'nuanced' relationships produced by nature and social relations in an urban forest in New South Wales, England. He constructs a narrative of the complex historic and contemporary relationships, between communities, forest and the regulatory authorities in the governance of the urban forest. Drawing on recent research, he compares the South Wales valleys case with other examples in Urban Political Ecology literature, further revealing tensions in capitalist production and consumption relations of urban forests.

(Dooling 2009) revisits key themes in (Harvey, 1996), *Justice, Nature and the Geography of Difference*, particularly the interactions between social and environmental changes and the oppositions that emerge from a dialectical analysis of these changes in urban spaces. She investigates the daily material and spatial lives of homeless people living in public urban green spaces, revealing how the ideological constructions of home, homeless and public green spaces produce and re-produce the injustices they experience. She develops the concept of 'ecological gentrification' showing how ecological rationality, expressed through the implementation of environmentally driven plans, produces spatial injustices, which in her study was the case of displacement of homeless people living in urban green spaces. Her work partly responds to (Harvey, 1996) challenge to 'imagine socially and ecologically just processes of urbanization' and calls for a language that 'reveals the complexity and specificity of how social-ecological injustices are produced and contested'.

(Heynen, Perkins & Roy, 2006) investigate the role of urban political economy, private-public property relations, and race and ethnicity in the social production of Milwaukee's urban forest. They integrate urban forest canopy cover data, census information and qualitative data collected through in-depth interviews to analyse and reveal inequitable distribution of urban canopy cover within Milwaukee in

relation to race and ethnicity. Since urban trees positively affect quality of life, they conclude that spatially inequitable distribution of urban trees in relation to race and ethnicity is another instance of urban environmental inequality in contemporary and dynamic property relations within capitalist societies, and deserve greater consideration.

(Evans 2007) develops an urban political ecology approach to understand wildlife corridors as quasi-objects that play a key role in articulating the realms of ecology and planning. The study reveals how a wildlife corridor established a particular version of urban nature materially and discursively, by interrogating the planning narrative surrounding a contentious brownfield development on an ecologically sensitive site. Conditions necessary for capitalist development (i.e. freeing up the site for development) were reproduced by integral ecological surveying and mapping practices. The study raised a series of questions for the political ecology of conservation planning, arguing that the wildlife corridor exerts considerable power over what counts as nature in the city, for whom and where.

(Perkins, Heynen & Wilson, 2004) investigate the distribution of urban trees and the means by which trees are redistributed through urban reforestation efforts. Specifically, they examine the largest public/private tree planting program in Milwaukee in 2002. Their analysis show that majority of the trees were planted on owner-occupied properties. They use a political-economic analysis to explain the findings, discussing both the implications and the necessary strategies to overcome this inequity.

Political ecology originated from political economy. The following sections discuss the more developed concepts of urban political economy from which urban political ecology has developed from. Having evolved from Marxist political economy thinking, a review of urban political economy is expected to help in the analyses and understanding of the social-economic processes that have produced and reproduced urban green space injustices in Nairobi.

URBAN POLITICAL ECONOMY PERSPECTIVES

Social scientists interested in urban space have been using Marxist *Urban Political Economy* (UPE) perspectives to analyse the relationships between urban space, society and economy. A large section of this chapter will therefore focus on reviewing some of these perspectives, in order to understand and describe the complicated political and economic processes that result in the formation of urban green spaces in Nairobi. *Urban Political Economy* explains how government power and private resources interact to constrain or condition urban political decision making (see (Smith, 1984); (Gottdiener & Feagin, 1988); cited by (Gaetano and Storm 2003) premised on the notion that urban politics is a product of the division of labour between state and market in city affairs (Gaetano and Storm 2003). It focuses on the relationship between the state (local urban and sub-urban governments) and capital (both local and global) (See (Keiser 2006)). Additionally, *Urban Political Economy* explains how urban spaces grow, evolve, govern themselves, distribute goods and services, serve the public and employ their residents. *Urban Political Economy* has evolved from purely economic and political science perspectives in the analysis of

urban form and development, largely because of the increasing complex political, social and economic processes that have been shaping contemporary urban space, from local planning, production to everyday life. It draws on the perspectives and methods of many other social science disciplines, such as sociology, anthropology, urban geography, planning, design, political science and landscape architecture among others.

The first set of urban political economy theories can be said to fall within the broad theme of *Cities, Industrialization and Social Spatial Change*. In a quest to eliminate spatial injustice in cities during the industrial revolution in Europe and USA, early urban social reformists made some classic proposals for improving quality of life in cities especially the poor living and working conditions of the factory workers. Their main proposal was the incorporation of open natural areas within residential areas, to reduce overcrowding and congestion and refresh and elevate the physical and the social aspects of the city (Le Gates and Stout 1998). They stressed the importance of preserving, planning and integrating public open spaces and natural green areas to enhance the ecological quality of the physical environment, and consequently, human health and wellbeing. They focused on integration of public natural green spaces within the urban fabric. The first model that socially produced nature in cities was Frederick Law Olmsted's (1865) *System of parks and interconnecting Parkways in Cities* developed in USA, followed by Ebenezer Howard's (1898) *Garden City Model*, considered a masterpiece, at least within the field of urban planning. This is followed by Le Corbusier's three concepts of a well-planned city, namely, *La ville Radiuse (The Radiant City)*, *La Ville Contemporaine (The Contemporary City)* and the corresponding *Towers in the Park*. Lastly, there is Frank Lloyd Wrights (1935) *Broadacres City* model.

The second set of PE theories are, the modernist versions of *Urban Political Economy*, centered on *Capitalism and Urban Dynamics* as well as the post-modern versions, centered on *Elites, Political Power and Urban Dynamics*. The modernist versions include theories like 'The Production of Space' by Henri Lefebvre and ideas on 'Entrepreneurial Governance' by David Harvey, while the post-modern versions of Urban Political Economy include 'The City as a Growth Machine' by (Molotch, 1976) and (Logan, 1976), 'Urban Regime Theory' by (Stone, 1989b) concepts of 'Cultural Hegemony' by Antonio Gramsci and 'Pluralism Perspectives' by (Dahl, 1961). The post-modern version help analyse other power dynamics, apart from capital, that influence the production of urban space. They are also based on *Post-Structural Marxist Political Economy Perspectives*, which introduce the concept of class processes, where emphasis is on the creation and reproduction of political and cultural classes, rather than political and economic structures. The following sections discuss in details these perspectives.

Since Nairobi is a modern city, established in the colonial times, the most importance and relevant urban political theories to investigate the (re)production of spatial (in)justice in the use and access of urban greenspaces in Nairobi are the modernist and the post-modern versions of UPE, explained earlier. This chapter therefore only discusses the second set of urban political economy theories, as they are most relevant for engaging with the major research question in this study.

Capitalism and Urban Greenspaces

Production of Space Theory by Henri Lefebvre

(Lefebvre, 1974) theory on 'The Production of Space' is one of the most revolutionary and classical Marxist inspired ideas for understanding the form, development and nature of urban space. Lefebvre explores the links between dominant modes of production in capitalist social systems and the production of space. According to him, '*space is a product of the forces of production*'. Thus, just like manufactured goods produced in industry, urban space is produced using the three main factors of production of land, labour and capital. As he notes, '*the forces of production (nature, labour, organization of labour, technology and knowledge) and ... the relations between productions, play a part in the production of (urban) space*'.

Lefebvre claims that both built and open urban space, including natural areas in cities are socially produced. In addition to the three factors of production, Lefebvre views space as being '*produced and reproduced in connection with the relations of production*'. He perceives social relationships as being very important in the production of space noting, '*Space is a social relationship which is inherent to property relationships (ownership of land) and is also closely bound up with the forces of production*'.

He notes that, in order to study or understand space in its totality, there is '*need to uncover the social relationships that are latent in space, class relationships, relationships of contradictions and relationships that produce space*'. He therefore calls for a critical approach to the analysis of urban space, which takes into consideration the embedded social relationships in space.

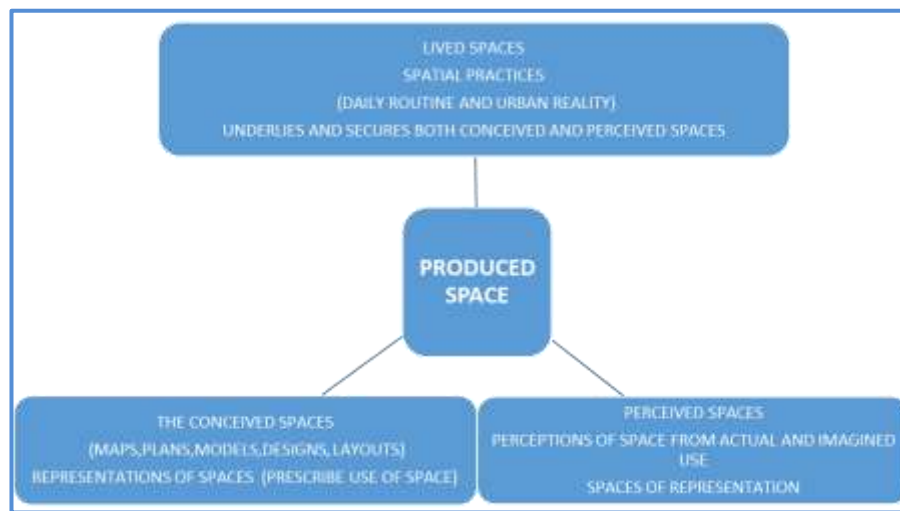
Adding further to this notion, Lefebvre theorizes space as being '*an outcome of processes, set out by social institutions*', noting that, '*social space is the outcome of a sequence and set of operations...space is a pre-condition and a result of social superstructure*', perceiving the production of space as occurring in a system of structures and processes. From his view point, space is not static, rather it is '*dynamic, modified from its historical underpinnings, changing and evolving, from the space of production "the production of things in space", to the space product "the production of space"*'. Closely related to this, he suggests that space, and our knowledge of it, changes with time, and thus it must be investigated in its totality, noting, '*if space is a product, our knowledge of it must be expected to reproduce and expound the process of production*'.

Lefebvre proposes a trans-disciplinary approach to the study of space, where he starts by lamenting on how space is divided and studied in bits, noting, '*architects are assigned architectural space...., economists come into possession of economic space.... geographers get their "own place in the sun" etc*'... For Lefebvre, this approach has the effect of, '*setting up mental barriers and practico-social frontiers*'. He also suggests that space should be studied holistically, and not in pieces, as is usually the practice. In an effort to demonstrate the importance of studying space holistically, Lefebvre demonstrates the various dynamics of produced spaces.

Lefebvre’s conceptualization of produced spaces as spatial triads

Lefebvre conceptualizes social space as being a triad, where he theorizes social space as being produced and reproduced, through the tensions and interrelations between three spatial registers, namely ‘conceived’, ‘perceived’ and ‘lived’ spaces. This triad of spatial categories can be summarised as: 1) dominant conceptions of space (representations of space or conceived spaces) that attempt to prescribe the use of space; 2) perceptions of space derived from the actual use and imagined use of space (spaces of representation or perceived spaces) and 3) spatial practices, which underlies and secures both forms of space above, through lived practices.

Figure 8: Lefebvre’s Spatial Triad



Source 9: Adapted from (H. (-S. Lefebvre 1974. (1991))

In the first case, ‘conceived spaces’ or ‘representations of space’, Lefebvre sees the rise of capitalism as being characterized by forms of power that serve to produce ‘abstract’, ‘commodified spaces which deny difference but can be resisted or contradicted by everyday use of space. He argues, *‘representations of space... are tied to the relations of production and to the “order” which those relations impose, and hence to knowledge, to signs, to codes, and to “frontal” relations’*.

Representations of space take on according to plans, maps, models and designs. They tend towards a system of verbal signs, as conceptualized space by planners, scientists, urbanists. According to Lefebvre, *‘representations of space are about the history of ideologies’* (1991; 116). By examining how plans of a space change over time, the histories of these ideologies can be understood. Prominent ideologies or representations of space are emphasized by features of representations of space. Lefebvre notes that, *‘representations of space have a substantial role and specific influence in the production of space, where they intervene by construction or architecture’* (1991:42).

In the second case, Lefebvre theorizes the ‘perceived spaces’ or ‘spaces of representations’, as being shaped by how they are understood through associated images and symbols and their everyday use. He notes, *‘representational spaces, embody complex symbolisms, sometimes coded, sometimes not, linked to the clandestine or underground side of social life, as also to art, which may come eventually to be defined less as a*

code of space than as a code of representational spaces'. According to him, such spaces may be public or private, they may overlay or disrupt dominant practices, or may take shape alongside them (Allen and Pryke 1994).

He adds further that 'representational spaces are the spaces of inhabitants and users'. In other words, these are the 'passively experienced spaces', which the imagination seeks to change and appropriate. These spaces are however dominated by theories and ideologies. Overlaying physical space, representational spaces make the symbolic use of objects. Lefebvre gives the examples of signs of protests and murals that flooded the streets in Paris in May 1968 during the social upheavals to illustrate what he means by representational spaces (Lefebvre, 1974.(1991)). He interprets representational spaces as 'having their source in history', a crucial component in understanding the formation of representational spaces in a particular context and sees representational spaces as the spaces where ideals and social movements form (Merrifield 2000). In the last case, 'lived spaces', or 'spatial practices', Lefebvre argues that spatial practices evoke a specific level of performance that ensures degrees of continuity and cohesion, and can also constrain alternative interpretations of space. As he notes,

'Spatial practice...embraces production and reproduction, and the particular locations and spatial sets characteristic of each social formation. Spatial practice ensures continuity and some degree of cohesion. In terms of social space, and of each member of a given society's relationship to that space, this cohesion implies a guaranteed level of competence and a specific level of performance'.

For Lefebvre, the spatial practices of a society are revealed through the physical and experiential deciphering of space, which embodies a close relation with perceived space, between daily reality and urban reality. He defines reality as daily routines, routes and networks that link up places set aside for work, private and leisure. Whether sitting silently on a bench or commuting on bikes, we contribute to the production of space by perceiving-an active practice in time and space. He sees spatial practices as being cohesive but logically incoherent.

Following the above reflections, Lefebvre presents a conceptual triad as the base of social and political production of space as: (1) the space in practice (the real, used space); (2) the representation of space (the planned space, bureaucratic, abstract and represented in maps); and finally, (3) the space of representation (the space produced and modified through time, through use, bearing symbols and meanings, the real and imagined space) see Elden 2002, p. 30; cited by (Laschefski and Moura-Costa 2008)

Table 2 Henri Lefebvre's Framework of types of space and what they represent

| | | | | |
|---------------------------------|-----------|----------------|----------|--------------------------|
| Spatial practice | Perceived | L'éspace perçu | Physical | Materialism |
| Representations of space | Conceived | L'éspace conçu | Mental | Idealism |
| Spaces of representation | Lived | L'éspace vécu | Social | Materialism and idealism |

Source 10 : Elden 2002, p.30

Lefebvre's Perspectives on Public, Appropriated and Dominated Spaces

Appropriated Space

Lefebvre defines appropriated space as: *'a natural space modified in order to serve the needs and possibilities of a group that it has been appropriated by that group'*. Sharply opposed to the concept of property in Marxist thinking, the concept of appropriation does not separate possession of property from appropriated space because, as Lefebvre clarifies, *'property is a necessary precondition of "appropriative" activity'*.

Appropriated spaces exist numerously, all around us, but it is not always easy to decide in what respect, how, by whom and for whom they have been appropriated (Lefebvre 1991). The appropriation of a space for a certain use, according to Lefebvre, does not occur by accident. A number of people, processes and time contribute to the appropriation of space. As he puts it, *'appropriation cannot be understood apart from the rhythms of time and of life'*.

Lefebvre warns that appropriation should not be confused with a practice, which is closely related to it, but still distinct, namely 'diversion' (*détournement*). An existing space may outlive its original purpose and the *'raison d'être'* which determines its forms, functions, and structures; it may thus in a sense become vacant, and susceptible of being diverted, re-appropriated and put to a use quite different from its initial one. Lefebvre gives an example of a well-known case of this, *'the re appropriation of the Halles Centrales, Paris's former wholesale produce market, in 1969-71'*. Lefebvre's reminds readers of how this urban centre, designed to facilitate the distribution of food, was transformed into a gathering-place and a scene of permanent festival, *'into a centre of play rather than of work'*, for the youth of Paris, at least for a brief period (Merrifield 2000). The dictionary definition for appropriation is, *'use of pre-existing objects or images with little or no transformations'*. Appropriation of space, in this context, means the use of the same space for seemingly similar purposes, but for a private group, as the public is now closed off. In the case of urban protected areas for Nairobi, it is the use of the same public space for similar purposes which it has been appropriated for, but in this case, for the rich or elites.

Dominated Space

According to Lefebvre, dominated Space, is *'space under the control or power over others'*. Lefebvre views dominated (and dominant) space as, *'...space transformed, mediated by technology, by practice...usually closed, sterilized and emptied out'*. He perceives domination of space as being caused by factors such as history of accumulation, separation and antagonism. The part played by armies, wars, the state and political power all contribute the domination of space. Lefebvre positions dominated spaces as constraining spaces, or repressive spaces. As he notes down,

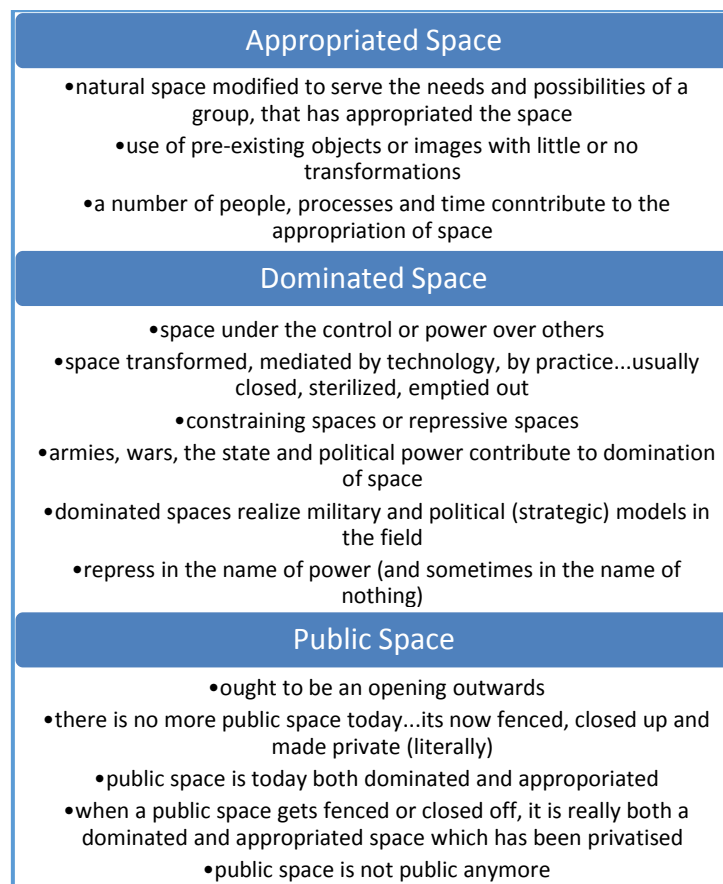
'...dominated space realizes military and political (strategic) "models" in the field...(and)...thanks to the operation of power, practical space is the bearer of norms and constraints....express(es) power...proceed(ing) to repress in the name of power (and sometimes even in the name of nothing)'.

From this perspective, Lefebvre perceives dominant/ dominated space, as imposed by the state, as intrinsically violent, though seemingly secured against any violence. He gives the examples of residential suburbs, holiday homes, and all spaces promising a similar security, as similarly inherently violent. In his view, domination of spaces or as he puts it, 'state management of space' is 'destructive and self-destructive'. Domination by technology tends towards non-appropriation, that is, towards destruction. This is not to say that such destruction must inevitably occur, but merely that there is a conflict between domination and appropriation. This conflict takes place in space.

Public Space

Writing on public space, Lefebvre observes that public space is not public any more. He laments, 'Public space ought to be an opening outward. What we see today is just the opposite'. He observes that what is supposed to be public space is now closed and fenced up and made private (literally). Lefebvre theorises that public space is today, dominated as well as appropriated. He suggests that public space, which has been closed or fenced off, is really both a 'dominated space', as well as an 'appropriated space', which has been privatized. Lefebvre implies that an appropriated public space is public space set aside for private use.

Figure 9: Summary of Lefebvre's ideas on types of spaces



Source 11: Extracted and summarized from (H. (-S. Lefebvre 1974. (1991))

Relationship Between Dominated, Appropriated and Public Space

Lefebvre sees the appropriation of politically dominated space as posing an enormous political problem (Purcell, 2002), which cannot be solved so long as there is no critique of the political realm (specific politics) and there is no withering away of the state (H. (-S. Lefebvre 1974. (1991)). He perceives the opposition between appropriation and domination of space, as 'a dialectical contradiction', as the 'appropriation of space', the 'development of the urban sphere', the 'metamorphosis of everyday life and the transcendence of the conflictual split between city and country all clash head-on with the state and with politics'. Slightly at a low level below the state, he argues that producers of space like architects, 'urbanists' and planners struggle, while others are perfectly at home, in dominated space, manipulating exchangeable and interchangeable, quantities and signs, 'money', 'real property', 'Figures for living in', 'technologies and structures'. He pinpoints the contradictory fact of dominated spaces, within the framework of the dominant tendency towards hegemony (H. (-S. Lefebvre 1974. (1991)).

Empirical Studies Applying Lefebvre's theory of space

(S. Low 1996) explores how an integrated approach to the study of urban space works ethnographically, using Lefebvre's theory of space in her publication, *Spatializing Culture: The Social Production and Social Construction of Public Space in Costa Rica*. She studies ethnographic illustrations of the social mediating processes of spatial practices, symbolic meaning, and social control to provide insight into the conflicts that arise as different groups and social-political forces struggle to claim and define culturally significant public spaces, mainly two plazas in San Jose, Costa Rica. She discusses four areas of spatial/cultural analysis, (historical emergence, socio-political and economic structuring, patterns of social use, and experiential meanings), as a means of working out of the methodological implications of broader social construction theoretical perspectives.

In *Race, Protest and Public Space: Contextualizing Lefebvre in the US City*, (McCann 1999) uses Lefebvre's theory to investigate, 'debates over what community means and the negotiations over the continuing processes of producing and bounding the spaces of the city' and to 'deepen the understanding of urban social processes in US cities, as well as analyze race and racial identities, through attention to the central role that imagination and representation play in producing space'.

As a reference point 'to shed light on the production and representation of racialised geographies in US cities', McCann narrates the experience of the killing of an African American teenage boy in Lexington, Kentucky USA by a white police officer. He explains how 'the production of space in US cities is fundamentally related to the representations of racial identities, and to an ongoing process in which subjective identity and material urban spaces exist in a mutually constitutive relationship'. Arguing in detail McCann shows how down town US cities are 'the epitome of Lefebvrian concept of 'abstract space', as represented by elite social groups (homogeneous, instrumental and a historical), who facilitate the exercise of state power and the free flow of capital. He discusses how down-town business spaces in cities are 'exclusionary territories, dominated by more economically and socially privileged white middle class supremacists'. Finally, he shows the relationship

between abstract public space, political protest and racial identity using Lefebvre's triad of space.

In *Representations of Space, Spatial Practices and Spaces of Representation: An Application of Lefebvre's Spatial Triad* (Watkins 2005) uses Lefebvre's concept of spatial triad to explore organizational space. She argues that Lefebvre's considerations of space provide a rich and insightful approach to organizational analysis that facilitates the contemplation of social, physical and mental spaces to provide an integrated view of organizational space. From a Lefebvrian perspective, she provides an analysis of specific organizational events and explores some of the implications of this type of approach for organizational analysis. She concludes that 'Lefebvre's consideration of space is a resource to investigate the social world', adding that 'all three aspects of the spatial triad, spaces of representation, representations of space and spatial practices as essential components of organizational analysis'.

In *Henri Lefebvre: Debates and Controversies*, (Kipfer, Saberi and Thornben 2012) take stock of Henri Lefebvre's relevance in contemporary urban research (social movements, post-colonial situations, the state, scale, gender, urban political ecology, regulation, and the right to the city. They conclude that Lefebvre's capacity to contribute to cutting-edge urban research is most reasonable when taking into account the dialectical nature of his urbanism and the open-ended and integral character of his Marxism. They highlight the need to be cautious when translating Lefebvre's work, by varying, depending on the subject matter.

'Entrepreneurial Urbanism' or 'Entrepreneurial Governance' Theory

David Harvey is one of the most influential Urban Political Economy scholar. The center of his academic concerns has been to unravel the role of urbanization in social change under conditions of capitalist social relations and accumulation. His main writings and observations are centered on the effects of capitalism on the physical and social landscape of urbanization (see Harvey, 1973; 1982; 1985a; 1985b; 1989a). The ways in which capitalism produces distinctive historical geographies include some of the major inquiries he has conducted. According to him, the root of social and environmental problems in cities lies in the basic character of capitalism, and its associated processes of acquiring profits.

In his publication, *From Managerialism to Entrepreneurialism: The Transformation in Urban Governance in Late Capitalism*, Harvey explores the ways in which urban governance has become increasingly pre-occupied with the exploration of ways to foster and encourage local development and employment growth (Harvey, 1989b). His first observation is that there was a shift from 'managerial approaches', typical of the 1960's in advanced capitalist societies to 'initiatory' and 'entrepreneurial' forms of urban governance in the 1970's and 1980's. In this article, he notes the widespread consensus among academics, businessmen and policymakers in advanced capitalist societies who believe that positive benefits would emerge by urban governments taking an entrepreneurial stance. In this sense, according to the mentioned "experts", cities have to explore all kinds of avenues including being much more innovative and entrepreneurial in order to alleviate their distressed conditions and secure a better future for their populations. Some of the suggested practices and innovations

include support for small firms; closer links between the public and private sectors and promotion of local areas to attract new business. Harvey notes that different urban local governments have applied entrepreneurialism differently, with various levels of success and failures since the 1970's. Despite the diversity, success and failures, Harvey notes, *'the shift from urban managerialism to some kind of entrepreneurialism remains a persistent and recurrent theme...'*

According to Harvey, the reason as to 'why so many urban governments, often of quite different political persuasions and armed with very different legal and political powers', had shifted from 'managerialism' to 'entrepreneurialism' was because of 'the difficulties that have beset capitalist economies since the recession,...de-industrialization, widespread and seemingly "structural" unemployment, fiscal austerity at both the national and local levels,...rising tide of neo-conservatism and much stronger appeal... to market rationality and privatization...'. In essence, he blames widespread economic and fiscal problems for the shift from managerial to entrepreneurial forms of urban governance. (Harvey, 1989b).

Harvey discusses the implications of the shift from managerialism to entrepreneurialism. According to him, *'the transformation of urban governance...has had...substantial macroeconomic roots and implications'*, predicting that negative implications for future growth prospects will be caused by the shift from urban managerialism to urban entrepreneurialism. He brings out the contradictions embedded in the shift to entrepreneurialism for socio-economic development, noting that:

'If, for example, urban entrepreneurialism (in the broadest sense) is embedded in a framework of zero-sum inter-urban competition for resources, jobs, and capital, then even the most resolute and avant-garde municipal socialists will find themselves, in the end, playing the capitalist game and performing as agents of discipline for the very processes they are trying to resist'.

Public-private partnership (PPP) in which local 'boosterism' is integrated with the use of local governmental powers to attract external sources of funding, new direct investments, or new employment sources are central notion of entrepreneurialism. As such, the local state increases its role as facilitator for the strategic interests of capitalist development (as opposed to being a stabilizer of the capitalist society), thereby the likelihood of increasing inequalities in access to housing, education, healthcare etc.

Further criticising the negative effects of shifts to entrepreneurialism, Harvey observes that majority of the public-private partnerships end up with the public sector taking and assuming all the risks, while the private sector takes all or majority of the benefits. As opposed to rationally planned and coordinated development, entrepreneurial activities are speculative in execution and design and therefore 'dogged' by many difficulties and dangers. In order to curtail such tenancies, he suggests that public private partnerships need to be prohibited e.g. use of city land for private development.

Rather than focusing on the territory as a whole, Harvey observes that entrepreneurialism only addresses the political economy of a place. As such, it focuses on economic projects that are designed primarily to improve conditions of living (housing, education, etc.) only within a particular jurisdiction. Clarifying this, he notes that

'the construction of place (a new civic centre, an industrial park) or the enhancement of conditions within a place (...), on the other hand, can have impacts either smaller or greater than the specific territory within which such projects happen to be located.'

Harvey observes that such partnerships projects only have localized impacts that fall short of any metropolitan wide influence, and generating a coalition of forces that is basically local property developers and financiers. The public discourse developed to support the construction of such places is often viewed as a means to procure benefits for populations within a particular jurisdiction. However, most of the times, their benefits are smaller in scope within the jurisdiction in which they lie, and indirectly felt within the wider jurisdiction (Harvey, 1989b). Such place-specific projects become overrated, receiving public and political attention that diverts 'concern and even resources from the broader problems that may beset the region or territory as a whole'. In summary, Harvey concludes,

'...urban entrepreneurialism typically rests... on a public-private partnership focusing on investment and economic development with the speculative construction of place rather than amelioration of conditions within a particular territory as its immediate (though by no means exclusive) political and economic goal'.

Considerable autonomy of local action is suggested by the turn to entrepreneurialism in urban governance. Citing Marx's notions on 'competition in capitalism', Harvey suggests the danger of entrepreneurialism in urban governance. He notes that competition contributes to circulation of capital as a hegemonic force and development which is speculative, like all other capitalist development in its history. Private-public partnerships, according to Harvey,

'...could be even more lawless and capricious' because, 'competition for investments and jobs, particularly under conditions of generalized unemployment, industrial restructuring and in a phase of rapid shifts towards more flexible and geographically mobile patterns of capital accumulation...presumably generate(s) all kinds of ferments'.

Empirical Studies Investigating Entrepreneurial Urbanism

(Perkins, 2010) studies examples of green space renovation in Milwaukee, Wisconsin. He demonstrates how shared urban governance arrangements, in the management of urban green spaces tend to produce injustice and exclusivity in their use and access. He notes that as fiscally challenged municipal governments cut budgets for the management of parks, the responsibility for the management of urban green-spaces is shared among local residents, non-profits and corporations. The advantage of sharing the responsibility of parks maintenance is the power sharing between the municipal government and increased community participation. However, as Perkins notes, the downside of the democratic potential of shared governance as a solution to parks disinvestment by municipal governments is often

subverted by the rise of entrepreneurial growth coalitions, wielding disproportionate power to make market based urban environmental decisions. Thus 'what counts as governable green spaces comes with an increase in entrepreneurialism'. He laments that under market forms of shared governance 'communities of self-interest' arise around governable green spaces, thus increasing spatial injustice in access to urban green space.

(Cybriwsky and August, 1999) look at trends in the design of urban public spaces and changing patterns of use off high-profile redevelopment projects in Tokyo and New York City. These include parks, open spaces, landscaped plazas and public squares associated with recreation. The findings of his study indicate that despite differences in their social-cultural, economic, political and historical settings, the redevelopment of the public spaces in both cities reflects certain social problems and divisions that include: (1) increasing control by private interests (privatization of public spaces) and (2) more surveillance of public spaces and their access to improve security.

(Dannestam 2004) investigates how theories on the entrepreneurial city contribute to the understanding of local politics in Swedish city of Malmo. He observes that entrepreneurial urbanism projects focus their commitment to residential areas considered fashionable, as a way to stimulate job opportunities, and as a strategy to create growth, resting on the notion of trickle down. He demonstrates that politicians and civil servants in Malmo show more interest to economic development issues than welfare, observing that welfare is treated either as something that will come in the future or as an economic value, rather than something that has value in itself. He further gives an illustration of the segregation, which he notes as having being left out of discussions and handled as a question of growth, by civil servants that questions of welfare and segregation are left out of discussions.

Criticisms of Entrepreneurial Governance Theory

The first criticism on entrepreneurial governance theory is based on the failure to recognize that city governments have always been more or less involved in fostering economic growth through private actors, and therefore urban entrepreneurialism is not really a new phenomenon (Hall & Hubbard, 1996) cited by (Dannestam 2004). Secondly, entrepreneurial urbanism theory asserts that welfare issues are neglected (Mayer, 1994) cited by (Dannestam 2004), but according to some scholars (see Hubbard and Hall, 1996) welfare issues are not necessarily side-lined by an active and explicit growth policy. However, Dannestam observes that while welfare issues are not necessarily neglected, more traditional distributional questions tend to be evaluated from an economic perspective, for instance, segregation, raising issues of equity and redistribution of resources. He concurs with Harvey that in order to ensure questions of equity are addressed, sanctions must be put on the private sector.

Another criticism, noted by Dannestam (2004) is that, '*all changes in local politics cannot be captured by theories of entrepreneurialism*', as it focuses solely on the nature of the economy, ignoring the political and administrative angles of entrepreneurship. In-order to overcome this challenge, Dannestam suggests,

'...view(ing) entrepreneurship as something characterized by the capacity to act, rather than letting some economic aspects be the defining feature of the concept... especially the case for entrepreneurial governance, rather than entrepreneurial policies, whose aim is to fulfil economic values'.

Manuel Castells and the urban question

Manuel Castells used the ideas of Karl Marx to discuss how institutions of modern capitalism arose and how they work, to analyse urban spaces and cities. Castells criticised the Chicago School view of the city, asserting that it is modern capitalism that dominates everything that takes place within the city, with the driving force of the modern metropolis being the single minded pursuit of profit. For Castells, the economic processes of the larger social world could unravel what cities and metropolitan life was all about.

Castells insisted on the necessity of picturing the world in terms of broader social structures, building on the works of neo-marxists such as Louis Althusser and Nicolas Poulantzas. These structures included the political (i.e. the state) and the ideological (institutions that focus on the basic values such as the importance of human rights).

He also emphasized on the need to focus attention to the way consumption patterns and trends instead of just focusing on the way things are produced and manufactured. These included focusing on the way in which people lived in the city, their patterns of housing etc. He emphasized on the critical analysis of lifestyles, and the emergence of new dominant and urban middle class. Castells perspectives have been widely accepted, but his work was rather abstract and complex, therefore other scholars have been the ones who have been developing his ideas to make them more lucid and applicable.

Criticisms and Applications of Manuell Castells Ideas

Elites, Political Power and the production of Urban Greenspaces

The Growth Machine Perspective: The City as a Growth Machine

One of the most systematic attempts to develop a political economy of urban space is the growth machine thesis by (Molotch, *The City as a Growth Machine: Toward a Political Economy of Place* 1976) and the subsequent revisions by (Logan, *Notes on the Growth Machine - Toward a Comparative Political Economy of Place*. 1976) (Molotch 1993); Logan and (Logan and Molotch 1987); Logan and (Logan and Molotch 2007). The growth machine theory generally focuses on the broad field of urban development. It challenges the dominating structuralist accounts of political economy of place by emphasizing the role of individuals and interest groups. First proposed by (Molotch 1976) in his article, *The City as a Growth Machine: Towards a Political Economy of Place*, Molotch argues that, 'land... is a market commodity providing wealth and power, and that some very important people consequently take a keen interest in it'. In other words, all land in urban space is socially and economically valued, regardless of whether it is built up or natural.

Growth machine theorists focus on issues of community power by examining the actions and interrelationships of human agents that produce urban change. Beginning with (Molotch 1976), these theorists suggest that urban elites have a common interest in maximizing exchange values of land in the city, and that the futures of land use in the city is linked to the well-being of land owners, and/or persons with interest in or prospective uses of a given piece of land (see also (Logan 1976) ; and (Logan and Molotch 2007). As (Molotch 1976) puts it,

'A city and, more generally, any locality, is conceived as the areal expression of the interests of some land-based elite. Such elite is seen to profit through the increasing intensification of the land use of the area in which its members hold a common interest'.

Molotch theorizes the city as made up of mosaics of competing land interests, capable of strategic coalition and action, and not as simply demarcated legal, political or topographical features. According to his hypothesis, members of a community with common interest's form coalitions to 'maximise profit' or benefit from growth, despite any other differences they may have. Theorizing this point, (Molotch 1976) further notes,

'the political and economic essence of any given locality is growth...the desire for growth provides a key operative motivation towards consensus for members of politically mobilised local elites, however split they may be on other issues...a common interest in growth is the overriding commonality among important people in a given locale...'.

In an effort to have growth-inducing resources invested within their own area, growth machine theorists observe that elites compete with other land-based elites. Thus, communities strive to enhance the land use potential of land parcels with which they are associated with, at the expense of other communities. Consequently, as (Molotch 1976) observes,

'decisions affecting land use, public budget and urban social life in the city are set based on the priorities and limits of those at the top of the local power structure or "the elites" and "Governmental authority," at the local and non-local levels, is utilized to assist in achieving this growth, at the expense of competing localities. Conditions of community life are largely a consequence of the social, economic and political forces embodied in this growth machine'.

Molotch proposes that certain futures which are linked to individual well-being, are in the minds of landowners or persons with some interest in the prospective use of a given piece of land. As he notes, *'any given parcel of land represents an interest and that any given locality is...an aggregate of land-based interests'* (Molotch 1967 &1973 cited by (Molotch 1976). For private land ownership, the degree to which the land profit potential is enhanced or increased, for one's own wealth is the simple relationship. In other situations, the relationship may be more complex, for instance when one has interest in an adjacent parcel of land, and an obnoxious use appears where one's own parcel may be harmed. An even more complex relationship occurs in cases where one sees that their future is bound to the future of the larger area. In this case, concern for an aggregate of parcels emerges because, *'...the future enjoyment of financial benefit flowing from a given parcel will derive from the general future of the*

proximate aggregate of parcels... Herein, the “we feeling” or “community” arises (Molotch 1976).

Borrowing from classical Marxism, and with regards to property, growth machine theorists distinguish between use and exchange value of land. They argue that a small group of owners of assets (or people with an interest in the assets) are mainly interested in making financial gains from the assets. Such people, referred to as ‘rentiers’ lie at the core of the urban development process. While most people are just interested in their land and buildings for daily uses, ‘rentiers’ constantly strive to intensify the uses of property or develop higher value uses in order to maximise the value of their holdings, and increase the rents they can charge for using them. In order to achieve their objectives ‘rentiers’ partner with others.

Three sets of allies for rentiers can be identified within the growth machine. These include businesses that may profit: 1) directly from the development process like bankers, financiers, developers, construction interests and professional practices like architecture, planning and real estate; 2) indirectly because development projects boost the demand for their products and services like the local media or utility services and 3) ‘auxiliary members’ that includes agencies and interests that have local ties and can benefit from some types of growth, for instance, universities, cultural institutions, professional sports clubs, labour unions, self-employed and small retailers.

(Molotch 1976) observes that at all scales, from the smallest residential block, neighbourhood association, to the larger city or metropolitan levels there has to be a community that exists, to which otherwise competing land-interest groups collude to achieve a common land-enhancement scheme. Whether constituted formally or informally, governmental or non-governmental, corporate or non-profit associations, such collectives attempt to use government resources which will enhance the growth potential of the area in question. The community level from where activism springs is often one level lower than the government level where action is needed. As Molotch observes,

‘as individual landowners aggregate to extract neighbourhood gains from the city government; a cluster of cities may coalesce to have an effective impact on the state government e.t.c....the scarcity of developmental resources means that government becomes the arena in which land-use interest groups compete for public money and attempt to mould those decisions which will determine the land-use outcomes’.

(Logan and Molotch, 1987) cited by (Harding 1995) further note:

‘Localities...compete with each other to attain the pre-conditions of growth... (this) continues to be the significant dynamic of contemporary local political economy and is critical to the allocation of public resources and the ordering of local issue agendas. Members of local governments are seen as strong supporters of growth machines because they are ‘primarily interested with increasing growth’.

According to growth machine theorists, the key priority of (local) government as a dynamic political force is to affect the outcome of growth distribution. Ironically, this key function is the one that is most ignored. Generally mindful of governmental

powers, localities create the sorts of physical conditions which can best serve growth, and attempt to maintain the kind of "business climate" that distributes growth. In addition to government, the growth machine hypothesises that decisions made by private corporations have major impacts to the kinds of social activities which affect local growth chances. Conditions for the surrounding land use in any particular locale are usually set or determined by a private corporation that decides to locate in a particular place. However, even then, government decisions are usually involved.

Conceptual preparation of viewing the government in growth terms by (Edelman 1964) cited by (Molotch 1976) contrasts two types of growth politics: (1) allegorical politics made up of controversial issues like general morality and the suggestive reforms featured in the media, and (2) the politics of resource distribution, that determines who gets what, where and how. Relegated to negotiations within committees, this is the largely unseen politics. Land is the crucial (but not the only) variable in this system, and this is the politics that must be addressed at the local level. Following Suttles (1972, pp. 111-39), (Molotch 1976) conceptualizes the territorial bond among humans as 'socially organized and sustained...by those who have a use for it'. Molotch concludes,

'The people who participate with their energies, and ...fortunes, in local affairs are the sort of persons who ...have the most to gain or lose in land-use decisions. There are those who need government in daily money making routines ...those who need to put themselves in situations where they can be most useful to those with the land and property resources ...those who, although not directly involved in land use, have their futures tied to growth of the metropolis as a whole' (Molotch 1976) .

Liabilities of the Growth Machine

Growth has been criticised because in most cases, it only benefits a small percentage of local residents. Besides, problems like air and water pollution, traffic congestion, overtaxing of natural resources always come with growth. As the natural cleansing capacities of the environment become degraded and with increased consumer income to fulfil people's other needs, these impairments become evident. Secondly, growth makes social pathologies more difficult to deal with, often costing existing residents more money at various levels. A positive correlation has been shown between systematic analysis of government costs as a function of city size and growth. In other words, growth is less of a financial advantage to the taxpayer than is conventionally depicted.

(Molotch 1976) concludes that under many circumstances, growth is a liability financially and in quality of life for the majority of local residents, and that growth is a transfer of quality of life and wealth from the local general public to a certain segment of the local elite. Local institutions which should take prime responsibility for the sustenance of civic resources have interests anchored in the aggregate growth of the locality. Although at the forefront expressing sentiment in favour of 'the ecology,' (or public interest) they tend to support growth-inducing investments for their region.

Often leaders of public or quasi-public agencies ...become growth 'statesmen' rather than advocates for a certain type or intra-local distribution of growth. A university be induced to defer to others in the growth machine ...upon whom it depends for the favourable financial and public-opinion environment necessary for institutional enhancement (Molotch 1976).

Logan and Molotch in essence demonstrate that the decision making system of growth machines works to the advantage of the most powerful and the detriment of the least powerful, with 'the systematic favouring of exchange values over use values' (Harding 1995). This results in the '*transfer of wealth and life chances from the general public to the rentier group and their associates*' (Logan and Molotch 1987) cited by (Harding 1995). In short, growth is not beneficial to all, with its costs falling '*disproportionately to low income communities and marginal local businesses which are often physically displaced by redevelopment strategies*', and the interests of the wider community are not always embraced.

By virtue of control over substantial material and intellectual resources, the list of key players mentioned describes business elite that collectively yields power over the pattern of urban development. Sometimes, anti-growth movements defending use value over exchange values, especially in affluent areas where residents think the benefits of the growth are outweighed by the costs are common, like in cases of likely environmental degradation by growth.

Empirical Applications of the Growth Machine Theory

(Smith and Myron 2013) explore marginalised access to open space using Logan and Molotch's 'Growth Machine' hypothesis. They conceptualise urban open space as being a contested terrain sought after by local elites who utilise their political and economic will to co-opt government decision making authorities. The basic hypotheses of their research are: (1) being a product of the urban political economy, public open space marginalises racial and ethnic minorities from the benefits of park and open space; (2) public benefits are manipulated by local government actors by their creation and conservation of public open space in predominantly white neighbourhoods and (3) access to public space is rooted in the historical process of sub-urbanisation and decentralization.

They set out to better understand how the conflict between use value (of local residents) and exchange values of (political and economic elites) are manifested through racial and ethnic minorities in access to open space. The results of their analysis illustrate that a different racial groups have differentiated access to open space in different areas of the city. In essence, the results of their study do not support the growth machine theory, when held on its own. They argue that growth machine theory, and other theories like the central place theory which they tested, operate within certain social and economic contexts.

In their study of parks in Chicago, Koehler and Wrightson (1978) cited by (Smith and Myron 2013) examined the growth machine hypothesis, postulating that neighbourhoods capable of supporting the political coalitions of local planning boards receive disproportionate benefits and provision of urban green space,

resulting in inequalities. Their findings showed that neighbourhoods composed of a single minority group had 80% less access to park facilities compared to heterogeneous communities. They concluded that equity was not a consideration in park district decision making.

Criticisms of the Growth Machine Theory (Rogers 2009)

(Rogers 2009) has done a thorough review of issues and debates surrounding the growth machine theory. By being a subject of debate and criticism, particularly amongst geographers. The concept of urban growth machines has richly contributing to theories on the political geographies of cities. This sub-section is based on (Rogers 2009) syntheses of various limitations of the growth machine theory. The first critique is based on its 'property focuses' on land. Firstly, the concept is situated on the broader theory of place commodification which has raised major concerns. The commodification of place perspective positions a distinction between use and exchange value, solely, as they relate to matters of place (or socially constructed land).

However, the fact is that residents can also pursue exchange values. In this aspect therefore the thesis is considered as being too narrowly cast, as it creates a romanticized image of residents battling growth machines (and vice-versa). Secondly, the idea of locally tied, single-purpose, powerful place entrepreneur's is problematic because of the changing constitution of property markets and new strategies for attracting mobile investment. These includes rise of international property firms and/or property investments used by non-real estate organizations to spread risks, making the property industries becoming more complex.

In-addition, contemporary strategies of local authorities or partnerships (for example) towards mobile investors focus on matters such as regional research and training, quality of life and creativity going well beyond concerns of property development alone. Thirdly, the property focus simply leaves too many other forms of urban politics out of the picture. Glaring omissions include the politics surrounding the collective consumption of various welfare services, citizenship, gender, ethnicity, security and others. Focus on the human agency is the other main area of scrutiny of the growth machine thesis.

Writers, particularly from Marxist or structuralist traditions, have accused the thesis of both voluntarism and idealism because of the emphasis placed on the activities and social constructions of individuals and groups. For example, the emphasis on how property entrepreneurs and others take action, organize, dream, and desire in relation to cities, or urban places. Developing the concept based on the level of appearances, that is, what actors are empirically seen to do, has been seen as theoretically deficient. Besides, especially from a structuralist standpoint, social relations are very important to what human actors do, therefore giving rise to different forms of action. In essence, the growth machine concept paints a portrait of particular elites with an improbable scope of power in local politics by ignoring the aspect of social relations.

The other critique levelled against the concept is its assertion of human agency that is not backed by a clear cut methodology. The original thesis was based on a synthesis of many previous studies, with contrasting agendas and unknown methodology, rather than on original research. Secondly, subsequent research building on the growth machine thesis has mostly conducted case studies on the relationships between development projects or urban policy strategies and growth coalitions, avoiding the direct study of coalitions. Therefore, in empirical practice, the complex sets of agency making up growth coalitions remain largely unexamined and an independent variable.

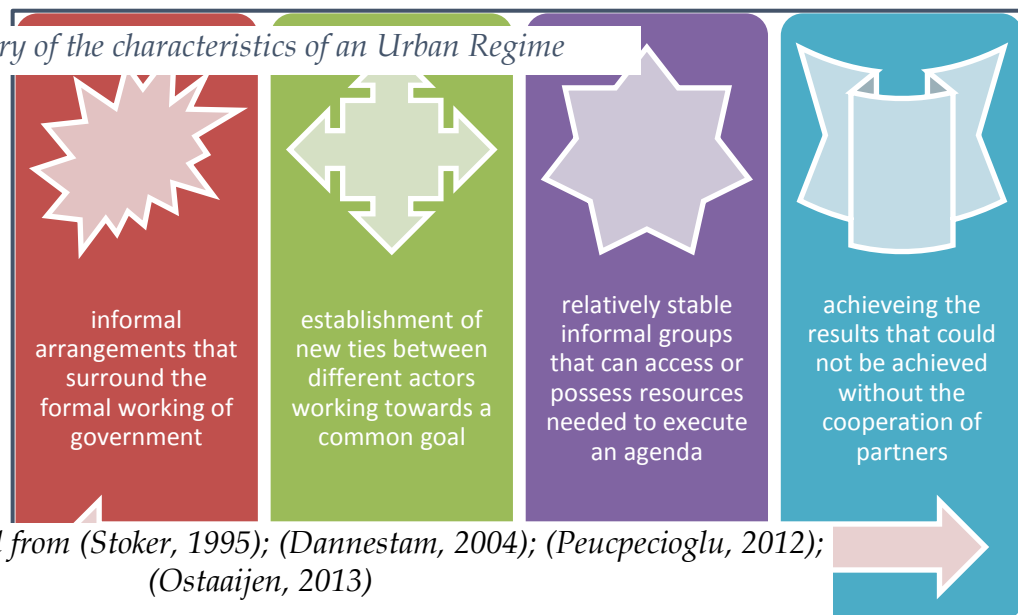
Regime Perspectives: Urban Regime Theory

(Stone, *Regime Politics: Governing Atlanta 1946-1988* 1989b), developed the concept of an 'urban regime' to describe the urban government in Atlanta from 1946-1988, in his publication, *Regime Politics: Governing Atlanta 1946-1988* (Stoker 1995). In developing the concept, Stone was inspired by the work of other scholars (see Fainstein and Fainstein, 1983; Elkin, 1987, Reed, 1988) cited by (Stoker 1995) whom he acknowledges as having provided the building blocks for the development of the urban regime concept, including his own earlier publications (see Stone 1980; 1986; 1988, cited by (Ostaaijen 2013)). Many scholars of urban politics consider Stone's publication as being the first to debate about the use values of the urban regime concept (see DiGaetano, Klemanski 1993a; Stoker 1995; Ward 1996; Painter, in Lauria 1997; Henry, Paramio-Salcines 1999; Dowding 2001; John 2001; Sellers 2002, Davies 2002; Pierre 2005; Mossberger 2009).

Characteristics of an Urban Regime

In his book, Stone defines an urban regime as, '*the informal arrangements by which public bodies and private interests function together, in order to be able to make and carry out governing decisions*' (Stone 1989: 6). According to him, an urban regime is characterised by: (1) informal arrangements that surround the (formal) working of government; (2) establishment of new ties between organisations (different actors with different norms and values working together towards a common goal); (3) relatively stable informal groups that can possess or access institutional resources needed to execute the agenda of the cooperation; (4) achieving results that could not be achieved without the cooperation of the partners, therefore empowering of coalition partners (Stone, 1989: 3) cited by (Stoker 1995); (Dannestam 2004); (Peucepocioglu 2012); (Ostaaijen 2013).

Figure 10 Summary of the characteristics of an Urban Regime



Source 12: Summarised from (Stoker, 1995); (Dannestam, 2004); (Peucepocioglu, 2012); (Ostaaijen, 2013)

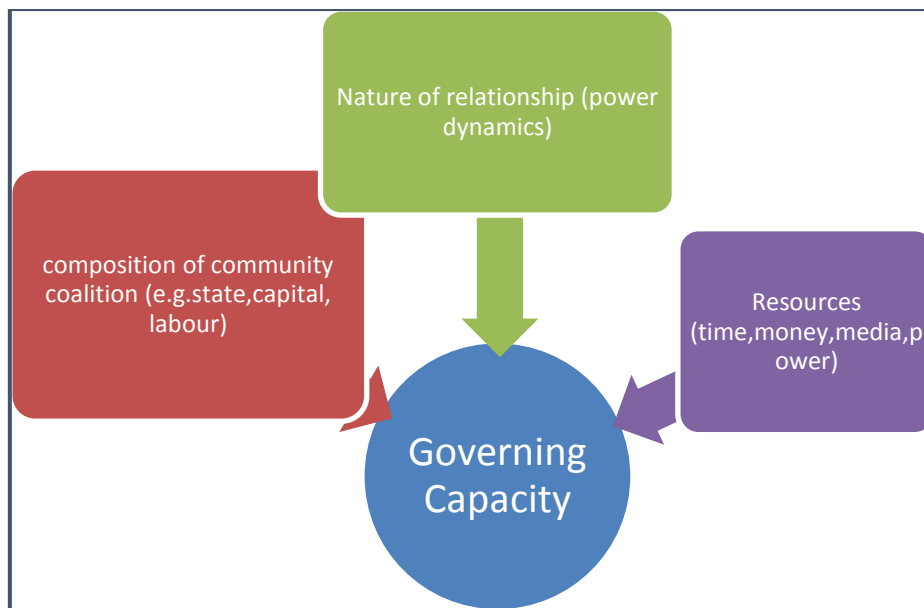
Stone elaborates the urban regime concept as a tool that explains public-private sector relationships in cities. URT is a dominant paradigm in the field of urban politics and policy (Stoker 1995); (Mossberger & Stoker, 2001) (Mossberger & Stoker, 2012), concentrating on agent based aspects, relations and organizations focusing, on formal and informal relations between agents of government and businesses (Stone, 1989); cited by (Peucpecioğlu 2012).

Rather than ‘power over others’ or ‘social control’, Stone conceptualizes urban regimes as ‘capacities to govern’ (Stoker 1995) (Peucpecioğlu 2012). According to Stone, in the URT approach,

‘...Governing capacity is created and maintained by bringing together coalition partners with appropriate resources, non-governmental as well as governmental. If a governing coalition is to be viable, it must be able to mobilize resources, commensurate with its main policy agenda’. (Stone 1993) cited by (Ostaaïjen 2013).

In other words, regimes are built through interactions between people. When forming coalitions, people and actors look for others who possess necessary resources and skills, ranging from the more tangible (e.g. money), to the less tangible (e.g. charisma, organizational capacity or technical expertise) (Stone 1993); (Ostaaïjen 2013). Governing capacities are strategically constructed urban coalitions (Peucpecioğlu 2012) which have been shaped by the nature of urban regimes, mainly: (1) ‘the composition of a community’s governing coalition’ (e.g. capital, labour or the state), (2) ‘the nature of the relationships among members of the governing coalition’ (e.g. which actor dominates the coalition, and (3) ‘the resources the members bring to the governing coalition’ (time, money, media and power) (Stone 1993):2) cited by (Ostaaïjen 2013).

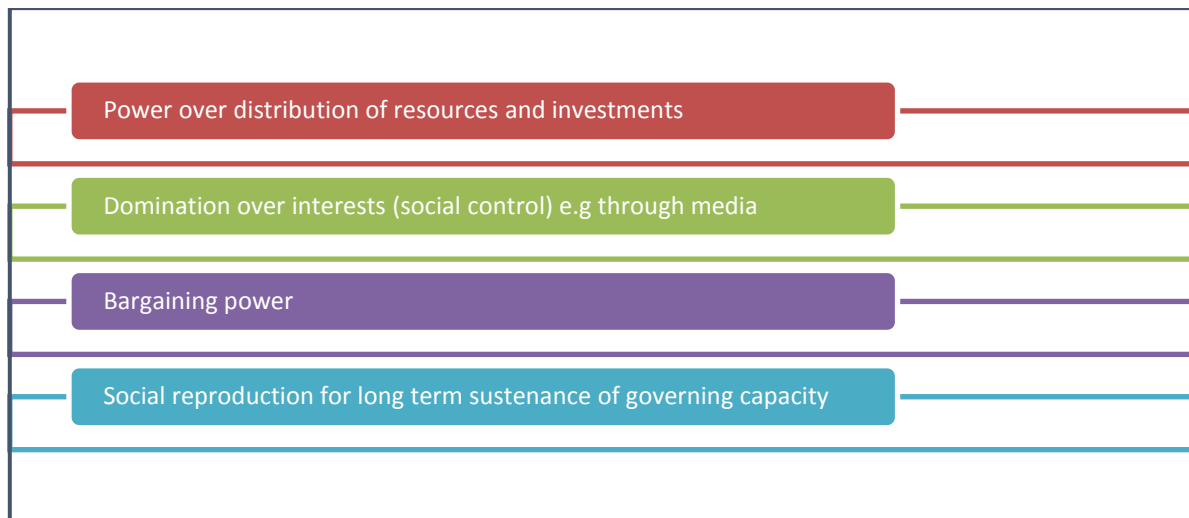
Figure 11 Summary of How Governing Capacities are constructed



Source 13: Compiled from (Ostaaïjen 2013)

Urban regimes are formed by four types of power, represented by the production and operation of governing capacities. These are: (1) power over the redistribution of resources and investments by business; (2) domination over interests (social control) which requires key resources like information, media, finance and reputation (3) power dependent on bargaining rather than domination i.e. coalition and (4) social reproduction which is important in constructing long term capacities to govern cities (Stone 1989) ; cited by (Stoker 1995) and (Peucpecioğlu 2012).

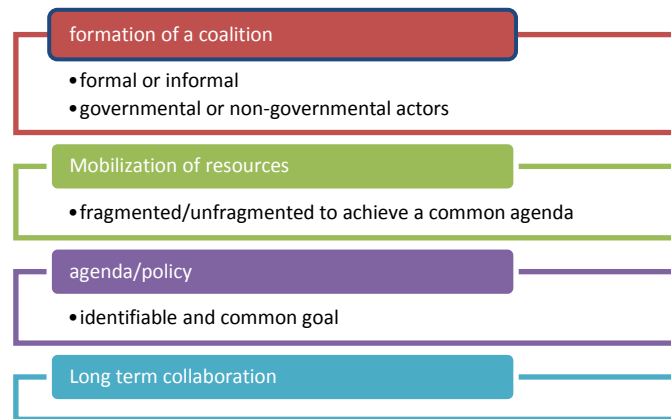
Figure 12 Types of Power in the production and operation of governing capacities



Source 14: Extracted and summarized from (Stoker 1995) and (Peucpecioğlu 2012)

(Mossberger and Stoker 2001) argue that, ‘urban regimes are some sort of urban political coalition formations based on informal relations and networks as well as formal ones’. A critical re-interpretation of the role of urban regime approach in explaining the dynamics of urban development, and applying the urban regime approach to diverse political settings reveals several core criteria that need to have been observed. These include: (1) formation of a coalition which could be informal or formal between governmental and non-governmental actors; (2) mobilisation of resources for pursuit of an agenda (urban coalitions should be able to bring together fragmented resources in order to accomplish tasks); (3) pursuit of an identifiable agenda/policy agenda that can be related to the composition of participants and (4) long term collaboration between coalition members (Mossberger & Stoker, 2001); (Peucpecioğlu, 2012).

Figure 13 Core criterion to be observed in applying the Urban Regimes Approach



Source 15: Compiled from (Mossberger and Stoker 2001) and (Peucpecioğlu 2012)

In trying to understand the difference between the original and modified interpretations of the urban regime concept, (Ostaaïjen, 2013) identifies a distinction between a strict and a more lenient line of thought. (Stone 1989b) Atlanta research characterizes the strict line of thought, while Mossberger and Stoker’s characteristics are more abstract and stay close to the lenient line of thought. Ostaaïjen compares the characteristics identified by (Mossberger and Stoker 2001) with those of Stone’s later work, and summarizes them according to the table below.

Table 3 Characteristics of Urban Regimes

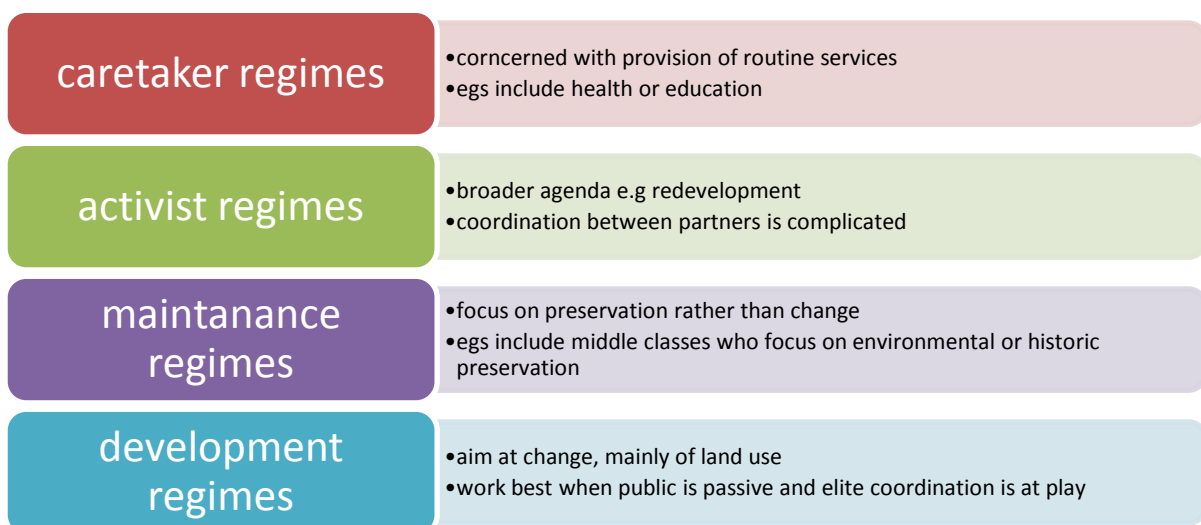
| The Strict Line of Thought | The Lenient Line of Thought |
|--|---|
| Mossberger and Stoker (2001: 829) | Stone (2005a: 329) |
| i. Partners drawn from government and non-governmental sources, requiring but not limited to business participation. ii. Collaboration based on social production – the need to bring together fragmented resources for the power to accomplish tasks. iii. Identifiable policy agendas that can be related to the composition of the participants in the coalition. iv. A long-standing pattern of cooperation rather than a temporarily coalition | i. An agenda to address a distinct set of problems. ii. A governing coalition formed around the agenda, typically including both governmental and non-governmental members. iii. Resources for the pursuit of the agenda, brought to bear by members of the governing coalition. iv. A scheme of cooperation through which the members of the governing coalition align their contribution to the task of governing. |

Source 16 van Ostaaïjen, 2013

Other scholars (see John, 2001; Sellers, 2002; Davies, 2003 and Holman, 2007) present their own lists of urban regime characteristics, which all lean towards the strict line of thought (Ostaaïjen 2013). The main feature of urban regime according to these

scholars, is the participation of the private sector, mainly business. The lenient line of thought holds the participation of the private sector as being optional, depending on the content of the agenda. Stone further identifies four main types of regimes. These include: (1) caretaker regime-mainly concerned with the provision of routine services; (2) activist regime- has a broader agenda and includes topics such as redevelopment, which make the level of coordination between partners more difficult and complicated; (3) Maintenance regimes-focused on preservation rather than change. He gives the example of Middle class progressive regimes which focus on environmental protection, historic preservation, and affordable housing issues rather than economic issues and (4) Development regimes-aimed at change, mainly of land use. According to him, development regimes work best when the public is passive and elite coordination is at play.

Figure 14: Types of Urban Regimes and Their Characteristics



Source 17: Summarized by Author, 2015

On their own, development regimes are not progressive, and they often require broader support from either private non-business partners or citizens, in order to be progressive. The mass involvement of the lower class themselves is required in regimes devoted to development programmes for lower class opportunity expansion such as education and job training, improved transportation access and home ownership.

Empirical Studies applying Urban Regime Theory

Using the case of Atlanta, Georgia, Stone explores the concept of an urban regime. His main objective being to find out why racial polarisation, does not dominate the Atlanta's city civic life (despite racial tensions), unlike other cities in the southern part of the United States (see Stone 1989: ix, 11) cited by (Ostaijen 2013). To answer the question, he studies over forty years of politics in the city from 1946 to 1988. His studies reveal 'behind-the-scenes negotiations between city hall and the business elite', and further describes how these coalitions are 'able to pursue an agenda that benefits both the business elite' (who wanted to adjust the city to the changing technological and social circumstances) and 'the growing black (middle-class)

electorate', (who wanted to diminish the exclusion of blacks from public life and to gain more room for housing).

By working together, all concerned parties are able to achieve their aims, with access to investment activity possessed by the business elite and political leadership provided by the black middle-class electorate. A long-lasting cooperation between city hall and the business elite results from the 'behind-the-scenes negotiations'. Stone labels this long lasting cooperation as an urban regime. In the Atlanta Case, some of the results of cooperation between the regime partners includes the construction of an express way system, development of housing for black people, desegregation of the school system and the formation of a National Black Arts Festival. Based on his findings on Atlanta City, Stone concludes '*City Hall has to deal with a powerful business sector and sharp limitations on its own authority...public office holders have to come to terms with private interests, especially business interests*' (Stone1989: ix) cited by (Ostaaijen 2013).

(Ostaaijen 2013) applies the URT by carrying out a regime analysis on the Safety and zero tolerance policy 2002-2006 for Rotterdam, an agenda for the political party, Liveable Rotterdam (LR). He investigates changes regarding safety policy in Rotterdam's local government, after the electoral victory and government participation of Liveable Rotterdam in 2002, and how these changes have taken place. His findings show that the implementation of safety policy took place through a process in which actors possessing sufficient resources were attracted to the safety agenda, aligned around it and put it into practice. The alignment was an important step in the process of forming an efficient safety coalition and was by no means the first or only one.

According to his analysis, the origins of the safety agenda can be traced prior to 2002. However, when a new local political party, Liveable Rotterdam (LR) emerged, drawing on the growing unrest among citizens regarding safety. Elements of the agenda, coalition, resources and scheme of cooperation fell into place when the party won the municipal council election in 2002. Other parties joined in the political coalition and helped to support safety policy in return of support of their priorities. A large share of the budget was then directed towards safety policy. Other important coalition actors willing to contribute to the agenda of improving the safety (policy), including the police and district attorney were included, because of their formal and informal alliance with the mayor and the municipality. An incremental coming together of the safety coalition, rather than a sudden change due to the elections, is revealed by Van Ostaaijen's regime analysis. The governing coalition is observed as growing in size and backed by several important non-directly elected actors (mayor, police and district attorney).

In conclusion, the regime analysis reveals how the coalition of semi-autonomous actors accounted for the implementation of a much stricter local safety policy, with the help of a broader range of actors. However, the coalition in Rotterdam mainly consist of public actors, in contrast to Stone's research in Atlanta, which shows that local business are important in the local governing coalitions. Whether an old or a new party tries to accomplish change, regime analysis shows that the scheme of

cooperation, accommodation and consensus is the same: formal and informal negotiations and the building of trust (Ostaaijen 2013), (Ostaaijen 2013).

Criticisms of the Urban Regime Theory

The first criticism of URT is based on its emphasis on agency based relations, that is, formal or informal relations between government and non-government. As (Peucpecioğlu 2012) observes, '*URT presumes a pluralist participation of diverse social interest groups and theorizes state power as an independent arbiter of diverse interest groups*'. The emphasis on agent based aspects, relations and organizations, focusing on formal and informal relations between agents of government and businesses, ignore and neglect the role of capital accumulation, class conflict and hegemony, failing to reveal how the state intervenes in these processes. URT ignores the fact that the formation of urban coalitions at the local level may be influenced by many things, including the neo-liberalisation of state policies, scalar restructuring of the state power. It is necessary to include the political and economic forces operating outside the local scale, which is neglected by URT (Macleod and Goodwin 1999) cited by (Peucpecioğlu 2012).

Secondly, URT has been criticized because for a long time, it has been based on studies in USA cities only, which have a decentralised political system. This has made it inapplicable in different social and political contexts in other parts of the world, especially in countries where the role of the central state is powerful than the local state (Macleod and Goodwin, 1999) in (Peucpecioğlu, 2012). In order to enrich the urban regime approach, it is necessary to consider state power correctly, and take the role of the central state into account.

According to (Jessop et. al, 1999 cited in (Peucpecioğlu 2012), "local business communities which play the main roles...have been incorporated into the political process by the state apparatus. As (Peucpecioğlu 2012) puts it,

'the local political power of urban regimes...do not derive some source of autonomous political capacity, but rather it is the power of a structural-strategic position within a broader political system that enables them such a political power'.

The capitalist state provides business oriented interests a structural strategic position by: (1) configuring some platforms through which business leaders can exercise political influence e.g. agencies, partnerships and meetings; (2) opening decision making processes (closed door meetings, informal political relations) to inform relations between state officials and business representatives and (3) producing some regulatory frameworks (laws, legislation's, to reorganize urban planning powers). Different strategies, mechanisms and relations have been used to incorporate local business- driven interests into urban political processes, depending on the nature of state capital relations (Peucpecioğlu 2012). In conclusion, there are some serious inbuilt theoretical and empirical difficulties of regime theory as a theory of structuring. According to (Davies 2002) the main problem is '*the limited theorization of the way economic forces affect local political institutions, and the balance of power within them*'. He adds, '*It is not enough to acknowledge the influence of the market economy on local political processes, it is also necessary to explain how fluctuations in the economy enable and constrain political options*'. The ability of regime theorists to explain

city politics is weakened by the absence of this explanation. Thus, regime theory needs to explain how 'the political agency of individuals and regimes matters in determining the trajectories... but not how much it matters'. He proposes the need to find a convincing answer to these problems, using regime theory as a multilevel analysis tool.

Pluralism Perspectives

Urban Pluralism (UP) is an 'empirical descriptive theory' (Judge, Stoker and Wolman 1995). According to (Dahl, *Who Governs? Democracy and Power in an American City* 1961); (Dahl 1984) cited by (Judge, Stoker and Wolman 1995) pluralism is an 'empirical descriptive' tool of analysis of decision making. It seeks to explain how things really are and how decisions are really made. UP has a strong normative element, preferring democratic systems to authoritarian regimes. No minority group is permanently excluded from the political arena or suffers cumulative inequalities as far as UP is concerned. (Judge, Stoker and Wolman 1995) notes that the main empirical questions that urban pluralists investigate pertain to 'who governs?' and 'how does a democratic system work amid inequality of resources?' The answers to the questions are provided by describing: 1) who was (is) involved in decision making? and 2) how were they involved in decision making? (Polsby 1980) cited by (Judge, Stoker and Wolman 1995) has designed questions to elicit the indices of power actors that included: 1) who participates; 2) who gains; 3) who loses and 4) who prevails?

Figure 15 Empirical questions that urban pluralists investigate



Source 18: (Judge, Stoker and Wolman 1995)

(Jordan 1990) cited by (Judge, Stoker and Wolman 1995) notes that the main characteristics of pluralism at the urban level include: 1) fragmented and decentralized power; 2) dispersed inequalities in access to resources; 3) dispersion of power that is considered a desirable feature; 4) different actors, distributions of power within which different policy sectors are reflected in political outcomes; 5) exercise of political power that extends beyond the formal institutional structures of elections and representative institutions; 6) legitimate authority deriving from the general will of the interaction of different interests; and 7) participants bound to the bargaining process by the disaggregated nature of the decision making and the uncertainty of outcomes.

Figure 16: Characteristics of Pluralism at the Urban Level



Source 19 (Jordan 1990) cited by (Judge, Stoker and Wolman 1995)

Pluralists reject the 'highly stratified view of power structure' (see (Hunter 1953); (Harding 1995) where the roles of elected and civic leaders are seen to be subordinated by a small group of prominent persons. According to (Judge, Stoker and Wolman 1995) pluralists maintain that, '*urban elected leaders are still of significance in shaping issues, still operated in a context of a 'democratic creed' and were still subject to popular control*'. Pluralists see society as fractured into categories of small special interest groups, with incompletely overlapping memberships, widely '*diffused power bases and a multitude of techniques for exercising influence on decisions salient to them*' (Polsby 1980) cited by (Judge, Stoker and Wolman 1995) In this context, groups which are active and organized and want to be heard permeate in the political system which is open to them (Dahl 1986); cited by (Judge, Stoker and Wolman 1995). (Waste 1986) cited by (Judge, Stoker and Wolman 1995) notes, '*Pluralism is the dominant paradigm that has been used to explain the distribution of power in society*'. Urban politics is seen to have mainly developed or set its foundations on pluralism theories and perspectives, which have also been, '*exerting "ideational hegemony" over the political science professions*' (Judge, Stoker and Wolman 1995).

There are several types of Pluralism. These include (1) Stratified Pluralism and (2) hyper-pluralism. Writing on stratified pluralism, (Dahl 1961) notes political systems of dispersed inequalities with the following characteristics: 1) different citizens with different kinds of resources for influencing officials; 2) resources are invariably and unequally distributed; 3) individuals endowed with one resource are often badly off with respect to many other resources; 4) no one type of resource dominates all others; a resource may lead to influence in some but not in all issue areas and 6) no individual or group is entirely lacking in some resources (Judge, Stoker and Wolman 1995).

Stratified Pluralists recognize that individuals of low income have fewer political resources than individuals of higher income and consequently, not all political groups are equal, with virtually all political systems being characterized by inequalities of influence. According to (Dahl 1961), *'a political resource is only a potential resource...what is important is the process of bargaining, negotiation, salesmanship and brokerage, leadership in mobilizing the resources'* (Polsby 1980) cited by (Judge, Stoker and Wolman 1995) notes *'Political systems are also differentiated...different groups/elites wield different degrees of influence in different policy areas at different times, i.e. there is a plurality of political institutions, elites, organized groups, individuals, voters etc. involved in decision making'*. Policy success therefore depends upon a capacity for anticipating the organized interests, political stratum and voters in general would tolerate or support.

On the other hand, hyper-pluralists recognize the re-conceptualization of pluralism based on the impact of the increase in the number of organized groups or interests. As cities grow, pluralism, competition and diversification increases and therefore elites cannot command all the communities' resources. (Yates 1977) suggests that contemporary politics is *'incoherent'* and *'ineffective'*, such that nobody really makes decisions, and if decisions are made, it is difficult to trace exactly who exerted what amounts of influence and at what which stage. Contemporary hyper-pluralism has moved from the city to the corridors of city hall, from street battles to periodic negotiations for a share of the pie in the corridors of power. *'Hyper-pluralism'* has also been called *'street fighting pluralism'*. As the names suggests, street fighting pluralism is characterized by fragmentation to the point of chaos due to increase in political activism. Once back in city hall, the influence of public leaders is brought into the equation, *"executive centered coalition emerges...political power becomes more coalitional.*

Empirical applications of pluralism theories (to be done)

Concept of Hegemony by Antonio Gramsci

Antonio Gramsci wrote about the concept of hegemony while in a fascist prison in the 1920s and 1930s. He theorises the consolidation of class power as dependent on the degree to which an expanded set of relationships emerges between juridico-political institutions and civil-societal institutions normally considered outside the state apparatus. Gramsci notes that relationships between the political society and civil society are not equal in all states. In the West, the state is organized differently to the East, such that forceful revolutions are not possible in the western capitalist states because *'there was a proper relation between the state and civil society'*. He suggests that a sturdy structure of civil society is at once revealed when the State trembles (Gramsci, 1971: 238) cited by (H. Perkins 2013). The close *'proper'* relationship between political and civil societies, produce intentionally forged inter class alliances. For Gramsci, such a process is dependent on private functional institutions (schools, churches and unions) that work to channel *'common sense'* notions among society's non-ruling classes. Writing on Gramsci, (H. Perkins 2013) notes that,

'Gramsci used an expanded definitions of 'common sense' to describe the conceptions by which people organize and comprehend their day-to-day functional position as part of a common political, economic and cultural system'.

Gramsci recognizes that common sense is necessarily heterogeneous and often contradictory (Crehan, 2002, (H. Perkins 2013).

Application of Gramsci's theory

Scholar, Harold Perkins (H. Perkins 2011) uses Gramscian perspectives to investigate how market hegemony is extended to new geographies in two separate studies. In his latest study he investigates how urban forestry grants distributed to non-profits and citizen groups (as part of an ecological modernist agenda) by the state, benefit the community. The findings of his study show that the civil society sector is expanded as a pedagogical actor by government funding. He uses the case study of the US department of agriculture, forest service and natural resources which increased state funding to civil sector organizations during a period of neo-liberal fiscal austerity, in order to channel ecosystem services provided by urban forests to communities. He reveals how neo-liberal market hegemony by civil society organizations is expanded, limiting participation in urban forestry. In an earlier study (see (H. Perkins 2010) he provides examples of where shared governance arrangements for green space renovation produce exclusive green spaces for some, while producing spatial injustices for others in Milwaukee, Wisconsin.

SUMMARY OF CHAPTER

This chapter presented the theories that can be used to understand the notion of equality and inclusivity in use and management of public space. The chapter reviewed theories that show evidence of class politics at work, in the use, access and management of urban greenspace by both state and non-state actors. As part of the urban fabric, green spaces in cities are continuously created, transformed and maintained by a multiple set of dynamic political, historical, socio-economic, social-cultural and ecological processes. Therefore, section 2.2 of the chapter presented and discussed the concept of political ecology, the overarching underpinning theory under which this study is based. This was followed by section 2.3, which introduced the concept of urban political ecology, discussing the evolution and definition of the concept by various scholars. The political ecology of uneven urban green spaces is then presented in Section 2.3.1, where empirical case studies on the production and reproduction of unjust urban geographies is presented. Given that urban political ecology is still a new and emerging field, there are not many theories on specifically urban political ecology. Therefore, most urban political ecologists rely on urban political economy theories the investigate their work. Therefore, section 2.4 presents and discusses the urban political economy theories, the foundation on which urban political ecology is based upon. The various sub-perspectives under urban political economy each are presented thematically and chronologically.

INTRODUCTION

The major aim of this study was to investigate the (re)production and (re)construction of social-spatial (in)justice, in light of new provisions in policy for public participation in the conservation and management of urban protected areas. The study started with the proposition that social-spatial injustices in use and access of urban green spaces in Nairobi, were historically created by the colonial and early post-colonial state through, social, political, economic and ideological processes that excluded certain social groups from benefitting from the socially valued urban nature reserves. The second proposition was that in the contemporary era, the reproduction and reconstruction of social-spatial injustice is being achieved through the involvement of powerful non-state actors who advance their own interests under the guise of public participation.

The first task of the study was therefore to establish the first proposition or rather produce evidence, that the colonial and post-colonial governments produced and constructed historical socio-spatial injustices or unjust urban greenspaces. Corresponding to this task, the first main research question was to answer, 'how did the state historically produce and construct unjust urban greenspaces/nature reserves in Nairobi?'

The second task of the study was to establish the second proposition that involvement of non-state actors reproduced social-spatial injustices because power civil society actors advanced their own interests under the guise of public participation. Therefore, the second main research question was, 'what are the social outcomes of public participation or non-state actors' interventions in the management and conservation of urban greenspaces? In other words, 'have they contributed to achieving social-spatial justice (enhancing equity and inclusiveness in the use, access and control of socially valued urban greenspaces), in light of new provisions in policy for public participation in the conservation and management of urban protected areas?'

These research questions are rather political, therefore, they involved asking and analysing four main questions: (1) Who are the non-state actors - that is their social, political and economic backgrounds and/or expertise) (for individuals) and organisational profile (for institutions, foundations, associations); (2) What are the objectives and agendas of the non-state actors? (3) How have the non-state actors contributed (role, actions and activities) as active partners/stakeholders in conservation and management of the urban protected areas; (4) What are the social, political and economic outcomes of the involvement of non-state actors in the management and conservation of urban greenspaces?

In order to understand how the two main research questions for the study were answered, this chapter presents and discusses the four main areas of the research methodology that guided the study. These are: (1) the methodological framework that was used and guided the type of data to be collected for this study. This framework was selected based on the knowledge claims (philosophical assumptions)

in the specific theme of this study; (2) the research design that was used as well as the criteria for selection of the particular research design chosen; (3) the strategy of inquiry, the criteria for selection of the chosen strategy as a discussion of the various approaches associated with the chosen strategy that were used and (4) the methods of data collection and analysis, that were used to answer the main research questions of the study.

METHODOLOGICAL FRAMEWORK

In order to answer the questions of this study, it became necessary to identify and review some of the most distinct methodological frameworks used in the study of political ecology and urban political economy, the theoretical backgrounds on which this study is based on. The well-known methodological frameworks in the study of political ecology include: (1) the political economy of land degradation - in peasant societies in the developing countries (Kiage 2013); (2) Common property theory and the rational land manager (Wade 1987); (3) Feminist perspectives on development (Rochelau, Thomas-Slayter and Wangari 1996); (4) Environmental history and the social construction of nature (Bird 1987) and (5) Science studies and environmental control (Forsyth 2003). These approaches can provide a powerful means of discussions about the production of nature.

However, in order to respond to the specific research questions and objectives, the study utilized the 'Environmental History and the Social Construction of Nature' methodological approach. (Heynen, Kaika and Swyngedouw 2006) note that Environmental historians (Cronon, 1991 and 2010); (Gandy, 2003) and (Gandy, Heynen, et al. 2006), theory driven urban political ecologists (Swyngedouw 1997); (Swyngedouw, McMaster & Sheppard, 2004b); (Kaika 2005) and empirical case studies (Heynen, Kaika and Swyngedouw 2006) have used this approach to develop an historical understanding of the dynamics of urban nature. Their discourses view urban space as constructed by socio-cultural and capitalist processes of accumulation, which produce 'second nature' (Heynen, Kaika and Swyngedouw 2006). They demonstrate and argue that urban space is constructed by the elites, labour classes and structures through which 'first nature' can be commodified and brought into the markets and be used to construct 'second nature' (Gandy, 2003).

Using the framework of environmental history and social construction of nature, UPE discourses centre on how urban spaces are made through social relations in an historical process (Heynen, Kaika and Swyngedouw 2006). Cities are seen as created through the notions of the elite or the wealthy with greater social power (Molotch, *The City as a Growth Machine: Toward a Political Economy of Place* 1976); (Dahl, *Who Governs? Democracy and Power in an American City* 1961); (Ernstson, Lewis and Sorlin 2013). In supporting the broader process of capital accumulation, urban spaces are merely artifacts to sustain this process, while being constructed and modified through the same process (D. Harvey, *From space to place and back again: Reflection on the condition of post-modernity* 1993); (Gottdiener 2010) and (Heynen, Kaika and Swyngedouw 2006). With this approach, it was possible to shed light on, and enhance the understanding of the interrelated and complex socio-spatial processes that had produced urban green spaces and protected areas in Nairobi.

Processes that had intermixed to contribute to the exclusionary social-spatial transformations and relations of urban green spaces in Nairobi were revealed. Spatial, political, economic and social actors and institutions that have influenced the past and current policies and practices of use, access, management and development of urban green spaces, contributing to existing social-spatial injustices were unveiled. Critical engagement with the cities socio-spatial history, to unearth the ways in which the urban green spaces were created, developed and changed in the past and recent decades were reviewed.

RESEARCH DESIGN: A MULTIPLE CASE STUDY

As mentioned earlier, the major aim of this study was to investigate the historical and contemporary social and political processes that have shaped opportunities to use, access and control socially valued urban greenspaces for different social groups in the city. The study entailed dealing with contemporary events and asking somewhat political questions like: What are the objectives and agendas of the non-state actors interventions in the conservation and management of the urban protected areas and how have their interventions contributed to achieving social-spatial justice?

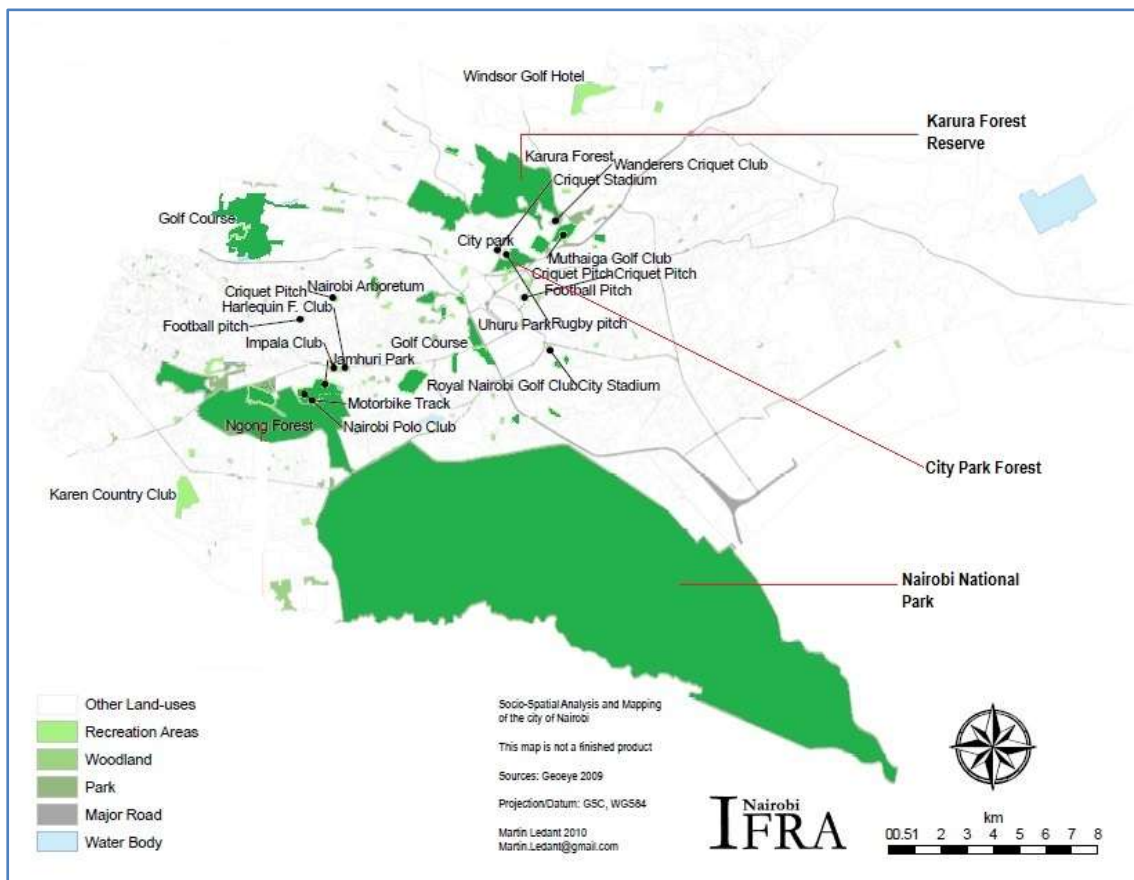
Yin 1994 describes a case study as 'an empirical inquiry that investigates contemporary phenomena within its real life context'. Additionally, (Yin 2002) notes, *'case studies are a preferred strategy when: (1) 'how' or 'why' questions are being posed; (2) the investigator has little control over events; (3) when the focus is on contemporary phenomena within some real life context.* Within a case study, a researcher can achieve multiple objectives, like providing descriptions of phenomena, as well as developing and testing theory (Darke, Shanks and Broadbent 1998). Moreover, according to (Yin 2002) case studies are conducted to: (1) explain causal links; (2) describe an intervention; (3) illustrate certain topics within an evolution and (4) explore situations where invention has no single output and (5) perform meta-evaluation studies.

The case study research design was therefore found to be appropriate for this research because it could answer partisan questions of the how or why, as well as focus on current events. I thus found the case study research design to be the most appropriate approach for this study because it could: (1) describe the interventions of the non-state actors involved in the management and conservation of the urban protected areas; (2) explain how public participation policies are working on ground; (3) expose the multiple outcomes of the interventions by the non-state actors and (4) gauge the already appraised interventions. I was also interested in collecting in-depth information as opposed to yes or no answers. I needed detailed explanations to understand why things are the way they are, the discourses, politics, conflicts and other intricacies. In a case study, one can achieve such an object. As (Cavaye, 1996) cited by (Darke, Shanks and Broadbent 1998) notes, in a case study, one focuses on in-depth understanding of predefined phenomena in its context, without engaging in control and manipulation of variables.

Nairobi and its Public Urban Green Spaces

Nairobi has a variety of public urban green spaces, ranging from natural protected areas and reserves in the form of urban national parks and forests, to man-made parks and gardens. The largest green spaces are the public urban protected areas, specifically Nairobi National Park, Ololua Forest and Ngong' Road Forest in the south-eastern and south-western parts of the city, Karura Forest in the North-western part of the city; Arboretum woods, sandwiched between the middle-western leafy suburbs of Statehouse, Kileleshwa and the central business district, and City Park forest neighbouring Muthaiga and Parklands neighbourhoods.

Figure 17: Public Urban Greenspaces in Nairobi (specific study sites pointed with red arrow)



Source 20: (Ledant, M and French Research Institute in Africa, 2011)

The man-made parks and gardens include Uhuru Park, Central Park, Jeevanjee Gardens and Uhuru Gardens, located within the confines of the Central business district, which are highly manicured and aesthetically well managed. In the residential areas, there exists a rather large combination of local green spaces like sports grounds, play areas and play grounds for children, institutional green spaces like school and church playgrounds among others.

Finally, given that most land in Nairobi is privately owned, the number of private green spaces for recreational (public) and institutional use is overwhelming. These includes private sports clubs, golf courses, and play grounds belonging to individuals, corporates or institutions. Most of the most of this greenspaces are

located in the affluent and upper middle class residential suburbs of Nairobi (formerly the European reserved residential areas).

Criteria for Selection of the Greenspace Sites

When I first started this study, I knew I wanted to study green spaces in Nairobi, but I wasn't clear which ones I would focus on, given that Nairobi has a wide variety of greenspaces. These greenspaces fall under several categories which can be contrasted into groups such public / private, institutional / non-institutional, neighbourhood / city parks, sports stadiums/sports ground, play areas/ play grounds, natural reserves /highly modified parks and private sports clubs/ public sports grounds.

After doing some literature review, the focus shifted to public greenspaces. However, I didn't know which ones to focus on, given that the city has a wide variety of public open spaces. In fact, one of my supervisors asked me which greenspaces I was going to focus on. My initial thoughts were to work on all the major public greenspaces in the city (8 of them). Shortly after this discussion, the other research director included me in a transnational research collaboration project known as Urban National Parks in Emerging Countries and Cities (UNPECC) funded by the French National Research Agency or Agence Nationale Recherche (ANR)⁷. The team was concentrating its research on Urban Protected Areas (UPAs), specifically, Urban National Parks. Since my study was on urban greenspaces in Nairobi, I decided to choose the Nairobi National Park as one of my case study sites, since the project was focusing on urban national parks in emerging countries and cities.

Since the project was focusing on urban protected areas, so I decided to select greenspaces that were gazetted nature reserves or protected areas, as opposed to artificial parks or highly maintained green spaces. Nevertheless, the remaining natural urban protected areas in Nairobi were still quite many (a total of five 5). I therefore still needed a formula to filter the study sites and select a maximum of two or three green space sites. While still trying to think of a criterion for selection, one of my supervisors reminded me that despite being all in the same city, the various public urban protected areas (or green spaces) in Nairobi are under the authority of different state departments or government agencies. Specifically, there are four (4) different government authorities, in charge of one aspect, that is the six (6) is green spaces scattered in the city.

Table 4: Name of Green spaces in Nairobi and the Government Agencies in Charge⁸

| Name of Greenspace | Managing Authority |
|-----------------------|---|
| Nairobi National Park | Kenya Wildlife Service (KWS) |
| Karura Forest | Kenya Forest Services (KFS) |
| Ngong Road Forest | Kenya Forest Service (KFS) and Kenya Wildlife Service (KWS) |

⁷ As a team member, I got funding of approximately 2800 euros for field work.

⁸ See Figure 17: Public Urban Greenspaces

| | |
|-----------------------|---|
| Ololua Forest | National Museum of Kenya (NMK) |
| The Nairobi Arboretum | Kenya Forest Service (KFS) |
| Nairobi City Park | Nairobi City County (NCC and National Museum of Kenya (NMK) |

Source 21: Compiled by Author, 2014

From this, I was able to come up with a formula for filtering my case study selection and choose the other two or three case study sites. The first protected area Nairobi National Park already been pre-chosen (as explained above) is under the authority of Kenya Wildlife Services (KWS), which manages all national parks in the country. Therefore, I needed to choose other greenspaces managed by different authorities, that is KFS, NMK and NCC.

I then made the second selection, Karura Forest Reserve, on the basis that it is a protected area managed by a different state agency from NNP, that is, the Kenya Forest Services. The third selection City Park Forest was chosen because it is protected and managed by the remaining two government agencies, that is, the Nairobi City County (NCC) and the National Museums of Kenya (NMK), as both a heritage site and public recreational forest. Thus, in total, I was able to select three case study sites, namely: (1) Nairobi National Park; (2) Karura Forest Reserve and (3) City Park Forest. Two of these case studies are natural urban forests, under the same ecological corridor, in close proximity to each other but managed by different authorities. The other green space, Nairobi National Park is a wildlife game reserve, stretching from the south-western to the south eastern parts of the city.

The common criterion used in selecting the three case studies was that they are all gazetted public nature reserves or protected areas within the city, managed by different government agencies. The aim of selecting the three case studies was to compare issues related to the use, management, governance of three sites, based on the fact that they are managed by different state and local government departments. The three different case studies with their differing styles of governance and management presented a perfect opportunity to investigate the differing structuring forces and actors in the political ecology of public urban green spaces in Nairobi.

Table 5: Selected Urban Greenspaces, government authorities in charge and location

| Greenspace Name | Size (ha) | Managing Authority | Administrative region | Ward Location |
|-----------------------|-----------|--|-----------------------|---------------|
| Nairobi National Park | 28963.22 | Kenya Wildlife Services | Langata | Mugumoini |
| | | | | Karen |
| | | | | South C |
| Karura Forest | 1041.30 | Kenya Forest Services | Westlands | Karura |
| City Park Forest | 60.00 | Nairobi City County and National Museum of | Westlands | Parklands |

| | | | | |
|--|--|-------|--|--|
| | | Kenya | | |
|--|--|-------|--|--|

Source 22: Compiled by Author

Embeddedness of the Case Studies

Apart from identifying a common criterion for the selection of the multiple case studies (based on all of them being protected areas in the city, governed and managed by different government agencies), there was a need to select the each of the sites based on something more concrete. For this, I went back to my theoretical framework to guide my selection and ground my selection. I did a rapid profile site analysis or assessment of all the public green spaces in Nairobi (both natural and highly managed) by visiting the places and looking at the information provided on their websites. With the help of some literature review together with the information gathered from the rapid site assessments, I was able to identify other criterion that would embed my selection.

Based on literature review, I modified (Calderons, 2013) point of reference for selecting public spaces, constructed for his study on 'Social Processes in the Production of Public Spaces'. These included requirements for: (1) community participation, beyond mere consultation and information gathering, in the management and conservation of the urban green space; (2) planned, ongoing or existing rehabilitation and/or re-branding or redevelopment initiatives, of the urban green space for urban recreation which has or will have a 'major role' in improving the physical, social and economic conditions of the neighbourhood; (3) presence of a formal or informal active non state actors, trying to address the physical, social and economic problems of the urban green space; (4) presence of formal or informal active non state actors, dealing with the management and of the physical characteristics, social activities/events and financial resources of the urban green space, in order to contribute to the overall improvement of the urban green space and the neighbourhood; (5) atleast one major part of the interventions of the urban green space by the non-state actors had already been finished.

Table 6: Checklist for Embeddedness⁹ of the case studies

| | Name of Public Urban Green Space | | |
|----------------------------------|--|---|-------------------------------------|
| Criteria for Embedding Selection | Nairobi National Park | Karura Forest | City Park Forest |
| Presence of Public Participation | Yes, particularly the urban elite and the Maasai community | Yes, the neighbourhood's associations of Karura neighbourhood | Yes, one civil society organisation |
| Proposed, Ongoing or Implemented | All the 3 | Mostly 2 implemented | All the 3 |

⁹ Based on a Modified Version of (Calderon, 2013) point of Selection for Public Spaces in study on their Participatory Management.

| | | | |
|--|--|--|--|
| Initiatives | | and some are ongoing | |
| Presence of Active Informal or Formal Non State Actors | Friends of Nairobi National Park and The Wildlife Foundation | Friends of Karura-Community Forest Association | Friends of City Park and Nature Kenya |
| At Least One Major Intervention Implemented | Land use Master Plan (LUMP) and Wildlife Conservation Lease (WCL) programmes Protests against Road (By-Pass) construction | Revenue generation and biodiversity improvements | Gazetting forest as a heritage Sight-Revoking titles |

Source 23: Information Compiled from Rapid Site Assessment by Author in 2012/2013

Karura Urban Forest Reserve

The Karura Urban Forest Reserve was selected as one of the case studies because it offered an opportunity to investigate the outcomes of implemented conservation and management interventions. These were initiated by the neighbouring forest community, the local registered neighbourhood Community Forest Association (CFA), based on a power sharing arrangement with the state authority incharge, the Kenya Forest Services (KFS). The partnership is line with the requirements of the Forest Acts of 2005, and is guided by a Memorandum of Understanding (MoU) between the two actors, for the joint management of state forest reserve. Karura Forest Case study presented a setting whereby the joint partnership for management has been existence for a while (atleast four years by the time of starting fieldwork), and many of the planned programmes and activities had been implemented, for instance, the increase of revenue collection through effecting income generating platforms like the development of recreation and ecotourism activities.

Nearly all the forest rehabilitation and development initiatives implemented were started by and relied on significant community expertise, networks and resources (in cash or in kind). The initiatives and outcomes of the non-state actor's interventions have been praised highly by the public authorities, who consider the interventions by the Friends of Karura Forest Community Forest Association as a commendable example of citizen involvement at work. Thus, the Karura Forest case study presented an opportunity to explore at an advanced level, the assertion that the involvement by non-state actors (atleast in the case of Karura forest) was commendable with positive outcomes for its use, management and access. In other words, the case study was prime for assessing how the new governance and management system has ensured spatial justice (use, control and accessibility) for the urban poor and other marginalised or vulnerable groups.

City Park Forest

City Park Forest was selected because it presented an opportunity to investigate a long lasting, ongoing and sometimes hidden battles between a civil society organisation known as the Friends of City Park and government bodies in charge of managing and protected the recreational Parkland Forest. Unlike Karura Forest where public participation is clearly anchored in the policy for the management of

state forest reserves, there is no clear or real framework for non-state actors' intervention in the management of City Park Forest, which is under authority of the local government. Thus, the Friends of City Park, have created a space for themselves to intervene in the conservation and protection of the greenspace.

In a nutshell, most of their interventions have been based on contesting the numerous privatization and appropriation attempts of the public parkland by the government agencies, corrupt bureaucrats and well connected elites, through various illegal efforts and one major legal attempt, to dominate and commodify the urban public nature reserve. The illegal attempts have included illegal allocations of sections of the forest to private developers, who would appropriate the forest the sections non-public uses, while the legal attempts to privatize and commodify have been based on the signing of a MoU for a public private partnership for rehabilitation and development of the forest parkland to a world class recreational centre. This MoU was signed between the Aga Khan Development network and the two main government authorities in-charge, which is the Nairobi City County government and the Ministry of Culture, Heritage and Social Services represented by the National Museums of Kenya. Under the leadership of the Friends of City Park, the MoU has been disputed by the members of the public for their non-involvement (to be discussed more in the chapter on findings). Therefore, City Park as a case study offers an opportunity to investigate the intricacies of exchange, and conflict in the use, access and control of contested public urban green spaces in the city.

Nairobi National Park

Nairobi National Park (NNP) was selected because it presented an opportunity to evaluate numerous interventions by an array of big international, national and local NGOS, in trying and sustain and conserve the larger ecosystem of Nairobi National Park. Given the autocratic style of management of national parks in the country, the Kenya Wildlife Services, community participation is rather repressed and excluded, until recently in 2014 when the new Wildlife Conservation and Management Act of 2013 was enacted. Thus, there has be no framework for community involvement.

As such, KWS does not have any power sharing arrangements with community associations or civil society organisations, for the development and management of the nature reserve. Nevertheless, the community has been involved through NGOs programmes which focus on working with and empowering communities to sustain the ecosystem. So, in other words, the community are somewhat indirectly involved in the management and conservation of the parks ecosystem, through the conservation NGO's. The Nairobi National Park case study therefore presented a situation whereby the interventions by the non-state actors would be assed in relation to ensuring the conservation of the ecosystem, while at the same time empowering communities or ensuring they can be able to sustainably address they face, in trying to sustain the ecosystem.

STRATEGY OF INQUIRY: COMBINED QUALITATIVE APPROACH

Grounded Theory Approach¹⁰

The main strategy of inquiry that I used was a modified grounded theory approach. Grounded theory is a method aimed at developing theory using logically consistent set of data collection and analysis procedures (Charmaz, et al. 1996). According to (Strauss and Corbin 1990) '*a central feature of the method is the constant comparative analysis between data collection and analysis*' or '*continuous interplay between analysis and data collection evolves theory*'. (Charmaz, et al. 1996) noted that grounded theory precedes with observation and or individual cases, incidents or experiences, developing progressively to more abstract conceptual categories in order to explain and understand data and identify patterned relationships within it. Emphasising this point further, (Strauss and Corbin, 1990) wrote, '*theory may be generated from the data*'. However, they also added that '*if existing theories seem appropriate to the area of investigation, then these may be modified as incoming data are meticulously played against them*'.

The main difference between grounded theory and other qualitative methods is the development of substantive theory. (Strauss and Corbin 1990) have noted that the major aim of grounded theory method is theory development. Secondly, unlike other approaches, grounded theory methods generate and develop theory through the interplay between data collected in actual research. Thirdly, the '*explicit mandate to strive toward verification of resulting hypothesis throughout the course of the research project (rather than assuming verification will be done through follows-up quantitative research)*' is another distinguishing characteristic. Fourthly, because of its unique procedures, '*the possibility of developing a theory of richly developed concept with considerable meaningful variation*' is higher.

Grounded theory methods are similar to other qualitative methods because they basically entail: (1) collecting qualitative data (interviews, observation, and review of documents, pictures and video tapes) and (2) interpretive work aimed at understanding the actions of individuals or groups being studied, therefore including their perspectives and voices in the process (Strauss and Corbin 1990). As explained in later section, the main methods of data collection I used included observation, rapid site assessments, participant observation, informal interviews, formal interviews, mini-surveys, photography and video recording.

Table 7: Modified Process of Grounded Theory Approach used in the Study.

| Step No. | Task/Activity |
|----------|--|
| Step 1 | Initial field visits for a rapid assessment through observation, informal interviews and mini survey using a structured questionnaire. |
| Step 2 | Data analysis |

¹⁰ The second strategy, grounded theory approach is then presented, together with the actual procedures used and modified

| | |
|--------|---|
| Step 3 | Review of existing theories that seemed appropriate to the rapid assessment |
| Step 4 | Participant observation, formal and informal interviews using the go-along method |
| Step 5 | Modification of theories to be reviewed |
| Step 6 | Final data analysis |

Source 24: Adopted from (Strauss and Corbin 1990)

The procedure for shaping and handling qualitative data in grounded theory method is richer, which helps in structuring and organising data gathering and analysis unlike other methods (Strauss and Corbin 1990); (Charmaz, et al. 1996). Therefore, after the first initial observations, I came back to the field and did structured observations using rapid site assessment tool kits and rapid user surveys, in order to test existing theories that seemed appropriate to the issues discovered in the study areas at a first glance. The aim was to modify the theories as incoming data was collected and analysed. Afterwards, throughout the research, simultaneous data collection and analysis and review of existing theories was carried out.

I settled on this strategy as my main framework for inquiry because compared to other methods, grounded theory is seen as: (1) uniting the research process with theoretical development; (2) blurring the rigid boundaries between data collection and analysis; (3) undermining the definitions of qualitative as only intuitive and impressionistic and of quantitative as exclusively rigorous and systematic; (4) providing rigorous procedures for researchers to check, refine and develop their ideas and intuitions about the data; (5) enable the researcher to make conceptual sense of large amounts of data and (5) yields dense conceptual analysis of empirical problems and words (Charmaz, et al. 1996).

The advantages of the grounded theory approach have been reviewed and summarised by (Charmaz, et al. 1996) who distinguished the characteristics of grounded theory as: (1) simultaneous data collection and analysis; (2) development of analytic codes and categories from data; (3) explanation of behaviour and processes through processing of middle range theories; (4) writing analytic notes or memo-making, to develop and fill out categories; (5) sampling for theory construction (not for representativeness of a population), to check and refine the emerging conceptual categories; (6) literature review delay. Strauss and Corbin (1990) note other procedures that make grounded theory method effective and influential to include: (1) the systematic asking of generative and concept relating questions; (2) systematic coding procedures; (3) suggested guidelines for attaining conceptual variation; (4) conceptual integration and (5) conceptualisation and diagramming of a conditional matrix, which helps towards specifying conditions and consequences at every scale.

Grounded theory methods are considered appropriate for all kinds of studies (Charmaz, et al. 1996). These include studying individual processes, interpersonal relations and the reciprocal effects between individuals and larger social processes.

Grounded theory methodologies were first used by sociologists but have also been used in psychology, anthropology. Increasingly, researchers in practitioner fields such as education, social work and nursing have used grounded theory methods either alone or together with other methodologies. In practice, the use of grounded theory varies with the specifics of the area under study, the purpose and focus of the research, contingencies faced during the project and the temperament and particular gifts and weaknesses of the researcher (Strauss and Corbin 1990). Grounded theory has been used to study historical origins and continuities of phenomena by study data in conjunction with field work (see Clarke, 1990a & 1990b and Star, 1989a).

Adaptation to circumstances of one's research and thought processes is common among researchers who have used the method. The specific views and uses of grounded theory have been directly influenced or indirectly affected by different assumptions and alternative modes of analysis, including contemporary intellectual trends and movements like feminism, political economy and the various varieties of post-modernism. Strauss and Corbin saw the additional ideas and concepts suggested by contemporary social and intellectual movements entering analytically as conditions into the studies of grounded theory researchers. A major strength of the methodology is that practitioners can respond to and change with time. In other words, new ideas, technologies, ideologies or new use of space can be handled analytically.

Ethnography

This strategy entails studying an intact cultural group in a natural setting over a prolonged period of time (Creswell 1998). I used this strategy when studying the middle class groups engaged in management and conservation of Nairobi National Park, in their settings, that is on social media discussions and comments on Facebook and you tube, since 2013. I followed nearly all the social media discussions by non-state actors and other stakeholders interested in the management and conservation of Nairobi National Park. I concentrated on the discussions that were focused on the interventions by non-state actors. Though to a smaller extent, I followed social media discussions for Karura Forest and City Park case studies since 2014. However, the social media discussions for the latter two case study sites were not as intense online. The reason I decided to use this approach to reach the middle class groups and nearby park residents interested or involved in the management of the park is that it is nearly impossible to reach them in their homes. Secondly, on the urban side, not all the nearby by park residents are interested in the conservation and the management of the park. Thirdly, the residents who are sincerely concerned either attend the meetings or participate in the online discussions. The forums were also useful for targeting other major stakeholders with interests in the park, particularly tour operators and animal and plant conservationists. Using this strategy, I was able to understand the discourses, visible, hidden and invisible powers and interests of the large array of the stakeholders interested in the conservation of the park.

Narrative Research

This kind of research involves studying the lives of individuals and asking one or more individuals to provide stories about their lives. The researcher then retells or

rewrites the information into a narrative chronology (Connelly and Clandinin 1990). This strategy could not be avoided when doing this research as it emerged during my field work. In one of the case study sites, specifically when interviewing the slum residents of the Mji wa Huruma village who live adjacent to Karura Forest, four of the women interviewed automatically answered the interview questions without being prompted. They narrated their lives in the slum, in relation to their involvement to the conservation and management of the urban forest. Three were in a focus group discussion and one was alone. Nevertheless, they are all the same age group, and moved to the slum around the same time. Because of this, I rebuilt their story into one and retold, as can be found in appendices.

Case Studies (of Interventions and Events)

This strategy entails in-depth exploration of a program, event, activity, process or one or more individuals (Stake 1995). I used this strategy to analyse the array of conservation intervention programmes by a number of non-state actors in the management and conservation of Nairobi national park. Various data collection methods were used to collect information on the programs implemented by the non-state actors.

Phenomenological Research

I used this strategy to understand the lived experiences of the community that is the target of and stakeholder in the conservation interventions initiated by the conservation NGOs, that is, the local Maasai community living in the south of Nairobi National Park. This method was particularly useful in understanding of the relationship between the park and the community. According to (Moustakas 1994), understanding the lived experiences marks phenomenology as a philosophy as well as a method. Using this strategy, a researcher identifies the essence of human experiences concerning a phenomenon, as described by participants in a study. The procedure involves studying a small number of subjects through extensive prolonged engagement to develop patterns and relationships of meanings.

METHODS OF DATA COLLECTION AND ANALYSIS

Data Collection Methods

Given that I had three study sites, I knew I had to deal with an abundant amount of data. I therefore I had to be cautious on the types of data I collected, how I handled the data collected as well as make it easily analysed. Three principals of data collection as suggested by (Yin 2002) guided me. These included use of multiple sources of evidence; creation of a case study database and maintaining a chain of evidence. As much as possible, I tried to collect use the same methods and collect the same type of information for each case study site. However, this was not always possible because the issues were not always the same for each case study, and I was not doing a comparative research. Nevertheless, for all the case studies, I used the main stream data collection methods for qualitative research, with multiple sources of evidence for each of the three green space study sites. These included observations, rapid site assessment, desk study (including the review websites and Facebook pages and monitoring their updates), rapid user surveys, planning and

policy document review, participant observation, interviews, focus group discussions, social media discussions (entailed monitoring forums on Facebook deliberating issues related to the case study sites). I present each of the methods I used and how I used them, in the following subsections.

Rapid Site Assessments (RSA's)

After this initial observations, I decided to structure my observations. I therefore developed a rapid site assessment check list, and sent one my undergraduate students to collect data and fill in the check list, for all the green spaces. The checklist included general information about the greenspace, such as location, typology of the green space; (2) information on the quality and quantity of the greenspace including pictures on the biodiversity and aesthetics; (3) the various uses of the urban green space including type of recreation facilities, conflicts of land use or social use, social heterogeneity and safety. The research assistant I sent did a wonderful job, as can be seen in page 1 of 11 of checklist, as per the scanned image below. The site assessment guide was particularly useful, and it was amazing how much raw and secondary data I collected on all the green spaces in Nairobi within a very short time.

Observations

When I started out field work for this study in 2012/2013, the first thing I did was casually visit and observe all the public green spaces in Nairobi. During that time, I was not focused on looking for anything in particular, as I had not clarified what my research questions would be, nor had I decided which green spaces to focus on. I therefore simply went there as any other recreational user. Nevertheless, I made mental notes of what I observed and sometimes took photos. During this time, I used to walk through some of the green spaces on my way to work, for instance Central Park, Uhuru Park and Jeevanjee Gardens which are in the CBD. At other times, I would visit the public green spaces near where I live, on my way from work or on weekends, particularly Uhuru Gardens and Nairobi National Park, trying to figure out or make mental notes of the socio-economic profiles of the users of green spaces, far off from the CBD, and comparing them to the profiles of users for green spaces in the CBD.

Nevertheless, I was not using any real structured format to observe, but I would ask people why they visit the place, how often they visit and their age or age group. Two things were evident from the observation, that is: (1) the people using the green spaces in the CBD were of a low social economic status, and there were rarely middle class nor affluent people using them, despite the CBD greenspaces being quite clean, aesthetically pleasing, well manged and manicured and (2) the green spaces far from the CBD were being used by people of a higher social economic status, particularly youthful Indo-Asian Kenyans and African Kenyans (middle class and upper middle class), who drove in with their cars. There were also quite a number of people who walked in to the greenspace from the surrounding middle class and low income settlements including the Kibera slums nearby. These two scenarios were particularly the case for Uhuru Gardens, which is right opposite where I live.

In the case of Nairobi National Park, which happens to be 3kilometres from where I live, I noted that it was mostly tourists, white people and Indo- Asian Kenyans who were going into the park for game drives. However, NNP has an animal orphanage area (which is basically a small zoo in a section of the park) and safari walk area where one can view captured animals, in their near natural settings without going into the park. I then noted that visitors to the animal orphanage were mostly persons of a low socio-economic status while visitors of the safari walk were a mixture of both, including a number of foreigners on a short stay in the country with no time to go for a game drive before their departure flights.

Figure 18: Page 1 of 9 of a Filled Rapid Site Assessment form¹¹

| University of Nairobi Department of Geography and Environmental Studies Field Work Assignment Urban Geography ASSESSMENT OF URBAN GREENSPACES IN NAIROBI | |
|---|---|
| 1. GENERAL INFORMATION | |
| 1.1 Site Name | KAKURA FOREST |
| 1.2 Site reference Number | 2 |
| 1.3 Weather conditions | Cool, Sunny and dry. |
| 1.4 Date | August 26 th , Sept 5 th 16 th |
| 1.5 Administrative Location | Westlands Division |
| 1.6 Designation/Type Of Green Space | Natural and Semi Natural Green Space |
| 1.7 Age Of Site | 80 years |
| 1.8 Main Land Use Of Site | Conservation and preservation of its natural environment |
| 1.9 Neighboring Land Uses | High end residential areas, transport lanes. |
| 1.10 Name of available Local Public Or Private Open Space Close by. | The closest Open Space is City Park |
| 2. QUANTITY OF URBAN GREEN SPACE | |
| 2.1 Surface Area Of The Urban Green Space (In Hectares). | 1041.3 Ha |
| 2.2 Extent Of Edge Effects – Shape Index (Ignore this) | |
| 2.3 Isolatedness From Other Green Spaces – Nearest Neighbor Measure. What Are The Shortest Approximate Distances To The Nearest Green /Open Space Close By? | The forest is a bit isolated from other green spaces. The nearest open space, City Park is about 4 km away. |
| 2.4 Connectivity To Other Green Spaces – Elements Connecting Green Spaces. How Does One Get To The Nearest Neighboring | Connectivity is by road. Two routes to the nearest neighbour: either Limuru Road or Kiambu Road to Limuru Road via Thika Highway and Forest Road. |

Source 25: Instrument Developed by Author in 2012¹²

11 See appendices for the full RSA guide sheet.

12 Data Collected by Research Assistant in 2012/2013.

*Desk Study*¹³

Some sections of the rapid site assessment checklist (discussed above) needed to be filled or confirmed from secondary sources of information. These included the planning, management and development aspects of the green space and some of the general information bits, like the facts and figures. It was necessary therefore to do a desk study, to ascertain some facts and figures, for instance, the acreage of the green space, the year it was gazetted, the legal and planning aspects, the framework for citizen involvement, responsible authorities for the green space in the political, administrative and technical spheres among others. Most of this information could be gathered from the websites of the greenspaces or the authorities in charge of the green spaces. However, other documents, academic articles, general studies and guide books done on the green spaces were reviewed, to confirm or compare the information provided and make sure nothing is left out. These initial desk studies were done with the help of a research assistant, who filled the rapid site assessment toolkit form, which I had developed. However, I constantly did desk studies, particularly on the internet, throughout the course of the research and writing.

*User Survey*¹⁴

After completing the rapid site assessment and desk study, I decided to do a rapid mini survey of the users of the green spaces. I therefore developed medium sized questionnaires, focused on collecting information on: (1) the socio-economic profiles and backgrounds of the users, (2) the reasons for visiting, (3) the frequency of visiting, (4) thoughts and perception on the importance/value of the green spaces and (5) thoughts and perception on the management of the green space. A point to note is that by the time I was carrying out the user survey, I still had not decided what my main research question would be. The motivation for carrying out the user survey was based on the fact that I had made some observations on the socio-economic profile of the users, without really verifying the evidence statistically. I wasn't sure what my sample size for each green space would be, given that they are all in different localities, with different population densities and user population densities, depending on the day of the week and the month, which was determined by the weather. Specifically, the green spaces in the CBD have a very high population density during weekdays, while those in the outskirts of the CBD like Uhuru gardens are deserted during weekdays and have a higher population turn out during weekends.

To cater for this difference, I decided to use a flat sample size of 30 questionnaires per green space, as it would not be too big nor too small. I tried to vary and mix the days of visit, that is weekdays and weekends for the greenspaces far from the CBD, I tried to go there on more weekends than weekdays. On the other hand, for the green spaces in the CBD, I tried to go there more on week days. The survey was carried out in two clusters. The first was for two weeks, from 15th to 30th August, 2013 and the second survey was from 12th to 24th December, 2013. I chose August and December because this were the school holiday months in Kenya. I therefore presumed that there would be a more diverse group of people to survey or more people using the

13 See the appendices for the desk study guide sheet.

14 See the appendices for the user survey questions.

green spaces, as many adults (parents) tend to take a break when their children are on holiday, to spend time with them (my unverified observations).

Additionally, the cold season which starts in mid-May and ends in early or mid-August would have ended. Therefore, I was more likely to find a larger group of people using the greenspaces in the months of August and December in Nairobi, which range from slightly hot to hot. August and December were also suitable months because the erratic rains around March and April as well as October and November would have ended. January and February were not suitable because it is the beginning of the school year and most people get very busy trying to prepare to get their kids back to school.

Planning/Policy Document Review¹⁵

Based on guidance from the rapid site assessment, I looked for and identified the various legal policies and frameworks that guide the management, development, planning and use of the urban green spaces. By this time, I had decided which green space case study sites I would analyse and the research question or thematic area of focus. The responsible authorities for the green space sites I had selected were KFS, KWS, NMK and NCC. I therefore visited the websites for the four organisations and downloaded the legislations and policies, guide books, management plans, annual plans, strategic plans and management agreements and where applicable, guidelines for community participation, all for review. When reviewing them, I concentrated on looking at the provisions for interventions by non-state actors or public participation, by searching key terms such as citizen involvement, engagement, inclusion and community.

Table 8: Documents Collected for Planning and Policy Review and Information Sought

| Document | Information Sought |
|---|--|
| Management Plans | Background Information, Proposed and Past Conservation/ Management Programmes, Actors and Stakeholders, Evaluation of Implemented Programmes, Challenges and Opportunities, Strengths and Weaknesses |
| Annual Reports Including Financial Reports | Income and Expenditure, Grants and Donations |
| Laws and Policies | Provision and Framework for Community Participation; Rules and Regulations; Penalties for Offenders |
| Comprehensive Land Use Master Plans and Transport Master Plans for The City | History of creation of the greenspaces, Location and Distribution of Greenspaces, Green Space Planning Framework, Transport Plans in Relation to Location of Greenspaces |
| Partnership Management Agreement | Responsibilities and Mandates of the Partners, Rules and Regulations |
| Strategic Plans | Proposed plans and budgets |

¹⁵ See appendices for structure outline of information sought from the documents

| | |
|--------------------------|--|
| Guide Books | Natural History, Social Political History, Challenges, Opportunities |
| Members Meetings Minutes | Current events or arising issues; past recurring issues; members' resolutions or proposed action plans, updates, |
| Press release | Current issues, updates; announcement of new events |

Source 26: Compiled by Author

Participant Observation¹⁶

Participant observation formed a core part of my research and gathered me large amounts of data than I would have ever thought was possible in a research. Most of the participant observation was done by attending meetings, events and functions, related to the conservation and management of the urban protected areas, organized mostly by the non-state actors or occasionally, the state actors. During the meetings, I acted as a participant observer, following the proceedings, taking notes or recording the event on my camera where possible. Below is a table summarizing all the meetings, functions and events that I attended as a participant observer and the type of information sought or collected.

Table 9: Events, Functions and Meetings Attended as a Participant Observer.¹⁷

| Event/Function/Meeting | Type of Event/Function |
|---|---|
| KARURA | |
| Annual General Meeting (AGM) of the Friends of Karura Forest CFA | Formal |
| Architectural design competition award for the building of a World Class Recreation Centre in Karura by FKF-CFA | Formal |
| Ceremony for the signing of the Joint Forest Management Agreement between KFS and FKF-CFA | Formal and Official (i.e. the government representatives were in attendance). |
| Rhinothon kids cycling charity event | Informal-Social & Charity |
| Biz Baz African crafts and trade fair event | Informal - Social & Trade Exhibition |
| Memorial for the late Professor Wangari Maathai | Formal/ Official |
| CITY PARK | |
| Meetings at Kenya forest working group where city park was being discussed | Formal and official |
| Meetings at IFRA where city park was being presented by chairperson of FoCP | Formal and Academic event |
| Meeting at City Park Forest organised by the African Youth Initiative for Climate Change | Informal |

¹⁶ See appendices for structure/ outline of field notes taken for participant observations

¹⁷ Information sought for all the categories included discourses, actors, power relationships, structures.

| | |
|---|---------------------|
| Morning bird walks and nature talks | Informal |
| Court Hearing by National Land Commission (NLC) on grabbed portions of City Park Forestland | Formal and official |
| NAIROBI NATIONAL PARK | |
| FoNNAP monthly meetings | Informal |
| FoNNAP bird walks | Informal |
| Meeting organised by KWS for community participation | Formal and official |
| Excursion to Eselenkei Conservancy for the local Maasai land owners of kitengela | Formal |

Source 27: Compiled by Author

Interviews¹⁸

Various interviews, both formal and informal, semi-structured and unstructured were held with a wide array of people. The interviews were with key informants, that is, government officers working in the state agencies with authority over the green spaces, senior and support staff of the non-state actors' organisations, grass roots leaders and local communities.

Karura Forest Interviews

For the Karura case study, I first got a chance to formally and informally interview four state agency officers charged with the authority of Karura Forest Reserve and other forests managed by Kenya forest services in the Nairobi area. I used semi structured, open ended questions for the formal interviews and unstructured questions for the informal interviews. Most of the informal interviews were held when I bumped into the officials at some of the meetings I attended as a participant observer. At a later period, I got to interview some of the senior management team or executive board members of the Friends of Karura Forest Community Forest Association. In addition to the seniors, I got to interview the support staff including the forest scouts and administrative staff, who acted as valuable key informants on certain issues related to the green space. I had done some user surveys and interacted informally with the users of the green spaces as a participant observer, therefore, I did not see the need to formally interview the recreational users.

However, I informally interviewed people attending large organised social events at the greenspace, for instance the Rhinthon kids cycling competition which doubled up as a charity event, and the Biz Baz Trade Fair and Exhibition. The main resident community in the area that I decided to interview were the slum residents, from a small pocket of slums adjacent to the forest. I was curious as to why they don't use the green space for recreation, despite living at the edge of the forest. I only used to see some of the slum women occasionally collecting firewood. I had also learnt from the website of the Friends of Karura Community Forest Association, that the slum residents in the area are allowed to collect firewood three times a week, are involved in income generating activities like bee keeping and benefit from casual employment

18 See appendix for the various semi-structured interviews targeted for different respondents.

in the forest. I therefore wanted to find out the validity of these claims, as well as find out why the slum residents did not appear to use the forest for recreation, yet they live very next to the forest.

Since the slum residents were had to actually find in the forest itself, I decided to visit them in their slum adjacent to the forest. One of the forest scouts who is a resident in the slum village, introduced me to her neighbours and friends in the slum, whom I interviewed. From there, these women introduced me randomly to their neighbours and friends in the slum, as well as to their leader, that is, the chairperson of the Mji wa Huruma women's group. I then interviewed her individually and seven other members of the slum based CBO where she is a leader. The interviews were conducted individually with at least nine of the women. I also held three mini focus group discussions, with different combinations of the slum women. One of the mini focus groups was with women who were not members of the slum based CBO while the other mini focus groups were CBO members. Later, during an event to honour the late Prof. Wangari Maathai in freedom corner (a small section of the forest dedicated in her memory), I got to informally interview some of the KFS staff and one of the slum residents who was in attendance.

City Park Forest Interviews

For City Park, I held semi-structured interviews with the Friends of City Park members and support staff/interns. I also attended some of their events and functions of the Friends of City Park, like the morning bird walks and their public presentations at seminars and forums where I got a chance to informally interview other members of the FoCP who could not be reached in normal circumstances. Unfortunately, I did not get a chance to interview many of the county government officials, apart from the parks superintendent and security chief. Most of them were unavailable or busy. Finally, I attended one event in City Park that was not organised by Friends of City Park, but by a group affiliated with them, known as the African Youth for Climate Change Initiative together with eco-plan consultants. The event was aimed at raising awareness on the importance of City Park, and gathering support for its rehabilitation by the Aga Khan Trust for Culture. Eco plan consultants had done the environmental impact assessment on behalf of Aga Khan Trust for Culture. Therefore, during the event, I got to informally interview some of the organisers and speakers, that is the staff members of Eco-Plan consultants and African Youth for Climate Change Initiative.

Nairobi National Park Interviews

Although not as much as Karura Forest nor as little as interviews conducted for City Park Forest case, I got to interview a substantial number of people involved with the management and conservation of Nairobi National Park. They included the four officials of the Kenya Wildlife Services, three members of FoNNaP, three officials of The Wildlife Foundation and three local area chiefs. In addition to the key informants, I got to interview approximately fifteen community members, where I focused on land owners and household heads. Nine of the interviews with the community were semi structured while the other 6 were more or less open ended, though with some guiding questions. Among the key informants, only one TWF officer and all the three local grassroots area chiefs were interviewed using semi-

structured questions. The rest of the key informants including the KWS officers were informally interviewed. Some of the KWS officers were very evasive to be interviewed, and I only got a chance to informally interview them during functions and events which they had organised or conferences organised by others where they were in attendance.

Monitoring Social Media Discussions

Data Analysis Method

The analysis of the evidence collected relied primarily on the theoretical propositions that led to the case study and focused on developing a description of the case studies. As mentioned earlier, the theoretical framework for this study is urban political ecology, thus all the discussions, data and findings are mounted on this framework. I tried as much as possible to select a data analysis method which I believed would be holistic in analysing the discourses, power relations, structures and norms from all the data collected in form of text, picture, voice and video,

Critical Discourse Analysis

In order to draw out information related to the themes of my research, I used a critical discourse analysis approach, which according to (Van Dijk 1995) is, *'a special approach in discourse analysis which focuses on the discursive conditions, components and consequences of power abuse by dominant elite groups and institutions'*. In other words, it is, *'an approach to the study of text and talk, emerging from... a socio-politically conscious and oppositional way of investigating language, discourse and communication'*. Writing on its characteristics, (Van Dijk 1995) noted, *'CDA studies group relations of power, dominance and inequality and the ways in which these are reproduced or resisted by social group members through text and talk'*. All the various dimensions to discourse (verbal, non-verbal and semiotic) are the focus of attention of CDA. The verbal attributes include grammar, style, rhetoric, schematic organization, speech acts, pragmatic strategies and those of interaction while the semiotic and non-verbal properties include pictures, film, sound, music, gestures, and body language, among others.

CDA focuses *'beyond the usual methodological criteria of observation, description and explanation, thereby uncovering, revealing and disclosing what is implicit, hidden or otherwise not immediately obvious in relations of discursively enacted dominance or their underlying ideologies.'* Further emphasizing this point (Van Dijk 1995) notes, *'much work in CDA deals with the discursively enacted or legitimized structures and strategies of dominance and resistance in social relationships of social class, sex, ethnicity, race, sexual orientation, language, religious beliefs, age, nationality or world region'*. In other words, CDA studies *'the underlying ideologies that play a role in the reproduction of, or resistance against dominance or inequality'*.

According to (Van Dijk 1995) patterns of control may extend to the more detailed structures of text and context including setting the agenda for appointments, decision making about time and location, participants invited to an event and the nature of the roles of participants, among others. Discursive control may apply to all levels and dimensions of text and talk such as language variants, genres, topics, grammar, lexical style, rhetorical figures, overall organisation, local and global coherence, speech acts, turn taking, politeness forms etc. Power holders may oblige

participants to use a specific language variant, to answer questions, provide information and to use a polite style. (Van Dijk 1995) further observes that power may be abused during institutional communicative events to censor, intimidate or limit freedom of less powerful participants. He notes that subtle strategies of such forms of discursive dominance can be pinpointed by detailed contextual and textual analysis.

Critical Discourse Analysis in this study was implemented by subjecting conversations, texts, videos and pictures. I used critical discourse analyses for the following sets of data: (1) strategy documents such as management plans, management agreements, strategic plans; (2) the annual reports and minutes; (3) past, existing and proposed policies and legislations; (4) deciphered texts from voice records of speakers at official or formal functions, events and meetings (5) deciphered texts from informal interviews with participants at informal events and functions such as sports functions and wedding events (7) deciphered texts from voice records of interviews with key informants and/or resource persons; (8) discourses of government politicians, officials, national and international non-governmental organisations, corporate partners and sponsors, property owners, resident neighbours; social media participants and activists. A framework for data analysis using CDA was developed as shown in Table below. While analysing the texts, videos and conversations, I looked at a range of issues, varying from topics being discussed, choice of words, emphasis on some topics/agendas, speaker, position of speaker in society, participants, venue to recipients, their knowledge, attitudes, past and present experiences.

Table 10: Framework for Data analysis using CDA (using e.g. of Karura Forest Case Study)

| Type of Analysis | Level of Analysis | Example | Interviewee/ Speaker | Recipient |
|------------------|------------------------|---|--|---|
| Textual analysis | Linguistic analysis | Choice of words | Senior public officer or Politician | Community members; officials of state agencies; |
| | Inter-textual analysis | Frequency of use of some words; Generalisations/ stereotypes; Narratives from personal experience; previous knowledge, attitudes and ideologies | 'our' and 'Servants' when referring to forest scout staff from the neighbouring Huruma slums | Researcher (interviewer) |
| Social analysis | Content | Event | Award ceremony for the architectural design competition for a cafeteria and resource centre in | Competition design entrants; deciding jury members; senior committee members of |
| | | | | Community members; General Public; |

| | | | | |
|--|------------------|---|--|--|
| | | Karura forest: | Karura community forest association and friends of Karura forest | officials of state agencies; |
| Location/venue analysis | Local (internal) | Muthaiga country club; | Board members of Friends of Karura Forest-Community Forest association | Residents from Muthaiga and Ronda |
| Topics discussed/agenda/emphasised/ignored | Local (internal) | Building of the cafeteria/resource centre in the forest; rising cases of insecurity in the forest due to visitors | Chairman and Vice chairman of the KCFA and FKF | Muthaiga residents scouts from the Huruma village |

Source 28: Compiled by Author

CDA sees elites as having control over, or more or less, preferential access to the most influential and important genre of discourse in society. Such access is defined in terms of their (powerful) social or institutional position or function, control over or access to specific forms of institution or public discourse to sustain and reproduce their power in specific communicative situations. CDA focuses on the abuse of power, looks at the (morally or legally) illegitimate forms of control or access (Van Dijk 1995).

(Van Dijk 1995) observes that patterns of discourse control and access are closely associated with social power. Thus, elites (politicians, journalists, scholars, corporate managers and senior public servants, among others) have active access and control over a vast array of informal as well as public and institutional discourse genres, as opposed to ordinary people, who only have access and control inform of everyday conversations with family members, colleagues and friends. Access and control over discourses is defined in terms of the powerful social or institutional position or function, control over or access to specific forms of institutional or public discourse to sustain or reproduce power in specific communicative situations.

Writing on mind control, (Van Dijk 1995) observed that discourse is not limited to verbal action, but also involves meaning, interpretation and understanding. People's minds are affected by preferential access to public discourse or control over its properties. In other words, powerful social actors are highly likely to control the minds of recipients. Reception is a function of properties of text as well as context, especially previous knowledge, attitudes or ideologies of recipients. News reports, political propaganda, advertising, religious sermons, corporate directive or scholarly articles somehow influence the minds of readers and hearers, conveying knowledge opinions, and changing attitudes. Powerful speakers may control at-least some parts of the minds of the recipients. The ways in which such influence and control of the mind is socially or morally illegitimate is the focus of CDA, e.g. when powerful self-

serving speakers influence and control the minds of others in a way that serves the interest of the powerful. Structure that preferentially affects the structure and content of mental models as well as the more general and abstract forms of knowledge, beliefs, opinions, attitudes or ideologies that are shared by groups or recipients, may be postulated at all levels of text and talk.

Examples of morally illegitimate forms of discursive mind control by the powerful include emphasizing specific topics at the expense of others, preventing others to address other topics, strategic generalizations in discourse, expressive styles such as figures of speech and metaphors, narratives in form of personal experience evidence. The vast array of different discourse structures not only function to strategically enact, express, signal, disguise, emphasize or legitimate social position and hence power of speakers, but also to control the minds of recipients in desired ways. CDA has the task to examine the textual and mental structures and strategies involved when such control is in the interest of the powerful and against the interests of the less powerful. Structures and strategies of elite discourse, their cognitive and social conditions and consequences, as well as discourses of resistance against such domination' are the focus of CDA. A critical and oppositional stance against the powerful and the elites, especially those who abuse power, emerges from the attempts to uncover the discursive means of mental control and social influence.

ETHICAL CONSIDERATIONS

Apart from being passionate about the topic, this research was chosen because I believe it will make a positive contribution to society. In order to implement this, I have already disseminated some of the findings in several conferences and one peer reviewed journal. In the near future, I hope to do more by much looking for opportunities to discuss the findings of the research with the relevant and affected stakeholders, especially those in authority, in order to make a positive contribution towards the welfare of the people in this research and others in similar situations.

During interviews for this research, some participants requested to be anonymous. Most of them wanted to give information on their experiences and observations on the issues being investigated, but some of them were concerned that they would get into trouble with the authorities if they talked or if their identities got leaked. This concerns were taken into consideration by as much as possible, ensuring the privacy of the concerned interviewees when writing the thesis. This was achieved by making their identities anonymous, for example using fake names, or first names and no surnames. Moreover, total privacy was to participants who specifically requested to remain anonymous.

Care was taken to protect the rights and dignity of concerned parties. All interviews were carried out only after full details about the objectives and expected outcomes of the research had been given to the participants. No promises were given to solve social problems encountered by participants in the field. However, general advice, to the best of my knowledge, was given in answer to some of the questions they raised. Answering some of their questions on their day to day problems could not be avoided because most of the participants being interviewed consisted of the marginal, vulnerable and disenfranchised groups who have very limited knowledge

or information on their rights or where they can get help regarding some issues. Finally, only willing participants who were approached were interviewed. No coercion was used to convince anyone to be interviewed.

SUMMARY AND CONCLUSION OF CHAPTER

This chapter presented the methodological framework that was used to investigate the production, construction and consumption of urban green spaces in Nairobi. The methodology focused on investigating the historical and contemporary structuring forces and actors that shape the use and access of socially valued nature reserves in the city. The main objectives of the methodology were to: (1) review the historical, social and political context in which the urban nature reserves in Nairobi were created and (2) evaluate the current interventions by non-state actors, through various forms of public participation, in the management and conservation of urban protected areas. Here, specific strategies that could focus on investigating the notion of equality and inclusiveness, believed to be enhanced through citizen participation in their management and conservation were identified.

A multiple case study research design was used to investigate the various interventions by civil society actors in the management and conservation of various greenspaces in the city under different governance contexts. The aim was to get the best approach for investigating understand the social outcomes of public participation on social-spatial justice under formal or informal working arrangements with state agencies. The case studies were embedded on a modified version of (Calderon, 2013) point of reference for selecting public spaces, constructed for his study on 'Social Processes in the Production of Public Spaces', in order to do a comparative analysis of the empirical evidence from the three sites, in relation to the structuring forces and actors.

The study used a qualitative approach with multiple strategies of inquiry. These included grounded theory, ethnography, case studies of interventions within the case studies and phenomenological research. Both primary and secondary sources of data collection were gathered, that is, observation, rapid site assessments, desk studies, user surveys, review of planning/policy documents, document review, interviews, monitoring social /electronic media discussions and participant observation. The data was analysed using critical discourse analysis approach. Ethical considerations which were identified and addressed are lastly presented.

INTRODUCTION

This chapter was about the physical, social and economic background and characteristics of Nairobi. Use, management and access of urban greenspaces in cities takes place within the nexus of environment, economy and society. Correspondingly, the three fundamental priorities of planners as they manage cities and provide services are to enhance environmental protection, promote economic development and ensure social justice or equity. The main objective of the study was to investigate the historical and contemporary social, economic and political processes (structuring forces and actors) that have (re) produced and (re) constructed spatial injustice in the consumption (use and access) of socially valued natural urban green space resources. In order to address this objective and answer the research questions of the study, it was therefore considered important to understand the full context under which the urban greenspaces in the Nairobi have been produced, constructed and consumed (or allocated, managed and used). Nairobi is an important global, regional, national and local economic centre. Because of its facilities and strategic position in the country and the East-African region, economic and political stability, most international organisations, diplomatic embassies as well as the multinational finance, banking and commerce corporations are situated in Nairobi. The city is a major transport hub connecting eastern, central and southern African countries through road, rail and air transport networks. 45% of national GDP of Kenya is produced in Nairobi where 43% of the countries workers are employed. Nairobi was chosen as the case study city because it is the capital and the largest city in Kenya. It is a regional metropolis of East Africa and an all-important hub in Africa. Consequently, it typically represents urban space in most of Africa's capital cities. This is evident in its trends and patterns of contemporary urbanization, characterised by rapid urban growth rates. Stereotypically, Nairobi represent other cities in Africa, which were created by British colonialists. Just like the majority of other former colonial capital cities, Nairobi was a racially segregated urban space. Such a segregationist and exclusion ally history has had and continues to have an effect on currently urban dynamics, (Njoh 2008) including the reproduction and reconstruction of social-spatially unjust urban greenspaces, the subject of investiagtion for this study.

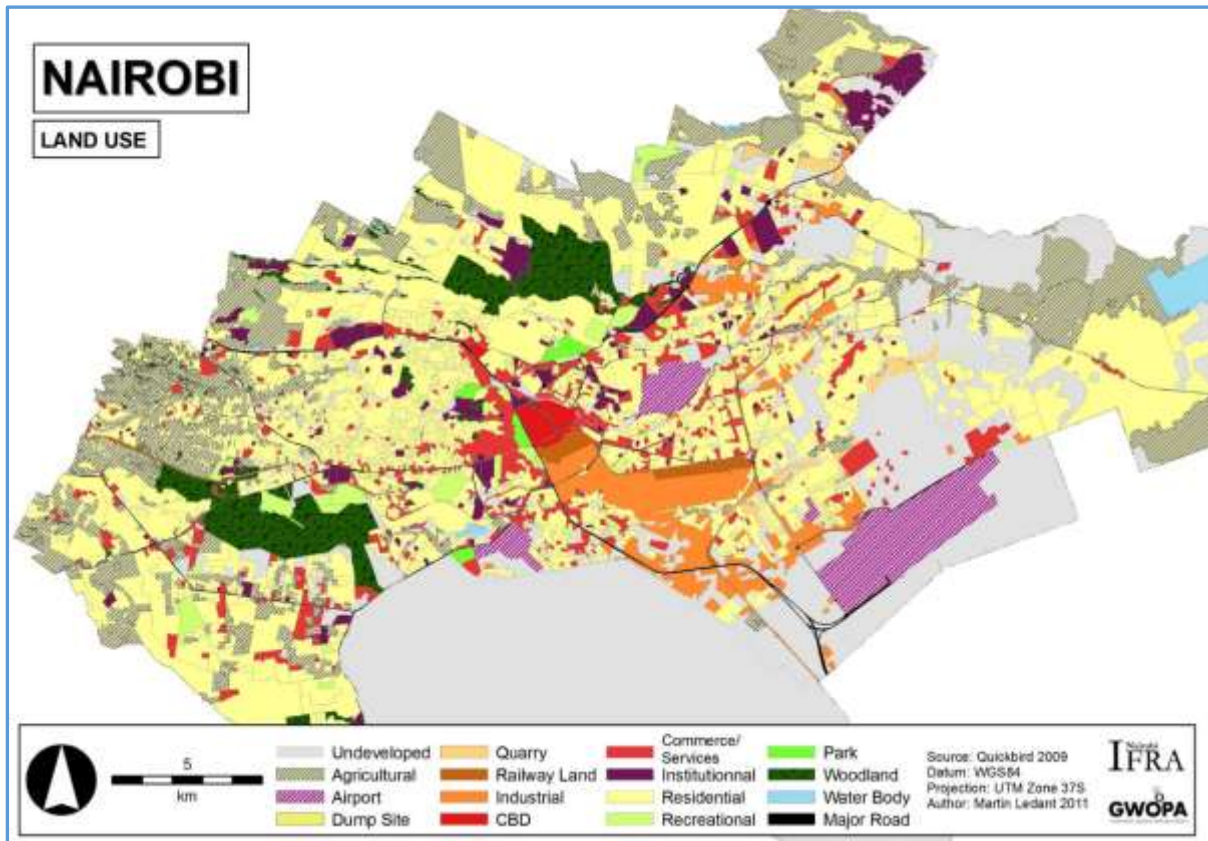
GEOGRAPHICAL BACKGROUND AND CONTEXT OF NAIROBI

Location and Area

Nairobi is the capital city of Kenya, located in central part of Kenya. It lies in the southern parts of Kenya's agricultural heartland at 1° 19' degrees or 140 kilometres south of the equator. It is located 480 kilometres from the Indian ocean at around latitude 1°17' South and longitude 36° 48' east of the meridian. The altitude of Nairobi varies between 1,500 Metres Above Sea Level (MASL) in the East and 1,900 MASL in the west. Athi River at the eastern boundary has the lowest elevation while the western part of the city has the highest elevation. The climate is generally a temperate tropical climate, dry and hot day time hours, with cool evening and

mornings which become distinctly cold most of the day time during the months of May to August. Nairobi's tropical climate is exhibited as a modified equatorial highland climate, with temperatures and rainfall influenced by altitude. (Ledant, M; French Research Institute in Africa (IFRA) 2011)

Figure 19: Nairobi



Source 29: (Ledant, M and French Research Institute In Africa 2011)

The mean maximum daily temperature is 28°C to 22°C and the mean minimum temperature ranges from 14°C to 12°C. The mean annual temperature is 19°C. While the annual rainfall varies from 800metres in the east to over 1,000 metres in the west. The first peak of monthly rainfall occurs in April and the second peak takes place in November (Makokha and Shisanya 2010). Insert graph of rainfall and temperature in Nairobi city here based on the data from the Kenya meteorological department

Natural Heritage and Attractions

The name Nairobi is a derivative of the *Maasai* phrase 'Enkare Nairobi', which is one of the numerous rivulets that traverse the *Embakasi* plain and *Kikuyu* highlands where Nairobi sits. The significance that the indigenous inhabitants placed on Nairobi's natural ecological attributes is highlighted by the name of the city, derived from the critical element of the natural water system. The name of the city reminds one of the pristine wetlands and natural ecologies that once characterized this elevated watershed.

Geology and Physiographic Divisions of Nairobi

Nairobi has a diverse physical environment, which can be divided into two main physiographic regions, that is, the Highland regions in the north- north-western parts and the Athi-Kapiti Savannah plains in the south- and south eastern regions. The savannah regions of Nairobi include the Athi River Basin to the east and south east and the Kajiado Plains to the South and south west. The Kajiado plains are mainly open, rolling lands. They drain towards the Athi River basin in the east. Geologically, they derive from volcanic activity but there is a band of tertiary sediments running south-west to north-east across the centre of the plains. The soils are mostly deep black Vertisols. The Athi River Basin has a combination of landscapes which include flat savannah plains bounded by bluffs with waterfalls and entrenched streams below them e.g. the Nairobi falls on the Nairobi River and the Mokoyeti gorge in the Nairobi game park. A few inselbergs rise to emerge above the plain. This include Komarock in eastern parts of the city.

The highland regions, found in the northern and western parts of Nairobi include the kikuyu dissected slope, which rises in response to the uplift shoulder of the rift valley and the super imposition of more recent volcanic activity. Specifically, the kikuyu dissected slope is in the north, North West and the West while the kikuyu un-dissected upland is in the south west. Due to high rainfall and an even slope, the upper kikuyu highland region has a large number of parallel consequent streams flowing in the south east direction. There are deep, narrow and steep sided valleys which are separated by flat topped ridges. Portions of some of the valleys appear to be re-excavations of old valleys. The slope diminished and streams join together at an altitude of about 5,500 feet. The lower highland region, the kikuyu un-dissected slope, found to the west and south western parts of Nairobi is mostly an open country of grassland with low hills and ridges. Some of the ridges and hills are the result of faulting parallel to the rift valley. The slope borders the rift valley in an area where the parallel streams have not cut back. In the northern part of this region, the land rises towards the Kinangop plateau and the Aberdare's, where there is a steady increase in altitude at 6,400 feet in Ngong to 7,800 feet at Lari in kiambu

Vegetation

Montane forest

Several remnants of the Montane forest can be found in the highland regions of Nairobi (Kikuyu escarpment) currently the western regions of the Nairobi Area. The most indigenous forest which survive in the Nairobi area are found at Kiambu, Karura, Langata and Dagoretti. These include Karura, Ngong Road, City Park, Arboretum and Ololua forests. These forest blocks are dominated by the hard leaved 'sclerophyll evergreen trees'. The dominant tree species is the *juniperus procera* or pencil cedar. The wetter 'cedar' forest has *podocarpus* and while at lower altitudes, the 'dry cedar forests' occur. These have species like *olea Africana* or African olive tree, *teclea simplicifolia*, *euclea divinatorum subsp. Keniensis* which merges into ever green bush land. The Nairobi region has the dry semi-deciduous forest type, dominated by *croton megalocarpus* and *brachylaena hutchinsii* with *caodendrum capense* (ape chestnut), *teclea spp.*, *strychnos henningsii* and *diosprous abyssinica*.

Evergreen Bush Land

Bushlands refer to mantles of small trees of bushy habitat, branching or forking from the base, together with lesser bushes and shrubs. The most extensive bush lands are the deciduous and often thorny. The surviving evergreen bush lands consist of short *olea African*, *acokanthee schimperi* and *euclea divinorum subsp. Keniensis* among others. However, most bushlands have been replaced by deciduous bushland of *tarchonanthus camporatus* or by acacia and *tarchonanthus* savannah. Very little of the evergreen bush land of the Nairobi area remains. Most of it remains as scattered patches, mostly in the lower escarpment area, with the large cactus shaped *euphorbia candelabrum* particularly noticeable in this areas.

Savannah Grasslands

This are open mixture of trees and shrubs standing in tall dense perennial grass. The trees and grass do not form a canopy above it. In the classification by J.P. Greenway, the savannah vegetation is referred to as wooded grass land or woodland. The *combretum savanna* is characterised by broad leaved *combretum* species which give it an orchard appearance. The species includes *C. Zeyheri*, *c.molle* and *c.binderianum*. *terminallia* species are often associated and *t. brownie* is characteristic in this area. Grasses include *hyparrhenia spp.* And *themeda triandra* which is often locally dominant. Most of the original acacia savannas are found on the floodplain and riverine alluvium, black clay plains and seasonally water logged soils. The main acacia savannah types of the Nairobi area include the *acacia seyal* and *a.drepanolobium* (whistling thorn trees). They occupy large parts of the athi-kapiti plains including the Nairobi National Park. Other main vegetation types found in the Nairobi area, especially to the lowlands in the eastern and western parts of the city (Athi-Kapiti Plains) include the grasslands and mixed acacia bush lands,

Fauna

Mammals, Birds and Reptiles of Athi-Kapiti Ecosystem in Nairobi

Due to the open grasslands nature of these plains, a large number of grass eating herbivores are to be found here. These includes the wildebeest, the zebra, coke's harte beeste or kongoni and the grants gazelle, the eland, various small and big antelopes, waterbuck, bohor reedbuck, hippos, buffaloes, giraffes, rhinos, warthogs. Small herbivores include gerbil, grass rats and hares. The herbivores in turn attract a variety of large predators like the lion, leopard and cheetah. Though reduced to small numbers now, hunting dogs, can also be found. Other smaller carnivores to be found include the serval cat, the civet and the genet, the bat eared fox, the aardwolf, aardvark, mongooses. Scavengers include the black backed jackals and the spotted hyenas can also be found. Scavenging birds include the white backed vulture, the tawny eagle and the steppes eagle. Primates like the baboon and the Vervet monkey can be found in the wooded parts of the plains. The reptiles include crocodiles and snakes while the birds include the ostrich, The Auger Buzzard, The African Marsh Owl, Black Headed Heron, Marabou Stork, Adams Stork and European Black Kite.

Mammals, Birds and Reptiles of the Montane forests in Nairobi

The animals that can be found in the montane forests around Nairobi are mostly the small herbivores like Bushbuck, Common Duiker, Suni, Red (or Harveys) Duiker.

Apart from the largest green space, the Nairobi National Park which is located in the savanna region of Nairobi or Athi-Kapiti plains, all the other natural greenspaces in Nairobi are found within the Highland regions or Kikuyu Escarpment. These include the montane forests in the higher dissected slopes like Karura forest in the north-west, the Arboretum woods and City Park Forest in the central west and central respectively, Ololua Forest and Ngong Road Forests in the south-east and south-west respectively. All the natural green spaces in the city are gazetted as protected areas. The city is famously known as the 'green city in the sun', because of the presence of these valuable green areas within the city.

Unfortunately, all the natural urban greenspaces in Nairobi mentioned above were only reserved only in the European residential areas by the colonial government that created them. These areas are currently inhabited by upper middle class citizens, many of whom are still European. The green spaces served the recreational and natural resource user needs of the European settlers. Karura forest for instance provided wood fuel and construction material for the white settlers in the city while Nairobi National Park which was lower ground in the savanna plains, was reserved as a hunting sports ground for European recreation. The table below summarizes the detailed characteristics of the various green spaces found in Nairobi.

Table 11: Characteristics of Natural Urban Greenspaces in Nairobi

| Name of Greenspace | Managing Authority | Area (Ha) | Plants | Animals |
|--|--------------------------------|----------------------|---|---|
| Nairobi National Park (Established 1946) | Kenya Wildlife Service | 117 Square Kilometre | <i>Olea Africana, Croton Dichogamus, Calodendrum, Themedea, Cyprus, Digitaria, Cynodon, Acacia Xanthophloea, Euphobia Candelabrum, Apodytes Dimidiata, Canthium Schimperanum, Elaeodendron Buchananii, Newtonia Sp, Ficus Eriocarpa, Aspilia Mossambicensis, Thus Natalensis, Euphobia Brevitorta, Drimia Calcarata, Murdannia Clarkeana and Crassula Sp.</i> | Giraffes, Lions, Gazelles, Buffaloes, Hartebeests, Wild Pigs, Wildebeest, Warthogs, Crocodiles, Hippos, Over 400 Species of Birds |
| Karura Forest (Gazeted 1932) | Kenya Forest Services | 1063.0 | <i>Olea Europeae Var. Africana, Croton Megalocarpus, Warburgia Ugandansis, Brachyleana Huillensis and Uvaridendron Anisatum</i> | Monkeys, Bush Baby, Bush Bucks Bush Pigs, Porcupines, Duikers, Genets, Dikdik, Epauletted Bat, |
| Ngong Forest | Kenya Forest Service and Kenya | 638.4 | <i>Eucalyptus, Pine, Cyprus, Croton and Cordia Species</i> | Over 120 Species of Birds, Over 35 Mammals such as |

| | | | | |
|-----------------------|---|-------|--|--|
| | Wildlife Service | | | Leopards, Monkeys, Reptiles, Insects, and Amphibians |
| Ololua Forest | Nairobi City Council and The National Museum of Kenya | 667.0 | <i>Olea Africana, Eleodendron Buchananii, Akokanthera Schimperii, Brancylaena Species, Croton Megalocarpus, Carisa Edual and Rhus Natalensis. Others Include Aloe, Acaca Species</i> | Olive Baboons, Monkeys, Yellow Baboons, Porcupines, Bush Baby, Bush Bucks, Bush Pig, Dik dik, Epauletted Bat, Duikers, African Civet, And Genets, Grey Wagtail Eurasian Cuckoo, Willow Warbler |
| The Nairobi Arboretum | The Kenya Forest Service (Established 1907) | 25.0 | <i>Several Collections of Plant Species</i> | Chameleons, Skunks, Butterflies, Dragon Flies, Ants, Bees and Beetles, Ayres Hawk Eagle |
| Nairobi City Park | Nairobi City Council | 60 | <i>Olea Europeae Var. Africana, Croton Megalocarpus and Warburgla Ugandansis</i> | Hundreds of Bird Species, Butterflies and Baboons |

Source 31: KWS, 2006; JICA 2005

In addition to serving the recreational and natural resource user needs for the European settlers, the urban green spaces created during the colonial times served as physical barriers that separated the European residential areas from other races. According to (Blevin and Bouczo, 1997) buffer zones between the races mostly consisted of natural spaces, like rivers and hills. When one looks at the map of Nairobi, it is also easy to note that green open spaces (parks and forests) were also used to separate the residential zones. The most obvious is the Uhuru Park, which clearly marks a separation between the Nairobi City Centre (no man's land) and the European areas, in upper Nairobi, consisting of neighbourhoods like upper hill, Mlimani, Kilimani, Lavington, Muthaiga, Spring Valley, Peponi Gardens and Loresho among others.

Because of the system of spatial segregation on which the city was founded, the green spaces of Nairobi are to date, highly unevenly distributed (Owuor and Obudho, 1997). Moreover, the existing natural pristine areas in the city almost form a North-South green corridor, together with a series of other modified or manmade green spaces, that is public and private open spaces such as parks, sports clubs, golf clubs and gardens. These include public parks such as *Uhuru* gardens in the south of the city, *Uhuru* Park and Central Park in the Central City, and private greenspaces such as Railway Golf Club in the south-west of the CBD, UoN Sports grounds and a couple of other golf and sports clubs, which all serve the upper parts of Nairobi. Thus, the eastern fringe has very few, if any public and private green spaces.

SOCIAL-POLITICAL HISTORY OF NAIROBI

Pre-Colonial Nairobi

The name Nairobi is derived from a Maasai word, *Enkare Nyrobi*, meaning a place of cold waters. Because of its resources, the present Nairobi region was used by the Kikuyu and Maasai communities in the area to water and graze their livestock. As the two tribes exploited the natural resources in the region, they interacted in other ways, especially to trade grain, copper (jewellery), pottery and iron products. In the pre-mercantile period, Nairobi only existed as a place where a caravan route linking the East African interior to the Indian Ocean passed through, from the eastern side of Nairobi through the present-day Kariokor (Emig and Ismail,1980); (Anyamba 2004); (Owuor and Mbatia, Nairobi 2011).

The products being transported by the caravans were mostly ivory, beeswax and hides and skins, among other commodities. The exploitation of resources by various communities through time and space had led to local trade, initially involving small-scale exchanges within and among neighbouring interior settlements. Most of the region appears to have had no permanent settlements, although the nomadic Maasai built their *manyatta* (cow-dung huts) on the higher ground from time to time (Emig and Ismail,1980). Nairobi's pre-colonial urbanism was not in the Western pattern of towns, but as a location where the functions of a town, such as barter trade, were carried out, with few – if any – permanent structures. On the basis of economic and sociocultural functions performed spatially and temporally, there was pre-colonial urbanism in the region (Emig and Ismail,1980); (Anyamba 2004).

Colonial Nairobi

In order to access resources in the interior of Kenya and most of the East African region the British government decided to build a railway passing throughout the country from Mombasa in the coast to Lake Victoria in the western part of Kenya (Thornton, Silberman and Anderson 1948); (Hirst and Lamba 1994); (Obudho and Aduwo, 1992); (Obudho, 1997) (Jedwab, Kerby and Moradi 2013). Being the source of the Nile, the Lake Victoria was a vital asset for Britain during Europe's scramble for Africa. Nairobi was first established as a railway encampment, as its pre-urban nucleus. The engineers who built the railway line decided to camp at the site because it offered many topographical advantages. These included its location on the last stretch of level ground before the highlands, ample level land on the edge of the plans for tracks, sidings and other impediments of a railway, an elevated cooler area, suitable for the houses of senior officials. Additionally, the railway engineers considered the site suitable because according to them, the place was deserted, therefore there would be minimum friction in appropriating the land from the locals (Halliman and Morgan 1967): (Blevin and Bouczo, Nairobi: A Century of History 1997).

A Railway town (1906)

The construction of the railway started in 1896 in Mombasa and reached Nairobi in 1899. By the time the railway reached Nairobi in 1899, the government administration had been located at Ukamba province, in Machakos, about 40 miles from the railway camp. On the opening of the railway in August 1899, the

government administration decided to transfer their offices to the Nairobi site. By that time, the railway, which owned the land in the area, had started forming a railway town to suit their functions and staff. Having started as a railway camp, Nairobi's early urban form was early on, organised and founded according to the railway functions it was carrying out (Halliman and Morgan, 1967; Blevin, and Bouczo, 1997). This marked the beginning of Nairobi's growth into an administrative and transportation centre (Achola 2002); Morgan 1967; (Owuor and Mbatia, Nairobi 2011).

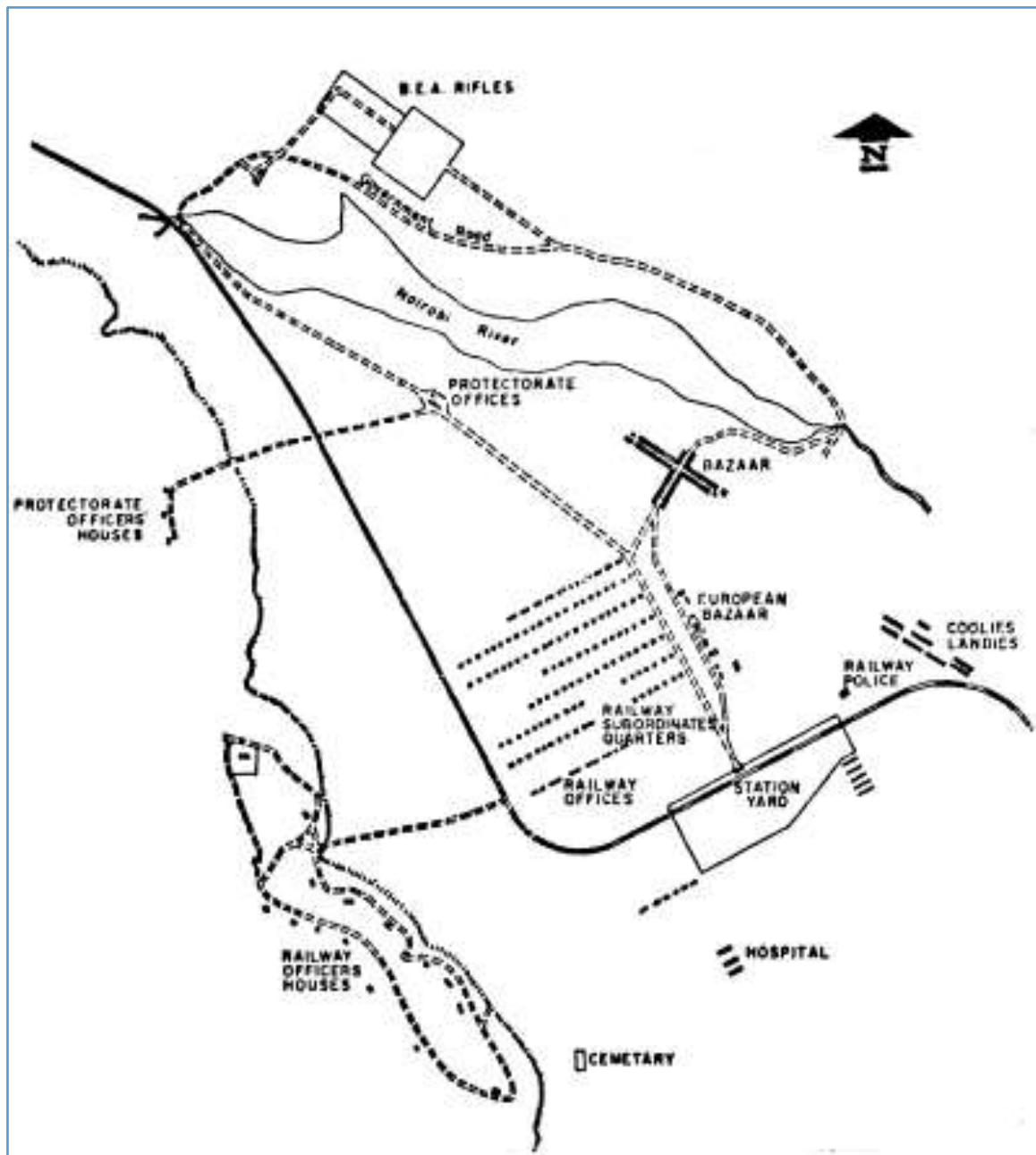
Afterwards, certain spatial patterns began to emerge – the railway station, a shopping centre, housing quarters and the Indian bazaar (Obudho and Owuor, *Urbanization and Regional Planning of Metropolitan Nairobi, Kenya* 1991); (Owuor and Mbatia, Nairobi 2011). This layout basically followed the 1898 Plan for a Railway Town and the 1899 Plan for Railway Staff Quarters (Nevanlinna 1996); (Owuor and Mbatia, Nairobi 2011). From the beginning, there was a will to separate the populations, Europeans, Africans and Asians. Europeans resided to the north and west of the railway. These areas were located at higher altitude with richer, volcanic red soils. Africans and Indians were mostly confined to the plains east and south of the railway line where non-porous black cotton soils prevail. These areas were unhealthy as a consequence of frequent flooding, high incidence of malaria and neglect of municipal services, such as refuse and sewage collection (Achola 2002). This resulted in a city organised as a social patchwork with very high territorial segregation (Rodriguez-Torres 1998). Nairobi became a railway town for Europeans with mixed European and Asian trading posts (Halliman and Morgan 1967); (Emig and Ismail, 1980); (Tiwari 1981); (Obudho, 1991); (K'Akumu and Olima, *The dynamics and implications of residential segregation in Nairobi* 2007).

This separation laid the foundation of the physical appearance of Nairobi as it still is today, and provided the basis for the segregation of the town's functions, as well as its segregation by class and race (Halliman and Morgan 1967); (Emig and Ismail, *Notes on the Urban Planning of Nairobi*. 1980); (Tiwari 1981) (Blevin and Bouczo, *Nairobi: A Century of History* 1997); (K'Akumu and Olima, *The dynamics and implications of residential segregation in Nairobi* 2007); (Owuor and Mbatia, Nairobi 2011). When the government headquarters moved to Nairobi, they decided to set up their offices. By 1906, the original KUR depot and camp had grown to an urban centre of 11 000 people with particular land-use zones, but no spatial planning (Halliman and Morgan 1967); (Emig and Ismail, 1980); (Hirst and Lamba 1994).

In 1906, the railway authorities' town plans were revised to incorporate the growing settler population. However, the plan had no consideration whatsoever for the Asian labourers and Africans. After the completion of the KUR and the influx of more non-African settlers, the city expanded rapidly, both in size and population (Odada and Otieno 1990); (Owuor and Mbatia, Nairobi 2011). By 1909, much of the internal structure of Nairobi, especially the road network in the central business district (CBD), was already established (Obudho and Owuor, *Urbanization and Regional Planning of Metropolitan Nairobi, Kenya* 1991); (Owuor and Mbatia, Nairobi 2011).

In 1919, a municipal council with corporate rights was appointed, thus making Nairobi a municipality (Lee-Smith 1989; (Owuor and Mbatia, Nairobi 2011).

Figure 21: Layout of Nairobi as A Railway Town in 1901



Source 32: (Halliman and Morgan 1967)

A Settler Capital (1927)

In these early years of Railway Authority domination, the growth of Nairobi had been controlled only by economic forces, with no coordination of development other than by the layout of a gridiron street pattern in the CBD (Owuor and Mbatia, Nairobi 2011). In an attempt to order the situation, a town-planning consultant was appointed in 1926 to make recommendations on zoning arrangements (Nairobi Urban Study Group 1973; (Owuor and Mbatia, Nairobi 2011). This resulted in the

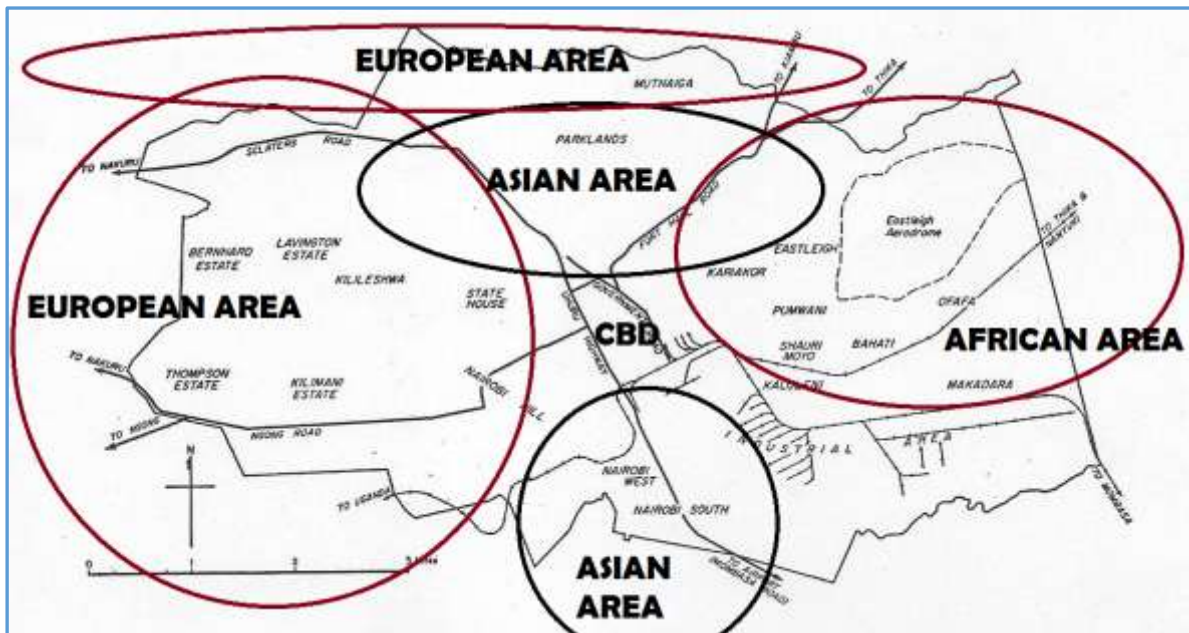
1927 Plan for a settler capital, drawn by F. Walton Jameson and planned by Eric Dutton. Like in other British colonial towns, the plan for a settler capital employed planning as an instrument to foster the colonial objective of racial segregation (A. J. Njoh 2008). During this time, the boundary of Nairobi was increased to cover 77 square kilometres.

Africans were not allowed into the city then, but in terms of location, the African area was designated areas at the outskirts of the city, on lower ground with poor black cotton clay soils. The Asians were located adjacent to the commercial areas, while the Europeans were located on higher ground with well drained soils and next to natural forests (Halliman and Morgan 1967); (K'Akumu and Olima, The dynamics and implications of residential segregation in Nairobi 2007). The colonial government instituted a strict segregation policy, targeting mainly the separation of the African population in the city from the Europeans and Asians (Lonsdale 2010) as can be seen in the excerpt below from the 1923 official gazette of the protectorate of Kenya, the sub-section 7 on segregation of townships,

"...following upon Professor Simpsons report, a policy of segregation was adopted in principle, and it was proposed by Lord Milner to retain this policy on sanitary and social grounds..."

....it is considered desirable, as in other native dependencies, to keep the residential quarters of natives, so far as may be practicable, separate from those of the immigrant races....it is important that when areas have been fixed for native residences, those areas should be regarded as definitely set aside for the use of the natives, and no encroachment thereon by non- African races should be permitted"

Figure 22 Residential and commercial layout of early Nairobi



Source 33: Modified by author from (Halliman and Morgan 1967)

The basis for residential segregation policies adopted was to protect the Europeans (Blevin and Bouczo, Nairobi: A Century of History 1997). Africans were seen as

vectors of the deadly malaria disease, a position which was supported by the British colonial medical officers, who bluntly advocated for segregation from the natives. It was then considered necessary to separate the European from the indigenous population to protect them from disease. Green belts measuring 440 yards were then established and used to separate the Europeans from the rest of the African and Asian population, in order to protect the health of the Europeans (Achola 2002); (A. J. Njoh 2008). Natural features such as rivers, hills and Nairobi city centre (CBD) were used as buffer zones to separate communities (Blevin and Bouczo, Nairobi: A Century of History 1997).

The planning legislations ensured that the Africans occupied the lowest social position. The best areas and amenities went to the whites, followed by the Asians and coloured's and then the Africans came last (Halliman and Morgan 1967); (Obudho, 1992) (K'Akumu and Olima 2007). The residential areas for Europeans consisted of a minimum of one acre of land per family. In the Asian zone, the density was required to be 20-26 persons per acre, while the areas designed for Africans had a density of 40 persons per acre. However, little was done to curb land speculation, and development proceeded in an uncontrolled manner. Then, in 1928, the powers and responsibilities of the Municipal Council of Nairobi were considerably extended by a new municipal ordinance (Halliman and Morgan 1967); (Owuor and Mbatia, Nairobi 2011).

A Colonial City (1950)

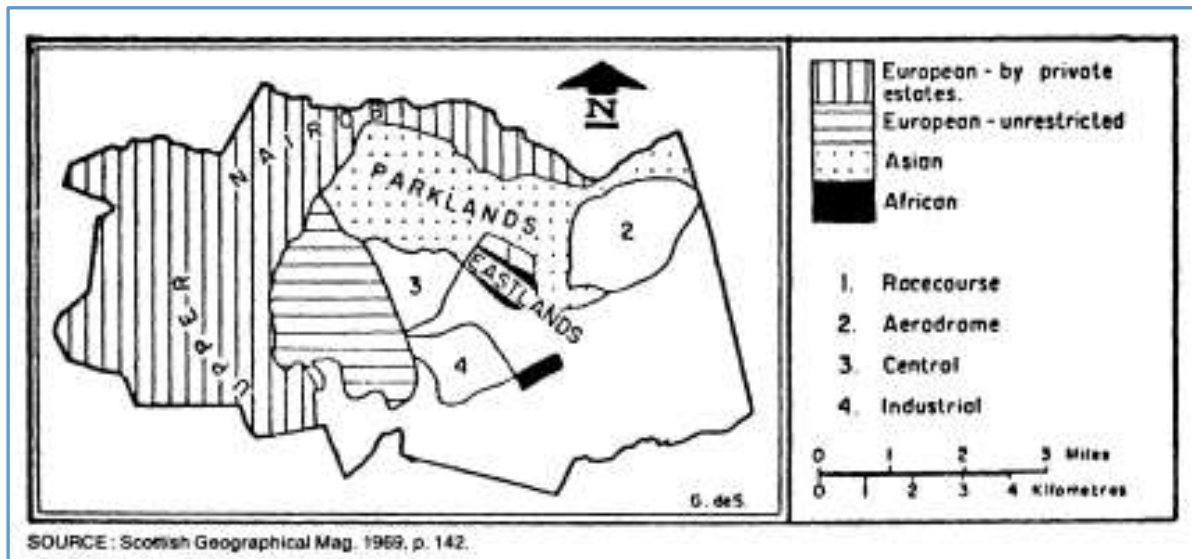
Before 1945, Nairobi only catered for well to do Europeans, Asians residents of all levels and a largely bachelor force of transient Africans who were all expected to have a real home upcountry (Huxley 1948). After the World War II, the colonial government started accepting and regularising Nairobi as a residential area also for the Africans. The Nairobi municipal council then launched a campaign to create housing for the Africans, clear the slums and rebuild African zones on modern lines and create new housing estates built around community centres consisting of small but attractive stone and tiled cottages instead of lined barracks (Huxley 1948). However, more was needed, and the authorities decided to call upon the technical expertise of a town planner from South Africa, as well as a sociologist and engineer. The three worked on the first formal official master plan for Nairobi, known as the 1948 master plan for a colonial capital.

Though not fully implemented, the first comprehensive plan of the city (the Nairobi Master Plan for a Colonial City) was released in 1948. The plan laid down guidelines for Nairobi's future development, earmarked land for major uses and made important proposals for extensions to the road network. Using the concept of functionalism, the plan created a modern national city to cater for industrial expansion and the growing numbers of African wage earners working in the industries. The plan also used the garden-city concept to divide residential areas into neighbourhood units (Owuor and Mbatia, Nairobi 2011). Like others before, this plan was responsible for the present layout of the built-up area of Nairobi. Infact, the plan institutionalised residential segregation based on race and social economic

status. The master plan justifies socio-economic segregation where it states in chapter xvi, page 49,

“the master plan must allow for a fair degree on economic class differentiation among the non-European population.”

Figure 23: Structure of Land Ownership in Colonial Nairobi



Source 34: (Kimani 1972)

In a bid to justify segregation based on race, the master plan in page 49 states,

“ethnic nucleation is common in all towns and cities, with a mixed population irrespective of what the government policy or the law do and say.... restrictions on horizontal mobility are asked for in the same spirit, as economic classes since the beginning of time have tried to protect themselves against vertical (interclass) mobility.in the old town of Mombasa, there’s a tendency for Arabs to concentrate into one area, and the Indians, another.... the master plan must take cognisance of the fact that segregation between the Europeans and Asians has been disowned as a matter of policy by His majesty’s government, and that none the less, many persons in Nairobi have expressed to the town planning team, their desire to see segregation made a reality. 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....”

In a nutshell, segregation was the preferred alternative, and the designers of the master plan tried to play around with words to state it, without saying it directly.

In March 1950, Nairobi became a city by the Royal Charter of Incorporation, but with inequalities, segregation and rapid-urbanisation problems, which have persisted to date. Some of the earliest documented urbanisation problems in Nairobi include inequalities (Kimani 1972); transport (Hake 1977) ; (Obudho, 1987); housing (Blevin and Bouczo, Nairobi: A Century of History 1997); (Owuor and Mbatia, Nairobi 2011), drainage and sanitation (Tiwari 1981); (Owuor and Mbatia, Nairobi 2011) water and sewerage (Nairobi City Council 1974; (Owuor and Mbatia, Nairobi 2011) overcrowding, poor sanitation and unhealthy living conditions (Achola 2002); (Owuor and Mbatia, Nairobi 2011).

Colonial Legacies: A Polarised and Fragmented City

Writing on Nairobi sometime after Kenya's independence from the British (Halliman and Morgan 1967) note, "to a resident, the different parts of the city are like separate regions...distinguished by the type of people who live there, how they live and what they do, as well as by the appearance of the area". The following sections highlight how some of the social-spatial inequalities inherited from the colonial era continue to produce and reproduce spatial injustice.

Structure and Distribution of Land Ownership by Race

Over a decade after independence, a study on ownership and spatial distribution of land in Nairobi by (Kimani 1972) proved that most of the land in the western and northern half of the city was privately owned and belonged to Europeans (with the exception of parklands-which is owned by Asians). On the other hand, the south eastern segment of the city, where most of the Africans reside, was under public ownership, with very few and small, if any private pieces of land. A point to note is that the Asians owned land in both the western and south eastern parts of the city. Thus, the Asians dominated Parklands, Ngara, Juja, Eastleigh, Mathare where they owned more than 50 of the acreage. Table 12 below reveals the depth of the extent of inequality inherited from the colonial period, as can be deduced from the structure of land ownership in Nairobi based on racial composition.

Table 12: Early Post Independent Era Land Ownership Structure

| Rateable Owners | No of Parcels | Acres | % of Parcels |
|------------------------------------|---------------|-----------|--------------|
| Africans | 1,160 | 368,684 | 8.6 |
| Asians | 5,518 | 2,029,464 | 41.0 |
| Europeans | 1,945 | 2,047,369 | 14.4 |
| Kenya government ¹⁹ | 947 | 1,075,063 | 7.0 |
| Nairobi City Council ²⁰ | 869 | 423,153 | 6.5 |
| East African community | 416 | 673,272 | 3.1 |
| Foreign governments | 74 | 189,513 | 0.5 |
| Other organisations (churches etc) | 296 | 645,117 | 2.2 |
| Public trustee | 3 | 2,037 | 0.002 |

Source 35: (Kimani 1972)

According to (Kimani 1972): (1) over 60% of the land in Nairobi was owned by Asians, Europeans and businesses; (2) most of the businesses were Asian owned and the Asian community owned most of the land in Nairobi; (3) The Europeans owned the same amount of land as the Asians, but their land was composed mainly of large residential plots, while the Asian plots were smaller and high valued and (3) the Africans who form over 70% of the city population owned very little land, which was 9% of individually owned land in the city, and consisted of low acreage subdivided into many small plots, especially in the traditional African areas of the

¹⁹ According to the record, the government was exempt for additional 70,384 acres divided into 16 parcels at the time. A point to note is that there was a lot more land recorded as government land or public land, presumably unassessed including Eastleigh airport.

²⁰ The city council was also exempt for additional 49,573 acres divided into 55 parcels. it is to be noted that there might have been a lot more land belonging to the city council, whose records were not handy at the time.

city. In terms of the man-land ratio, (Kimani 1972) noted that the figures were even more startling, revealing a very inequitable situation in matters of privately owned land.

Table 13 Man to land ratio of privately owned land per racial group in Nairobi

| Amount of land (acreage) | No of persons (per racial background) |
|--|--|
| 1 acre of African owned land for every | 800 Africans |
| 1acre of Asian owned land for every | 32 Asians |
| 1acre of European owned land for every | 7Europeans |

Source 36: (Kimani 1972)

Currently, according to the Nairobi County Integrated Development Plan of 2014, the proportion of households that have land owning title deeds in is very low among the poor that is 1,565 parcels compared to 6,944 parcels among the rich. It is worth noting that all of the 1,565 parcels operated by the poor have no title deeds. Moreover, majority of the cities inhabitants are landless, among both the poor and non-poor residents. Majority of the poor live in informal settlements (over 60%) bearing the highest burden of landlessness. This situation is fuelled partly by historical land injustices, land grabbing and influx of unskilled and semi-skilled job seekers from rural areas.

Residential Segregation Patterns

The residential spatial segregation patterns described above have not changed today 50 years after independence, Nairobi is still very highly fragmented city in terms of race and socio-economic status (Medard 2010). Nearly all the white and Asian Kenyans live in the affluent areas of the city. This can be attributed to several reasons including the fact that at the time of independence, the city entered the post-independence era with an extremely small amount of land in the city the hands of the Africans (Kimani 1972). Six main divisions of the city can be observed, namely Upper Nairobi, Parklands, and Eastleigh, Central, Nairobi South, Eastland's and Industrial area.

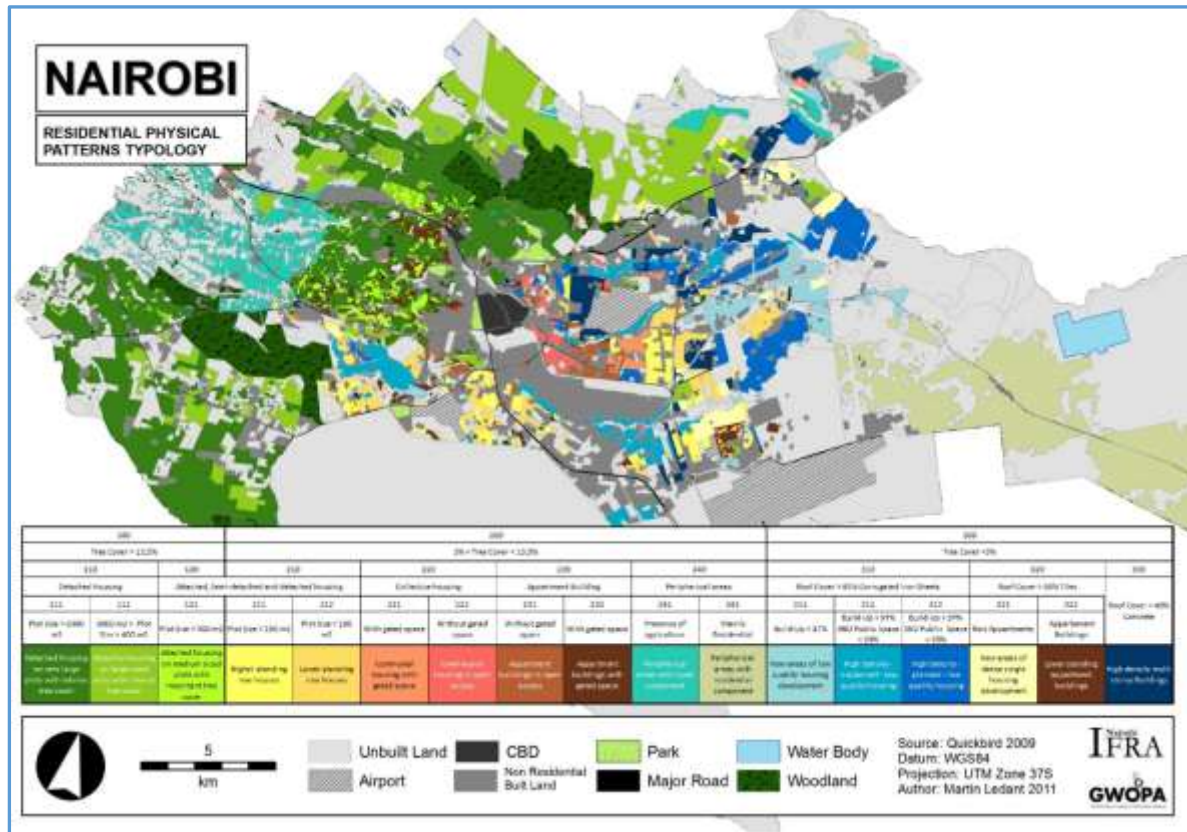
Upper Nairobi

Upper Nairobi includes the rich and upper middle class neighbourhoods of Upper Hill, Kilimani, Lavington, Westlands, Spring Valley, Runda, Muthaiga and Loresho. It is the largest region, located on the higher ground to the west and north of the central business district. These areas are generally cooler and with well drained fertile soils. They are the best residential areas or green leafy suburbs of Nairobi. Moreover, all the major natural greenspaces in the city are located in these areas. These areas were also part of the first European residential areas, created during the colonial times, where the railway authority and the government staff had built houses for their senior staff, and where they still own much property even today.

A 1967 study on Nairobi by noted that Upper Nairobi was mainly inhabited by the Europeans (82%) well into independence (Halliman and Morgan 1967). While a few prosperous Africans and Asians lived in the area, the majority of the Africans living in upper Nairobi were servants, living in the servant's quarters of the Europeans masters. According to (Halliman and Morgan 1967), there were two Africans to three

Europeans in the purely residential areas of upper Nairobi²¹. In 1967, only 12% of the black Africans lived in this area despite being the majority population in the city. (Halliman and Morgan 1967) observe that the most distinctive residential area of upper Nairobi is Muthaiga, neighbouring Karura forest and 'generally regarded as the best residential district and consists of homes in a variety of styles.

Figure 24: Residential Segregation Patterns in Nairobi



Source 37: (Ledant and French Research Institute in Africa, 2011)

The largest properties are found in Karen, at the south-west end of the municipality, in Muthaiga between Mathare river and Karura Forest, and in laving ton on the hills between Nairobi and Ngong rivers. Those neighbourhoods are in fact the old colonial areas in which many white Kenyans and expatriates still live today. The homes in the north-western part of the city are characterized by high density of vegetation and low density of people, with individual houses occupy large plots bordering wide tree lined quiet avenues.

In terms of the racial composition in these neighbourhoods, the situation is still the same as in the colonial period because only a few affluent Africans and upper middle class Kenyans can afford to live in these places. In Muthaiga for instance, only the very affluent, mostly European (expatriates and Kenyan citizens), Indo-Asians and a few African Kenyans live in these places. Most of the occupants of Muthaiga include heads of diplomatic missions, Chief Executive Officers of

21 Unfortunately, the most recent census enumeration (The 2009 census), does not differentiate the ethnic/ racial compositions Europeans of people living the different neighbourhoods of the city.

multinational or national firms' and the very wealthy Kenyans including retired presidents.

Several recent rapid developments are changing the face of the old colonial neighbourhoods. These includes individual houses with smaller sized plots developed on the fringe of the old colonial neighbourhoods, particularly in places like the north-east of Karen near Ngong road forest; areas in the north of the Karura forest and the south-eastern periphery of the Lavington and Kilimani areas, where the old houses have been replaced by rows of maisonettes or apartments buildings. Although being quickly replaced by multi-storey high class apartments since 2006, the typical family dwellings in this areas are one family detached houses of one storey, built of stone with separate servant's quarters on a plot of a quarter an acre or more.

Parklands Eastleigh

During colonialism, the Asians were offered more comfortable housing in Pangani, Ngara and Eastleigh. In 1967, 80% of Asians in Nairobi lived in the Parklands, Ngara and Pangani areas. Their houses had notable cultural differences from the primarily European areas (Adam 2010). The architectural style consisted of flat roofed houses and communal inner court designs to accommodate extended family structure of the Asians families. According to (Halliman and Morgan 1967), the proportion of Africans was smaller here than in the Upper Nairobi. Generally, the numerous social and religious divisions between the Asians and other groups tend to contribute to the high incidence of segregation between the Asians and other groups. The majority of the social amenities here like clubs, places of worship are essentially designed to exclusively cater for the needs of the Asian communities. Within the parklands Eastleigh area, the Asians are further sub-divided among themselves according to the range of prosperity, which ranges from the riches in parklands to the west and the poorest living in Eastleigh in the east. After independence, these old colonial asian neighbourhoods having experienced growth in density of people and buildings, in the Parklands, Ngara, Pangani and Eastleigh.

Nairobi South

This area was also mostly only occupied by Asians since the 1950's. The area was originally built as an extension for the growing Asian community who required more housing and expansion as the parkland Eastleigh area was limited by the municipal housing in Eastland's on one side, and the low density development of European type housing on the other side (Halliman and Morgan 1967). The racial composition is more balanced in the area today, though most of the inhabitants here are still middle class Asians and middle class Africans. Similarly, like most parts of Eastland's, the Nairobi South area is not particularly attractive because of being flat with black cotton soils which flood during the rainy seasons.

Eastland's

Old Eastland's

Under colonial rule, in-migration, housing and labour were strictly regulated by the authorities and Africans were not allowed to live in the city. Racial segregation was a

reality and Asian, African and European occupied different parts of town. The African areas who were forced to live in the city stayed in temporary shacks in the marginalized eastern fringe of the city. Finally, the colonial government built the first African housing in present day Kariokor, Pumwani, Muthurwa and Shauri Moyo. At that time, housing was entirely planned and provided by the employers or the city-council to individual male workers having a pass allowing them to work in town. Some of the buildings of the former 'African quarters' are still present today in the areas just east of the CBD between Mathare river and the railway.

Eventually, as the manufacturing industry started growing, more Africans started living in the city and there was a housing shortage. Factory owners were required to provide housing for their African employees. The city council and large private companies therefore built working class estates for their low income staff, consisting of small and medium sized communal pavilions or blocks of dormitories. The African workers were allocated a single room. These include present day neighbourhoods such as Bahati, Makongeni, Kaloleni, Muthurwa and Ofafa Jericho. Today, these neighbourhoods are less densely populated compared to other low income neighbourhoods located further to from the center.

New Eastland's - Expansion and densification

After the independence in 1963, the repeal of the rural-to-urban restriction laws induced a tremendous population growth fed by both reunion of families and the increase of natural expansion rate following the normalization of the sex-ratio. The housing stock went quickly under serious shortage as the city council failed to provide with enough public housing. In the early post-independent era. By 1967, 110,227 Africans out of a total of 155,388 Africans were living in Eastland's (Halliman and Morgan 1967), a large number compared to the colonial times. The newer areas of Eastland's which are further away gradually became occupied by middle income Africans. The newer parts of Eastland's have better quality housing than the old Eastland's. The Eastland's area is still expanding even today, with a mixture of lower and middle income earners, as well as urban poor people. The whole of Eastland's is mostly flat, with black cotton soils and not particularly attractive like the upper parts of Nairobi. Even today Eastland's is mostly only occupied by Africans, and it is almost impossible to find a European or Asian person living in this part of the city.

Middle Income Eastland's

Starting in the 70's and up to the 90's, following the important population growth; a mixture of private and public initiatives also gave birth to large estates made of row houses destined to the new higher middle class. Those estates are composed of owner-occupied single attached houses with red tile roofing and a garden or a courtyard which have in many cases been turned to an extra dwelling; thereby violating the by-laws (cases of Buru-Buru, Doonholm and Umoja I). Most of these quarters are located in the Eastland's in the cases of Buru-Buru, Umoja I and Komarocks as well as south of the Central business district or southlands in Nairobi west, Langata, South C and South B.

Towards Jomo Kenyatta International Airport in Eastland's and in the northern part of Thika Road, in the north-eastern parts of the city, some areas have recently developed into residential pattern which tend to match the row-house typology and tenement housing in the case of the former and detached single housing and apartment blocks in the latter. Most of these housing units are developing on an individual basis and not as standalone planned estate like Buru buru, Komarock and Doonholm.

Low Income Eastland's





In the 1970's, the city council launched the sites-and-services development scheme which was an attempt to cope with the rapid population growth and the inability to provide enough housing units. These schemes implied collaboration between authorities and selected scheme's beneficiaries. Plots, material loans, and land-lease were provided by the city-council while beneficiaries were in charge of the design and the construction of the dwellings. Some areas became much denser by expanding both horizontally and vertically. These neighbourhoods are composed of contiguous multi-storey apartment buildings resulting in the densest areas of the city. They usually host a lower-middle income population and can have various profiles. They include Kariobangi, Huruma, Dandora or Kayole. A few older ones include Dagoretti Corner, Zimmerman and Umoja Inner Core.

New areas of development are clearly identifiable on the eastern periphery, between Dandora and Komarocks. Housing units also seem to be built on an individually leaving many interstitial plots un-built for further development. The residential pattern possesses a clear layout, indicating some planning, but the many dwellings covered with iron sheet roofing suggest lower quality building.

Slums and Informal Settlements

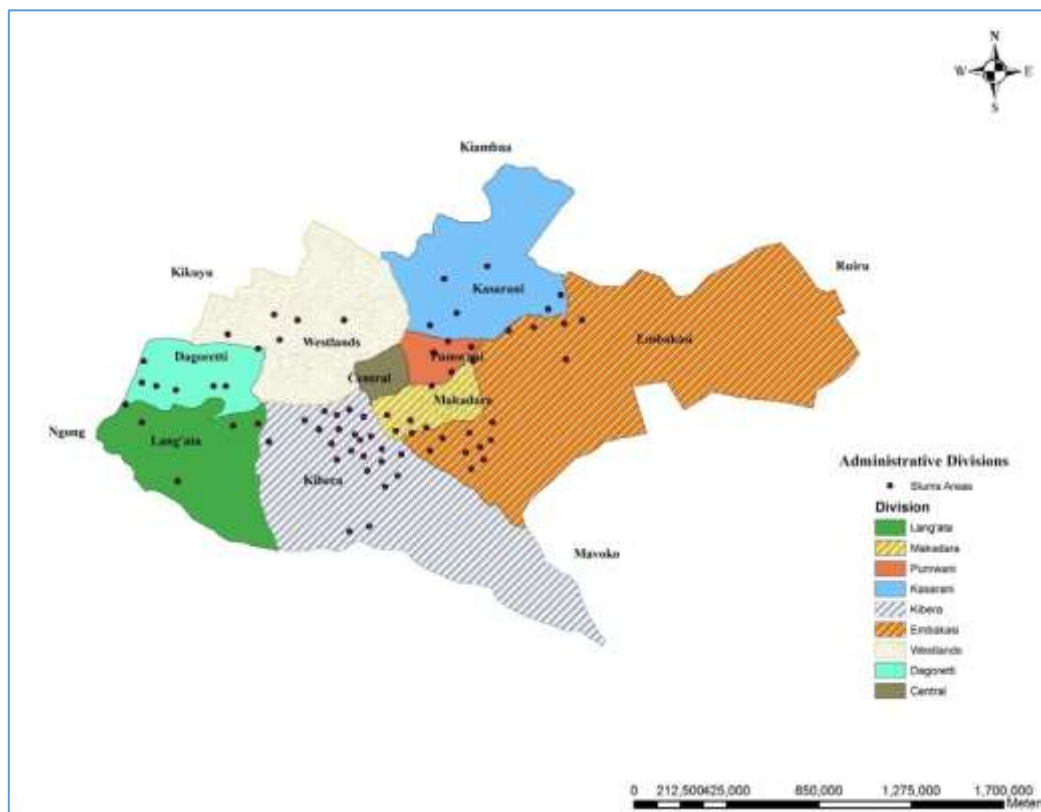
Several slums were established during the colonial period (Ngau and May 1994); (Huchzermeyer 2007); (Coquery-Vidrovitch, *The Process of Urbanization in Africa (From origins to the beginning of independence)* 1991). This includes Kibera slum, which is part of the land offered to the Nubian community by the colonial government in reward of their involvement in the first world war and Mathare valley, the second largest slum, which started as squatter settlements for the natives who had been disposed from their lands by the colonial authorities (Coquery-Vidrovitch, *The Process of Urbanization in Africa (From origins to the beginning of independence)* 1991); (Ngau and May 1994). Over time, these slums became occupied by various ethnic groups from across the country, growing to become some of the largest slums today in Nairobi and Africa after independence.

Figure 25: Population Density and Development Patterns based on socio-economic status

| | |
|--|---|
|  |  |
| <p>Affluent and Upper Middle class (5 to 30 persons per ha)</p> | <p>Middle class to upper low income (70 to 300 persons per ha)</p> |
|  |  |
| <p>Lower low income to urban poor (500 persons per ha)</p> | <p>Slum and informal settlements (700 - 1200 persons per ha)</p> |

Source 38: (Nairobi City County, 2014)

Figure 26: Distribution of Slums and Informal Settlements in Nairobi



Source 39: (Mutisya and Yarime 2011)

Moreover, after the independence, the repeal of the rural-to-urban restriction laws induced a tremendous population growth fed by both reunion of families and the increase of natural expansion rate following the normalization of the sex-ratio. The housing stock went quickly under serious shortage as the city council failed to provide with enough public housing. Today, in spite of the various housing schemes undertaken up to now, other slums have flourished in various areas of Nairobi (Coquery-Vidrovitch, *The Process of Urbanization in Africa (From origins to the beginning of independence)* 1991); (Obudho and Aduwo, 1992). The slums which grew after independence include parts of the former old kikuyu reserves, like Kawangware, Kangemi and Riruta is growing rapidly and can appear today as pockets of poverty and hundreds of other numerous newer slums such Korogocho, Kiambiu or Mukuru, which are still growing in size today.

All these slums share the same characteristics of being located in places which are legally prohibited and environmentally risky, for instance along river valleys or in swampy areas; on wayleaves for electricity and oil pipe lines (Ngau and May 1994); (Pamoja Trust 2008); (Mutisya and Yarime 2011). Structurally, little spaces are left between housing units and that streets occupy a relatively small share of the space therefore access is difficult and dangerous, such that in case of fire or other emergencies, no emergency vehicles can access the people (Rodriguez- Torres 2010).

Due to their illegal status, the city authorities do not provide these settlements with basic utilities like water. Most of the slum residents rely on small scale water

vendors who are very costly compared to the price of water provided by the main stream channels (Calas 2010). Moreover, the population densities of these settlements are very high, reaching 100,000 inhabitants per km². This makes them very risky dangerous places to live. In the past, the city government frequently demolished these slums, without providing solutions to the evicted. As a result, the persons evicted simply transferred to another open area in the city and built another slum. However, due to complaints from social activists, the authorities have become more flexible. Instead of demolishing the slums, there is a move towards slum upgrading and regulation.

SOCIAL-DEMOGRAPHIC CHARACTERISTICS

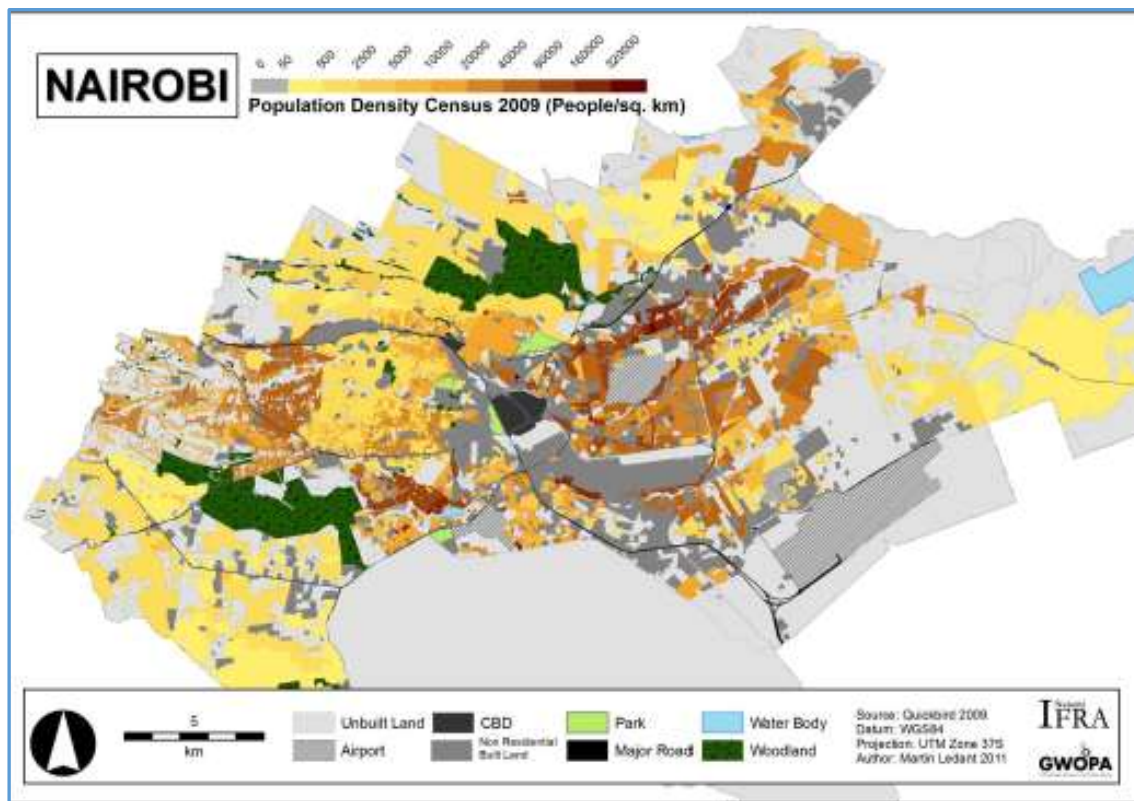
Population density per region

According to the last census done for Kenya in 2009, Nairobi has a population of 3,138,369 persons (KNBS, 2010). This accounts for 8.1% of the national population which is 38,610,000 persons. At an intercensal growth rate of 3.8%, this population is projected to be 4,253,330 by the year 2017. Excluding the Nairobi National Park, which occupies 117 km² or 16.8% of the city, the average population density of Nairobi is 5,429 persons per square kilometres.

The highest densities are in the central and eastern and northern sections of Nairobi better known as Eastland Areas. These includes sections which are to the immediate east of the CBD, specifically Kamukunji sub-counties with 20,000 persons per square kilometres. Income and rents are low in the eastern regions of the city, while the population and building densities are high. The lowest densities occur in the western parts of the city (upper Nairobi) areas with an average of 3,000 persons per square kilometre.

The rate of growth of Nairobi has been high since independence. However, the growth is now declining, from 4.9% between 1988-1999 to 3.9% between 1989 and 2009. The city's population is very youthful population, with the majority of the people in their 20's and 30's. Due to high in-migration from other parts of the country, the population of Nairobi is higher than that of the country as a whole. However, in the recent past, the areas immediately outside Nairobi, such as Ruiru, Mavoko and Kitengela are now growing faster than the city, at 4.1% according to the 2009 census.

Figure 27: Population density of Nairobi



Source 40: (Ledant, M and French Research Institute in Africa, 2011)

Table 14: Population Density Figures per Region for Nairobi

| Sub-County | Population | Area in Km2 | Density Per Km2 | Region |
|------------------------------------|-------------------|----------------|-----------------|-----------------------------|
| Westlands | 247,102 | 97 | 2,538 | Upper Nairobi and Parklands |
| Langata | 355,188 | 106 | 3,346 | Upper Nairobi |
| Embakassi | 925,775 | 204 | 4,546 | Eastland's |
| Kasarani | 525,624 | 86 | 6,081 | Eastland's |
| Dagoretti | 329,577 | 39 | 8,532 | Slum |
| Makadara | 218,641 | 23 | 9,481 | Nairobi South |
| Kamukunji/Pumwani | 261,855 | 12 | 21,623 | Eastland's |
| Central/Starehe | 274,607 | 11 | 25,640 | Central |
| Nairobi City | 3,138,369 | 578 | 5,429 | |
| Nairobi County²² | | | | |
| Kenya | 38,610,097 | 581,313 | 66 | |

Source 41 (KNBS, 2010)

²² Density Figures for Nairobi City County excluding the Nairobi National Park which measures 117 kilometres' square.

Socio-Economic Structure

Majority (60%) of the people in Nairobi live below the poverty line, with an estimated income of about 2,913 per month (Kenya Integrated Household Budget Survey, 2005-2006). There is a large income gap between the poor people, who form roughly 60% of the population, and the rich people, who form less than 10% of the population. The division is apparent in the built form of the city, where there is a clear spatial segregation in terms of where people live. While the rich live in green leafy suburbs within gated compounds, in large expensive and luxurious mansions in the best parts of the city, the majority of the low income and urban poor live in simple the quality housing in either the marginalised eastern parts of Nairobi or in slums and informal settlements, built along river valleys, railway lines, derelict land, oil pipelines or other dangerous places. The highest number of people living below the poverty line are found in the slums and the marginalised eastern parts of the city.

Figure 28: type of roof cover showing socio-economic structure



source 42: (Ledant, M; French Research Institute in Africa (IFRA) 2011)

While the economy of Kenya grew to a peak of 8% in 2007, the number of people living in extreme poverty are increasing. The economic condition of urban poor Nairobi residents is deteriorating much faster for than the national trend; the proportion of people living below the national poverty line in Nairobi is increasing. This degeneration is evident in the increasing number of slums and informal settlements which are mushrooming and popping up everywhere, increasing numbers of people living and begging on the streets, rise in crime, poor quality of life for the majority of the city inhabitants and high numbers of unemployed youth. The conditions are worsened by lack of pro-poor policies to reverse the increasing inequalities promote equitable and efficient urban management and government re-involvement in basic service provision.

PLANNING, GOVERNANCE AND MANAGEMENT

For a long time, the Nairobi City Authorities have poorly planned, managed and governed the city. The local government has been weak and poorly resourced with challenges such as poorly skilled staff and low staff morale due to poor pay and limited investment in training and capacity-building. Service delivery for basic utilities like water provision has been poor in the city due issues such as poor piping and management of the water infrastructure and resources and not scarcity (Calas 2010). Moreover, politicians have long interfered in staff matters in the past, putting their own self-interests ahead of the public (Katumanga 2010). The lack of computerisation and some otherwise inadequate information technology systems have encouraged corrupt practices and lack of transparency, as well as poor and inequitable revenue collection.

In terms of wealth creation and service delivery, the potential of the private sector has not been exploited for sustainable and equitable development of the city (UN-HABITAT, 2006). For instance, the city has a large informal economy, better known as *jua kali* sector, which employs most of the people in labour force. However, the sector is not adequately regulated nor supported by the City Government. Until fairly recently for instance Kiosks and hawkers have largely been perceived as threats to city development instead of opportunities and resources. A lot of times, there business premises have been demolished or evicted from their places of operation without providing alternatives. In the slums and other unplanned areas, lack of services and infrastructure severely constrains the economic development of the informal sector (UN-HABITAT, 2006).

Further, there have been no policy frameworks supporting public participation or community involvement in the delivery of urban services. Community outreach and involvement at grassroots levels has been limited, ad hoc and only occasional. Communication channels between the population and governing authorities or other government agencies have been nearly non-existent. Lack of policies to ensure citizen participation have made it difficult for urban stakeholders to make demands on the city authority for effective service delivery or performance based on accountability.

It is only fairly recently after the county government act of 2012 was enacted that the City authority developed a framework for policy development, monitoring and evaluating service effectiveness. It is hoped that the new policy frameworks and legislations have been enacted since 2010 will address some of this problems. This include: (1) the constitution of Kenya of 2010 which mandates all government agencies to involve citizens in the development projects and delivery of services; (2) the Urban Areas and Cities Act of 2011 which gives citizens' rights and responsibilities in the management and development of towns and cities and (3) the County Government Act of 2012 which holds county government officers accountable for their performance and action.

The latest significant achievement has been the development of a new comprehensive plan for the city, the draft Nairobi Integrated Urban Development Master Plan (NIUPLAN) of 2014 (NCC, 2014). Preparation of the plan began in

November 2012 with assistance from the Government of Japan through its Japan International Cooperation Agency (JICA). According to the plan report, a wide variety of stakeholders from the private and public sector, National and county government, citizens, NGOs and universities were involved in developing the plan. The plan addresses transport; governance and institutions; environment; land use and human settlements; population, social systems and urban economy; and infrastructure. It seeks to integrate all existing sectoral plans in the city and align them to Vision 2030, providing a framework for coordinating urban development. Unfortunately, even though the plan recognizes the importance of green space, the plan does not have a strategy for comprehensive planning and development of green infrastructure and public open spaces. However, it is too early the impacts of these new policies and plans on service delivery, urban development management, public participation, performance and accountability.

FUTURES OF NAIROBI

The vision for development of Nairobi is guided by Kenya Vision 2030 which envisages the country to be “*A globally competitive a prosperous nation with a high quality of life by 2030*”. Since Nairobi has expanded in terms of function beyond its administrative boundaries to the surrounding regions, the Nairobi Metropolitan Vision 2030 guides the development of the greater Nairobi region with the aim of turning Nairobi “*To be a world class African metropolis, supportive of the overall national agenda articulated in Kenya Vision 2030*”. Specifically, the Nairobi metropolitan strategy aims to make the city “*A world class working environment, A world class living environment, A world class business environment, World class metropolitan governance*”

In their discussion on the future for Nairobi, the NCCG emphasize on making Nairobi a world class, attractive, sustainable, competitive and liveable city. The future image of the city is envisaged to be: (1) green city, well balanced in terms of nature and settlements; (2) a city of champions (long distance athletes)-world class stadiums and sports facilities; (3) a safari city through addressing related facilities; (4) city in the sun-city of *jua kali* (informal sector) where residents work under the sun.

Five main pillars, economic, political, governance, socio-cultural and environment guide the strategy. The economic pillar aims to make Nairobi a globally-attractive city with balanced economic growth (geographical and sectoral), and equal economic opportunities through well-planned mixed land use and urban structure. Further, it aims to achieve Regional Integration through strong transport, land uses and economic linkages between commercial centres with efficient with neighbouring regions. In terms of economic sustainability, the vision aims to create sufficient job opportunities and a balance between the economy and the environment.

The environmental pillar hopes to make Nairobi globally attractive by creating/maintaining vast green spaces, good air quality, efficient land use, and well-planned urban structure. In terms of regional integration, the environment pillar aims for convenient urban transport, balanced and coordinated urban growth (such as development of green belts) and sustainable resource management. For sustainability, the environmental pillar plans on enhancing green space

conservation, effectively manage solid waste and promote sustainable resource usage.

For governance, the vision aims to make Nairobi globally attractive through effective participatory management, open, accountable and transparent stakeholders in urban management. Further, the strategy hopes to achieve governance in Regional Integration by improving service provision and coordination by the city authority in coordination with neighbouring counties. For sustainability in governance, the vision envisions proper urban management, planning policy and city management structure.

Social -culturally, the vision aims to make Nairobi globally-attractive through secured social services, sound urban management (sub-centre, land use and economy), and safe travel and tourism. To achieve regional integration socially, the vision aims to preservation of heritage and historical assets. Finally, to achieve social sustainability, the plan hopes to develop tourism, sub-centre development, and cultural identity preservation and promotion.

As we move deeper into globalization and the information, age, inequalities between the urban poor and the rich are increasing, with majority of the poor are becoming worse off. It is therefore increasingly important to look into some of the ways in which these inequalities can be addressed, because capitalism and its intentional and unintentional oppressive outcomes are here to stay.

Figure 29: The Grand Vision for Nairobi Amidst Poverty and social-spatial Polarization



Source 43: GoK, 2008

SUMMARY AND CONCLUSION OF CHAPTER

In Section 4.1, I presented the physical context of Nairobi. Here, I highlighted the strategic central location of the city in Kenya. This was followed by a discussion of the rich natural heritage of the city, on which the green space reserves being investigated were built upon. Two main physiographic regions were presented, that

is the highland region (Kikuyu escarpment) and the Athi-Kapiti Plains (Maasai Savannas). The rich biodiversity of these regions was discussed with specific references to the indigenous flora and fauna, that are the subject of conflicts and interests, related to their use, protection and conservation by different social groups in the city.

The history of planning and development of Nairobi was then presented in section 4.2. Here, I emphasised the fact that Nairobi is an urban centre, founded by the colonial authorities and that before colonialism, the region was inhabited by the indigenous Maasai and Kikuyu communities in the south east and northwest regions respectively. References to some of the details on the colonial urban planning policies and strategies are made, where I stressed the fact that the city was planned on discrimination, prejudice and segregation based on racial background. I emphasized that the colonial government created separate residential areas for different racial groups who were prohibited from mixing. Moreover, I accentuated the fact that the European residents were reserved for the best parts of the city, while the Africans were pushed to the marginal fringes with poor environmental conditions, where they lived in squatter settlements and with no services or infrastructure. In fact, the Africans were prohibited from coming to the city, and finally, when they were allowed, only the men were allowed to come into the city, while the women and children were prohibited.

Following other scholars who have studied Nairobi, I argue that the discriminatory policies and practices set by the colonial authorities set the pattern for inequalities and spatial injustice in Nairobi today. In the relation to this study, the social-spatial patterns of inequalities are clearly manifested in the uneven distribution of urban green spaces. This comes out in section 4.2.3 where I emphasised the fact that in the post-colonial period, no serious attempts have been made to remove the social spatial inequalities created by the colonial governments. Spatial segregation based on racial background or privilege and social economic status still continues. For instance, the former European reserved areas where the only natural green spaces in the city are located, are currently only occupied by the affluent and upper middle classes who are mostly whites, that is European Kenyan citizens and expatriates as well as Indo-Asian Kenyans. On the other hand, the former African reserved areas are occupied by only native Kenyans (Africans) who are mostly low income and urban poor Black-Kenyans. For instance, parklands and high ridge are still mostly exclusively occupied by Asians, upper Nairobi and Westlands by white Kenyans, expatriate residents, international organisations, the business class of rich Africans and Asians and senior civil servants and politicians.

On the other hand, Eastland's is inhabited by the middle and low income mostly African Kenyans. It is almost impossible to find any European or Asian people living in Eastland's region. However, in the Nairobi south regions, consisting of places such as South C and South B and Madaraka, one can find a combination of middle class Asians and Africans today. In addition to discussing the inequalities evident in the planned settlements, I present the fact that the city has many pockets of slums and informal settlements, several of which were established during the colonial era like Mathare Valley and Kibera. The genesis of these slums is related to the fact that

Africans were not allowed to permanently reside in the city during the colonial times. Therefore, no land was allocated to them nor any provision for housing made for them, atleast in the early colonial period. As such, the ones who were working in the city built themselves shacks to live in on riparan reserves, the outer fringes of the city or any undeveloped government land where they squatted. Eventually, these settlements grew to be the big slums they are today. an interesting feature of these slums is that many of them happen to be pockets of informal settlements located adjacent to the affluent neighbourhoods, for the purpose of servicing the wealthy neighbourhoods.

In the final section, I present the planning strategy, policies and governance frameworks that have been put in place in the recent past, to try and address spatial injustice issues in the city. I specifically highlight the new policies and plans that have been enacted since 2010 to achieve social justice, environmental protection and economic development such as the draft Nairobi integrated urban plan of 2014, the Constitution of Kenya (CoK) of 2010; the Urban Areas and Cities Act (UACA) of 2011; the County Government Act (CGA) of 2012 and the National Urban Development Policy (NUDP).

PART 2: FINDINGS AND ANALYSIS

ECO-GENTRIFICATION OF A PUBLIC URBAN GREEN SPACE: CONTRADICTIONS OF CITIZEN PARTICIPATION IN THE MANAGEMENT OF KARURA FOREST RESERVE

INTRODUCTION

This chapter is about the various historical and contemporary structuring forces and actors that have shaped and continue to determine the use and access of Karura Forest Reserve, an urban protected area in Nairobi, by different social groups in the city. A historical-political context of the urban forest reserve is first presented, followed by a review of the past and current policies and legislations used to guide the use, management and conservation of the urban nature reserve. The current changes in policy are then discussed in relation to the expected outcomes of the new policies, which includes integration of and positive social outcomes for the forest dependent communities with the urban forest reserve. The former demonstrates that in the past one decade or so, the government has opened up to citizens to participate in the management and conservation, of state forest reserves like Karura, as part of the as part of the efforts to enhance equitable access to opportunities to sustainably use and benefit from nature reserves.

These changes in policy are part of the wider shifts away from the state-centric government towards local empowerment and devolution in line with the recently promulgated Constitution of Kenya in 2010. The contemporary discourse among authorities and experts is that opening up to non-state actors will increase opportunities for the marginalised and vulnerable social groups, to be empowered in making decisions on sustainable natural resource use and management. It is believed that this will enable resource dependent communities to sustainably use and access the socially valued nature reserves, reduce poverty, improve livelihoods, service delivery and enhance sustainable conservation and management practices.

This chapter questions these assertions, particularly investigating the extent to which public-participation enhances spatial justice (fair and equitable opportunities to use and access public spaces). In order to examine this claims, the study focused on the example of interventions by the Friends of Karura (FKF)- Community Forest Association (CFA) in the management and conservation of Karura Forest Reserve, an urban protected area located in Karura ward, north-west of Nairobi. The already implemented interventions by the civil society organisation, FKF-CFA have been praised by authorities, specifically the Kenya Forest Service, as a prime example of inclusionary public space at work.

The chapter concludes that though a new policy has allowed new structures and actors in the co-management, and contributed to rehabilitating the urban forest into a 'nice' place, it is only a few privileged groups in society who are benefiting from the Urban Forest Reserve. The surrounding poor urban communities that depend on urban forest for daily necessities are pushed out, in what has been described by Sarah Dooling as 'eco-gentrification'. Thus, in the process of making Karura Urban forest reserve into a 'safe, secure, serene' place, the new civil society actors only reflect the interests, priorities and values of the upper and middle class consumers, and exclude the requirements of the poor urban communities living in the area. This

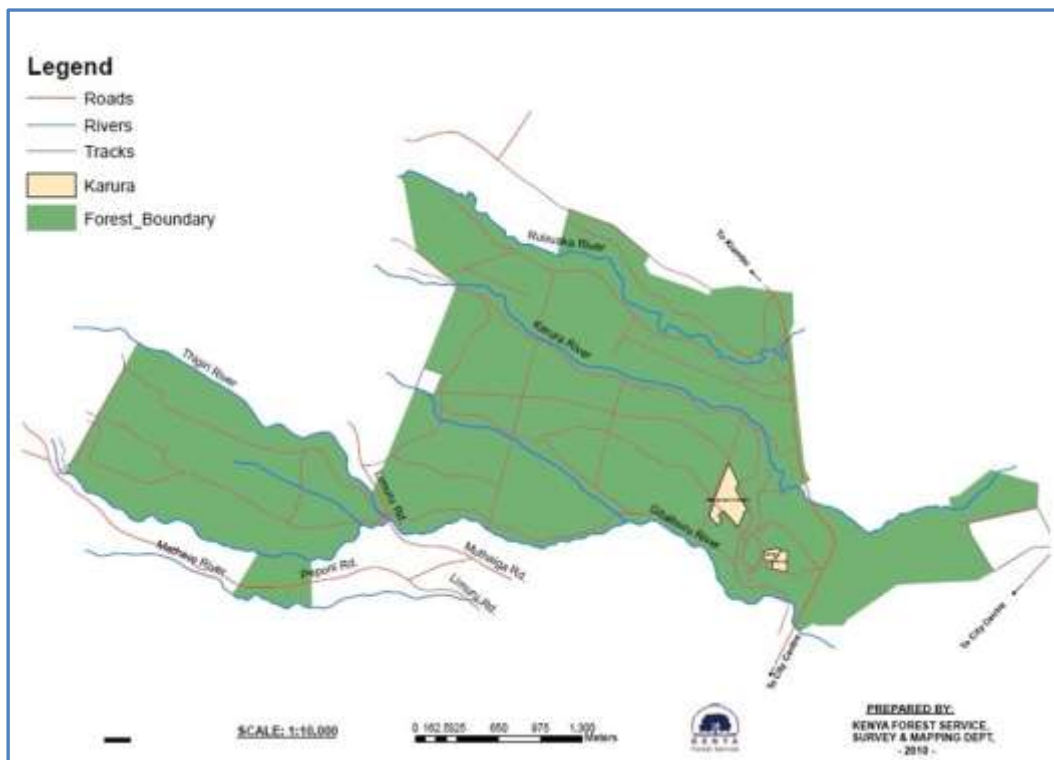
has resulted in the perpetuation of socio-spatial and socio-economic inequality, the exact opposite outcome of what the new policy change intended. Thus, instead of a public space for all citizens, the new actors and structures have produced what Lefebvre described as 'appropriated' and 'dominated' spaces.

PHYSICAL/ENVIRONMENTAL CONTEXT OF KARURA FOREST

Location and Area

Karura Forest Reserve is an urban forest located in the North-western part of Nairobi City County, the capital city of Kenya. This urban forest is the second largest green space and protected area in the city. It covers an area of 1041.3 hectares (ha) and is second only to Nairobi National Park (Kenya Forest Service 2010). It is therefore a major 'green lung' for Nairobi, forming an important natural ecological and geomorphological asset. The forested is a gazetted and protected area under the management of a government parastatal, the Kenya Forest Service (KFS). According to the KFS, 'the Karura Forest Reserve is one of the largest forests in the world within a city limits'.

Figure 30: Karura Forest Reserve

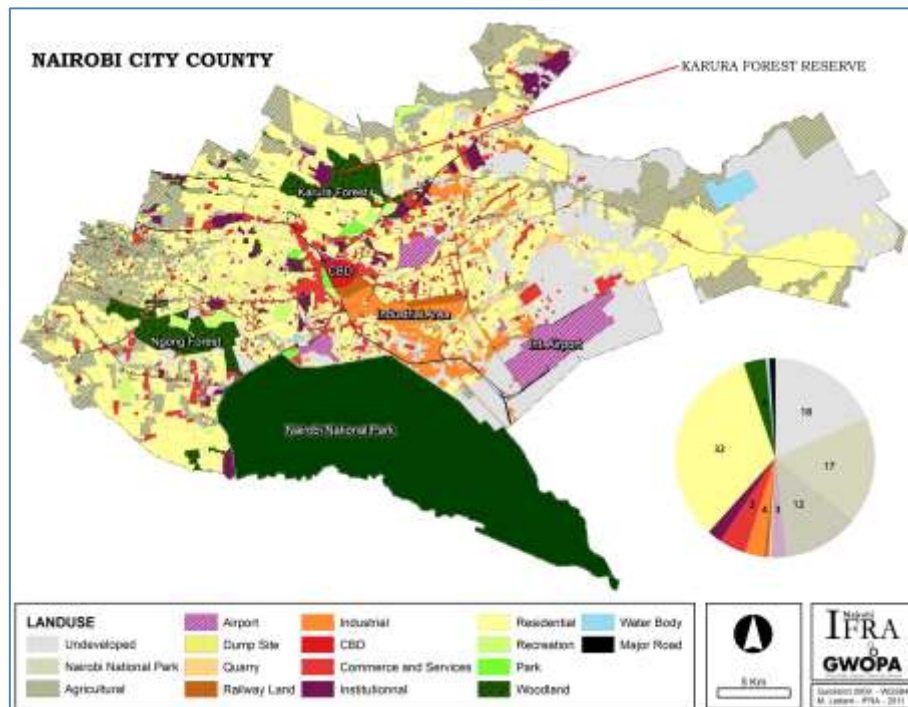


Source 44: (Kenya Forest Service 2010)

Regionally, the forest is located in Karura ward in Westland's sub-county, one of the most affluent part of the city. This sub region where the forest lies has a total population of 26,453 persons in an area of 38.2 square kilometres. The population density is 693 persons per square kilometres, one of the lowest density areas in the city. The closest available local greenspaces to Karura are private golf and country clubs like Muthaiga Golf Club and Country Clubs and the Windsor Golf and

Country Club The nearest local public open green space is Nairobi City Park, which is 4 kilometres away, in Parkland’s residential area. Karura Forest is linked to City Park Forest by Limuru Road, Kiambu Road and Thika highway, that all join forest road where Nairobi City Park Forest is located. Apart from its connection with the neighbouring high-class leafy suburbs and the private golf clubs for the rich in the area, there is no integration between Karura forest with the rest of the greenspaces in the city (see map of public and private greenspaces in Nairobi, in chapter 4).

Figure 31: Location of Karura Forest Reserve in Nairobi



Source 45: (Ledant, M and IFRA, Nairobi, 2011)

Natural Heritage and Attractions in Karura Urban Forest

The Karura Reserve is a remnant of the Montane Sclerophyllous (Small Leaves) forest that covered all of the Kenya highlands from Nairobi to the Aberdare moorlands in the pre-colonial times (Njeru, 2013). The main natural assets include the indigenous trees and several other endemic and /or rare vegetation. The indigenous trees such as African Olive, Pencil Cedar, Croton, Muthiga and Muhugu, still exist covering approximately 260 hectares (Kenya Forest Service 2010). Still existing are native Kenyan bamboo groves found along the riparian belts of the rivers in the forest. According to (Kigomo, Savill and Woodell 1990), relatively large patches of the semi-deciduous forest still have the threatened species, *Brachylaena huillensis*, one off the most important social and commercial species. Local medicinal shrubs and plants found in the forest. These include *Muteta*, *Muharangware*, *Mubiro*, *Mukarakinga*, *Mubuthi*, *Mutongu*, *Mutungu* and *Muthigio*. During the colonial period, exotic trees were introduced into Karura forest. Forest plantations now cover 632ha of Karura forest reserve with species like eucalyptus and cypress (Kenya Forest Service 2010).

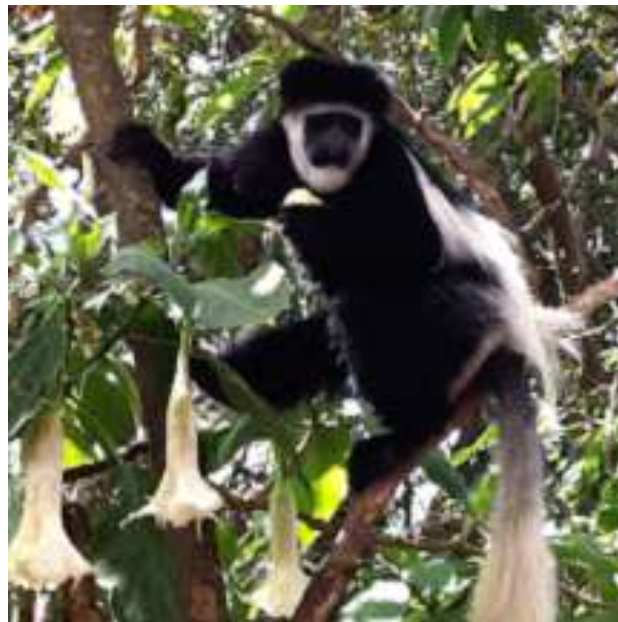
Table 15: Distribution of indigenous and Exotic Trees in various blocks of Karura Forest

| Block | Indigenous Forest | Exotic Plantation |
|-----------------------------------|-------------------|-------------------|
| Karura (Main Block) | 213ha | 411ha |
| Mazingira Block (Eastern Salient) | 25ha | 0ha |
| Sigiria (Western Salient) | 22ha | 222ha |
| Total | 260ha | 633ha |
| Percentage | 25.00% | 61.00% |

Source 46: (Kenya Forest Service 2010)

The most commonly spotted wildlife are the monkeys. Occasionally, one can spot Bush Babies, Duikers, Genets, bush pigs, bush backs, porcupines, squirrels hares, epauletted bats and a wide range of bird-life. According to the KFS, over 113 species of birds exist, including the African Crowned Eagle, Crested Crane, the Narina Trogon, numerous Doves, Weavers and Vultures. Small water habitats wetlands such as the Lily Butterfly Lake can be found with several bird and butterfly species (Njoroge, Ndanganga and Natuhara February 2013). Reptiles like cobras, pythons, green snakes and monitor lizards are occasionally spotted. Recently, a crocodile washed from upstream was spotted in Karura.

Photo 1: One of the monkeys in Karura Forest



Source 47: Project Noah

Photo 2 Some of The Tree Species in Karura Forest



Source 48: Fieldwork, 2013

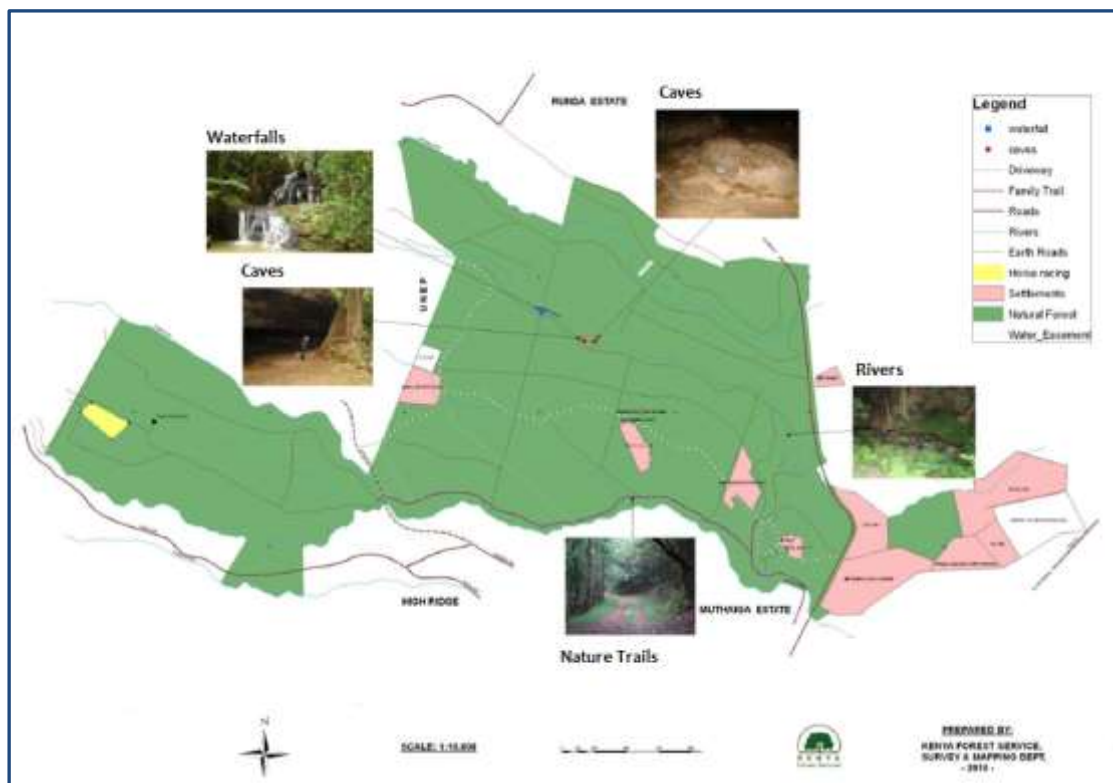
The forest has attractive caves and waterfalls within the Karura River Valley. The caves, known as the Mau Mau caves, were a hideout place for freedom fighters who rebelled against the British colonial rule and fought for independence in Kenya. Excavations by scientists from the National Museums of Kenya have uncovered rare artefacts from the stone-age pre-colonial times, expanding the rich history of the caves and forest. The natural geographical features are the main attractions for visitors to the forest, who come for nature walks, prayers, camping and picnics.

Photo 3: breath-taking water features in the forest



Source 49: [Www.Friendsofkarura. Org](http://Www.Friendsofkarura.Org)

Figure 32: Natural Features and Attractions in Karura Forest



Source 50: (Kenya Forest Service 2010)

Photo 4: Signage giving directions to natural attractions in the Forest



Source 51: Fieldwork, 2012

Photo 5: The Lily or Butterfly Lake



Source 52: Fieldwork, 2012

The forest has five zones classified for primary and secondary (multiple use) criteria, namely: (1) the nature reserve; (2) indigenous forest areas; (3) wetlands and riparian areas; (4) productive forest (exotic plantations) and (5) developed areas.

Table 16: Forest Zones and their Management

| Zone | Criteria | Management Objectives and Use Options |
|-------------------|---|---|
| Nature reserve | High biodiversity natural forest | Total biodiversity conservation; No extractive uses; No disturbance |
| Indigenous forest | Water catchment; wildlife habitat; protection of biodiversity; rehabilitated are previously under plantations | Conservation of biodiversity, wildlife habitat; Low disturbance; Conservation area; Minimum impact eco-tourism; Encroachment planting of degraded areas |
| Wetlands | Swamps/marshlands; riparian area | Total preservation of the wetlands; Preservation of the area; Research and bird watching |

Source 53: Kenya Forest Service, 2010

Socio-Cultural Features

Karura is sub-divided into three blocks, that is, Mazingira (eastern salient), Karura (main block) and Sigiria (off Limuru road extending towards Gigiri. The man-made features in the forest include the official headquarters and staff houses of the Kenya Forest Services (KFS), the government agency mandated with Forest Protection and Management in Kenya. In addition, many non-KFS buildings exist including churches, a school²³, the Tree Biotechnology Project office, the former shell and BP sports (now Vivo Energy), National Security Intelligence Service (NSIS) Headquarters; Criminal Investigation Department (CID), an incinerator facility for the Central Bank of Kenya; the International Earthquake Sensor for the region, the Kenya Forestry Research Institute (KEFRI) and residential quarters (Kenya Forest Service 2010).

Table 17: Distribution of Forest blocks and area of Karura Forest

| Block | Area (ha) | Remarks |
|----------------------------|-----------|---|
| Karura and eastern salient | 765.9 | Largest block. It houses KFS HQ's and staff residences, CID HQ's, Muthaiga Golf Course, Utalii Staff Quarters, National Security Intelligence Staff Offices, Kenya Forestry Research Institute. |
| Sigiria | 275.4 | A large marshland protected by the adjacent high-class residential areas. Suitable for a campsite according to the KFS. |
| Total | 1041.3 | |

Source 54: (Kenya Forest Service 2010)

There is an established environmental education and awareness facility, known as the Karura Forest Environmental Education Trust (KFEET). The trust is located in the former Shell and BP Sports Club, (now Vivo Energy). It consists of the former clubhouse, squash hall and play grounds for tennis, football, basketball and badminton. The sports club facilities were donated by Vivo Energy to the Karura Forest Education Centre Trust (KFEET)²⁴ in an effort to contribute to conservation of the environment, and to act as an environmental education resource centre for Karura. Soon after, by June 2013, they renovated the squash hall to function as an auditorium for lectures and environmental debates and discussions. The auditorium has seats for 100 persons, used for educational lectures, films and workshops²⁵. The

23 Originally constructed by the Forest Dept. but now run by the Nairobi City Council.

24 The founder members of KFEET include the late Nobel Peace Prize Laureate, Prof. Wangari Maathai (patron), Kenya Shell Limited (now Vivo Energy Kenya – donor of the facility), Kenya Forest Service (KFS) – guardian and recipient of the facility), the Green Belt Movement (GBM), Friends of Karura-Community Forest Association (FKF-CFA) and the Oshwal Education & Relief Board.

25 The new auditorium was opened in a function graced by dignitaries. The guest of honour for the opening ceremony was the first lady of the Republic of Kenya, Mrs. Margret Kenyatta, a frequent visitor to the forest, who likes to train and keep fit for marathons by jogging and running in the expansive nature trails of the forest. Other senior government and international officials that graced the event included the Cabinet secretary of the Ministry of Environment, Water and Natural Resources, the Director of KFS and members of the diplomatic corps and the UNEP.

KFEET/FKF Education Officer hosts, organizes and leads walking study tours that emphasize environmental and civic education.

Photo 6: Former Sports Squash Hall now Turned into Auditorium for Lectures



Source: Fieldwork, 2013

The premises of KFEET currently maintain low impact sports (a football ground, a basketball and a tennis pitch) and a children's play facilities, inherited from the shell and BP sports club, which generate revenue. Apart from the sports club facilities and a few picnic benches scattered in various sections of the forest, there were no major recreational facilities in the forest at the start of this study in 2012. However, in 2013/2014, some controversial plans for constructing some debateable recreational facilities²⁶ were in the pipeline as proposed by the Friends of Karura Forest - Community Forest Association. Specifically, the proposals are to expand the existing facilities on the 16 ha site of the former shell and BP sports club, by putting up a world class environmental education resource centre, which would contain a library, small conference rooms, exhibition areas, management and administrative offices, storage facilities, a restaurant and cafeteria, eco-gift shops and washrooms²⁷. In April 2013, FKF-CFA announced a call for proposal for an architectural design competition, as per the design brief in the box below. According to Prof. Karanja Njoroge, chairperson of FKF-CFA, the Karura Forest Education Centre Architectural Design Competition was launched in 2013 by Her Excellency the First Lady Margaret Kenyatta and sponsored by the United Nations Environment Programme (UNEP). However, as we shall see later, these proposals have been contested by some stakeholders.

26 See field notes on the FKF-CFA Annual General Meeting in appendix which I attended it emerged in the members' meetings

27 These plans were opposed by some persons for their possibility of destroying nature and making it unnatural. See notes for the FKF-CFA Annual General Meeting in section on non-state actor's interventions.

3. GENERAL DESIGN GUIDELINES

In keeping with the primary purpose of the Centre which is conservation of the environment and sustainable use of natural resources, the following points should be considered whilst designing the new facility:

- To limit the development as far as is reasonable within the currently built-up area and prevent encroaching onto surrounding natural habitats;
- To minimize the carbon footprint by using materials with low environmental impacts (for example, cement that has a high in-built energy contents should be limited);
- To maximize carbon sequestration by using materials with high carbon contents (for example, wood from well managed plantations should be encouraged);
- To make the centre as self-sufficient as possible in the use of natural resources (such as water) and energy. The facility should be a live model and a showcase of innovative green building practices and lifestyles. As far as possible, the Centre should comply with the LEED certification;
- The facility should be designed to blend in and complement the surrounding environment, in particular the forest. The forest should be considered as an extension of the Centre;
- The design and layout should be simple. Unnecessary complexity that alienates the visitors and is in conflict with the Centre's theme and objectives should be avoided;
- To be world class but retain a high level of reality and practicality; and,
- To be fully wheelchair friendly and be fully accessible to physically challenged individuals.

4. SPECIFIC DESIGN FUNCTIONS

The Centre should be designed towards providing the following functions:

- 2.** Permanent exhibition on Karura Forest to inform people on the history and the value of Karura Forest as well as on the history of the Shell Sports Club;
- 3.** Temporary exhibitions area on topical environmental issues;
- 4.** Interactive exhibition: Interactive screens with individual controls and headsets to provide access to a database of short documentaries, flash animations, poster-based exhibitions and presentations;
- 5.** Library to exhibit and make available the most recent publications from the main environmental stakeholders in the region. This will enable visitors to access information, in one place, on the latest published developments in the field of the environment;
- 6.** Auditorium capable of accommodating around 80 persons to provide a main venue for topical presentations and debates, projection of documentaries as well as lectures on environmental issues;

- 7.** Small conference rooms to host meetings pertaining to the environment;
- 8.** Management and administrative offices;
- 9.** Storage facility for exhibits and resource material;
- 10.** Cafeteria and eco-gift shop; and,
- 11.** Wash rooms.

The Centre should blend with outdoor facilities, including:

- i.** Amphitheatre: Discussions, presentations and discourses will also be organized outside amidst the lush greenery, birdsong and fresh air of the forest;
- ii.** Nature Trail: The nature trail will sensitize and raise the interest of the visitors to the diversity of the tree and plant species in Karura Forest. The trail will act as a link between the Centre and the surrounding forest;
- iii.** Tree Nursery: The tree nursery will be set up to present practical demonstrations on tree management;
- iv.** Outdoor sports facilities: It is intended that the Centre will initiate programmes that combine education and recreation. The existing outdoor sports facilities will require some improvement. Adequate changing rooms will be needed

The bid was won by a South African based architectural design company known as Boogertman and Partners, as announced on June 2014 in a small and private ceremony held inside Karura forest at the FKF/KFEET veranda. I fortunately managed to attend this award ceremony as a participant researcher.

Photo 7: Invited guests, members of FKF and the Jury inspecting the 4 competing designs



Source 55: Fieldwork 2014

Photo 8: Existing Environmental Education Centre (Sports Club Facilities)



Source 56: Fieldwork, 2013

Photo 9: One of The Designs Submitted from A Swedish Architectural Firm²⁸

28 The representative travelled all the way from Sweden just to attend the ceremony. She was very disappointed for travelling all the way, only to learn that their company did not win.



Source 57: Field work 2014

Photo 10: Winning Design: Final Artist's Impression of the Proposed Resource Centre



Source 58: [Www. Archidatum.Com/Projects/Karura](http://www.Archidatum.Com/Projects/Karura)

Photo 11: Kenyan Representative from The Winning Firm Receiving the Award Certificate



Source 59: Field Work, 2014

Photo 12: Proposed 16 Ha Site for Building the Proposed Resource Centre



Source 60: Friends of Karura Forest

The existing facilities at the beginning of this research included play equipment for young children, picnic benches, designated sites for barbecues, a car park area, a few sitting benches strewn around Lily Lake and the nature trails, litter bins, toilets, changing rooms, information notice boards, sign age, steps, bridges and board walks in the designated nature trails to the various parts of the forest like the caves, waterfalls and rivers (Kenya Forest Service 2010).

Photo 13: Resting/Picnic Bench Along One of the Nature Trails



Source 61: Fieldwork, 2014

The forest is marketed as a safe, secure and serene place for recreation, especially after the installation of the electric perimeter fence, after being sponsored by the East African Breweries foundation (Kshs 8.5 million or Euros 15000), as part of their corporate social responsibility. The donation was given to the Friends of Karura Forest Community Forest Association (FKF-CFA) who manage the forest in co-partnership with the Kenya Forest Services (KFS), the government parastatal in charge of all the forests in the country.²⁹ According to the FKF, the objectives of the perimeter fence are: (1) provide safety and security for the enjoyment of visitors; (2) protect the forest from resource exploitation; (3) to protect the forest from covetous land grabbers' developers. At the beginning of this study in 2012, KFS and FKF had plans to develop more eco-tourism facilities, including the eco-lodges, bars, restaurants and campsites. Recently, some of these plans were implemented by the Friends of Karura-Community Forest Association. These include the controversial Amani Memorial Garden³⁰ and picnic site in remembrance of the affluent and middle class Kenyans who died in the 2013 al-Shabaab attack at the high class Westgate shopping mall. There is also a new restaurant which was built by FKF and leased to a private company.

Photo 14: The Luxurious River Café Restaurant inside Karura Forest



Source 62: Facebook/The/River/Café/Karura

²⁹ More on this discussed in sub-section on activities and achievement of the Friends of Karura Forest Community Forest Association.

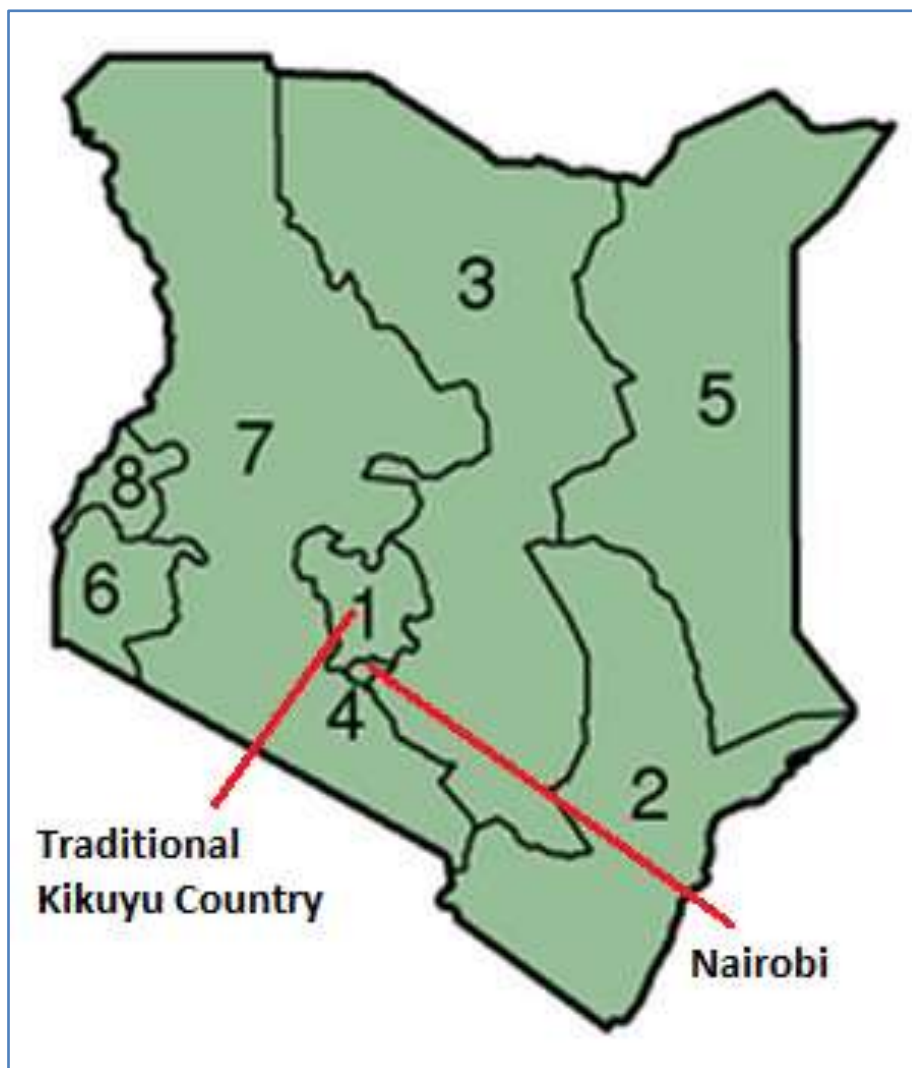
³⁰ The construction of the memorial garden for Westgate shopping mall attack victims was criticized on social media for only considering the Westgate victims for memorization because they are affluent and upper middle class visitors. Questions were raised on why many other terrorist attack victims in the country were not memorized in karura.

SOCIAL-POLITICAL HISTORY OF KARURA FOREST RESERVE

Pre-colonial Era

In the pre-colonial era, Karura Forest was located in the traditional *Kikuyuland* (Christopher 1988) conventionally considered as all the land south and west of Mount Kenya and to the edge of the forest (Muriuki 1974). Specifically, Karura forest belonged to a Kikuyu clan known as '*mbari ya kihara*'³¹ (Njeru, 2013); (Wamagatta 2016). Some scholars have noted, '*the kikuyu...had evolved a system of land management in which the forest was owned by clans up to a maximum of 12 miles into the forest*' (Castro, 1988); cited by (Mwangi, 1998) and (Castro, 1991b). Land above this line was sacred belonged to the community as a sacred forest. The original inhabitants of the area used the forest for hunting, trapping, collecting food, wood fuel, fibre, medicinal plants and conducting spiritual ceremonies (Castro, 1991a and 1991b) and (Mwangi, 1998).

Figure 33: Map of Kenya locating Traditional Kikuyu Country



Source 63 <http://www.kenya-advisor.com/kenya-map.html>

31 Kikuyu phrase translated as, 'the Kihara clan'.

Since the forest was considered sacred by the community, livestock grazing, felling of trees and cultivation were not permitted See (Castro, 1991a & b); (Mwangi, 1998) (Muhando 2005); (Nyangila 2012); (Njeru, 2012) (Njeru, 2013). Many of the indigenous trees in the forest were for medicinal purposes like the *Muthiga* tree (Castro, 1991b); (Muhando 2005). This and many other trees in the forest are still an important part of the socio-cultural heritage of the Kikuyu people. Others have argued that Karura Forest was one of the buffer zones between the pre-colonial or traditional Maasai and Kikuyu communities (Okoth-Ogendo 1991); (Kimaiyo 2004). According to history, periodic wars between the Kikuyu and the Maasai limited the agricultural expansion of the Kikuyu people, with forest belts acting as buffers between the two communities (Dewees 1993). The buffer zone acting as a fortress to the Kikuyu villages partly explains why it was important not to fell down trees among the traditional Kikuyu communities (Dewees 1993).

Colonial Era

In the colonial period, the local native pre-colonial chief of the '*mbari ya kihara*', the *kikuyu* clan who guarded karura forest on behalf of the community, "donated" the forest to the colonial government, on condition that it remained as a public forest (Njeru, 2008, 2010, 2012, 2013) & (Klopp, 2012). At this time, the forest was all natural comprising of *Branchville huillensis* (*Muhugu*), *Croton megalocarpus* and *Warburgia Ugandensis* (*Muthiga*) (Kigomo, Savill and Woodell 1990); (J. Njeru 2008); (J. Njeru 2010); (Njeru, 2012) & (J. Njeru 2013). When the colonial government took it over, the European settlers in the upcoming settler town of Nairobi used the forest to extract timber for building their homes and wood fuel for cooking and heating (Christopher, 1988). Additionally, according to (Dewees 1993), '*European intervention put an end to Maasai and Kikuyu raids, and as a result the buffer forests, were no longer needed*'.

Consequently, '*Between 1900 and 1910 there was a period of intensive forest clearance and cultivation by the Kikuyu*'. In 1906, the colonial government started the first experimental plantations in Karura as well as other forests in Kenya, where they planted various exotic tree species like eucalyptus and cypress (Hutchins 1909) (Adoyo and Wangai 2012). In 1910, the colonial government formerly established plantations in Karura and other forests in Kenya through the introduction of the '*shamba*'³² (Oduol 1986); (Adoyo and Wangai 2012). The *shamba* system was a form of agro-forestry (farm forestry) which allowed farmers to cultivate small plots of forestland with food crops (Awiti and Yatich 2007); (Kiriti-Nganga 2012), on condition that they re-plant tree seedlings among their crops (Awiti and Yatich 2007). The system allowed farmers to clear forestland for cultivation, and at the same time plant eucalyptus and other exotic trees species needed for the then construction of the Kenya Uganda Railway. The system emphasised more on increasing the supply of wood products rather than conservation. The *shamba* system acted as a form of free labour to the government for establishment of the tree plantations. After three years, the farmer was supposed to leave the *shamba* (Adoyo and Wangai 2012). It was during the time of using this system that large sections of Karura forest

32 Swahili word for farm, garden or plot used for both small or large scale farming

started being replanted with exotic trees, which now comprise 61% of the forest, compared to the remaining indigenous sections of only 25% of the forest.

Table 18: Proportion of Forested & Deforested Areas of Karura Forest

| Block | Indigenous Forest | Exotic Plantation | Deforested Areas | Other | Total |
|-----------------|-------------------|-------------------|------------------|--------|---------|
| Karura | 213 | 411 | 32 | 37 | 693 |
| Eastern Salient | 25 | 0 | 0 | 80 | 105 |
| Sigiria | 22 | 222 | 0 | 0 | 244 |
| Total | 260 | 633 | 32 | 117 | 1042 |
| Percentage | 25.00% | 61.00% | 3.00% | 11.00% | 100.00% |

Source 64: Kenya Forest Service, 2010

For some time, at least between 1906 and 1936, the colonialists considered it fashionable to plant a mixture of a certain proportion of Eucalyptus Trees with the indigenous species (Blench 1997). However, they eventually stopped planting indigenous trees, replacing the natural forest over the years with Eucalyptus, after apparently, discovering that Eucalyptus trees grew very fast compared to the indigenous ones (Mwangi, 1998). Estimates showed that planting indigenous species would require seventy years to mature, while eucalyptus trees grew at a rotation age of twelve (12) years. Thus, the colonial government introduced exotic tree plantations from then henceforth (Kenya Forest Service 2010). With the ever pressing demands from the then fast growing city, the pressing demand for fuel wood meant that the fast growing species was planted to the exclusion of all the other species (Lee-Smith & Lamba, 1994) cited by (J. Njeru 2013). Eventually, they replaced nearly the whole natural indigenous forest with exotic trees, which now comprise 61% of the forest (Mwangi, 1998). Getting rid of the exotic trees and replanting with indigenous ones has become one of the main activities being undertaken by the Friends of Karura Forest, as discussed in later sections of this thesis.

In 1932, Karura forest was gazetted for protection by the colonial government, as part of efforts to preserve natural areas (J. Njeru 2013). According to Lee-Smith & Lamba (1994), cited by (J. Njeru 2013), forested areas were by then experiencing a lot of pressure from the European settlers, and there was an urgent need by the colonial government to protect Karura, and other natural areas in the city. Being in the area with a growing settler township, Karura was under a lot of pressure. Thus, it was one of the earliest areas to be protected by the then colonial government (J. Njeru 2013). From the beginnings of its gazettement in 1932, the colonial government managed the Forest as a protected area. The colonial government policies did not allow the use of the gazetted public forest for any purposes, among the natives. Any forest lawbreakers got severe penalties imposed upon them (Mwangi, 1998) cited by

(Kamau 2013) and (Kariuki and Kariuki 2015). Controlled access and use of the forest was later on allowed, but to a very limited extent by the post-colonial government policy through the forest department (E. Mwangi 2006). Recreational use of the forest was not allowed (See (Njeru, 2013; 2012 & 2010); (Wily and Mbaya 2001); (Matiru 1999).

Post-Colonial Era

After independence, the post-colonial government simply inherited the colonial era policies and legislations without making much amendments or solving the problems created by the colonial injustices (Kameri-Mbote, *Righting Wrongs: Confronting Dispossession In Post-Colonial Contexts* 2006). If anything, the post-colonial policies became more exclusionary, with local populations, who were now landless, being denied access and use rights of natural forest resources in the created reserves (Mwangi, 1998). In areas where there were squatters, forest resources got depleted while other sections of the forest were appropriated for settlements and agriculture (Mwangi, 1998); (Njeru, 2013; 2012 & 2010); (Wily and Mbaya 2001); (Matiru 1999). As many people remained internally displaced and disposed of their lands, some ended up being squatters living in the margins of the forestlands while others moved to cities to look for work (Mwangi, 1998).

Despite facing different challenges with rural forests in the other regions of the country, forests in Nairobi were not spared the threats of exploitation and encroachment from urban development Lee-Smith & Lamba (1994); (Njeru, 2013; 2012 & 2010); (Wily and Mbaya 2001); (Matiru 1999). This is because the population of Nairobi increased drastically after independence because Africans were allowed into the city (Obudho, 1997); (Owuor, 2008) (Olima, 2001); (Owuor & Mbatia, 2012). The growing African and Asian population meant that demand for fuel and construction material increased. Thus, despite the existence of other forms of fuel and construction material, fuelwood and timber for construction in the city increased between the years 1960-1970 (Lee-Smith & Lamba, 1994) cited by (J. Njeru 2013). Over the years, since the beginning of the colonial days, Karura has lost about 114 hectares of the forestland to private developers who had applied to develop sections of the forest. In the recent past, these included application for development of diplomats' homes and international research institutions (Matiru 1999); (Wily and Mbaya 2001); (Klopp, 2000 & 2012); (Gachanja 2003) (Klopp, 2012); (Njeru, 2008, 2010 & 2013); (Manji 2010).

A Grabbed Public Space³³

Karura Forest covered an area of 1062.7 ha when it was first gazetted as a forest in 1932 (Kenya Forest Service 2010). Sections of the forest have since been excised illegally by corrupt government officers (Matiru 1999); (Wily and Mbaya 2001); (Klopp, 2000); (KNCHR & KLA, 2006); (Mazingira Institute, 2004); (Ndungu Land Commission 2004); (Southall 2005) (Kenya Forest Service 2010). Most of the forestland given out was used for the construction of offices for international organizations like United Nations (UNEP and UNHABITAT) world headquarters located in Nairobi, the World Agro-Forestry Research Institute (ICRAF), embassies and diplomatic

³³ See appendices for updates on this

residences for countries like United States, Canada and Belgium among others (Gachanja 2003); (Njeru, 2008, 2010, 2012 & 2013); (Klopp, 2002 & 2012). Several headquarters for national organisations like National Youth Service (NYS), National Security Intelligence Service (NSIS) and Criminal Investigative Department (CID) headquarters are also located there (Kenya Forest Service 2010).

Table 19: History of Alteration of the Boundaries and Area of Karura Forest

| Year | Proclamation/ legal notice | Action | Area Affected | Total Area |
|--------------------|-------------------------------|--|----------------------|---------------|
| 1932 | Proc. 44/1932 | Establishment of Karura forest reserve | 1062.7 ha | 1062.7 ha |
| 1951 | Proc. 15/1951 | Excision | -1.6 ha | 1061.1ha |
| 1954 | Proc. 30/1954 | Addition | +1.6 ha | 1062.7 ha |
| 1956 | L.N. 289/1956 | Excision | -18.6 ha | 1044.1 ha |
| 1964 | L.N. 174/1964 | Declaration as central forest | | 1044.1 ha |
| 1986 ³⁴ | L.N. 310/5.12.1986 | Excision | -2.78ha | 1043.1 ha |
| 1993 ³⁵ | L.N. 301/24.9.1993 | excision>exchange>addition | -5.86 ha +5.63 ha | 10411.1ha |
| 1997 ³⁶ | L.N.97/13.6.1996 | Excision | -85 ha | 956.2 ha |

Source 65: (Kenya Forest Service 2010)

According to various authors and scholars mentioned earlier, the total acreage of Karura (now 1041.3ha) of Karura falls short of its original due to illegal and irregular excisions/allocations of the public forest to “private developers” from the late 80’s and throughout the 90’s (Matiru 1999); (Kenya Forest Service 2010); (Klopp, 2002 & 2012); (Gachanja 2003); (Njeru, 2008, 2010, 2012 & 2013). The forest was illegally excised by corrupt government official and well connected political elites in the former dictatorial, authoritarian and corrupt ruling regime in the 1980’s and 1990’s (Klopp, 2000); (J. Njeru 2010) (Gachanja 2003), (Wily and Mbaya 2001). Between 1996 and 1997 the political elites and corrupt state officials illegally allocated themselves and sold more half of the forest to private developers through corrupt schemes (Standing and Gachanja 2014); (Klopp, 2012); (Njeru, 2008); (Klopp, 2001). A land title deed of 564.1ha was issued in 1996, to private developers formalising the illegal excision (Wily and Mbaya 2001) (Njeru, 2008, 2010, 2012 & 2013), (J. Njeru 2012) & (J. Njeru 2010); (Klopp, 2000 & 2012); (Ndungu Land Commission 2004).

34 Excision was illegal since the minister then did not give a 28-day notice.

35 ibid

36 ibid

Table 20: Some Examples of the Illegal Allocations of Karura Forest

| Period | Allottee/beneficiaries | Size/ha | Value | Comments |
|--------|---|---------|-------------|--|
| 1980 | Tumaini School | 26.251 | 441,090,303 | No legal notice was published |
| 1989 | Hon. J.J. Kamotho | 26.68 | 44,829,870 | Exchange for land purportedly allocated to Kenya Technical Teachers College |
| 1990's | Hezikiak Kogo (0.756 ha); Samson Muriithi Nduhiu (0.2179 ha); Sardu Singh Virdi and Gusharan Kaur (0.8651 ha) | 1.838 | 30,883,546 | Forest department not consulted |
| 1994 | Pelican Engineering and Construction | 18.41 | 309,339,548 | Area still forestland but NSSF claims to have bought it from Pelican |
| 1994 | ICRAF, Private Developers | 8.1 | 136,102,680 | In 2003, an American Developer who had purchased the balance of 5.1 ha attempted to put up a five-star hotel, efforts thwarted ³⁷ . |

Source 66: Ndungu Land Report, 2003

*A Contested Space*³⁸

In 1998. It emerged that Karura Forest had been re-allocated by the state illegally for private purposes, slowly over the years from 1994 (Klopp, 2012); (Manji 2010); (Njeru, 2012, 2010 & 2008) (Wily and Mbaya 2001) & (Matiru 1999). The land grabbing of large sections of the public forest became apparent to the public through the media. Led by the late Prof. Wangari Maathai and her Green Belt Movement (GBM), citywide public protests arose (Njeru, 2012); (Maathai 2004). Slum residents living in the informal settlement adjacent to the forest, Mji wa Huruma village, and students from University of Nairobi led the demonstrations. Soon afterwards, members of the Architectural Association of Kenya (AAK), Law Society of Kenya (LSK), Kenya Valuers and Estate Agents Associations, Civil Society Organisations

³⁷ Currently, there are reports by the Green Belt Movement and the Friends of Karura Forest that this allottee is still claiming the piece of land, and wants to put up a five-star hotel. The claims are despite the revocations of his title, which he most likely must have acquired it on third party basis, after buying it from a second party who acquired the land illegally and sold it off.

³⁸ See appendices for updates on this

(CSO's), National Council of Churches of Kenya (NCCK) joined the protests (Klopp, 2012); (Njeru, 2012); (Maathai 2004); (Wily and Mbaya 2001) & (Matiru 1999); (Gachanja 2003).

The protests took the form of, 'replanting trees...destroying and removing construction materials... street demonstrations, matches in the forest, legal appeals and parliament demands to revoke allocations' (Njeru, 2008, 2010, 2012 and 2013); (Gachanja 2003); (Amutabi 2002). Wangari and the protestors encountered violent beatings from the police as a result of the protests, but they never gave up (Klopp, 2000 and 2012). Eventually, after almost two years, the private developers gave up the construction. However, the illegal allocations were not revoked by the then President. It is only when a new president came into power in 2002 illegal allocations of Karura Forest got revoked (Njeru, 2010, 2012 & 2013); (Klopp, 2012); (Mwaura 2000); and (Gachanja 2003). However, it was not until 2012 when the revocations were made official and gazetted (see Gazettee No. 5022 of 2012) - (RoK 2012)

Table 21: List of title deeds of land parcels of karura forest illegally allocated and revoked

| | | |
|----------------|---------------------------------|--|
| 1. L.R. 210095 | Karura Forest Nairobi County | Kenya Forest Service and Frankway Ltd, Interfarms Enterprises Ltd, The Nile Source, Silk Investments, Awen Investments, Texas Instruments, Nyamangua Ltd. and Others |
| 2. L.R. 21249 | | |
| 3. L.R. 21248 | | |
| 4. L.R. 21239 | | |
| 5. L.R. 21247 | | |
| 6. L.R. 21240 | | |
| 7. L.R. 21246 | | |
| 8. L.R. 21241 | | |
| 9. L.R. 21245 | | |
| 10. L.R. 21242 | | |
| 11. L.R. 21243 | | |
| 12. L.R. 21244 | | |
| 13. L.R. 21288 | Karura Forest Nairobi County | Kenya Forest Service and Mtaa Holdings, Sonatawi Ltd, Total Enterprises Ltd, Okinawa Enterprises, Chaumet Africa, Sofracom International Ltd, Mambrui Investments, Fired Earth Co. Ltd, Texas Investments & Others |
| 14. L.R. 21289 | | |
| 15. L.R. 21290 | | |
| 16. L.R. 21291 | | |
| 17. L.R. 21292 | | |
| 18. L.R. 21293 | | |
| 19. L.R. 21294 | | |
| 20. L.R. 21295 | | |
| 21. L.R. 21296 | | |
| 22. L.R. 21297 | | |
| 23. L.R. 21298 | | |
| 24. L.R. 21300 | | |

Source 67: (Republic of Kenya (RoK) 2012)

A Place for Creating Democratic Space in Kenya³⁹

Contestations against the corrupt and authoritarian ruling elite that was illegally dishing out Karura forest in the 1990's was one of the first successful attempts of participation by non-state actors in the management of natural resources. It marked

³⁹ See appendices for updates on this

the beginnings of the struggles and achievements for democratic space from the then authoritarian regime. Since the Karura Protests, the public became bolder in creating and claiming spaces for voicing out issues affecting them, without fear of the authoritarian leaders (Kibwana 1999); (Klopp, 2000) and (Njeru 2010). Karura forest signifies the struggles for democratic space in Kenya, and is highly valued politically by the local, national, regional and international community (Njeru, 2008, 2010,2012, and 2013); (Klopp, 2002 and 2012). One section of the forest has been christened Wangari Maathai corner in tribute to the lead environmental activist, who won the Nobel Peace prize for environmental activism, in particular for stopping the grabbing of Karura forestland.

A Forest of Fear

Apart from the political intrigues associated with illegal allocation of the public forest to private developers through 'land grabbing' schemes in the 1990's, Karura Forest has had its share of other evils. For a long time, the forest was associated with rampant murders and crime. Car jackers, murderers and other criminals used to take their victims to the forest and dump them there, after robbing or murdering them. It has been reported that the special branch used the forest to torture and murder persons suspected to be opposing the then authoritarian ruling regime⁴⁰. Every other day, there was a report in the media about people's dead bodies which had been found dumped in Karura Forest. Indeed, Kenya Forest Service have admitted that it was a criminal hideout, a situation which they were unable to handle⁴¹. Women collecting firewood living in the forest adjacent the neighbouring slums were frequent victims of rapists and murderers hiding in the forest⁴². The affluent people in the area were always in danger of being robbed or being abducted in their homes or on their way to or from their residences. These bad memories have been difficult to erase from people's minds and up-to date, a large percent of Nairobi citizens still associate Karura forest with violent crime and murders. This is despite the major changes which have taken place to make the forest a safe and secure eco-tourism haven, as we shall see in later chapters.

SOCIO-ECONOMIC CONTEXT OF KARURA FOREST RESERVE

The Affluent Community

The main land use in the neighbourhood of Karura forestland consists of some of the most affluent residential suburbs in Nairobi and Kenya, as well as major international, regional and national institutions. As can be seen from the tree cover

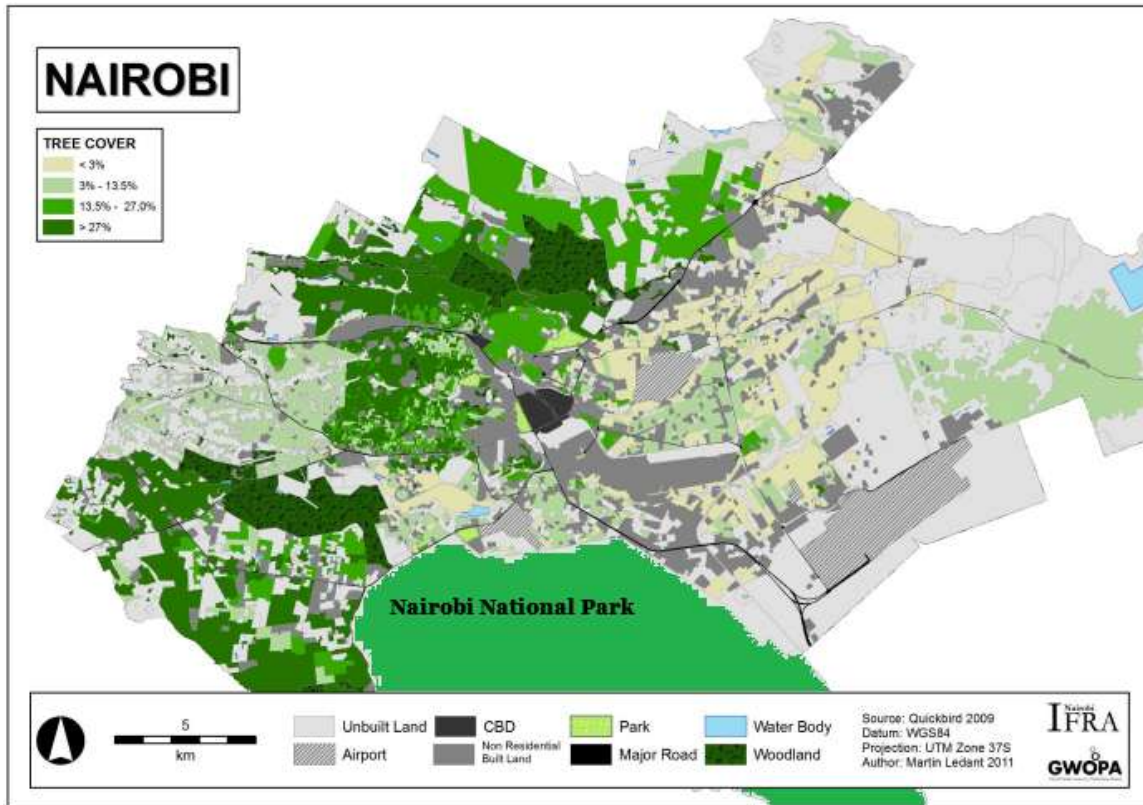
40 See: (1) report on a Mr. Karanja, a victim murder by Special branch (GoK) in Karura forest. The issue was brought to the Parliament by Mr. Orenge and recorded in the Kenya National Assembly Official Records (Hansard, July 1996) page 1611 and (2) Torture in Kenya: A status report by people against torture (Nairobi) 2001

41 See http://www.kenyaforestservice.org/index.php?option=com_content&view=article&id=261:thank-you-and-goodbye&catid=81&Itemid=538

42 See for instance, <http://kenyalaw.org/caselaw/cases/view/5942/>, about a cases taken to court where some men were accused of killing and raping several women on different occasions. The bodies of the women who live in the slum community were found with evidence of sexual abuse and killing by strangling.

map of Nairobi Karura Forest is located in the greenest leafy suburbs of Nairobi. The high-class neighbourhoods in the forestland area include Muthaiga, Runda, Gigiri, Ridge ways, New Muthaiga, Whispers, Spring Valley and Parkland's High ridge.

Figure 34: Tree cover map of Nairobi corresponding with the Green Leafy Suburbs



Source 68: (Ledant, M, IFRA, Nairobi 2011)

The forest and other nearby private greenspaces improve the aesthetic value of the high-class residential properties in the area. A point to note is that these residential areas are formerly the European only neighbourhoods, designated as such during the colonial period. After independence, a few wealthy Indo-Asian Kenyans moved in from the neighbouring formerly designated Asian only area in parklands and high ridge neighbourhoods. Consequently, to date, most of the people who live in the area are wealthy white Kenyans, remnants of colonial ancestors, international expatriates, mostly from European countries and United States of America, wealthy Indo Asian Kenyans, a few Black African Kenyans, including the former 3rd president of the Republic of Kenya, His Excellency Mwai Kibaki.

A large part of the affluent community consists of expatriates living and working in the offices and residences of foreign embassies and big international non-governmental Organisations. These include offices of United Nations Environment Programme (UNEP), International Centre for Agro-Forestry Research (ICRAF), the United States of America Embassy, the Canadian, Belgian and Brazilian Embassies. Significant national institutions in the area include Criminal Investigation Department (CID) headquarters, the Kenya Forestry Research Institute (KEFRI),

Kenya Teachers Training College (KTTC), Kenya Forest Services (KFS) headquarters, high end shopping malls like Village Market and Warwick Centre.

Photo 15 Gated Runda Luxury Homes in Karura Ward



Source 69: Field work, 2016

Photo 16: One of the gated homes from Runda Residences next to Karura Forest



Source 70: Fieldwork, 201

Photo 17: Road leading to a slum sandwiched between the forest and the affluent gated community



Source 71: field work, 2014

Slum Community

At the extreme end of the affluence are several pockets of slums, neighbouring and/or adjacent to Karura forest and the high-class residential areas and international organisations. These slums include: (a) Deep Sea slum to the West (Sigiria) block of the forest; (b) Mji wa Huruma slum -Northern Border of the Forest; (c) Mathare slum- second largest informal settlement in Nairobi - to the East of the forest and (d) Githogoro slum, to the north west of the forest. At the extreme end of the affluence are several pockets of slums, neighbouring and/or adjacent to Karura forest and the high-class residential areas and international organisations. These slums include: (a) Deep Sea slum to the West (Sigiria) block of the forest; (b) Mji wa Huruma slum -Northern Border of the Forest; (c) Mathare slum- second largest informal settlement in Nairobi - to the East of the forest and (d) Githogoro slum, to the north west of the forest.

The four slum communities have for a long time depended on the forest to collect firewood for cooking, timber posts for building their houses and water from the rivers for their domestic uses. Additionally, some of them have created their livelihoods from harvesting and selling forest based products like charcoal, timber posts, firewood and medicinal plants. However, for their livelihoods, most of them depend on manual casual labour, providing services as domestic house servants,

gardeners and cooks for the affluent community and institutions in the area (KFS, 2009). The main slum community under investigation in this study was Mji wa Huruma Slum, since they are indirectly involved in maintenance and management of the forest. Additionally, they are the slum community that is closest to the forest, therefore the most heavily dependent on the forest, given that their settlement is located almost right inside the forest.

Photo 18: Mji wa Huruma Slum (in red), between Forest and Affluent Homes⁴³



Source 72: Google Earth, 2016

Specifically, the settlement is squeezed in between the affluent Runda Neighbourhood to the North and the southern boundary of the middle block of the forest delineated by Getathuru River. The settlement was a temporary relocation of slum residents from another area by the defunct City Council of Nairobi (CCN) in 1975 after the other slum residence they were living in, burnt in a fire (Mwaura 2000). The NCC then regularly allocated the initial 300 households plots measuring 120 square metres in 1977. The plots were planned as site and service schemes, with on-site water supply, a wet core (with shower and toilet), roads, surface water drains, sewerage and street lighting. Based on their individual circumstances, the allottees were supposed to develop their own proper housing and other units for rent, on an incremental basis, to accommodate a maximum of six households. The NCC formulated the minimum standard of housing to be built and charged a fee for the design and professional services. The necessary finance to construct the stipulated type of houses was beyond the reach of most of the households, therefore the settlement continued developing as a slum (Mwaura 2000).

⁴³ Mji wa Huruma Slum, bowed in red and affluent residential areas circled in green.

Photo 19: Housing and Infrastructure in Mji wa Huruma Slum Village



Source 73: Field Work, 2014

Photo 20: Living and Housing Conditions in Mji wa Huruma Slum next to Karura Forest



Source 74: Fieldwork 2014

Photo 21: View of Karura Forest from children's playground in the slum⁴⁴



Source 75: Fieldwork, 2014

Photo 22: Electric Perimeter Fence separating the slum dwellers from the Forest



Source 76: Fieldwork 2014

⁴⁴ The Kenya Forest Service donated the playing field in 2010 after the mapping and surveying of the forest boundaries in 2009, done in order to prepare for the installation of an electric perimeter fence.

Photo 23: Slum Children in Mji wa Huruma pose for a photo outside their home



Source 77: Fieldwork, 2014.

Photo 24: A kindergarten (nursery school) in the slum built in a shipping container



Source 78: Fieldwork, 2014

As can be seen from the photos of the slum above and below, the living conditions in the slum are typical of slums anywhere else. The residents have no basic water and sanitation facilities, they live in poorly built structures, which act as shelters, and they have no access to proper health facilities nor educational and day care facilities

particularly for the very young children. According to interviews with the slum resident's majority of them are unemployed most of the time, only getting occasional casual employment. Many of them have low levels of education and high levels of illiteracy or semi-illiteracy. The only jobs the majority of them can get, when lucky, are casual jobs of the manual kind. Usually, such jobs pay very little money. These jobs range from domestic work, gardening, and cleaning and laundry services. Such jobs pay as little as 100/- Kshs per day to a maximum of 500/- Kshs per day, both for full day of hard labour. In-depth interviews with of the women in particular, revealed that all of them had more or less the same urban poor socio-economic profile. As we shall see in later sections, the slum residents are dependent on the forest for their domestic needs as well as their livelihoods.

POLICIES FOR MANAGEMENT OF KARURA FOREST

Traditional regulations and norms: (Pre-1895 or Pre-Colonial)

An efficient and effective forest management system existed amongst indigenous communities before colonization in Kenya. through a system of traditional rules and rights Defined by the communities' religious and cultural beliefs, traditional systems protected forests under: (i) sacred groves, which comprised of scattered core areas and (ii) utilization zones (surrounding the sacred groves) whose use was determined and regulated by specific rules (Castro, 1991); (Deweese 1993); (Castro, 1996); (Mwangi, 1998). The community's council of elders ensured the sustainable use of forest resources and other natural assets, enforced sanctions and fines. Most of the traditional management systems were associated with the communities religious and cultural systems. For instance, among the Kikuyu, Maasai, Digo and Luhya (Ongugo and Mwangi, 1996; Luke and Robertson, 1993 and Castro, 1988; cited by (Mwangi, 1998) and (Wily & Mbaya, 2001).

Forest areas in which traditional religious ceremonies were conducted, better known as sacred groves, like Karura Forest, were prohibited for consumptive use like firewood collection and grazing by the communities. Such uses were considered anti-social acts, as a sacrilege, heavily shunned by the communities and fined by the elders (Castro, 1991 and 1996); (Deweese 1993); (Lebbie and Freudenberg 1996). Calamities such as drought and other epidemics were believed to be punishment by the gods for use of forests considered sacred by the community. The only use allowed for sacred forests were religious and cultural ceremonies like 'sacrifices for bountiful harvests, for rain, thanks giving and rites of passage e.g. circumcision, burial sites for elders' (Mwangi, 1998).

Non-sacred forest groves were utilized under other specific rules. Communities practised selective maintenance of valued species for medicinal purposes, fodder, timber reserves and collection of deadwood for firewood. Among the Samburu Masai for instance, destruction of live trees, or cut protected species led to the imposition of heavy fines and sanctions by the elders (Mwangi, 1998). Among the agricultural communities like the Kikuyu and Embu, forest land was owned by clans up to a maximum of two miles into the forest (Muriuki 1974) (Castro, 1988; cited by (Mwangi, 1998). Land above the cultivation line belonged to the community and was untouchable (Mwangi, 1998). Thus, the clan living near the forest was responsible for the management of the forest beyond the cultivation line, on behalf of the community. Consequently, sustained production of the forest's goods and services were promoted by the traditional forest management systems and practices (Castro,1991); (Deweese 1993) (Mwangi, 1998) (Lebbie and Freudenberg 1996).

Colonial Era Policies: Command, Control and Displacement (1895-1963)

The management of Karura Forest by written formal rules and regulations began with the declaration of Kenya as a British Protectorate in 1895 (Ofcansky 1984). During the colonial period, the objectives of protecting Karura and other forests in

Kenya was to prevent destructive indigenous land use practices, to prevent European settlers from obtaining private ownership and to generate revenue for the Forest Department through the sale of timber and minor forest products (Mwangi, 1998); (Ofcansky 1984). The shamba system was introduced in 1910 (by the colonial government) to provide labour for tree planting and cut down the Forest Department Costs (Oduol 1986). Forest legislation during these eras was based on a “command and control” approach that made it difficult to achieve environmental sustainability (Kenya Forest Service 2010). A summary of colonial legislations and policies on forests in Kenya is shown in the table at the end of this sub-section.

Outcomes of Colonial Forest Conservation Policies

Colonial policies and legislations ignored the needs and priorities of the African population (Ofcansky 1984); (Mwangi, 1998) in both rural areas and in the segregated colonial city, the main stakeholders in the use and conservation of the forests. Due to marginalization of the main stakeholders, colonial policies created a number of negative outcomes for forest use, conservation and management, in both urban and rural forests, which are still felt even today (Mwangi, 1998); (Matiru 1999); (Wily and Mbaya 2001).

The first major negative outcome was the alienation of Forestlands to European Settlers. By 1908, approximately 264, 410 acres of forestland in Kenya were alienated to settlers with majority of them under private settler ownership (Uhler, 1982) cited by (Mwangi, 1998). The colonial government then justified the passing of the Land Grants to Settlers using the argument that the settlers would reduce forest destruction compared to the local natives (Mwangi 1998); (Christopher 1988). Under this regulation, the settlers could convert part of the forest to agriculture, but 10% of the farms had to be kept under perpetual forest. However, the conservator of forests had difficulties enforcing the regulations among the settler population, and the settlers continued clearing forestlands (Ofcansky 1984); (Castro, 1991); (Adams 2003).

Internal displacement of indigenous populations and creation of squatters was created as forestlands were alienated to the settler population, with complete disregard to the rights of local inhabitants. Forest-dwelling people like the Ogiek and the Ndorobo were displaced and non-forest dwellers were denied rights of use and access for fuel wood, water, grazing, honey, salt-licks, medicinal herbs, refuge or territory for expansion and protection (Mwangi, 1998); (Wily and Mbaya 2001); (Mwangi, 2006). Indigenous people displaced from forests were confined inside native reserves, under the native lands trust ordinance of 1930 (Christopher 1988). Any forests under such native reserves were declared as native forest. The landless peasants simply remained in the forestlands as they had nowhere to go, against the Forest Department's will (Mwangi, 1998).

There were frequent tensions between the forest department and local administration due to the disregard for indigenous population rights and reluctance to compensate the natives their loss of access to forest goods and services. The native forest reserves were managed by ‘Local Native Councils’, and the Forest Department

encountered hostile resistance in its attempts to institute afforestation programs in Native reserves. Eventually, the government, through the chief conservator of forests closed the last opportunity for access to forest products by the indigenous population, gazetted forests within native reserves. In the 1940s and 1950s, rising political consciousness and re-assertion of native rights and national freedom meant that the local administrators had to contend with complaints from an increasingly discontented native population (Mwangi, 1998); (Wily and Mbaya 2001); (Castro,1991)

As a result of limiting the indigenous populations to native reserves, forest resources in native camps got further depleted and overexploited very quickly (Uhler, 1982, cited by (Mwangi, 1998). The *shamba* system (introduced by the colonial government as a way to provide labour for tree planting, lower forest department costs and provide a temporary solution for landless people) created more problems for forests in Kenya than anticipated, even long after the colonial forestry administration. The landless eventually acquired squatter rights, by virtue of time settled, resulting in the government excising the forest to provide for the land needs of the squatters. By the 1950s, much forestland was lost to settlement (Mwangi, 1998); (Wily and Mbaya 2001).

Early Post-Colonial Era (1963-2005)

Forest Act, Chapter 385

Before 2005, the legal framework for forest management in post-colonial Kenya has been the Forest Act, Chapter 385 of the Laws of Kenya of 1942 (revised in 1982 and 1992). The Act was inherited from the colonial government and some sections of it modified by the post-colonial government. The law was enacted to provide for 'the establishment, control and regulation of central forests, and forest areas in the Nairobi area and any un-attenuated government land.'

The now defunct Forest Act, which the post-colonial government of Kenya had been using for many decades, with very few revisions or amendments from the colonial laws. These further prolonged historical injustices created by the colonial government (Kameri-Mbote,2009) making the situation of protecting and managing forest resources more difficult. The main objectives of the act '*preservation, protection, centralization and control of forestry*', were not much different from the colonial times (Mwangi, 1998). The Forest Act certainly did not meet the needs of the people long after the colonialists had left. Even with the amended sections in 1982 and 1992, the 1942 Forest Act, still did not provide any standards or principles along which forest management could be modelled.

One of the main shortcomings of the inherited act was that it provided excess power over public forestlands to Senior State officers, particularly the Minister of Lands and the Forest Department, without setting standards by which they could be held accountable in the case of law violation (Wily and Mbaya 2001). The powers conferred to the Minister allowed him to de-gazette forest areas, via a 28-day public

notice without any public consultations. This was the most controversial part of the act (Mwangi,1998); (Wass, 1995). During the regime of former President Moi rulership, this part of the act, abused by corrupt government officials to illegally excise forests, even without giving a 28-day public notice, which was required, in some cases (Ndungu Land Report, 2004). The excision of 956.2 hectares' acres of Karura Forest, of which 85 ha were affected, took place in this manner. As Wily & Mbaya (2001) note,

'When challenged in Parliament in late 1988 to disclose the facts... the Minister ... confirmed that 64 companies had been allocated a total of 564.14 hectares, (out of 1041.61 hectares, which was more than half the forest.... Investigation of public records showed that excisions to Karura Forest had been made gradually.... The Commissioner of Lands ... secured personal control over half of the forest, offering the Forest Department secure tenure only over the remainder.... The powers given the commissioner of lands to dispose off government land and without necessarily limiting these to public benefit rendered the excisions perfectly legal....'

The second set of major shortcomings of the post-colonial legislation was that it was inadequate, prohibitive and exclusionary (Matiru 1999). According to (Mwangi, 1998), these included: (1) very low penalties prescribed, which were not adequate enough to deter law breakers, especially after many years after independence; (2) lack of a legal procedure for handling objections to excisions; (3) lack of environmental impact assessments and adequate consultation between the Forest Department and affected parties; (4) non-recognition of traditional and local knowledge and systems; (5) disregard for forest squatters by expelling them, without finding out how they came to be in the forest; (6) lack of provision for the settlement and inquiry to allows claims by some communities, by virtue of customary practice and law, rights to use forest without license or fees.

Lastly, the post-colonial Forest Act did not provide adequate protection to other forests falling under the authority of the local government or in private lands because it applied to public land and state forests. Besides, it did not provide definite procedures for integrated planning, by anticipating future threats to the resources caused by demographic change and human activities.

Outcomes of the early post-colonial policies and legislations

One of the main outcomes of the post-colonial legislations has been overall forest loss in Kenya (Matiru 1999); (Wily and Mbaya 2001); (Njeru,2013), with different scholars giving different estimates; 5,000 ha per year since the 1970s (Hodgson, 1992) cited by (Mwangi,1998); 2% per year in between 1972-1980 (Ochanda, 1981) cited by (Mwangi, 1998) 3,000 ha per year from 1980-1992 (Wass 1995) as cited by (Mwangi,1998). In the case of Karura Forest, over 114 ha have been lost over the years since 1932, when the total area of Karura forest was 1,062.7ha (Klopp, 2012). The forest now covers a total area of 1041.3 ha (Kenya Forest Service 2010). Loss of forest land was mainly through legal excisions at the power and disposal of the Minister (Klopp, 2012). Only a 28-day notice was required to notify the public of

planned de-gazettements, making it very easy to excise forests (Klopp, 2012). For Karura Forest, the excisions were especially rampant in the 1980 and 1990's (Klopp, 2012); (Njeru, 2012); (Ndungu Land Commission 2004).

To date, there are still claims to the forest by people who got the illegal allocations in the 1990s, according to Field Interviews with FKF-CFA in July 2014 and recent articles in the print and electronic media. According the chairman of the Friends of Karura Forest, a company registered in the British Virgin Islands took FKF-CFA and Kenya Forest Service (KFS) to court in December 2013, with allegations that they had fenced in 10 acres of their property, as part of Karura Forest (Interviews, July 2014)⁴⁵. The alleged owners of the 10 acres of the forest land, have asked the courts to sue the co-management partners and give orders for the fence to be removed so that they can develop their property. The latest fresh attempt at grabbing was reported in the Daily Nation of February 21, 2016⁴⁶.

Conflicts between the government and the forest dwelling communities were one of the major consequences of the early post-colonial forest legislations (Castro, 1995 (reprint 2005)). Just like the colonial government, the post-colonial government ignored the forest rights of such communities and subsequently regarded their lifestyle of hunting and gathering as incompatible to forest conservation (Blench 1997); (Mwangi, 1998); (Wily and Mbaya 2001). Over the years, the government through the forest department continues to evict these communities from the forest for conservation objectives, leading to bitter resentment and conflicts. In some other parts of the country, the presence of non-forest dwellers squatters living and cultivating within the forest reserves has been a headache for the forest department (Klopp, 2012). Within the boundaries of the Karura Forest Reserve, though small in size compared to other parts of the country, such squatter settlements exist in form of slums and informal settlements, as discussed earlier. The slum dwellers living at the edge of Karura forest are constantly under conflict with and accused by the KFS of exploiting the forest for fuel wood and timber, and degrading it. Attempts to evict such squatters breed conflicts because majority of them have nowhere to go, as most of them are victims of historical land injustices created in the colonial era (Simiyu 2008). Many of the slum dwellers are vulnerable poor women, who have nowhere else to go (Weru 2004).

Mid Post- Colonial Era to Present: Towards Change in Policy

Designing the Participatory Forest Management (PFM) (1992-2005)

Between the mid 1990's and 2007, a new set of policies, guidelines and laws for conservation and management of forests in Kenya were developed in consultation with stakeholders (Wily and Mbaya 2001) . The development of the Kenya Forest

45 Information provided by Professor Karanja Njoroge, the chairman of Friends of Karura Forest Community Forest Association

46 <http://www.nation.co.ke/news/Karura-Forest-faces-fresh-grabbing-threats/1056-3086212-3ismwl/index.html>

Master Plan of 1994 in a participatory process, emphasised the need to design a new forest policy that was more receptive to community needs and other diverse land use interests, like agriculture. The importance of community participation in forest management and conservation became the guiding principle and main theme in the revision of the legislation and policies. It had become clear that the existing forest legislation, as inherited from the colonial era and modified by the early post-colonial government, was outdated and not capable of achieving sustainable forest conservation and management (Wily & Mbaya, 2001). The state had finally realised that it was important to involve the communities as the main stakeholders in managing forest reserves. Consequently, in the mid-1990s, the forest department started experimenting with participatory approaches in some forests in several parts of the country.

Contemporary Period: New Policies and Legislations (2005 to present)

In-order to achieve sustainable forest management, Kenya fully embraced participatory forest management approaches after developed a new participatory forest management policy, based on revisions of Kenya Forestry Master Plan discussed above. The main statutes currently guiding the management of urban and rural gazetted forest reserves in Kenya is the Forest Act No.7 of 2005, the draft Forest Policy of 2007⁴⁷, the National Forestry Policy of 2014⁴⁸, the Forest Conservation and Management Bill of 2014⁴⁹, the Kenya Forestry Master Plan (KFMP) and the Environmental Management & Coordination Act (EMCA) of 1999. Other laws include those related to natural resource management in Kenya and international conventions, which Kenya is included.

The policies and legislations are implemented by the Kenya Forestry Services (KFS), the autonomous government authority responsible for the management of state forests in collaboration with concerned stakeholders, while the Kenya Forest Service (KFS Strategic Plan 2009/10-2013/14) oversees the administration and technical matters. The most important is the Forest Act No. 7 of 2009, which is discussed here.

Forest Act No.7 of 2005

A new forest act was enacted in 2005, providing for the multiple use of forests (consumptive and non-consumptive) and participation of local communities in the management of forests. The overarching principle of the Forest Act No.7 of 2005 is that local communities and other stakeholders can participate in management of forest resources through the development of Community Forest Associations (CFA's). Implementation of this law started in 2007. Box 1 below is an extract of the objectives of the forest act.

Box 2: Objectives of the Forest Act of 2005

- i. To contribute to poverty reduction, employment creation and improvement of

47 The draft forest policy of Kenya (Sessional paper No. 1 of 2007) on forest policy in Kenya supports forestry and wealth creation, and vouches for the development of recreation and eco-tourism facilities (GoK, 2007).

48 Published by the Ministry of Environment, Water and Natural Resources.

49 Waiting to be made into law. Published on 26th February, 2014.

- livelihoods through sustainable use, conservation and management of forests and trees;
- ii. To contribute to sustainable land use through soil, water and biodiversity conservation, and tree planting through the sustainable management of forests and trees;
- iii. To promote the participation of the private sector, communities and other stakeholders in forest Management to conserve water catchment areas, create employment, reduce poverty and ensure the sustainability of the forest sector; and,
- iv. To promote forest research, training and education to ensure a vibrant forest sector.

Source: Forest Act, 2005.

Provision for Community Involvement in Forest Management

The new Forest Act has adopted the principle of Community Involvement in Forest Management (CIFM)⁵⁰. This means that the planning and implementing of forest use and management is supposed to be done by involving local communities. Communities living near forests can apply to manage and sustainably use in their surrounding through Community Forest Associations (CFA's).

Specifically, the Forest Act of 2005 requires community's to be part of the decision making in use, conservation and management forests. Section 36 (1) of the Act, allows KFS to enter into an agreement with any person for the joint management of any forests. With the approval of the Board, section 45 (1) of the Act allows registration of Community Forest Associations under the Societies Act by members of a forest community together with other members or persons who are not necessarily residents in the area, while section 45 (2) allows associations registered under latter to participate in the conservation and management of state forest or local authority forests in accordance with the provisions of this Act, on application to the Director for Permission. Box 2 below outlines the objectives of CFA's, extracted from Part IV, Section 46 (1) of the Forest Act of 2005.

Once the registered associations have been given the approval by KFS, they basically have the full legal mandate to sustainably use, plan and management the forest independently. However, this must be according to the rules set out in the Forest Act and other required environmental legal and policy frameworks. With the delegation of the day to day forest management activities to the CFAs, the institutional role of the KFS is reduced to mainly the formulation of policies and guidelines regarding the management, conservation and utilisation of forests, management of state and provisional forests in collaboration with other organisations and communities.

Box 3: Objectives of Community Forest Associations (CFA's).

- i. To protect, conserve and manage...forests or part thereof pursuant to an approved management agreement entered into under this act and the provisions of the management plan for the forest;
- ii. Formulate and implement forest programmes consistent with the traditional forest

⁵⁰ See Appendix 1 for details on CIFM approaches.

- user rights of the community concerned in accordance with sustainable use criteria;
- iii. Protect sacred groves and protected trees;
- iv. Assist the service in enforcing the provisions of this act and any rules and regulations made pursuant thereto, in particular in relation to illegal harvesting of forest produce;
- v. With the approval of the board enter into partnerships with other persons for the purposes of ensuring the efficient and sustainable conservation and management of forests;
- vi. Keep the service informed of any developments, changes and occurrences within the forest which are critical for the conservation of biodiversity;
- vii. Help in fire-fighting; and
- viii. Do any other thing that is necessary for the efficient conservation and management of the forest.

Source: Forest Act of 2005.

The government institution still retains other important functions like: (1) capacity building in forest management; (2) research; (3) assisting communities in drawing up forest management plans; (4) providing forest extension services; (5) enforcing the conditions and regulations pertaining to logging, charcoal making and other forest utilization activities; (6) collecting all revenue and charges due to the government in regard to forest resources, products and services; (7) developing programmes and facilities in collaboration with other interested parties for tourism, and for the recreational and ceremonial use of forests; (8) promoting the empowerment of associations and communities in the control and management of forests; (9) managing forests on water catchment areas primarily for purposes of water and soil conservation, carbon sequestration and other environmental services; (10) promoting national interests in relation international forest related conventions and principles; and (11) enforce the provisions of the Act and any forestry and land use rules and regulations made pursuant to any other written law.

Provision for Consumptive and Non-Consumptive Forest Use Rights

Before the Forest Act of 2005, forests in Kenya including urban forests were not supposed to be used or exploited in any way (Ofcansky 1984); (Castro,1995 (reprint 2005)). As implied earlier, state forests were only protected and managed as pristine wilderness. Licenses were occasionally given for commercial loggers and in the 1980s the shamba system was applicable. Entry in the forests was only allowed by permit based on a license granted by the forest department on application for a consumptive activity like logging. Even non-extractive uses of state forests under the management of the defunct Forest Department (now KFS) were not allowed.

To the relief of communities living near forests, these changed in the Forest Act No. 7 of 2005, when there was a shift in policy regarding among other things, the uses and user rights of forests. The new forest act makes provisions for multiple uses of forests, particularly traditional forest user rights. The new act has also introducing new uses which weren't there before, like recreation and eco-tourism. On traditional

user rights, the Forest Act of 2005 mandates the approved community forest association to implement these rights. Specifically, section 46 part (1)(b) states,

“An association approved by the Director under section 46 to participate in the management or conservation of a forest or part of a forest shall: ... (b) formulate and implement forest programmes consistent with the traditional forest user rights of the community concerned in accordance with sustainable use criteria;

Since the 2005 Act, communities can now benefit from the sustainable consumptive (traditional) and non-consumptive (recreational) uses of forests, as indicated by section 46 part 2 of the forest act of 2005, which states,

“The management agreement between the director and the association (community) may confer on the association all or any of the following forest user rights: (a) Collection of medicinal herbs; (b) Harvesting of honey; (c) Harvesting of fuel wood; (d) Grass harvesting and grazing; (e) Collection of forest produce for community based industries; (f) Eco-tourism and recreational activities; (g) Scientific and education activities; (h) plantation establishment through non-resident cultivation; (i) Contracts to assist in carrying out specific silvi-cultural operations; (i) Development of community wood and non-wood forest based industries and (k) other benefits which may from time to time be agreed upon between the association and the service.”

Prior to the development of the Forest Act of 2005, the concept of recreation or ecotourism in urban forests was unheard of. Since 2005, the government has continued putting in place strategies and guidelines that support and encourage recreation and eco-tourism in gazetted forests, including urban forests. These include: (1) the draft Forest Policy of 2014 which supports forestry and wealth creation and vouches for the development of recreation and eco-tourism facilities and activities. The 2009-2014 Strategic Plan for Kenya Forest Services outlines the need to enhance revenue generation through sustainable forest based industries, eco-tourism and payment for environmental services. In line with this, the Kenya Forest Services has put in place guidelines on how to work with other stakeholders in developing eco-tourism use of forests, including creating a new department for eco-tourism.

The 2005 Forest Act mandates Kenya Forest Services to develop programmes and facilities in collaboration with other interested parties for tourism, and for the recreational and ceremonial use of forests. In partnership with KFS, the Act allows Friends of Karura Forest Community Forest Association, to co-manage the forest with KFS; provide access to people living around the forest and to the public at large; to restore the forest to its natural state; and to provide employment to people from less privileged communities neighboring the forest. The 2014 Forest Conservation and management bill even goes further, by making for provisions for concessions. Article 45 part 1 of the bill, which will soon be passed into law, states,

“Where the Service (KFS) or county department responsible for forestry may be satisfied that utilization of a public or community forest can be done through the granting of concessions⁵¹, the service or county government respectively may grant the same, subject to provisions of the Constitution of Kenya, the Public Procurement and Disposal Act, the EMCA Act of 1999 and any other relevant laws.”

Part 2 of this article further states,

“in addition to...the grantee of the forest shall among other things ...(e) ensure that the forest under his management are maintained for the conservation of biodiversity, cultural or recreational use.

51 Concessions refer to an agreement between the government and a private company, where the private company is given by the government an exclusive right to operate, maintain and carry out investment in public utility for a given number of years. It is different from a lease which gives the right to operate and maintain the public utility, but investment remains the responsibility of the government. It is also different from a management contract where the operator only collects revenue on behalf of the government and is in turn paid an agreed fee.

Table 22: Evolution and Summary of Forest Legislations in Kenya (Colonial-Post-Colonial Era).

| Year | Legislation | Authority | Objectives | Outcomes |
|------|---|-----------------------|--|---|
| 1891 | 1st Forest Legislation | Protectorate Govt | To protect mangrove forests and extend protection of forests along the railway line | |
| 1897 | Ukamba woods and forestry regulations | Kenya-Uganda Railways | Conserve trees within 5 miles of Nairobi county house and 2 miles of rail road; Fuel wood supply for the locomotives | Settlers clamour for land in the railway mile; Failure to establish an adequate policing and advisory system to halt extensive destruction of forests |
| 1902 | East Africa forest regulations | Forest Department | To curtail forest destruction by shifting cultivators and pastoral groups ⁵² ; to police forests; To increase timber products for the colonial government ⁵³ . | Available productive forests diminished; beginnings of displacement of indigenous populations; |
| 1903 | Oral directives by chief conservator of forests asking settlers to keep away from forested areas. | Forest Department | To prevent destruction of forests by white settlers | Rivalry and opposition from the settler community interest; more forest land taken by settlers; difficulties in imposing rules |

52 The act: (1) forbade, “any cutting, grazing or trespassing without a permit” targeting the native population; (2) listed forest offenses and provided for the arrest and punishment of offenders.

53 Introduction of exotic species and reforestation of Kenyan forests with exotics like pine tree, cedar, eucalyptus, teak, wattle, cypress, California pepper tree and Jacaranda.;

| | | | | |
|-----------------------------------|--|-------------------|---|--|
| 1907 & 1909 | Report on forests in Kenya (1907) and report on forests in east Africa (1909) by sir David E. Hutchins | Forest department | Mainly recommended that forests must remain as property of the government and only trees which are considered fit to be felled should be felled; reforestation with native species; introduction of a policing system; a network of forest stations and a complex of irrigated nurseries. | Demarcation and reservation of more forest land; increased displacement of indigenous populations; resistance by British settlers; |
| 1911,1915,1916 | Amended East Africa forest regulations | Forest Department | Provision for the recruitment of honorary Forest officers ⁵⁴ ; recruitment and provision for terms of service for forest guards. | More displacement of indigenous people; increasing cases of landlessness; white settlers continue alienating more land; |
| 1932. Enactment of the Forest Act | The future of forestry in Kenya. A report by Sir.J.S. Nicholson | Forest Department | Recommendations that all forests, whether private, tribal or state be reserved under the control of the central government and exercised through the forest department. | Not implemented |
| 1941 | Forest ordinance | Forest Department | Provision for creation of nature reserves ⁵⁵ ; consolidation of provisions of forest guards' terms of service; formulation of a forestry advisory committee to formulate forest policy for promoting timber production in the | Confinement of locals to native camps; limiting access of forest products to natives; increased degradation of forests in native reserves; creation of squatters |

⁵⁴ Farmers with forestry interest, but live in remote areas. This could also have been the formalization of the shamba system, a form of agro-forestry.

⁵⁵ Nature reserves are sections within forest reserves which do not permit any form of consumptive utilization.

| | | | | |
|---------------------|---|---|--|---|
| | | | Colony. | |
| 1947, 1949, 1954 | Amendments to forest ordinance and forest act of 1932 | Forestry responsibility transferred from the Governor to a member of the legislature and finally to a Cabinet Minister in 1954; | To attune forestry administration to the political and constitutional changes within the Colony; definition of the offence of illegal entry into the forests (1949); "closure of forests rule" defined restricting public access to certain forest areas during high fire danger seasons (1954). | Rising tension and hostility from discontented natives; opposition for afforestation programs; gazettment of more forests; increased displacements of natives; creation of squatters; forests used as a hide out for Mau freedom fighters |
| 1956 | Amendments to forest ordinance | Cabinet Minister of Forests | Enactment of closure of forest rule to deter and limit the spread of the Mau Mau ⁵⁶ nationalist movement whose activities were concentrated in Kenya's central highland forests. | Increased hostility, tension and opposition from locals; forests used as a hide out for mau mau freedom fighters; Complete closure of access of forest products to locals; |
| 1957 | White paper No.85 | Cabinet Minister of Forests | Create forest reserves adequate to maintain all the needs of the territory in timber and other forest products. And increase the supply forest products for exports. | Largely unimplemented but managed to restore some portions of the forest that had existed in 1895 and reserve more hill catchments with an afforestation program. |

Source 79: Compiled by Author from Various Sources

⁵⁶ The Mau Mau nationalist movement which was formed by indigenous Kenyans to agitate for freedom and independence from British rule.

ACTORS AND STAKEHOLDERS IN THE MANAGEMENT OF KARURA FOREST

Since the implementation of the Forest Act of 2005, local citizens can now be involved in daily planning, management and conservation of state forest reserves after they form and register Community Forest Association (CFA) (RoK,2005).⁵⁷ Once the registered associations have been given the approval by KFS, they basically have the full legal mandate to sustainably use, plan and management the forest independently. However, this must be according to the rules set out in the Forest Act and other required environmental legal and policy frameworks. Consequently, citizens have increasingly been involved in the management and conservation of Karura Forest Reserve in collaboration with the Kenya Forest Services (KFS), the government agency in charge of Karura Forest and other state owned forest reserves in Kenya. This is a major breakthrough from the past for vulnerable and marginalised forest dependent communities living near the nature reserves because for a long time, they have been excluded from decision making, management, use and benefits of the socially valued nature reserves. For Karura Forest, the neighbouring communities and stakeholders involved are presently organised under the Friends of Karura, which is the officially registered Community Forest Association (CFA). On their website, the elite FKF-CFA assert to be “the umbrella organisation for all the range of non-state actors, interested and/or involved in the use, conservation and management of the urban forest reserve.” According to them, any individuals or organisations wishing be involved are expected to work with or be members of their association, which as we shall see later, is subject to payment of membership fees.

Friends of Karura Forest - Community Forest Association (FKF-CFA)

Origin and Context of FKF-CFA

In 2009, the wife to the then new British High Commissioner to Kenya who had just moved in to the affluent diplomatic suburb within the surroundings of Karura Forest noticed a large forest that was five-minute walk from her house. Naturally, while taking a walk in the neighbourhood, she attempted to enter the forest for a leisurely walk. However, she was stopped immediately by the forest rangers and informed that the Forest was off limits as it was too dangerous. This information was reiterated by her new friends living in the neighbourhood, where they told her that the forest was a hideout for criminals, murderers and violent robbers. After learning the scary reasons as to why she couldn't enjoy a leisurely walk inside the large beautiful forest, right in the heat of the city, Ms. Alice Macaire decided to visit the forest management offices, which were in the vicinity.

She then talked to the senior forest officer in charge of Karura and asked her why the situation was that way and if something could be done about it. From the meeting, it was clear to her that the forest management lacked the necessary human and financial capacity to better manage the forest. This visit culminated into a series of

⁵⁷ See sections 46 & 47 of the act and Forest Rules of 2007 -participation in forest management- section 41 & 42.

consecutive talks and discussions, with plans for larger action oriented interventions, particularly the improving the safety and security of the forest and developing recreation infrastructure and facilities, described here as 'eco-gentrification' (see Dooling, 2009) activities.

Specifically, the planned interventions involved the construction of an electric perimeter fence; development of recreation, marking and clearing of nature trails for jogging and cycling, development of picnic sites, eco-tourism facilities and infrastructure and rehabilitation of the forest biodiversity through tree planting and exotic species removal. However, such interventions could not be achieved alone, given that such a plan required a wide variety of resources and involvement of community stakeholders. Therefore, Ms. Alice Macaire who initially approached the officer in charge of Karura, approached her networks which included the affluent citizens living in the neighbourhood as well as the diplomatic community and expatriates' resident in the area, to form an association called the Friends of Karura Forest, to give the necessary support required for the plan. This association was first formed under the Society's Act of Kenya, and registered in the same year (2009) as the community forest association for karura forest known as the Friends of Karura Forest - Community Forest Association (FKF-CFA).

As will be seen in later sections of this chapter, the circumstances under which the FKF got registered as the CFA for Karura Forest are questionable. Nevertheless, the registration of the FKF- CFA was in line with the requirements of the Forest Act of 2005 (Sections 45, 46 & 47 and Forest Rules (Section 41 & 42) which require residents living within a forest area to form a community forest association for purposes of co-managing the forest resources with the state agency. According to information on their website (see <http://www.friendsofkarura.org>), the objectives of FKF-CFA are to,

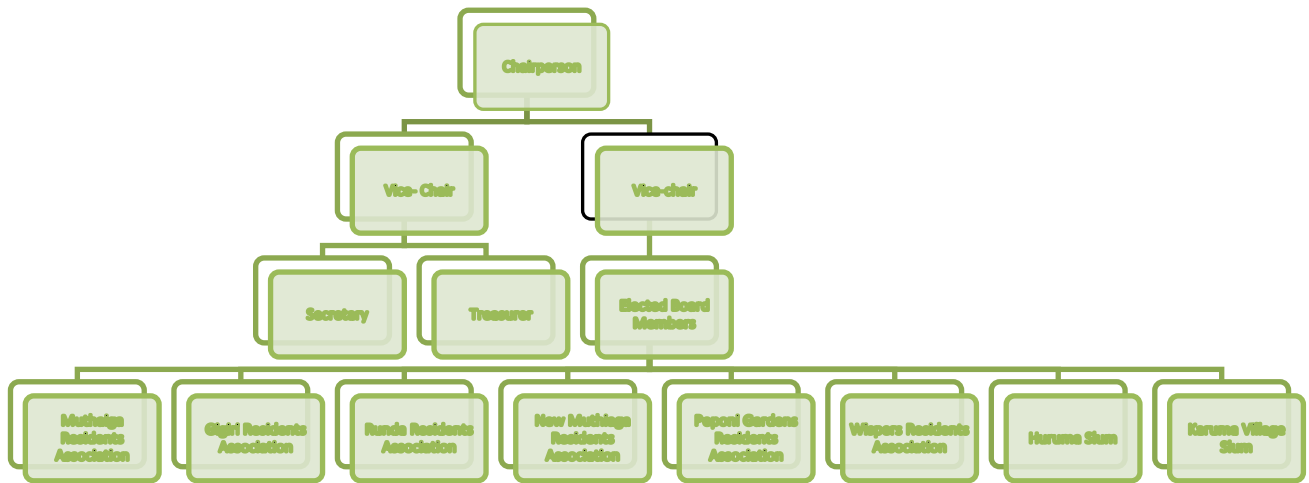
"...protect the forest; provide access to people living around the forest and to the public at large; restore the forest to its natural state providing ecosystem services for all and provide employment people from less privileged communities neighbouring the forest."

Organizational Structure of FKF-CFA

FKF-CFA is run by an Executive Board comprised of volunteer professional Kenyans and residents. The Executive Board of the association is made up of a Chairman: Professor Karanja Njoroge, two Vice Chairs: Cristina Boelcke-Croze and Sharad Rao, Treasurer: Ali Jariwalla, Secretary: Camille Wekesa, Elected Board Members: Christian Lambrechts, Shalin Vora, Jayu Shah and board member resident association representatives from: Muthaiga (Yashvin Shretta), Gigiri (Chantal Mariotte), New Muthaiga (Harvey Herr, Runda (Katherine Kariuki), Peponi Gardens (Martin Ngaruiya), Wispers Estate (Görel Day-Wilson), Huruma Vision (Pastor Sammy) and Karuma (Pastor Griffith). The patrons for the association include the Nobel Peace Prize Laureate, the Late Prof. Wangari Maathai and Mrs. Alice Macaire. FKF's work in the forest is enhanced by a small support staff that includes an administrative cum environmental education officer, an accountant and Forest

Scouts drawn from informal settlements that surround the forest and paid from forest entrance fees.

Figure 35: Organization Structure of FKF-CFA



Source 80: Author, 2014

Rules and Regulations of FKF-CFA

Constitution and Rules of FKF-CFA

The constitution and rules of FKF specify the associations name, objects, membership, office bearers, executive board, powers of the executive board, annual general meetings, procedure at general meetings, auditor, funds, amendments to the constitution and dissolution of the association.

Box 4: Some Rules of the Friends of Karura Forest -Community Forest Association

Article 4: Membership.

- i. Any member who falls into arrears with his subscription for more than 6 months may be liable to such measures or penalties as the executive board may deem fit.
- ii. Any member may be expelled from membership if an office bearer or no less than 10 members so recommend, and if a general meeting of the association shall resolve by a 2/3rd majority, that such a member should be expelled on the grounds that his conduct has adversely affected the reputation or dignity of the association, or that he has contravened any of the provision of the constitution.

Article 5: Office Bearers

- i. All office bearers shall be fully paid up members of the association and shall be elected at the AGM to be held each year.
- ii. Any office bearer who ceases to be a member of the association shall automatically cease to be an office bearer there-off.

Article 6: Executive Board

- i. The executive board shall consist of all office bearers of the association and three other executive members elected at the AGM each year, and one representative appointed by the residents or community associations referred to in article 4 (a).

- | |
|--|
| <ul style="list-style-type: none">ii. The executive board members shall hold office until the following AGM.iii. The executive shall meet at such times and places as it shall resolve, but shall meet no less than any six months. |
|--|

Source 81: FKF Constitution and Rules, 2009

Forest Management Agreement (FMA) between KFS and FKF-CFA

In February 2013, a Forest Management Agreement (FMA) was signed between FKF-CFA and the Kenya Forest Services (KFS). The 5-year Forest Management Agreement (FMA) was endorsed, as required by the Forest Act No. 7 of 2005. Prior to the signing of the forest management agreement, the Friends of Karura Forest had been operating as co-managers of the forest without a clearly recorded and legal memorandum of understanding, but with the help of the Karura Forest Management Plan of 2010. This plan had been prepared by KFS together with a few present and past members of the FKF-CFA.

The FMA regularizes the co-management partnership between KFS and the FKF-CFA. The agreement dictates the duties and responsibilities for each of the actors and sets out other guidelines and regulations. Security (electric fence, manned gates and associated infrastructure), conservation (reforestation, resource management, controlled access), and eco-friendly activities; support of conservation, education, science and recreation; as well as shared financial accountancy for all joint activities are some of the issues covered in the agreement. The co-management agreement is considered a major milestone for citizen participation as stated by FKF-CFA in their weekly newsletter where they note the management agreement as being,

'a major milestone for stakeholder citizen involvement in joint stewardship with government of an important national resource'...The agreement enshrines the principles of cooperation that have hallmarked the phenomenal re-emergence of Karura as a protected national heritage since 2009, when the FKF was chartered as a community forest association.'

The objectives and purpose of the KFS-FKF forest management agreement are to guide the management of the Karura Forest Reserve between the state and non-state partners, in accordance with the strategic management plan. Security, conservation, eco-tourism, conservation, limited consumptive uses, education, science and shared financial accountancy are some of the issues uses covered in the co-management agreement. A norm of "good practice" especially adopted in the agreement is eco-tourism. As discussed in a later section of this chapter, since the signing of the management agreement, FKF has rapidly increased the development of eco-tourism facilities and promoted other recreational incoming generating activities in the forest, previously prohibited by the older forest policies and untouched by the KFS even when the new act came into place. The current management agreement is valid for 5 years from February 2013 when it was signed. The obligations of both parties, independently and jointly, are specified in the management agreement. Authorised activities and user rights of the community are set out in accordance with the act. However, as will be seen in later sections of this chapter, the only authorized activities in practice are the non-consumptive or recreational uses of the forest. The

authorised activities are discussed in the site management plan of 2010, prepared by KFS and FKF-CFA and which considers consumptive uses by the slum community in the area as the biggest threat to conservation of Karura Forest.

Box 5: Guidelines on Forest User Rights in the Forest Management Agreement

Article 10 (a): User rights of the Karura Community Forest Association

- i. Collection of medicinal herbs
- ii. Harvesting of honey
- iii. Harvesting of fuel wood
- iv. Grass harvesting
- v. Collection of forest produce for community based activities
- vi. Eco-tourism and recreational activities
- vii. Scientific and education activities.
- viii. Contracts to assist in carrying out specific silvi-cultural operations
- ix. Practising religious, spiritual and theological activities
- x. Other benefits which may from time to time be agreed upon by both parties.

Source: KFS & FKF Joint Forest Management Agreement for 2010-2017

Borrowing from the Forest Act of 2005, the FMA states that with the approval of KFS, partnerships with other associations for purposes of ensuring conservation and management of the forest may be entered into by FKF-CFA. The agreement specifies the rights of both parties including the user rights of the community and the right to enter the forest for the members, servants, employees and agents of the CFA, for purposes of carrying out forest conservation and management. Other things specified on the management agreement include basic warranties; independent and joint obligations for both parties; joint management committees; cost and benefit sharing; indemnity, risk and liability; termination or withdrawal of user rights; monitoring and evaluation; dispute resolution; and relationship of parties. During fieldwork for this research, I had the opportunity to attend the not so public ceremony for the signing of the KFS-FKF Forest Management Agreement as a participant observer. Box x below and the notes that follow are a summarized description and analyses of the event.

Box 6: Description of event for the signing of KFS-FKF Forest Management Agreement

Event/ Ceremony: Official signing ceremony KFS-FKF Karura Forest Management Agreement

Location/Venue: KFEET Centre, Karura Forest

Date: 21st February 2013 @ 10.00 am to 1p.m

Arrangement for Security: KFS rangers and FKF scouts. Additional G4S private security.

Agenda of event: To sign the KFS-FKF Karura Forest Management Agreement and celebrate an important milestone in the conservation of Karura forest, the formal partnership between the KFS and the FKF.

Topics Discussed: Participatory Forest Management (PFM) and implementation of the Forest Act 2005 section on collaboration in conservation of forests. Terms of joint-stewardship of the forest resource by government and citizen stakeholders. Envisioned bright future of the forest with the new milestone of formally allowing decision making by the community in forest management.

Topics Emphasised: Conservation and management of the forest using a partnership framework between Kenya Forest Services and The Friends of Karura Forest Community Forest Association under the Forest Act.

In Attendance: Senior officials from Kenya Forest Services (Included The Director, KFS Mr. David Mbugua; The head of the Nairobi Conservancy, Ms. Charity Munyasia); the Nairobi County Forest Coordinator and the Forester in charge of Karura Forest. KFS staff and choir members; Office bearers and board members of FKF, resident representatives from the surrounding communities; members and representatives of some NGOs including Kenya Forest Working Group, East African Wildlife Society; UNEP and UNHABITAT representatives. Some individual researchers, FKF Partners including a representative from East African Breweries Ltd, Barclays Bank and G4S Security. In attendance were KFS Staff, FKF staff and members of the local community.

Speakers: Director of KFS⁵⁸, Chair of FKF⁵⁹, Head of Nairobi Conservancy, KFS; Nairobi County Forest

Coordinator: KFS staff incharge of Karura; Ms. Alice Macaire-Patron of the Association and wife to Former British High Commissioner to Kenya residing in Karura Neighbourhood;⁶⁰; members of the Karura Forest Conservation Committee, a representative from East African Breweries Ltd, Barclays Bank and G4S Security; The Chief Scout-FKF Scouts and the forester in charge of Karura Forest.

Side Event: Lunch served; choir by KFS staff who entertained guests with their patriotic songs on importance of forest conservation.

Missing in Attendance: Other important stakeholders from the government ministries/ departments as well as members of the green belt movement.

Source: Field Work, February 2013.

One of the things that were apparent from the event was that there was very little publicity of the event. Given the nature of the event, a devolution implementation gesture, it was interesting to note that other important stakeholders from the government were not in the ceremony. These included officials from National Environmental Management Authority (NEMA), Kenya Tourism Board (KTB)

58 He pointed out that “the Friends of Karura Community Forest Association is quite different from other CFAs in the country, with its membership drawn from a very broad social and economic spectrum” further adding that “it will provide a model for future CFAs throughout Kenya.”

59 He highlighted the three pillars of the agreement, namely security for the forest and its visitors, conservation in particular reforestation of Karura to its natural state, and eco-friendly recreation for visitors from all walks of life.

60 She narrated her personal experience of how she got interested in the forest when she first moved into Kenya and into the neighbourhood, and how she approached the KFS with ideas of what can be done to improve the forest, its use, rehabilitation and management by the community.

Kenya Wildlife Services (KWS) and both the Departments of Environment and Social Services from Nairobi City County. In contrast, the private sector was well represented, with corporate sponsors like Barclays Bank of Kenya and East African breweries in attendance. Apart from the missing stakeholders of government departments, Wangari Maathai’s Green Belt Movement (GBM) was missing, yet they are one of the most important stakeholders, for their activism in the prevention of the Karura Forest from being grabbed in the 1990’s and their continued tree planting and conservation efforts. Members of the Karura Forest Environmental Education Trust (KFEET) were also seemingly absent. In my opinion, the ceremony was deliberately organised by the FKF, with the intent of having little or no publicity.

The signing of the FMA ceremony seemed hushed. I was only lucky to learn about the supposedly “public event” from one of the FKF support staff whom I had been interviewing a few days earlier. The announcement was not made anywhere in the mainstream media, which in my opinion is strange, for such an important event. After the ceremony, I was introduced to the vice chair of the FKF-CFA, who seemed taken aback and uncomfortable when she was informed of my presence there as a researcher and my intentions to interview her. She made me feel unwelcome informed me that I needed permission to be there in the first place as a researcher. She declined to be interviewed and asked me to get a research permit from the KFS beforehand.

During the event, I learnt from the speeches that the FMA for the Karura forest was the first one to be signed and endorsed country wide. An informal interview held during the event with a member of the Kenya Forest Working Group (KFWG) who has worked with many other Community Forest Associations informed me her observations that the Friends of Karura Forest CFA was the most successful and well organised in the country⁶¹. She also revealed that the reason for the success could be attributed to the social status of the members, who were, in her words, “different” from other Community Forest associations, referring to the elitist and affluent urban social status of the members of the FKF-CFA.

Interventions of FKF-CFA in Management and Conservation of the Forest.

Fundraising for forest management and conservation.

Table 23: Money raised by FKF-CFA from sponsors and donors for forest management and conservation

| Year | 2011 | 2012 | 2013 | 2014 |
|-------------------------|--------------|-------------|--------------|--------------|
| Donations ⁶² | 11,088,666/- | 5,400,752/- | 10,690,529/- | 14,171,564/- |

Source 82: FKF Annual Report for 2013/2014 Year

61 Information Provided by Leah Gichuki, Projects Officer at Kenya Forest Working Group.

62 Donations for projects and general donations are aggregated. Donations are not shared between KFS and FKF-CFA. Donations stay with FKF-CFA while revenues from gate entry and recreation activities are shared between the two co-management partners.

Since 2009, FKF-CFA has been engaged in fundraising activities that have managed to raise large amounts of money from various sponsors in the non-profit and for-profit organisations. Many of the corporate organisations include banks and multinational or regional manufacturing companies who fund environmental or social improvement projects as part of their Corporate Social Responsibility (CSR) programmes.

As one walks in the forest, it is easy to note the existence of several corporate and diplomatic sponsorship plates scattered in several patches of the forest, giving reference to their donations in forest conservation. Some of the plaques currently in the forest include those by Pelican Group and I & M Bank. FKF alone collects and manages the funds coming from donors and sponsors. The funds are deposited in a bank account that is solely owned by FKF, that is, not jointly owned by KFS. The table below is a summary of some selected sponsors, their donations and how the funds were utilised.

Photo 25: Representative from Boogertman +Partners Architects, UN Under-Secretary-General and UNEP Executive Director Achim Steiner and Architectural Association of Kenya (AAK) Chairperson, Mr. Stephen Oundo (from left to right), pose for A Picture After Presenting the Certificate to The Winning Firm for Karura Forest Environmental Education Centre Architectural Design Competition⁶³.



Source 83: <http://www.unep.org/newscentre/>

63 According to Professor Karanja Njoroge, Chairperson of FKF-CFA, the Karura Forest Education Centre Architectural Design Competition was launched in 2013 by Her Excellency the First Lady Margaret Kenyatta and sponsored by the United Nations Environment Programme (UNEP).

Table 24: Selected Donations to FKF-CFA by Various Corporate and Non-Corporate Sponsors

| Donor/Sponsor | Amount (kshs) | Purpose of Funding |
|---|---|---|
| The African Fund for Endangered Wildlife (AFEW) | 11.5 million | Fencing the Sigiria section; salaries for the scouts patrolling sigiria forest side; building stairs, bridges and walkways on the Mau-Mau Caves and Waterfall circuit; laboratory analysis of artefacts unearthed during archaeological excavations; constructing a fitness obstacle course in Sigiria portion of forest; Colobus Re-Introduction Project |
| Barclays Bank of Kenya Limited | 2.5 million | Salaries of the FKF Karura Forest Scouts and thereby facilitated recruitment of the initial cohort of scouts. |
| East African Breweries Ltd | 8.5 million | Fencing the main section of Karura Forest (over 700 hectares). |
| East African Breweries Ltd | 500,000/- | Maintaining the fence |
| German Government through its Kenyan mission | 500,000/- | Bee keeping project (installing the honey processing plant) for Huruma slum residents: |
| Mr. Rupert Watson, co-executor of the George Drew Estate, | 1.5 million over 3 years beginning 2010 | Conservation and management of Karura |
| Mr. Rupert Watson, co-executor of the George Drew Estate, | 3million granted in 2013 | To construct additional security fencing to separate the KFS Headquarters offices, staff accommodation, infrastructure and social amenities from the rest of the forest. |
| Prime Bank Limited | 1.45 million | Housing for Kenya Forest Service rangers and the toilet facility at the Main Limuru Road Gate. |

Source 84: Information Compiled by Author as Provided by FKF-CFA

Electric perimeter Fencing and Improvement of security

This was the first project to be implemented by the FKF-CFA, based on funds donated by East African Breweries Foundation. Ms. Alice Macaire, mentioned earlier, approached the East Africa Breweries (EABL) Ltd, who then agreed to donate money to install a fence. EABL donated kshs 8.5 million for fencing the main section of Karura Forest. Once the first section was complete, they donated another kshs 500,000/- for maintenance of the fence. Other actors involved in the fence project were the surveying and mapping department of KFS, who marked and established the boundaries and put up a beacon to mark the boundaries. Once this was done, a contractor was hired to do the job. The aim of constructing a fence was to improve security inside the forest, which was by then very dangerous place to be and secondly to deter logging activities and destruction of biodiversity. The slum community adjacent to and dependent on the forest for their livelihoods, daily sustenance and domestic needs was effectively fenced out, to the satisfaction of the affluent and upper middle class residents from the area who recreate in the forest.

Hand in hand with the construction of a fence was beefing up of the security and safety. The British Army Training Unit Kenya (BRITAK) provided paramilitary training services to the newly employed FKF scouts, employed to enhance security provided by the existing KFS rangers. The paramilitary programme was provided at pro-bono fee, from the goodwill of having being approached by the FKF networks. FKF decided to employ the newly trained scouts and guides from Mji wa Huruma slum, the informal settlement adjacent to the forest slum community in order to garner goodwill and support from them, due to the likelihood that they were the most familiar with the persons committing or likely to commit acts of crime in the forest. The scouts and guides beef up security patrol along the fences and inside the forest. They are also hired as guides for tours in the forest, especially by first time visitors, or people who are interested in extra security at an extra fee.

Group 4 Security (G4S) Services offered their security guards and services to back up security at the forest at no cost. This increased surveillance and security for visitors and the affluent communities in the area and enhanced recreational visitor comfort, most of whom are residents from the surrounding high-class suburbs. As with all other state forests, KFS still provides armed and militarized forest rangers who are in charge of security and curbing illegal destruction of the forest.

Development of recreation and eco-tourism facilities and infrastructures

Since 2009 and through their fund-raising efforts, FKF have implemented and developed several infrastructural and facilities that make the urban forest 'ideal' for recreation and urban eco-tourism activities popular among upper middle class citizens. These include sign-age and markings for footpaths and nature trails, picnic areas, benches, fitness obstacles, construction of a restaurant and coffee place, completion of major road works, development of out-look out platforms for enjoying scenery, walkways, steps and stairs. As a result of the development of the facilities and infrastructure, Karura Forest has been issued a certificate of excellence by trip advisor, and ranked number 6 of 92 things to do in Nairobi.

Most of the funding for development of these infrastructure and facilities came from private companies/ corporate sponsors, biodiversity conservation NGO's and some individuals. For instance, some of the kshs 11.5 million donated by a few, was used by FKF to build stairs, bridges and walkways on the Mau-Mau Caves and Waterfall circuit. The kshs 7.5 million donated by the director of George drew estate was used for management of the forest.

Photo 26: FKF-CFA Annual General Meeting held at the Muthaiga Country Club



source 85: Field Work, 2014

Table 25: Actors Involved in Installing Recreation Facilities and Infrastructure in Karura Forest

| Actor Name | Description of Actor | Roles/Contributions of Actors |
|---|---|---|
| African Foundation for Endangered Wildlife (AFEW) | A wildlife NGO working for the protection of endangered animals | Donated kshs 11.5 million (approx. 1,150,000 euros) partly used for development of infrastructure and recreation facilities |
| Alliance Media | A Foreign Based Advertising Firm in Nairobi | Executed large signs and banners at forest main gate; provided banners |
| Bamburi Cement | The Largest Cement Manufacturing Company in East Africa | Provided Cabro bricks for road improvement |
| Elicon General Contractors | A civil engineering construction company | At cost and pro-bono support and expertise to of infrastructure improvement. |
| George Drew Estate | | Forest management donations |
| H. Young- | An Engineering Firm | Donation of machinery and equipment to improve main road at Limuru gate. |
| Kenya Tourism Board | A government parastatal | Provision of rustic wooden direction signs at the junctions of paths inside the forest. |
| Mburu Construction | A private construction firm | At cost construction to build stairs, walkways using money donated by NGO, AFEW. |
| Norken Limited | | Pro-bono EIA assessment for proposed bridge to connect two blocks of the forest separated by a major classified road. |
| Pelican Signs | An outdoor advertising company | Donated signs and trail markers |
| Prime Bank | A transnational bank | Cash donation to construct a toilet and changing room at main gate, Limuru road. |
| Rosslyn Valley Estate | A coffee ranch, restaurant. | Free loader to prepare the car parking area |
| Sukuma Twende | A youth self-help group | Improvement of the Amani events area |
| Vivo Energy | A multinational oil company | Donation of the Shell and BP sports club plus 6 ha of land to be an education and recreation center |
| Wood Charm Ltd | A rustic furniture making firm | Picnic benches some selected sites in the forest. |

Source 86: Compiled by Author Based on Information Provided by Friends of Karura Forest

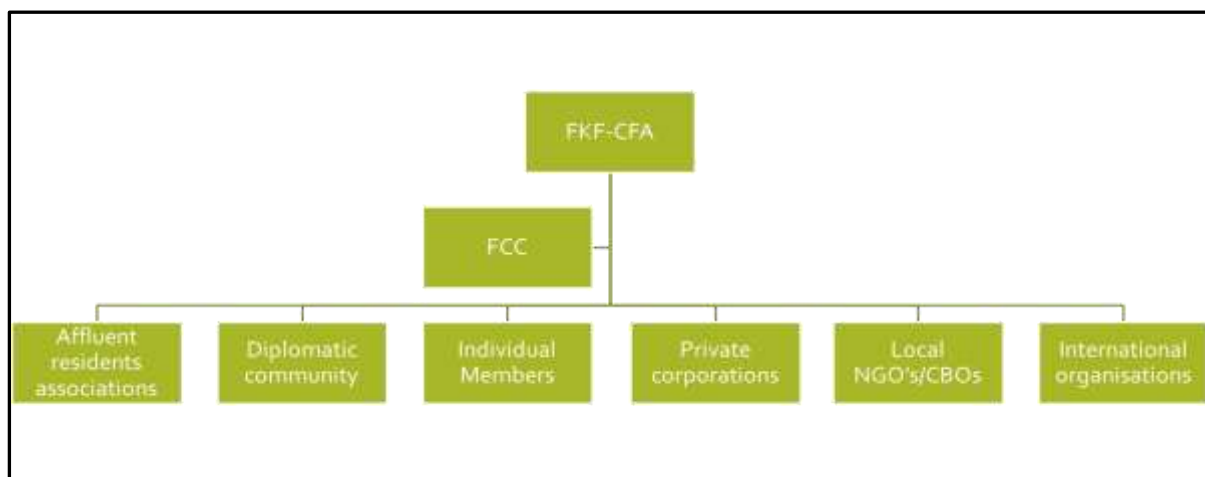
Improving biodiversity and aesthetics of the forest

Some of the biodiversity conservation and management interventions claimed by FKF-CFA include planting a large area of tree seedlings under modern technology which are sold all over the country; collection of organic wastes for humus; a provisional inventory of 558 trees, shrubs and other plants in the forest; labelling of 207 trees; Increasing scientific and educational information about the biodiversity of the forest; Ongoing efforts to control Lantana Camara – an invasive species that is rampant in the forest, replanted with indigenous trees; Conduction of studies to re-introduce Columbus monkey back into Karura at a cost of Ksh 3million; Ongoing efforts to remove exotic tree species like eucalyptus in order to replant indigenous tree species and Ongoing efforts to replant indigenous trees. The removal of the exotic trees has been criticised by some stakeholders who see this as part of larger efforts to log trees for commercial purposes. The removal of exotic species is almost complete.

Organised interests under the umbrella of FKF-CFA

In their website, the Friends of Karura Forest have informed interested members of the public that any individuals, civil society organisations, citizen, NGOs, CBOs, private sectors and other interested parties wishing to be involved in management and conservation of Karura forest are free to become members under the umbrella association, FKF-CFA. Interested stakeholders are required to sign up for membership to the FKF-CFA through payment of an annual subscription fee. In addition, FKF members may purchase annual passes for entry into the Forest.

Figure 36: Organisation of Non-State Actors



Source 87: Author, 2014

According to the rules and regulations of the FKF- CFA, anyone one who falls in arrears for the subscription fails to be a member. This means that people who cannot afford the annual subscription fee cannot attend member's meetings nor influence decision making. The minimum annual subscription fee for an individual is 1,500/-, which is too high for the slum residents living adjacent or near Karura Forest. This

presents a policy problem of the issue on non-representation of low income and urban poor groups in the day to day use and management of the forest.

Table 26: Membership Requirements and Categories for FKF-CFA

| Membership Category | Regulations and Requirements for membership |
|--|--|
| Founder Members | By invitation of the Board, institutions and business that subscribe to the aims and objectives of the FKF may become Founder Members for a one-time subscription fee. |
| Life Members – Individual-Family and Corporate | Must pay a one-time subscription fee. Open to any individual (plus spouse and children under 18) or company or any incorporated body or institution. |
| Corporate Members | Companies or incorporated bodies that pay an annual subscription. Up to two duly authorized representatives may represent them at FKF meetings. |
| Individual-Family Member | Any adult (plus spouse and children under 18) resident in Kenya who pays the annual subscription. |
| Resident Associations | Must subscribe to the aims and objectives of FKF. Up to two duly authorized representatives may attend FKF general meetings. |
| Interested Groups | Groups such as kids’ clubs, schools and churches. Have no voting rights but may attend any FKF meetings. |
| Students | Must be in possession of a valid student pass. May attend FKF meetings, but do not have voting rights. |

Source 88: Compiled by Author from FKF-CFA Website

Table 27: Membership subscription fees for 2015 (amount in Kenya shillings)

| Members | Individual | Family | Resident Associations | Corporates | Interested Groups | Students |
|----------------|-------------------|---------------|------------------------------|-------------------|--------------------------|-----------------|
| Annual | 1,500 | 2,500 | 10,000 | 25,000 | 5,000 | 100 |
| Life | 25,000 | 25,000 | | 250,000 | | |
| Founder | 1 Million | 1 Million | | 1 Million | | |

source 89: www.friendsofkarura.org

Affluent Resident Associations

FKF-CFA is composed of residents from the affluent community in the Karura forest area, specifically Muthaiga, Gigiri, New Muthaiga, Runda, Peponi Gardens, Wispers Estate; Spring Valley and Ridge-ways. These affluent residents are well represented in the Executive board of FKF-CFA through their resident associations’ representatives. The main interests of the affluent residents are security in the forest and their neighbourhood, proper conservation and management of the forest and

the need to use the urban forest for leisure and recreation, in a secure, serene and clean environment. This group is the one consulted during decision making by the board members and management by FKF-CFA, in all matters related to forest use, management and conservation. According to the Kenya Forest Service, only residents' associations of the affluent communities in the area expressed interest in participatory management of the forest (Kenya Forest Service 2010). However, as discussed in later section of this chapter, interviews carried out with the slum residents for this research revealed a different narrative, contrasting the statement made by KFS in the Karura Forest Management Plan of 2010. During fieldwork for this research, I attended the annual general meeting of the FKF-CFA and it was evident that it was only the affluent residents of the area, mostly elderly white and Asian Kenyans and a few upper middle class black Kenyans. The box below is a summary of the notes taken for the meeting with the affluent resident's association as a participant observer.

Box 7: Summary of FKF-CFA Annual General Meeting (AGM) held on February 2014

Event Name: Annual General Meeting (AGM) of the Friends of Karura Forest Community Forest Association

Location and Venue: Muthaiga Country Club, located in the posh residential suburb of Muthaiga. The club was established during the colonial times in 1913, as a gathering place for the white elite community in colonial British East Africa and Kenya. The club is a highly secured location with CCTV cameras, private security and public security officials from the Kenya defence forces with AK 47 rifles. It was apparent to me that only members of the country club can enter the place or people with special invitation.

Agenda of the Meeting/Event: According to the information leaflet given for the meeting, the agenda was tabled as: (1) Confirmation of previous minutes for the last AGM held on 3rd June 2013; (2) Adoption of the accounts for the year ended December 2013 appointing of the auditor for the year 2014; (3) Electing office bearers and executive board members; (4) Receiving the report from the chair and approving special projects; and (5) Any other business as the board may decide and any other business with the approval from the chair.

Topics Discussed: (1) Confirmation of the previous AGM's meeting minutes; (2) proof-reading of the accounts and auditor's report; (3) awarding of recognition certificates to sponsors and other commendable partners of FKF; (4) approval of a special project (this entailed informing members on the decision by the board to build a cafeteria cum resource centre on 15 acres of the forest land ; (6) debate on building a cafeteria cum resource centre in the forest; (7) complaints on rising cases of insecurity in the neighbourhood due to the forest visitors. After the meeting ended, cocktails were served and a cake was cut in celebration of 5 years of FKK/Karura CFA.

Participants and Attendees: Majority of the participants of the meeting were the affluent residents of the area living in the high end properties surrounding Karura Urban Forest Reserve, namely Muthaiga, Runda, Ridgeways, Gigiri, Spring-Valley and Parklands and

Highridge. Most of the attendees were also white people of European descent and many of them were elderly. There were also many Asian-Kenyan citizens/residents from the area, represented by both middle-aged persons and youth over 30 years. There were no resident's representatives from the surrounding poor communities in the area, even the Huruma slum that is located just at the Gitatheru river valley of Karura forest. Only the chief scout and one ranger who are employed as support staff of the FKF from the poorer communities attended.

Main Speakers and topics discussed: The main speakers of the meeting were the Chairpersons and board members of the FKK. The founder of friends of Karura forest was invited to speak as the guest of honour. The founder happens to be the wife of a diplomat living in a residence neighbouring the Karura forest reserve. She was behind the transformation of Karura Forest into a safe recreational centre barely six months after arriving in Kenya. No longer based in Kenya, she had come all the way from abroad, to attend the AGM of the annual general meeting of the Karura CFA. In her speech, she narrated her personal experience of how she started rehabilitation in the forest and how the management of the forest by the contribution of the community had come since then. The other speaker was the head conservator of forests in the Nairobi conservation area, a senior officer in the Kenya forest services. She talked about her experience as person in-charge of Karura and other forests in Nairobi. She narrated the challenges they had as KFS in managing the forest before the diplomat's wife approached her, proposing to support forest rehabilitation and making it user friendly. By that time, law did not permit the recreation use of Karura forest as well other state forests in the country. The KFS official emphasised that Karura Urban Forest Reserve was currently the best-managed and conserved forest in the country, and that its success would not have been possible without the support of the neighbouring community.

Active Participants and topics discussed: When the audience was given a chance to speak; one of the residents, an elderly white lady questioned the necessity and rationale of the decision and plan to build a cafeteria and resource centre in the forest, as announced by the chairman of FKK. She was against the idea and gave her open opinion that this was further destruction of the forest, and believed that it was best to keep the forest as natural and wild as possible, without having any more buildings in the forest. She argued that there were already too many buildings in the forest, including the offices and staff houses belonging to the KFS, the KFEET, the auditorium and designated sports areas. In her opinion, most recreational forest visitors would rather carry picnics as part of the experience of visiting the forest rather than buying food in a cafeteria located in the forest. If people wanted to buy food in a cafeteria, they would rather go to one of the many shopping malls in area. She was of the view that people visit the forest to experience nature, therefore a cafeteria would be unwelcome to most visitors.

However, the chairperson gave a convincing argument to rationalise the whole idea of building a cafeteria in the forest. He argued that support staff of the FKF, KFS and security guards working inside the forest did not have any place to buy food, and they had to go very far in-order to get food. Two other people supported the argument of the elderly lady,

but generally the rest of the audience was unexpectedly silent on the matter (maybe because they felt a decision had already been made by the chairperson of the FKK⁶⁴ or maybe because they were afraid of their membership being revoked. As a matter of fact, they were not asked to approve). The chairperson eventually coerced the audience into the decision he had made and cut off the debate short, to prevent any further discussions on the matter⁶⁵. He even added that the cafeteria would be designed in such a way that the 'servants' residents from Huruma slums, would not have to mix with the 'residents' from the posh suburbs. One of the other residents in attendance who spoke was elderly Asian man (Manji) who complained of rising cases on insecurity emanating from the forest and spilling over to the posh residences in the neighbourhood, particularly whispers, where he lives. Partners and sponsors of FKF activities were awarded recognition certificates for the support.

Side events: Expensive cocktails were served by the steward staff of Muthaiga country club before the meeting began at 6.30 and after the meeting ended at 8.00pm. A birthday cake was cut after the meeting to celebrated 5 years since the Formation of FKF-CFA.

Other points noted: Participants were all from the affluent communities in the area. Most of them were elderly white European Kenyans living in the area, and they didn't spoke much. The Kenyan Africans were mostly representatives from the corporate partners of FKF. The country club is very exclusive, used by the remnants of the white settler community in Kenya. Another rather large group well represented was the Asian community represented by Oshwal education and relief board and other affluent Kenyan Asian living in the area.

Source 26: Field Work Notes, 2013

The affluent residents present in the AGM meetings seem to be the only ones consulted by the FKF-CFA when the board members are making decisions. A case in point was during the annual general meeting above. On that day, the chairman of the association, informed members that they as board members had agreed on and were planning to build a Karura Forest Resource Centre that would be composed of a cafeteria, nature museum and an environmental learning centre.

During the said meeting, at least two of the elderly white Kenyans raised their concerns and opposed the project on grounds that there were already to many

64 His attitude is one of a person interested more in business, but using the conservation discourse to further the commercial interests. He has training, in business studies. His statement about how the cafeteria will be run and who will use it revealed his biased attitude towards the slum residents. Specifically, he reassured the mostly white only members in the AGM that they will not mix them with their servants. There would be a separate cafeteria section for the servants, referring to the rangers, scouts and other support staff working in the forest.

65 Follow-up interviews with FKF staff revealed that the idea of the cafeteria had been opposed by KFEET trustee members. The KFEET trustees opposed the project arguing that any more buildings in the forest would destroy the environment and would be an ugly sore in the area. Moreover, the KFEET trustee member's who were generally against the construction of buildings in the forest were not in attendance at the FKF-CFA AGM, in which the senior office bearers of FKF simply informed members that there is a cafeteria that is going to be built. In other words, there was no consultation, just information relayed. Two concerns were raised by the members, but they were quickly explained away in their interests. With no further opposition, the matter was decided.

buildings in the forest, therefore it would be better if the forest is left as intact as much as possible. She also argued that there was no need for building a cafeteria because people already carry their own foods and have picnics in the forest. She further pointed out that there were enough restaurants and cafeterias outside but near the forest where people should go for a snack.

However, the chairman of the association managed to convince the members that there would be minimum impact. He also justified the proposed building using the argument that many education institutions were visiting the forest for environmental education purposes, and therefore, there was need, according to him (or the board) for having an educational resource centre in the forest. Unfortunately for the lady who was opposing the proposed development in the forest, there was silence and no much support from the rest of the audience members in attendance. Therefore, the special project got approved largely unopposed⁶⁶.

Other members' voices were heard during the meeting, on other issues directly or indirectly related to the forest. For instance, during the 2014 AGM, a resident from affluent Wispers Estate, Mr. Manji, a Indo-Asian Kenyan whose home borders the forest complained that robbers had broken into his home and stolen valuable goods. He raised concerns on security in the forest, complaining that these robbers must have entered into his home from the side of the forest. He added that the him that the matter of fence would be looked into, but reminded him that it was not the responsibility of the association to secure the homestead of the residents in the area. He was therefore informed to install his own security measures in his home. Later in one of the monthly newsletters, the issue was emphasised to members July-September 2014 FKF-CFA newsletter.

Also represented in the affluent resident associations are expatriates and members of the diplomatic community and embassies living and working in the area. Many of the foreign staff in the area spend their leisure time in the forest, talking their dogs for walks, running and jogging. Embassies in the area include the Belgian, Canadian, United States and Brazil embassy among others. Some of the embassies, as may have been mentioned earlier, have given their support and donations in cash or kind for conservation in the forest. For instance, the German Government through its Kenyan Mission donated kshs 500,000/- (5000 Euros) for the purchase of a honey processing plant for the Karura bee keeping project (See earlier table on Selected donations to FKF-CFA by various sponsors and donors).

The corporate and non-profit organisation who are members of the FKF-CFA, but not necessarily residents in the area include: (1) private sector corporations; (2) local, National and International Non-Governmental organisations (NGOs); (3) Community Based Organisations (CBOs); (4) Civil Society Organisation (CSOs); (5) schools and institutions; (6) diplomatic community (embassies and their residences).

⁶⁶ However, later I learnt from follow up interviews that the KFEET team was against the proposed construction of a resource center, and had in fact not been consulted.

The roles and contribution of the different members are discussed in the previous sub-section.

Non-Governmental Organizations and Civil Society Groups

Green Belt Movement (GBM)

GBM aims at empowering communities, particularly women, to protect the environment and promote good governance. Professor Wangari Maathai was the founder of GBM in Kenya. For a long time, GBM has been focused on planting and replanting trees in state forests all over the country. Before the formation of the friends of Karura Forest, GBM was the main conservation partner of KFS. They donated money to KFS for the purchase of tree seedlings, mobilised and trained women and youth from the slum to plant trees and manage tree seedlings and nurseries in the forest. GBM incurred then incurred labour costs for the tree planting and forest rehabilitation work done by the slum community. Since FKF took over the management of the forest, GBM now works directly with FKF, and not directly to the women's groups in the slums. So, the money for tree planting goes directly to FKF, who then decide if, when and who to call for the casual jobs, and how much to pay. According to the slum women, ever since GBM stopped working with them directly and FKF took over, they are getting less jobs and the money, by almost half (more of this is discussed later in sub-section on outcomes and achievements of FKF-CFA interventions, later in this chapter).

Kenya Forests Working Group (KFWG)

Kenya Forests Working Group (KFWG), is a forum of individuals, organizations and institutionalized grass root community organizations working together to promote sound forest management and conservation practices in Kenya. It is an influential lobby group in the cause of forest conservation in Kenya. Members of KFWG contribute by: (1) providing a watchdog role through monitoring forests; (2) policy influence and advocacy actions and (3) preparing communities for participatory forest management. Since its formation in 1995 KFWG has been working to promote sound forest management and conservation practices in Kenya, through research, advocacy, networking and partnerships development.

Kenya Forests Working Group (KFWG) has been involved in empowering the poor slum residents living adjacent to Karura Forest for sustainable forest based enterprises (Gichuki 2013). According to Ms. Leah Gichuki, the projects coordination officer at KFWG, 19 community members from the slum were trained on bee-keeping and financial management in a training facilitated by KFWG and funded by UNDP. Additionally, KFWG in partnership with Kenya Forest Service (KFS) implemented the bee keeping and honey processing project at Huruma Village⁶⁷, with the aim of improving community livelihoods and enhancing forest conservation. Some of the activities conducted for the project included: (1) construction of a honey processing plant; (2) purchase of 100 langstroth beehives;

⁶⁷ A claim which has also been owned by FKF-CFA, as per the interview with the chairman of the FKF-CFA, Prof. Njoroge.

and (3) community training. According to Ms. Leah Gichuki KFWG, KFS, UNDP and other stakeholders commissioned Huruma Village honey processing plant to Friends of Karura Forest Community Forest Association (CFA) on 11th June 2013.⁶⁸ (Gichuki 2013)

African Foundation for Endangered Wildlife (AFEW)

The main interest of AFEW is the protection of endangered animals. Together with a handful of several other Wildlife NGOs (WINGO's) the African Foundation for Endangered Wildlife (AFEW) have contributed variously in cash and in kind, to the activities of the FKF-CFA. Between 2010 and 2013, AFEW donated kshs 11.5 million (or approximately Euros 115,000) to FKF CFA for their activities. Among other things, the money was used for fencing part of the forest.

The Karura Forest Environmental Education Trust

The Karura Forest Environmental Education Trust was formed in 2010. The trusts offices are housed in the former Shell BP sports Club located in Karura Forest. The trust is a non-profit centre that runs an environmental education centre that is open to the public and particularly targeting school children. The founder members of the trust include the FKF patron late Prof. Wangari Maathai, Kenya Shell Limited (now Vivo Energy Kenya), Kenya Forest Service, the Green Belt Movement, Friends of Karura Community Forest Association and the Oshwal Education & Relief Board.

The land on which the trust lies is the 16-acre piece of land, currently leased by Kenya Shell Ltd. for a period of 23 years. The trust got as a donation the building and grounds of the former Shell and BP sports club. The Board of Trustees of KFEET is supposed to control any further construction of these lands. The centre hosts the offices of FKF/ KFEET. The trust retains low-impact sports and recreation facilities for generating revenue in support of Karura conservation. The centre also provides low-impact conferencing facilities and an educational auditorium. The former shell BP squash hall was recently renovated to function as the auditorium for lectures and environmental debates and discussions. The new auditorium was opened 2nd June 2013 in a function graced by the first lady Margaret Kenya. In the future, the trust plans to host a photo gallery of an archive rich history of Karura Forest, a library, sports facilities and a revolving gallery that will focus on various conservation issues.

The centre is closely located right inside the forest and several 100 metres away from the natural attractions in the forests, the nature trails, caves and waterfalls. The KFEET/FKF Education Officer hosts, organizes and leads walking study tours that emphasize environmental and civic education. The offices of the friends of Karura forest are housed at the KFEET centre. One of the most visible members of the trust are the Oshwal Education and Relief Board. Through them, the Oshwal Community has been a major supporter of conservation and management of the forest, bringing

⁶⁸ This information contradicts with information given by FKF, who claim they are the ones who funded and constructed the bee keeping and honey processing plant for the FKF, when in actual fact it was UNDP.

together partners to promote environmental education and sponsor the planting of thousands of indigenous trees.

UNEP, UNHABITAT, ICRAF, ICIPE

Karura forest neighbours UNEP and UNHABITAT offices as well as regional offices of international research organisations, like the World Agroforestry Research Centre (ICRAF) located right within the forest. These organisations have been providing KFS with guidance on international forest policy, environmental regulations and best practices. Specifically, UNEP provides policy guidance, leadership and encourages partnership in caring for the environment, by inspiring, informing and enabling people to improve their quality of life sustainably.

Within the forest are the regional headquarters for the International Centre for Research in Agroforestry (ICRAF). The organisation generates science-based knowledge about the diverse roles that trees play in agricultural landscapes and to use its research to advance policies and practices that benefit the environment. UNDP has been involved through supporting and funding the tree planting and bee keeping/honey harvesting project for residents of Mji wa Huruma Slum.

Private (For profit) Corporations

In the spirit of corporate social responsibility, multi-national and regional private business corporations like East African Breweries, Barclays Bank of Kenya, Kenya Commercial Bank and Safaricom are indirectly involved in the management and conservation of the forest through cash donations sponsoring the forest rehabilitation, development and tree planting activities. As can be seen from table on sponsorships in previous sub-sections, these have included sponsorship of billions of money to build the electric perimeter fence around Karura Forest, with the aim of improving security in the area and stopping forest exploitation; marking of nature trails; installation of signposts; clearance of footpaths; sponsoring paramilitary training for the forest scouts and guards; salaries and wages for Karura forest scouts who beef up the security man-power of the KFS. In addition, the G4S group, an international private security firm has been providing security services free of charge.

Slum Residents

As mentioned earlier, there are four slums within the Karura forest area, with one sandwiched between the forest and the affluent residential homes. The interests of the slum residents range from consumptive forest uses, forest based livelihoods and management and decision-making. These slum dwellers have been depending on Karura Forest for a long time, for forest products for their domestic needs and livelihoods. These include collection of firewood for cooking; timber posts for building and repairing their houses; indigenous vegetation for medicinal plants and the rivers for water. Majority of these slum residents work as domestic servants and casual labourers for the affluent Karura residents in the area, FKF-CFA (providing them with cheap manual labour for tree planting and invasive species removal). (Field interviews with slum residents and FKF-CFA officers).

These residents have contributed variously and significantly to the management and conservation of the forest, directly and indirectly, especially before the elite FKF-CFA took over. Residents from Mji wa Huruma village, claim that they were the only residents in the area who were together with the late Professor Wangari, protesting and fighting against the illegal allocation of the gazetted forest, when it was being grabbed by the corrupt ruling elite in the 1990's (see Page **Erreur ! Signet non défini.: Erreur ! Source du renvoi introuvable.**). Indeed, reports from the media then captured clearly pictures of the protests, showing the slum residents helping Wangari Maathai to enter the forest, which had been closed off by riot police, and destroying construction materials, which had been brought inside by illegal developers. The actions of these slum residents served to prevent further excisions of the forest (Field Work, 2014).

Indeed, various authors writing on the events that happened during the protests for Karura observe that the affluent community living in the Karura area, did not participate in the protests against land grabbing, and were in fact indifferent or oblivious to the issue (Gachanja 2003). This includes the diplomatic community and the international organisations, who are reported to have been suspiciously quiet over the issue of corruption as pertaining to the grabbing of the forest. Writing on the protests (Klopp, 2012) has pointed out the important role played by the slum residents from the neighbourhood noting:

“On 7th October 1998, the first large demonstration took place. Activists drawn from the GBM, release political prisoners as well as the neighbouring slums approached part of the forest that was surrounded by fencing. By planting trees, they symbolically reclaimed the land as a national forest. They asked the contractors to remove their equipment and started planting trees on the feeder roads of the forest. The demonstrators proceeded to pull down the gate and set fire to construction equipment estimated to be worth kshs. 40 to 80 million (about US \$1 million). The activists were later joined by ... hundreds of youths who, armed with crude weapons, destroyed the drainage channels and made away with corrugated iron sheets. Demonstrators sang songs urging God to protect them “from the hands of the corrupt and greedy.”

Apart from participating in protests that stopped the excisions of the forest, another major contribution of the slum dwellers for a long time, has been the rehabilitation and maintenance of the forest through tree planting activities, tree nursery keeping and removal of invasive species like *lantana camara*, long before the creation of the elite Friends of Karura group. As mentioned in an earlier sub-section, Green Belt Movement and KFS hired and engaged casual labourers from the slum to work in the forest, planting trees and removing invasive species. The women and youth from the slum in particular, benefitted from these jobs. In-depth interviews with residents from Mji wa Huruma slum in particular, reveal that the slum residents were very active in management and conservation of the forest when dealing with KFS and Wangari Maathai's GBM, compared to their present dealings with the new forest managers under the elitist FKF-CFA. According to them, since the FKF-CFA took

over, they no longer participate nor benefit anymore from forest use and management.

Overall, the Representation of the slum communities within FKF-CFA is very poor. Out of the four slum communities in the area, only two have one representative each in the board of the FKF-CFA⁶⁹. Of these two, only one of them, the Mji wa Huruma village⁷⁰, which is nearest (adjacent to the forest) is involved by FKF-CFA through being occasionally called to do casual jobs like tree planting, invasive species removal and bush clearing) (field interviews with slum residents). In addition, based on interviews held during fieldwork (see section xxx), slum residents in the Karura Forest neighbourhood relayed feelings and thoughts of disenfranchisement from the management and conservation of the forest being spearheaded by the FKF-CFA. When it comes to decision-making, it was evident that the slum residents are not at all involved, in all or any matters related to the use and conservation of the forest, which is just at their doorstep. This affects their use of and access to the forest, directly and indirectly, as discussed in later sections.

For instance, and according to interviews held with slum residents, when the decision to reduce the number of days allowed for firewood collection in the forest was done, the affected groups, particularly the women were not consulted. They were surprised with a decision, which they were informed of at the forest gates one morning, as they entered to collect firewood. Thus, it is clear that FKF-CFA does not view the slum residents as partners. The slum residents are treated as outsiders and forest exploiters, who are likely to degrade and spoil the forest by collecting firewood or medicinal plants. As discussed later the slum residents are treated by FKF-CFA as criminals, likely to rob, harass and scare off recreational visitors. The 2010 Karura Forest Management Plan, which was developed jointly by KFS and FKF, reflects these negative perceptions of the forest dwelling communities by FKF, listing them as challenges being faced in managing the forest (Kenya Forest Service 2010). These are the reasons why it was very important for the elitist FKF to build a fence, to prevent the miscreants and criminals from the slum, and control firewood collection.

From discussions held with the slum residents, it was clear that the slum community is out rightly excluded and disenfranchised in the new power sharing arrangement between KFS and the affluent community living near the urban forest reserve. Interviews held with several of the residents revealed that they felt excluded and discriminated against. Some of them mentioned that their past contributions towards forest conservation and management have been underrated and overlooked by both the KFS and FKF.

69 See the Who Is Who Box: board members, management and resident representatives of the FKF

70 Mji wa Huruma slum which is the slum nearest to the forest, sandwiched between the southern border of Karura Forest, delineated by the Ruai-Ruaka River and next to the affluent Runda Estate, delineated by the high stone wall and electric perimeter fence

FKF treats the slum community as objects of being recipients of 'charitable acts' from their donors and sponsors, "due to the generous support and consideration of FKF". Whenever the FKF wants to show how much good they are doing, or how they use the funds in their custody, they exaggerate on how much they have done to help the neighbouring poor communities, as can be seen in the excerpt below, picked from their website:

"FKF ... directly helping the surrounding communities, in particular the Huruma and Deep Sea informal settlements that border the forest to the north and south, by leveraging donor money to provide...employment and numerous casuals to clear invasive bush for tree re-planting, which diverts hundreds of thousands of shillings into the informal settlements; a \$100,000 water purification plant; bee-keeping equipment, training including a honey processing plant (for the women's groups); a fish-pond; two-days-a-week supervised dead wood-gathering for domestic use."

None of the projects mentioned by the Friends of Karura Forest -Community Forest Association have actually been beneficial to slum the community, according to the views and opinions of majority of the slum women residents interviewed. This is the opposite of what has been portrayed by the FKF-CFA on their website and talks they have given in several forums, including academic conferences⁷¹. The residents claimed that some of the projects which FKF claims they built for the community, like the honey processing plant, were infact initiatives of other stakeholders like UNDP. The only FKF initiated project was the installation of the water purification plant, which was not a non- priority for the slum residents. Infact, in protest to oppression by FKF-CFA, the slum residents destroyed the water plant and pulled down the fence. The fence was infact pulled down two times in protest to tan incident where a child from the slum was killed by a live wire when playing.

In summary, the slum residents expressed discontentment with the management of the forest by FKF, and said they did not benefit in any way from the new co-management arrangement. Moreover, they said they felt oppressed and marginalised. They added that they are not interested in hand-outs or mere casual jobs, rather they would like to be directly involved in the management of the forest, either: (1) independently (where they manage the forest themselves in partnership with KFS); (2) in self-employment (where they could be allowed to sell /hawk items like souvenirs, soft drinks and snacks among others to visitors) or (3) in equal partnership with FKF.

Some of the complaints they had against FKF include: (1) the amount of money paid for casual jobs like planting trees, which had been halved since the Friends of Karura Forest took over the tree planting projects from KFS and FKF management; (2) Gender discrimination in the employment of forest scouts/ guards and guides. Only men from the slum were getting these jobs and the women felt out; (3) the installed

⁷¹ For example, the lecture given at Wangari Maathai Institute, University of Nairobi by Prof Karanja Njoroge in 2013 and another one given at National Museums of Kenya by Ms. Alice Macaire in 2012.

water purification plant in the slum by FKF was not working. According to the residents, the plant was closed due to lack of maintenance. This means that the technology was not appropriate for the area as it would need engineering experts and a lot of money to maintain it; (4) the stalled bee-keeping project for two years now due to the disappearance of the bees from the women groups bee hives after the International Centre for Insect Physiology and Ecology (ICIPE) was allowed by the FKF to install their own beehives into the forest.⁷²

Slum Based Community Based Organizations (CBO's): Huruma Women Vision Group

Origins and Context of Huruma Women Vision Group

According to the chairlady of Huruma Women Vision Self-Help Group, the grassroots CBO was formed in the late 1990's with the support of the late Professor Wangari Maathai, who used to mobilize the slum women to plant trees, either on voluntary basis or with payment. She then paid them for their seedlings and labour for tree planting through her organisation, the Green Belt Movement (GBM). She also put in place a programme that ensured that the Kenya Forest Service hired the women to plant the trees, and pay them officially. The women said that the late professor was strategic, constantly encouraging them to plant trees and take care of the environment, even when there was no payment expected.

When the Forest Act, of 2005 was passed, the Kenya Forest Service had been trying to build capacity of some CBO's to effectively participate in forest management and conservation. In Nairobi, one of the targeted CBOs was the Huruma Women Vision Self-Help Group. Infact, Huruma Women group was among the first CBOs used as a pilot by the government to test the new model of community involvement in forest management, possibly because they are the nearest forest community located next to the forest department headquarters and the Kenya Forestry Research Institute and ICRAF. Under the leadership and support of KFS, the group was mobilized and their capacity built in order to participate in the co-management of Karura Forest together with KFS. In 2007, the Kenya Forest Services registered the Huruma Women Vision Group as the first Community Forest Association (CFA) for Karura Forest. The group then consisted of 30 members (22 women and 18 men) drawn from the Huruma Village. One of their major aims was to work on forest restoration in the degraded sites of the indigenous Karura forest. This was viable because

⁷² The introduction of ICIPE's beehives appear to have been a deliberate attempt to make the women groups bees disappear, from their beehives, in order to discourage the women from entering the forest. Without bees and honey to harvest, they will have no valid reasons to enter the forest. This suits the FKF management who have told them severally to keep off coming into the forest, unless they have been called for jobs. Specific instructions have been given to them by the FKF management, through the forest scouts, that their faces are not supposed to be seen in the forest (because they will scare visitors). According to some of the women interviewed, they said they think that the vice chair of FKF, whom they referred to as mzungu woman (white) person, dislikes them and doesn't like to see their faces. They said she does not want them coming into the forest, unless she has called them for jobs. I personally experienced some resistance from this particular official of FKF when I first met her and told her that I was doing some research.

members of the group had already been participating in forest management and conservation through restoration programmes, with KFS and GBM, as casual labour and/ or income generating projects since 2005.

Role, Contributions and Activities of the Huruma Women's Group

The main role of Huruma Women's Group was forest restoration and rehabilitation. These included replanting indigenous trees on degraded forest patches and removing invasive species. The grassroots group also engaged in other income generating projects, that ensured the sustainable utilization of the forest resources, mainly bee keeping and honey harvesting, (using forest trees to hang the bee hives) and liquid soap making (using water from the rivers). The alternative sources of income they generated enabled them to reduce their pressure on forest resources from uses such as collection of dead wood, making and selling charcoal. At the same time, their quality of life improved, directly and indirectly in several ways. The details of how these activities and benefits came into play are discussed in the following paragraphs.

Box 8: Best Practice: Huruma Vision Group CFA as per extract from UNDP Report

About Huruma Vision Self Help group

The Huruma Vision Self-help Group is a CFA (Community Forest Association), provided for under the Forests Act 2005. The 30-member group consists of people from Huruma village, adjacent to Karura Forest. They undertook the following forest based activities.

1. Tree planting: The group was established in 2005 to restore the forest by reforesting eight hectares of degraded site. They later began a tree nursery. The seeds are collected from the forest, with the permission of the authorities, or bought from the Kenya Agricultural Research Institute. Water for the seedlings comes from the nearby river. They currently have 4,000 seedlings, which are sold to UNDP Kenya and other buyers. The costs of this project are small, and include watering cans and pot bags. The group also targets large companies involved in 'green' projects, and synchronise planting patterns with the periods that seedlings are required.

2. Bee-keeping: In 2006, the Huruma Vision Group took on bee keeping. UNDP Kenya also funded this project, with cooperation from several partners. Trained by the Association of Beekeepers, the group uses modern hives, so that harvesting can be done any time of the day. Their 80 hives are located in the dense part of the forest. The association also helped the bee-keeping group to obtain four honey-harvesting suits that are impervious to stings. After harvesting, packaging is done manually in 250 ml jars. One harvest averages 17 kg.

The two projects are sustainable, environmentally, socially and financially, because the community profits without destroying the forest. In addition, the benefits ensure

that the community looks after the forest, protecting and sustaining it as a water catchment area and promoting biodiversity conservation. Furthermore, many of the Huruma Vision Group members are women and youth. These projects give them hope for a better future, to the extent that they have abandoned other income earners such as selling illegal alcohol. The Huruma project, while moving towards the MDG of environmental sustainability, also touches on the MDGs of poverty reduction and gender equality. Its crosscutting ability makes it more effective, while the fact that several UN agencies are involved increases efficiency.

Source 23 (UNDP, 2009)

The Huruma Womens' Group kept a medium scale commercial tree nursery, located on the banks of Karura's Ruaka River at the edge of slum. The river waters were used to water the seedlings. The group planted both indigenous and exotic tree seedlings. The seeds for the seedlings were acquired from the Kenya Forest Services (KFS) who issued the seeds free of charge to the women's group. Other sources for seedlings included the Kenya Agricultural Research Institute (KARI), which they had to buy. The group kept tree nurseries with a wide range of tree seedlings, which they sold as part of their income generating projects. The main customers for their seedlings were private corporate organisations and government departments interested in greening projects for corporate social responsibility, as well as environmental focused international, regional and local NGO's.

UNDP-Kenya was the first organisation to support the huruma women groups' activities. In 2005, UNDP bought donated equipment and seeds for the women to start a commercial tree nursery. Once the seedlings had grown, most (approximately 4000) were purchased by UNDP for planting in Karura forest.

Several other corporate and non-profit organisations were buying seedlings for their greening projects from the Huruma Women Group. These included Kenya Commercial Bank, who have a vibrant greening corporate social responsibility programme countrywide, East African Breweries Ltd (EABL), a regional beer manufacturing company, insurance companies, several NGO's including some United Nations Agencies in Nairobi, Green Belt Movement (GBM), United Nations Environment Programme (UNEP). The price of the seedlings ranged between 70/- to 200/-. The money from the sale of the seedlings was used to pay for their operating costs like buying fertilizer, buying seedlings, watering cans and paper bags. The income generated was then shared among the group members.

In addition to the above, KFS supported the women's group to keep beehives for honey harvesting and sale in the forest since 2005. This was part building the capacity of the community to be less dependent on extracting forest resources for their livelihoods, The Bee farming intervention was initially supported by the United Nations Development Program (UNDP). In 2005, UNDP sponsored the initial training for group members. The apiculture training was done by the Association of Bee Keepers to some of the group women members who were interested in the

enterprise of making and selling honey. The association donated the initial bee hives and the group members bought the rest, coming to a total of 80 bee hives. Other equipment like the suit and harvesting equipment were donated by the Association of Bee Keepers of Kenya. Each bee hive yielded an average of 17 kgs, and the honey was harvested 3 times a year, bringing the total amount of honey collected 4080kgs. The raw honey was packaged into 250 ml jar for sale at kshs 150/- (or approx. 2 Euros) each. Initially it was difficult to get market to sell their honey, so later, the honey was harvested usually when there on demand/request. Despite the challenges they experienced, especially due to lack of honey extracting and processing equipment, the project was potentially viable. Later on in 2009, UNDP contracted a builder to put up a honey refinery plant, which they equipped with a centrifuge wax, wax extractor, 5 bee suits, 100 bee hives, packaging containers, harvesting pails, honey storage pails.

Benefits of forest based micro-enterprises to Huruma womens group

The tree nursery and bee keeping activities contributed to reduction in the consumptive utilization of the Karura Forest resources, while at the same time ensured that the slum community benefited from the forest in a sustainable manner (See UNDP-Kenya Country report, 2009). In addition to selling the seedlings to these organisations, they got paid separately by the same organisations, to do the actual manual labour of planting the trees in the forest, if the seedlings being bought were for sponsoring a greening project for a forest patch in Karura (Field Interviews, 2014).⁷³ Thus, members of the community were earning a living from the forest without extorting it. They became custodians to the forest, which made them to be in a position to protect it from exploiters, as they monitored and reported the activities of illegal loggers. Additionally, the projects involved youth and women, who, were very proud of their work and achievement, giving them confidence and a sense of hope. The projects had led to reduction of despair and hopelessness among some of the women and youth, such as the who had been engaging in illicit alcohol brewing or drinking. Because of the efforts of the women's group, the quality of life in the slum community had started improving significantly, particularly among the women and youth, who started engaging in more sustainable and appropriate ways of earning and living (see the Nairobi River Basin Programme Report).

Representation of HWG in FKF-CFA

During the Focus Group Discussions, the women group members informed me that Karura Forest Reserve and the "Friends" would not be there today without the efforts of the slum women. The women expressed their feelings and opinions that both the friends and the government do not recognize nor appreciate the role that women from Mji wa Huruma Slum played in protecting the national treasure from greedy individuals in the 1990's (See page **Erreur! Signet non défini.: Erreur!**

⁷³ Nearly all the women interviewed individually narrated this information, which was confirmed by interviews with Ms. Wanjiru, Head of Huruma Womens Group.

Source du renvoi introuvable. and page **Erreur ! Signet non défini.: Erreur ! Source du renvoi introuvable.** Specifically, the representative of the women groups shared that they actively helped the late Nobel peace laureate to prevent the illegal grabbing of Karura forest in the 1990s. They described that on the day of the protests, the developers and grabbers learnt of the planned protests, and so the government summoned the police to block all the forest entry gates and arrest anyone who tries to enter. Since all the gates were locked, the only entry point was through the slum, which shares its boundary with the forest. The situation was therefore very bad for the protestors because the only access was through the Gitatharu River, which delineates the Huruma slum from the forest. It was apparent that the only way the late professor could enter the forest was by crossing through this river. Therefore, the women from the slum had to help Wangari cross the river by literally carrying her on their backs, shoulder to shoulder to enable her enter into the forest. As the women were narrating this experience to me, they disappointedly and bitterly expressed their feelings of disenfranchisement by new actors managing the forest, who were now oppressing them in many ways, despite the contribution of the slum women in the past, to saving and rehabilitating the urban forest reserve.

State Actors

Kenya Forest Service (KFS)

Kenya Forest Service is a Government of Kenya (GoK) parastatal mandated with the main responsibility of managing and conserving state forests on behalf of the government and the citizens. The headquarters of the state agency are located right inside the forest. The roles of KFS in management of forests in Kenya are specified in Part II, Section 5 of the Forest Act No. 7 of 2005, as shown in the extract below.

Box 9: Functions of Kenya Forest Services

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| <ul style="list-style-type: none"> i. Formulate for approval of the Board, policies and guidelines regarding the management, conservation and utilization of all types of forest areas in the country; ii. Manage all State forests; iii. Manage all provisional forests in consultation with the forest owners; (d) protect forests in Kenya in accordance with the provisions of this Act; (e) promote forestry education and training; (f) collaborate with individuals and private and public research institutions in identifying research needs and applying research findings; iv. Draw or assist in drawing up management plans for all indigenous and plantation state, local authority, provisional and private forests in collaboration with the owners or lessees, as the case may be; v. Provide forest extension services by assisting forest owners, farmers and Associations in the sustainable management of forests; vi. Enforce the conditions and regulations pertaining to logging, charcoal making and other forest utilization activities; collect all revenue and charges due to the Government in regard to forest resources, produce and services; vii. Develop programs and facilities in collaboration with other interested parties for tourism, and for the recreational and ceremonial use of forests; viii. Collaborate with other organizations and communities in the management and conservation of forests and for the utilization of the biodiversity therein; |
|---|

- | |
|--|
| <ul style="list-style-type: none">ix. Promote the empowerment of associations and communities in the control and management of forests;x. Manage forests on water catchment areas primarily for purposes of water and soil conservation, carbon sequestration and other environmental services;xi. Promote national interests in relation to international forest related conventions and principles;xii. Enforce the provisions of this Act and any forestry or land use rules and regulations made pursuant thereto or to any other written law;xiii. In consultation with the Attorney General, train prosecutors from amongst the forest officers for purposes of prosecuting court cases under this Act in accordance with any other law relating to prosecution of criminal cases. |
|--|

Source 90: Republic of Kenya (RoK), 2005

In the beginning of this study in 2011/2012, it was apparent that crucial government agencies or departments that are supposed to be important stakeholders in the conservation and management of the urban forest reserve were not participating or particularly active. These includes the defunct Nairobi City Council (now Nairobi City County), Kenya Tourism Board, Kenya Wildlife Services, Department of Culture and Heritage represented by its agency, National Museums of Kenya and Ministry of Environment and Natural Resources (MENR); National Environmental Management Authority (NEMA); Department Nairobi Metropolitan Development (MoNMP). Interviews with a KFS officer revealed that conflicts of interest, fights for supremacy, poor institutional capacities and lack of resources as some of the reasons for the lack of institutional collaboration with different government departments. Lack of cooperation with relevant public sector stakeholders posed a major weakness in the sustainable management and conservation of Karura and other forest reserves in the city. In the Karura forest strategic management plan of 2010, lack of collaboration has been identified as one the areas that needs to be worked on and encouraged. Because of past archaic institutional arrangements, collaboration has been non-existent with the Nairobi City County despite the forest falling within its jurisdiction.

However, KFS acknowledges in its Karura Forest Management Plan of 2010 that it is necessary to seek and integrate collaboration with other stakeholders from other national and county government departments or agencies, in order to achieve the objectives of sustainably conserving, managing and developing Karura forest and other urban forests in the city. Within KFS, Karura forest is under the regional Nairobi Forests Conservancy area, which consists of forests in Nairobi and Kajiado County and the local Nairobi county forest coordinator. The latter is a new office within the KFS, dubbed as the Nairobi County Forests Coordination Office, created to coordinate the management of forests in the city, and bring together all the relevant government departments, with the hopes of working together (Interviews with KFS officer, 2012). Day to day operations are conducted by the forester in charge of Karura Forest. In their 5-year strategic management plan for Karura, (Kenya Forest Service 2010), KFS emphasises that its main mandate is to collaborate with other stakeholders, in the protection and management of the Forest and to

enhance revenue generation through sustainable forest based industries, eco-tourism and payment for environmental services. In line with this, the KFS has been putting in place guidelines on how to work with other stakeholders, in developing urban eco-tourism.

The Nairobi Forest Conservation Committee (FCC)

With the support of the Forest Act of 2005 a Forest Conservation Committee (FCC) was been established for the Nairobi Conservancy of which Karura forest is a part of. The Karura FCC was created under Section 13 of the Forest Act. In accordance with the Act, The Karura Forest Conservation Committee (FCC) consists of:

“a) The Chairman⁷⁴; b) The Head of Nairobi Conservancy (Secretary of the committee)⁷⁵; c) The Nairobi County Forest Officer⁷⁶; d) The forester in charge of Karura Forest Reserve⁷⁷; e) One member nominated jointly by members of the timber industry operating in Karura Forest Reserve; f) Four persons knowledgeable in forestry matters (nominated by the conservancy area in consultation with the conservancy committees including one female, one youth representative and one representative of Huruma Community); g) The County Director of Agriculture⁷⁸; h) County Director of Environment⁷⁹”.

The composition of this committee is mostly persons from KFS and other government departments or agencies. However, section 13 article (5) of the act gives a provision for ‘Persons who are not members of the committee’, stating that they ‘may be invited to attend meetings of the committee and take part in its deliberations, but shall have no voting powers.’ Thus, this provision allows non-state actors to be part of the “think tank” of the committee, but with no decision making power. However, such persons may to some extent, influence the decisions of the committee.

Box 10: Functions of the Forest Conservation Committee for the Nairobi Conservancy

- i. To gather the ideas and opinions of the local community within and surrounding forest conservation areas and report these to the KFS. With specific reference to conservation and utilisation of the forest;
- ii. To monitor the implementation of the forest act and other forest regulations within the stated area;
- iii. To review and recommend to the KFS Management Board applications for licenses and renewals thereof;
- iv. To regulate the management of Karura Forest Reserve, including the setting of

74 Appointed by the management board to provide overall leadership of the FCC to ensure quality performance and effective execution of its mandate and functions and to work closely with representatives from other Government agencies, representatives of the Forest industry and Community Forest Associations.

75 Representing provincial administration

76 He is the secretary, and also in his role as responsible for Karura Forest Reserve consults with the forest conservation committee, makes inspection visits at least twice a year, and report thereon to the Director as to whether a forest it is being managed in accordance with the provisions of the act.

77 Secretary of the committee

78 Nominated by the Minister for Agriculture

79 Nominated by the Director General, National Environment Management Authority.

- charges and retention of charges and income;
- v. In consultation with the KFS Management Board, to assist local communities to benefit from income derived from flora and fauna traditionally used or newly discovered by the communities; and,
- vi. To perform such other functions as the KFS Management Board may require or delegate to it.

Source 91: Karura Forest Management Plan-KFS, 2010

Currently, there is no representative member from the Nairobi City County in the Karura Forest Conservation Committee (FCC). Thus the forest is in some ways treated as an independent space within Nairobi County by the county authority. This could be explained by the fact that Forest resources are within the jurisdiction of the National Government, and therefore the county governments have no custodianship. Since the implementation of the new policy in 2005, KFS co-manages state forest reserves together with local communities. With the delegation of the day to day forest management activities to the CFAs, the institutional role of the KFS is reduced to mainly the formulation of policies and guidelines regarding the management, conservation and utilisation of forests.

Photo 27: Management Board, Support Staff of FKF-CFA and one senior KFS officer⁸⁰



Source 92: Field Work, 2014

80 KFS officer is in green ranger's uniform. The male standing next to her in a green similar (ut different uniform) is a scout, employed from Huruma slum by FKF-CFA. He was also one of the only two residents from the slum in the meeting. Other people in the picture include Ms. Alice Macaire-Patron, Professor Karanja Njoroge (Chairperson) and Christina Croze (Vice Chair), Chantal Marriotte (Projects Officer), Camille Wekesa (Treasurer), Harvey Croze (in charge of photography and publications, also husband to Christina), Lucy Njoka (FKF/KFEET environmental education officer) and other support staff.

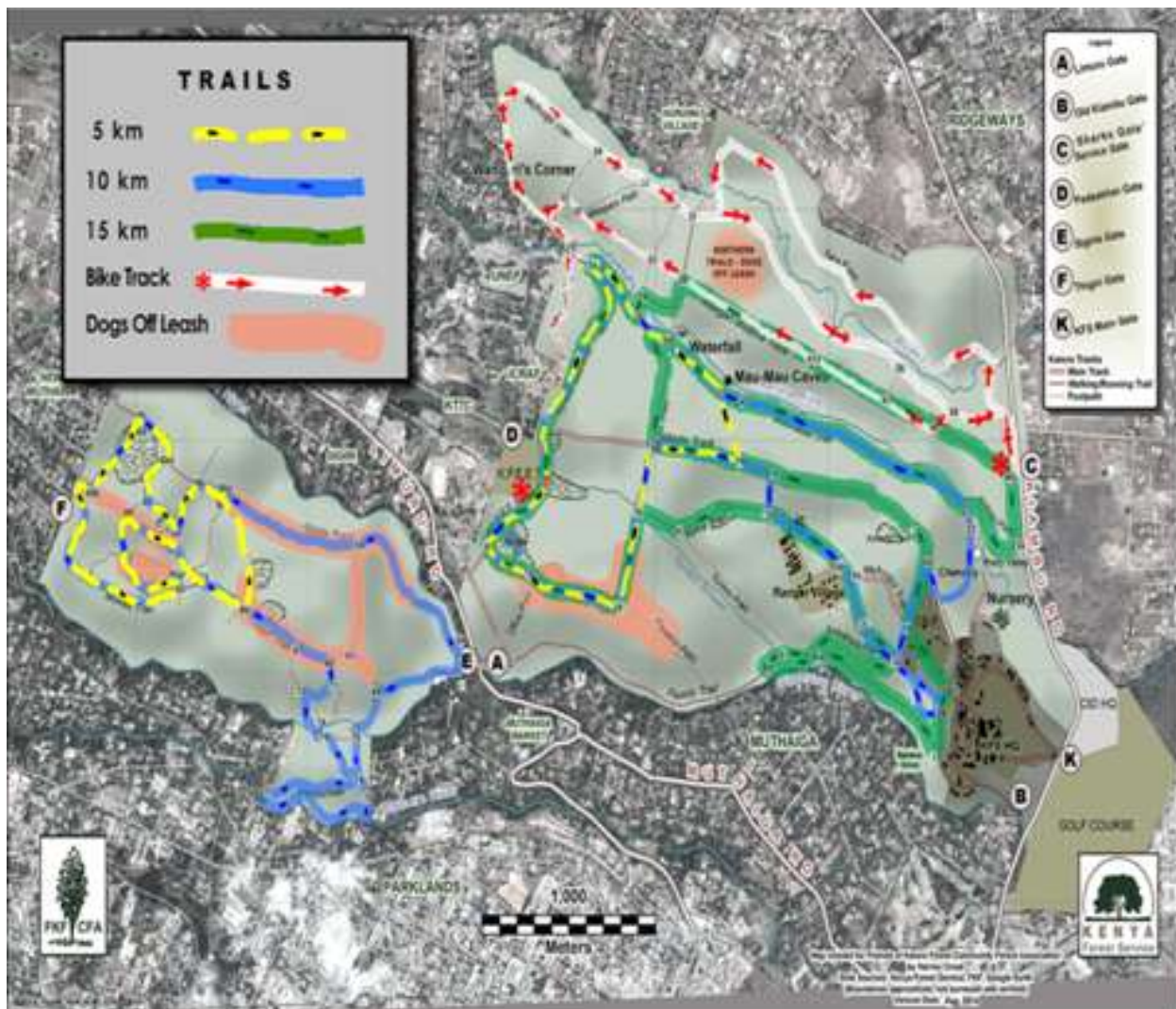
USES OF KARURA FOREST

Non-Consumptive Uses

Recreation, leisure and urban eco-tourism⁸¹

Most of the visitors to Karura forest reserve come for varied formal and informal individual leisure activities. These include eco-tourism activities (sightseeing of the natural features like Karura waterfalls, butterfly pond/lake and the mau mau caves).

Figure 37: Map of nature trails



Source 93: FKF-CFA

81 See appendices for the entry fees for recreational visitors

82 The caves in the forest were named after the mau mau freedom fighters. It is believed that they used the caves during the colonial times to organise their activities against the colonial government.

Other activities include nature walks, runs and jogs in the expansive nature trails, cycling, jogging, running, and sports like football and tennis in the designated sports areas. The passive leisure activities in the urban forest include taking dogs for a walk or run, picnics and family get-togethers. The most common popular user activities are leisure walks, jogging, picnics, relaxing, nature walks and cycling. Many of the visitors use the site for physical health benefits like jogging, running and cycling. Visitors wishing to navigate the forest for recreation can do so with the help of a pocket map developed by FKF and sold at the entrance gates for Kshs 500/- or approx. 5 Euros.

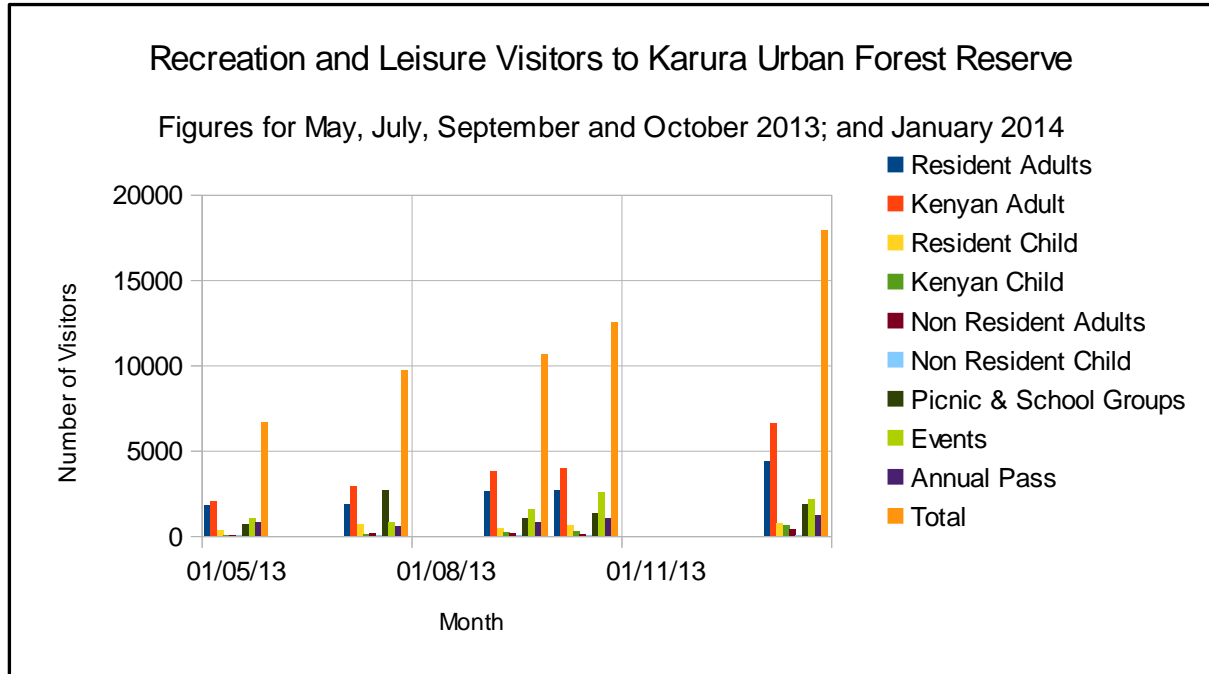
Most of the users of the forest are active leisure visitors who are residents from the neighbouring affluent communities. Many of them are of European descent, particularly white Kenyans living the area. A point to note here, earlier mentioned is that the residential areas around Karura are all part of the former European residential areas during the colonial times. Many descendants of the colonial settlers (white Kenyans) who remained in the country after independence continue to live in the area and other affluent areas of the city. The other Europeans visitors consist of the expatriates, who live and work in the international organisations and residences in the area. Most of them use the forest to walk their dogs and for physical health activities like jogging and running. Indo-Asian Kenyans consist of the other group of daily visitors to Karura Forest. Many of them are affluent and live within or near the neighbourhood of Karura forest (in Parklands and high ridge). As explained in chapter four, Parklands and Highridge neighbourhoods are former Asian only areas during the colonial times, located south of the European residential area and separated from the white only area by the forest reserve. Thus, as implied earlier, after independence, more Indo-Asian Kenyans than whites moved to the European neighbourhoods because they were more wealthy than Africans, having inherited a more privileged social-economic status, compared to the Africans. This explains why there are more Asian Kenyans sing the forest than the African Kenyans. During the time of this research, the most popular recreation activity among the Asian Kenyans in Karura forest appeared to be family gatherings and picnics. Leisurely nature walks and active physical activities like jogging followed suit

The other large group of visitors consists of upper middle class African Kenyans, who visit the forest particularly in the evenings after work and on weekends for active leisure activities like jogging and running and some sports. Several affluent black Kenyan elites, including former President Mwai Kibaki, lives in the area. The first lady of the republic of Kenya, Mrs. Margret Kenyatta currently trains in the forest for her marathons. Most of the African visitors to Karura during the time of my research (2012-2014) were mostly first-time or occasional upper-middle class visitors coming from other parts of the city, specifically affluent and middle class neighbourhoods such as Karen, Langata, Kilimani, Kileleshwa and state house⁸³ and

83 Information based on informal discussions held with the visitors during fieldwork, participant observation and from a rapid socio-economic profile assessment of users of the forest carried out by 3rd year urban geography students.

other middle class areas like South C, South B and Buru Buru. Occasional groups of youth, mostly university or college students in small groups visit the forest for picnics, social gatherings, nature walks and sightseeing.

Graph 1: Recreation Visitors to Karura Forest by month and category



Source 94: Compiled by Author

Use of Karura Forest for recreation and leisure is a new concept, facilitated by the user rights provisions made in the new forest act of 2005, and implemented for the first time in 2009 by Kenya Forest Services. Since 2010, the urban forest reserve has increasingly become a popular destination site in Nairobi, for both local and international visitors. This can be deduced from graph based on data provided by the Friends of Karura Forest-Community Forest Association (FKF-CFA).

The increasing number of visitors per month seem to be related to a number of factors mainly: (1) improved safety and security; (2) an upcoming middle class among the African Kenyans⁸⁴ (World Bank 2015) as well as (3) network marketing and advertising (on social media forums like Trip advisor and by word of mouth).

84 Some of the latest economic trend reports indicate that Kenyas economy has been growing and the share of middle class is rising. This explains the increase in the demand for leisure and recreation activities and growth of the share domestic tourists. However, upcoming middle class is used here with caution here because a large percentage of the visitors to Karura are still mostly European citizens or expatriates living in their homes or diplomatic residences in the neighbourhood and Asian Kenyans living the surrounding high-class residential areas near the forest, such as parklands. All the same, there is now an increasing number of African Kenyan citizens visiting the forest. However, the proportion of Kenyan citizens compared to the resident Europeans is still not large enough considering the African Kenyan citizens are by far, the majority group in the city and country as a whole.

According to FKF-CFA, by around April-June 2013, the number of ticket paying visitors to Karura forest who are Kenyan citizens was 54%, which is an average of 6,000 persons per month. Of the 6,000 visitors, approximately 2,000 were visitors attending public and/or private functions or events in the forest. Therefore, this means that approximately 4,000 of the 6,000 Kenyan⁸⁵ visitors come to the forest for active and passive recreational activities like nature walks, jogging, running, bird watching and just relaxing (FKF-CFA, 2013)⁸⁶.

Nevertheless, there is an increasing tendency by the FKF-CFA to commercialise the forest and make it out of reach for most people except the affluent middle class. For instance, at the beginning of this research in 2012, picnics were very popular activities for visitors coming from other areas of the city. However, in 2013, the number of such picnic groups reduced because the FKF-CFA started charging a separate extra fee per for picnic groups, at kshs 250/- per person, on top of the normal entry fee of kshs 100/- to the forest. For most non-affluent or middle class Kenyans, these fees are on the higher side and out of their reach. It is evident that the forest management is intent on making the forest an exclusive place, by subtly discouraging regular people to visit the forest, by charging extra fees for the use of the forest for instance separate entry fees for picnic users, and promoting high class leisure activities, including construction of the high class river café restaurant which is reservation based only.

Private Events and Functions (Formal and Informal)

A number of group private group events/functions are held in the forest, on request and payment to the FKF-CFA through their events manager. The flat payment for holding a public event is kshs 150,000/- or approximately Euros 1500⁸⁷. Such events include weddings, corporate team building and fun-day events, mini-marathons, fund-raising walks, charities, concerts and dinners, food, culture and music festivals, fitness camps, education tours and tree planting events by corporates, international humanitarian and research organizations, NGOs and the government agencies. There are also non-recreational state functions held in the forest. The range of events held in the forest can be categorised into three main groups: (1) private functions (by invitation only); (2) semi-private events (by payment and registration only) and (3) Public (government/state) events and functions, which are free and rarely happen.

The private group functions and events include weddings, corporate team buildings, fun days, or forest dinners. Hiring Karura forest grounds for a private function is expensive and appears to be only a preserve for the affluent or middle class. At the time of this research, the fee for hiring the grounds was kshs 150,000/- or Euros

85 These figures are not disaggregated for Kenyan citizens and Kenyan residents. Residents mean that someone is in the country for a short time for work purposes. Most of the residents work and live in and near the embassies and diplomatic residences surrounding Karura forest reserve.

86 FKF-CFA, 2013 "Friends of Karura Forest News Letter" April-June 2013 issue.

87 This price is only for the use of the grounds, and is exclusive of parking fee charges and entrance fees. One has to bring in their own tents, tables and chairs, or hire them separately from another service provider.

1,500. Thus, only affluent people can afford to hold a private function in the urban forest. A couple of flashy weddings of affluent people have been held in karura. These include a wedding held in August 2013⁸⁸, for the daughter of the owner of Nakumatt Supermarket⁸⁹, a regional chain of stores located in Kenya and some east African countries. Corporate organisations hold their staff team building, family fun days, company dinners or luncheons in the forest. Some of these include the 2013 Davis and Shirtliff Founder's Day team, the 2014 team building for Access Kenya staff, corporate fun day for I & M bank staff, Marketing Society of Kenya, Commercial Bank of Africa and International Finance Bank, among others.

Some public commercial events are held in the urban forest including: (1) Trade fairs and exhibitions like the 'Bizarre Bazaar Summer Crafts Festival'; (2) food, culture and music festivals like the annual German 'October Fest' and the annual Asian 'Samosa festival' and a range of several other musical concerts and galas; (3) fund raising walks, marathons and charities like the annual 'Rhinothon' kids cycling competition; the annual 'Globeathon' walk, dog walks and 'Zumbathon' dance events; (4) corporate sponsored tree planting or greening city activities. As mentioned earlier, one requires to register and pay a registration fee in order to attend the semi-public events.

Photo 28: Children of Victims Westgate Attack (Mostly Indo-Asian Kenyans) Paying Their Respects



source 95: www.friendsofkaruraforest.org

One of the interesting events that has been held in the forest is the memorial event, first held in September 2014, to commemorate the victims of the Westgate Shopping

88 I had the opportunity to witness the preparation and decoration of the forest grounds for the wedding, on the eve of the big day.

89 The supermarket is owned by one of the richest Kenyan Asian. Families in Kenya, despite being a minority race, Kenyan Asians are some of the most affluent people in the country.

Mall Terrorist attack. This event was criticized by members of the public who questioned why other terrorist victims from other parts of Nairobi or other parts of Kenya, were not being commemorated, and a memorial garden dedicated to them, place in the public forest. when one of the event organisers was asked by a media reporter what the death of the Westgate victims had to do with the forest, he answered that most of the people who died at Westgate used the frequently visit the forest. Given that Westgate is a high end shopping mall and most of the people who died were Indo-Asian Kenyans. This means that FKF-CFA only commemorated a memorial garden and event to this affluent and elite people, a gesture that showed that indeed, Karura forest is for use and welcome to the privileged members of society.

Photo 29: Family Members of Westgate Victims Playing Their Respects



source 96: www.friendsofkaruraforest.org

In June 2013, I had the opportunity to attend one of the semi-public events, the Biz Baz Crafts festival⁹⁰, held in the forest, as a participant observer. The crafts festival is a bi-annual, one-day trade fair and exhibition, aimed at promoting traditional and contemporary crafts from Africa and around the world. The event is held inside Karura Urban Forest, within KFEET grounds. The bi-annual fairs include the June - Biz Baz Summer Festival and the November - Biz Baz Christmas Festival. A detailed description of the purpose of the event based on notes taken during fieldwork and analysed can be read in the box below. From my observation and others, this was deliberately deigned to target an exclusive market of the urban residents, the upper

⁹⁰ There is no summer season in Nairobi and actually, June is one of the coldest months in Nairobi. This indicates that the target market is not for Kenyans, especially the African/black Kenyans.

middle classes, just like most of the other events organised in Karura Forest. As one journalist put it,

“The Friends of Karura Forest and the Kenya Forest Services have turned karura forest into a rich mans playground”.

Also targeted to a particular segment of the people is the Food, Culture and Music Events include Samosa Festival (organised by Kenyan Asians) and the Kenyan edition of the annual German Oktober festival, a beer and food festival (organised by the German business association). These events are held annually since the FKF took over the management of the forest. Interestingly, most of these don't target the African culture, as most are fashioned for the Europeans and/indo-Asians.

Many top fundraising events for charitable causes are held in the forest. These includes marathons, cyclethons and concerts. The campaign and charity groups organise fund raisings for various causes, like cancer treatment and care, care of abandoned animals and money for conservation for ecosystems in other parts of the country. The walks, runs and mini-marathons are now held annually by various organisations in the expansive marked nature trails of the forest, shown in the map. In recent times, the First Lady of the republic has been using the grounds for a marathon training, in order to participate in the Beyond Zero Campaign which she initiated to raise funds for maternal health and child care. Top Kenyan world athletes have also been using the forest as a training ground. The government continues to hold important functions and events in the forest from time to time, for instance the Kenyan chapter of the 2012 World environment day celebrations, which was graced by senior government officials and top office members of the international community, playing tribute to the Prof. Wangari Maathai.

As a participant observer, I attended one of the fundraising events known as the 'Rhinothon Cycling Marathon 2013'. The event was organised by Rhino Ark, a charitable trust that holds motor sport marathons to raise money for the conservation of ecosystems in remote and rural parts Kenya. The event was targeted to Rhino Charge team 27 of the Rhino Ark Charitable Trust. Rhino charge is a unique and exciting competition that requires bravery and a high level of skill in off-road driving and navigation. This time, the participants were children, whose parents are members of Rhino Charge team 27, which consists of 95% mostly Kenyan Asians. Most of the events organised by the Rhino Ark Trust are held in wilderness areas outside town, and are attended by the affluent and upper middle classes. The children's cycling event was the first of its kind to be organised and first in Karura Forest. The organiser of the event was Mr. Kuresh, a Kenyan Asian and an industrialist.⁹¹ He said he choose Karura Forest this for the kids' event because according to him, the forest is conveniently located, offers opportunities for

⁹¹ Though an industrialist owning a manufacturing company and a member of Kenya Association of Manufacturers (KAM) indicated that he has a lot of interests in conservation, and that is why he organised this event.

challenging fun, appropriate for a children’s event. Based on field work carried out in 2013, box 3 below is an analysis of social content of the Rhinathon (mini-marathon), held in the expansive nature trails of Karura Forest. It is not possible to present all the public and private events and functions held in Karura forest. However, a summary of some of them is shown in the following tables.

Box 11 Advertisements for Public Commercial Events

| | |
|--|---|
| <p>Date: 4 October 2012 – 6 October 2012 all-day Cost: 1,200/= per person, Entry: Open to Public</p> | |
| <p>The OKTOBERFEST is a traditional Bavarian festival that has been held annually in Munich, Germany, since 1810. More than 6 million people visit the festival every year and enjoy beer tents, food and fun park activities. The festival has since spread worldwide and now it has reached Kenya. This year it will be hosted in the Karura Forest. Visitors will enjoy a wide variety of traditional German food such as Hund (chicken), Schweinebraten (roast pork), Schweinshaxe (grilled ham hock), Steckerlfisch (grilled fish on a stick). There will be a contemporary Calabash Band as well as a 4-piece German Ompaah band to get the festivities going. A percentage of all beer sold at the festival will go back into restoration and support of the Karura Forest. H.E. the German ambassador to Kenya will tap the first Keg.</p> |  <p>The advertisement for Samosa Festival 2012 features a group of musicians performing on stage. The text includes 'creating cultural encounters', '22 - 29 september 2012', 'SAMA FESTIVAL 2012', 'EXPERIENCE MUS&CUL?NR?', and the website 'samosafestival.com'.</p> |

source 97: www.friendsofkarura.org

Photo 30: Patrons of The River Café Restaurant in Karura Forest



Photo 31: river café restaurant Facebook page

Photo 32: A Indo-Asian Kenyan Family Having a Picnic in The Forest



source 98: field work, 2013

Box 12: Field Notes for the Biz Baz Christmas Festival Event

Event Purpose: The main agenda of the event is to offer of a one-day craft and trade marketplace featuring traditional and contemporary artists from all across Africa and the world. The event organisers offer a marketplace in Karura forest for three days, to exhibitors to display their contemporary and traditional crafts. The artists and crafts people can demonstrate their skills and sell their creations directly to the public. The organisers like to emphasise that the Trade fair onbjective is to support the creativity, innovation and talent of the numerous artisans and women from the *Jua Kali* or informal industries.

Organiser and partners: the event was organised by Biz Baz Events Ltd, an events management company that has clients throughout East Africa but based in Nairobi. The company specialises in the creation and/ or on-site management of leisure, cultural and organisational events. They also organise weddings, cocktails and themed parties. According to them, their most popular annual events are Bizarre Bazaar Summer Craft Fair and Bizarre Bazaar Christmas Fair held in Karura Forest. Their organising Partners when their trade fairs are held in Karura forest are the Friends of Karura Forest Community Forest Association and Kenya Forest Service, who provide them with security, facilities and other logistical support during the event. Both the Biz Baz Crafts festivals (summer and Christmas) organised in Karura forest are programmed in the same way by the partners involved.

Observation and discussions: The set-up is usually one day only from 9.00am to 6.00p.m. The costs and charges for exhibiting tents offered for hire on the day are: (1) 10ft x 10ft Kshs 35,000/-; (2) 17ft x 17ft Kshs 45,000/-; (3) Bar Kshs 60,000/-. The prices for exhibitors above are high for the bottom of the pyramid would be exhibitors. This means that the claim by the event organizers that the Trade fair held is held 'to support the creativity, innovation and talent of the numerous craftsmen and women from the informal industries or jua kali,' is not valid. This is because the majority of the common jua kali entrepreneurs, who are low-income crafts men/women, cannot afford to exhibit their products with the high exhibition prices.

The event is marketed as being competitive, and people are encouraged by the organisers to register early so that they can get a space, suggesting that the demand for the space is high. Apart from the high prices, the organisers of the event appear to be excluding other willing exhibitors on other grounds. These two points can be seen from some of the information given by the organisers on their website including their quotation that: *"...Spaces are limitedwhile all suitable applicants will be considered, Biz Baz Events Ltd reserves the right of admission and participation; ...Live music and performances form an integral part of our festivals...Successful applicants will be confirmed in writing and must pay a NON REFUNDABLE deposit of 50% to book their space;...Successful applicants must pay their 50% balance by 31st Oct 2014 otherwise your space will be allocated to another applicant."*

Given the prices and some of the conditions mentioned above, nearly all the participating exhibitors were rich and upper middle class

entrepreneurs. Moreover, most of them were of European descent. There were very few black exhibitors. There were several upper middle class Kenyan Asian exhibitors. Overall, the majority racial composition was Caucasian, followed by Asians then Blacks. Among the Africans, the exhibitors were mostly upper middle class. There was only one group of exhibitors from a low-income background. These consisted of a small group of Nubian women from the Kibera Slums⁹², who had managed to get information on the event, as well as a sponsor, for the exhibition space. The women displayed their handmade crafts, consisting of mats and baskets.

There is usually obvious lack of real *jua kali* exhibitors in the event was a paradox considering the claim by the event organisers that the trade fair in Karura targets the informal, *Jua Kali* economy in Kenya, that consists of the low income earners and small sized entrepreneurs from the slums. Additionally, there were no low-income exhibitors from the forest adjacent community, Mji wa Huruma slum. The slum group traders could not afford the high fees required for traders to exhibit their products (minimum of 350 euros)⁹³. Since FKF claims to be uplifting the livelihoods of the disadvantaged communities in the area, it is contradictory that they did not sponsor a space for the women from the slum to sell their handmade crafts. Indeed, the FKF management has promised the slum women severally that they will sponsor a space for them at the Biz Baz Trade Fair, but this has never been fulfilled, according to interviews held with women slum residents.

In attendance/recipients: The shoppers were mostly upper middle class, coming from the neighbouring affluent areas like Muthaiga, Runda, Gigiri and other parts of Nairobi. Most of the shoppers were of European descent, meaning they were mostly white Kenyans and from the expatriate community. Most of the cars for the shoppers had diplomatic number plates. There were also several Asians and a few upper middle class black Kenyans. Even then, both the shoppers and exhibitors were upper middle class, as could be deduced from the many expensive cars in the parking and the entrance fee charged for entry to the exhibition, on top of the normal entry fee to the forest. Adults pay an extra kshs. 600/- while children pay kshs 300/- in addition to kshs 200/- and 50/- respectively. This makes it very expensive and only upper middle class shoppers can go there. This means that the event was by the rich for the rich, and explains why the poor women from the Mji wa Huruma slum were not encouraged to sell their products in the Biz Baz fair.

While it is possible that some of the crafts were actually produced by low income or vulnerable communities, the upper middle class entrepreneurs (some of them acting as intermediaries) are the only ones who could afford to be at the exhibition. Indeed, one of the European women who was exhibiting and selling some crafts informed me that she runs a charitable organisation, which supports marginalised women from the Turkana tribe in northern Kenya, by selling the crafts they made. She added that the proceeds from her sales were returned to the women in Turkana. The crafts she claimed to sell on their behalf were handmade goods, household accessories, shoes, bags, baskets and

92 Were mostly likely sponsored by some other organisation. They were one of the only four African Exhibitors. The rest, approximately 20, were all European.

93 On a different day, interviews with women the Mji Wa Huruma slum, the slum adjacent to Karura Forest revealed that they had been promised severally by the FKF management that they would be given a permanent space in the forest to be selling their handmade crafts and honey products.

jewellery.

Other observations: Included side commercial recreational events ranging from a Family fun day consisting of fun games and activities for the children. Shoppers could leave their children in a designated play area, supervised by child minders during the event. For teenagers and young adults, there was music and dancing with live entertainment and DJ's. There were a range of food stalls and vans offering a variety of foods and on the spot prizes to be won for just being there.

There were additional security guards, offered by the KFS rangers, Karura forest scouts and G4S-a private security firm, to provide extra security for the expatriates and very important persons (VIPs). Approximately 16 ha of the grounds were barricaded with extra security and fenced off for the event.

Conclusion: Biz Baz is a very a commercialised event. The exhibition fee is high, closing out many black Kenyan exhibitors who are not middle class. The entry fee for is high. One still has to pay entrance fee at the main gate to KFS/FKF and an additional entry fee to the exhibition at the site of the event in the forest. From observations including entry fee and types of cars owned, most attendees to the event were obviously affluent and upper middle class shoppers and entrepreneurs.

Beneficiaries of this event are the event managers, the entrepreneurs (exhibiting crafts and arts), affluent and upper-middle class residents from the surrounding neighbourhoods. There is no consideration for an exhibiting space given poor like residents of the Mji wa Huruma slum, to sell their handicraft goods, even at a subsidised fee, showing that the event could be designed to subtly exclude others

Source 99: Fieldwork, 2013

Table 28: Some Selected Charity Events, Campaigns and fundraisers Held Karura Forest

| Event Name | Organiser ⁹⁴ | Type of Event | Prices (Kshs) ⁹⁵ | Comments |
|---|-------------------------------------|--|--|--|
| School Bag Donation | FKF and UK Based Charity | Public/Charity on 11th Nov, 2013 | Free | Bags donated to school children in the nearby slums |
| Globeathon ⁹⁶ Walk | Globeathon Kenya Chapter | Fundraiser/Public | Adults-1,000/- Children- 500/- | Cancer charity Entry by registration to organiser |
| Rhinothon ⁹⁷ Cycling Marathon for children | Rhino Ark Charitable Trust | Fundraiser/private | min charges per team: 50,000/- for the older children and 25,000/- for the younger children | Funds raised for conservation of the Aberdare ecosystem. A small %age to be given to FKF for fencing of Sigiria Forest |
| Walk in memory of west gate mall victims | Oshwal community and FKF | Fundraiser/public | Registration fee | |
| Fitness Day for Breast Cancer Research | Muthaiga Country Club ⁹⁸ | Private/Charity | 25,000/- | |
| Charity Walk | Fidelity Bank | Private/charity held on 26th august 2012 | | |
| Charity event | The Survivors-Karura Edition | Sports events | Individual teams 9,000/- Corporate teams 15,000/- | A sports adventure computation |

94 The organisers pay 150,000/- to the FKF for use of the forest for an event. However, some rare cases are exempted from this charge or are charged a subsidized fee, but a minimum of 40,000/-

95 Prices exclusive of gate entry fees and use of forest for event fees

96 Globeathon is a global movement of people working to raise awareness and funds for cancer. They have had their annual fundraising events in the Karura forest since 2012.

97 | Rhinothon holds events in Karura Forest since 2013

98 Charged 25,000/- for the use of the forest for their event

| | | | excluding gate entrance fees | |
|--------------------------------|--|---------------------------------------|---|--|
| Charity Walk | Oshwal Senior School ⁹⁹ | Public/Charity | Free | School children |
| Charity Walk | Runda Association | Charity/Private | Free | Residents of Karura |
| Monthly Walk and Mini-Marathon | Oshwal Community | Private/Charity | Free | School children |
| Dog Walk ¹⁰⁰ | Kenya Society for the Protection and Care of animals (KSPCA) | Charity/Public held on 22nd Jan,2012 | Not Available | Most do owners who turned up were white people. |
| Zumbathon Charity Party | Cindy Thompson and Fellow Zumba instructors and Partner with FKF | Charity/Public held on 29th Oct, 2011 | 1,000/- for registration exclusive of forest use and entry fees | “To honour the Late Prof. Wangari Maathai and in support of Breast cancer awareness and research” Food refreshments and Zumba gear for sale. |

⁹⁹ No fees charged for use of forest for event. Only entrance fee charged at the gate.

¹⁰⁰ The event must have been targeting the white Kenyans and the expatriate community who are the ones who keep dogs. Most black Kenyans don't keep dogs because it's not their culture. The ones who keep belong to the upper middle classes and can afford to keep because they live in houses with large compounds with space to keep a dog.

Research and Education

Biodiversity studies and environmental awareness programmes are some of the main uses of Karura forest reserve. Two major research institutes are located right inside the forest. These include the International Afro-Forestry Research Institute (ICRAF) and the Kenya Forest Research Institute (KEFRI). ICRAF generates science-based knowledge about the diverse roles that trees play in agricultural landscapes and uses its research to advance policies and practices that benefit the poor and the environment, while KEFRI carries out research on forest products and their diversification. Various international and local research institutions visit the reserve to carry out all sorts of ecological research and experiments. For instance, in 2012, International Centre for Insect physiology and ecology (ICIPE) installed bee hives in the forest for a research programme they were carrying out in the forest. Unfortunately, according to interviews with beekeeper in the forest, the ICIPE bee hives have had a negative effect, because the communities' bees disappeared from the forest shortly after ICIPE installed their hives (P.S: The mystery of the disappeared bees is elaborated later in the thesis).

In addition, the research institutions, international and local higher educational institutions like the University of Tsukuba from Japan and St. Lawrence University visit the forest for their study programmes. Local public and private schools from Nairobi and its surrounding regions take their students to Karura forest for environmental educational and awareness programmes, hosted by the Karura Forest Environmental Education Trust (KFEET). All educational and research programmes are coordinated by the KFEET/FKF Education Officer. Lectures, videos and conferences for such groups are screened in the newly refurbished auditorium (See picture of the auditorium used for lectures in sub-section 5.1.1).

State Events and Functions

High-level international and national functions and events are held in the forest from time to time. They include global celebrations like the Kenyan chapter for the celebration of the World Environment Day Celebrations. Though not a state function, the Kenya Forest Service holds a memorial on 26th September for the late Professor Wangari Maathai in the forest, in the place designated as Wangari Maathai corner. I had the opportunity to attend one such memorial in September 2014 as a participant observer. The guest of honour was Ms. Njoki Ndungu, a high court judge. Such events signify the national and political importance of the forest.

Tree-planting events

Karura is popular among both corporates and non-corporates wishing to plant trees as part of the corporate social responsibility and/or environmental campaigns. Some of the corporates who have organised tree planting campaigns include national corporations like Kenya Commercial Bank (KCB) and Postel Directories, East African Breweries Foundation (EABL), Banks Like Barclays Bank Group.

Consumptive uses

As mentioned earlier, the current legislation of forest management and conservation in Kenya, Forest Act No. 7 of 2005, makes provision for consumptive use of forests. Since 2005 when the act was enacted, slum residents living near or adjacent to Karura forest have been trying to exercise some of the consumptive forest user rights. These include: (a) Collection of medicinal herbs; (b) harvesting of honey; (c) harvesting of fuel wood; (d) grass harvesting and grazing; (e) tree nursery establishment through non-resident cultivation; (f) contracts to assist in carrying out specific silvi-cultural operations. The main consumptive uses of the forest are based on the requirements of the nearby slum residents who require: (1) to collect firewood for their domestic needs as a source of cooking energy; (2) timber posts for construction and (3) occasional herbal and medicinal plants and (4) water from the river passing through Karura forest for domestic use, since they are an informal settlement and are not served by the city water system.

Box 13: Guidelines on Forest User Rights in the KFS and FKF-CFA MoU

Article 10 (a): User rights of the Karura Community Forest Association

- i. Collection of medicinal herbs
- ii. Harvesting of honey
- iii. Harvesting of fuel wood
- iv. Grass harvesting
- v. Collection of forest produce for community based activities
- vi. Eco-tourism and recreational activities
- vii. Scientific and education activities.
- viii. Contracts to assist in carrying out specific silvic-cultural operations
- ix. Practicing religious, spiritual and theological activities
- x. Other benefits which may from time to time be agreed upon by both parties.

Source 100: KFS-FKF forest Management Agreement.

Initial interviews held in 2012 with the Mr. John Orwa, Forester in charge of Karura, Kenya Forest Services (KFS), indicated that the neighbouring slum residents are allowed by the forest management to collect firewood three times a week and occasionally timber posts for building. Permits for timber posts are given on request to, and investigation by the KFS forester. Since the slum is located at the edge of the river bank running through the forest, the slum dwellers are allowed to use its waters.

The most required forest product according to nearly all the residents of the slum interviewed between 2012 2014 was firewood. Timber posts were not required as often as firewood (maximum of once a year, usually to repair the roofing of their houses). Besides, they added that they their demand for timber posts was much less than firewood, because they only collect them once a year, or every two years, to repair their house structures. Whenever they require timber posts, the Forester in charge gives them the license permits, after investigating and establishing that the

need for the timber post is genuine. However, the men were more interested in timber posts for commercial purposes, and some of them had purportedly been arrested for illegal logging and harvesting of timber posts. Interestingly, according to the chairman of the FKF-CFA, the allegations against the culprits was that they had colluded with and bribed the FKF-CFA scouts to illegally harvest timber (Field Interviews, 2014).

As mentioned earlier, a point to note here is that the slum residents are not interested in merely consumptive use of the forest products. For a long time before the elite FKF, they have been participation in forest conservation and management, informally between the mid-1990s and 2005 and formally between 2007 and 2009, under the leadership of Green Belt Movement (GBM, an environmental conservation NGO founded by the late Nobel Peace laureate, Professor Wangari Maathai. GBM and the community worked in collaboration with the Kenya Forest Services. Specifically, Greenbelt sponsored KFS with funds to buy seedlings to plant the trees, KFS hired the casual labourers, in particular the women from the slum to plant the seedlings. Whenever corporates approached KFS or GBM to sponsor tree planting, they involved the women and paid them for the greening projects.

Controls and restrictions on consumptive forest use

At the beginning of this research in 2011/2012, it was easy to spot several unaccompanied women collecting and carrying firewood on their backs, when the recreational activities had already become common. These women were mostly residents from Mji wa Huruma Slum, located at the edge of the forest. later on in 2013, I talked to one of the women whom I had spotted with a bunch of firewood and heading towards the ranger's camp. She informed me that I should not take a picture of her because she was not supposed to be collecting firewood, and she could easily be arrested. She further added that even though it was risky, she had no choice but to collect, as she depends on the firewood for her family's livelihood and domestic energy requirements. She added that she owns a food kiosk inside ranger's camp, where she cooks food to sell to manual labourers and forest rangers working inside the forest for KFS.

Based on interviews with the slum residents, access and consumptive use of the forest (which is what the slum residents require) is highly limited and controlled. The forest management has put in place strict and repressive measures and controls that heavily limits the use of and entry into the forest by the slum residents living adjacent. This is despite legislation that is in place allowing consumptive (traditional forest use rights) for communities (See section 46 part 1 (b) of Forest Act No.7 of 2005). The Forest Management Agreement (FMA) between the state, Kenya Forest Services and the FKF-Community Forest Association, (see KFS-FKF agreement, Article 10 (a) on user rights of the CFA) clearly provides for these traditional forest use rights in accordance with Section 46 Part (2) of the Forest Act No. 7 Of 2005. Specifically, it states,

“The management agreement between the Director and the association may confer on the association all or any of the following forest user rights - (a) collection of medicinal herbs; (b) harvesting of honey; (c) harvesting of timber or fuel wood; (d) grass harvesting and grazing; (e) collection of forest produce for community based industries....”

Despite policy giving both the poor and affluent residents of the area the same user rights, in practice, it is clear that the slum community has no rights. According to the slum women interviewed, the controls and restrictions are “unfair and oppressive”. However, many of them believe that any consumptive uses of the forest are prohibited by law. This indicates that they are not aware of their rights, or have been made to believe they have no forest use rights.

In order to understand issues related to the controls on consumptive uses of the urban forest reserve, a combination of individual interviews and Focus Group Discussions (FGD’s) were held with consumptive users, consisting of women from Mji wa Huruma slum and members of the Huruma Women Vision Self-Help Group. The women interviewed revealed several complaints related to the use (non-use) of the forest, as presented in the following sections.

Excess limitations on accessing the forest to collect forest products

Most of the use/non-use complaints that came up were related to firewood collection. The women gave the picture of a highly controlled and micromanaged consumptive forest use, that was oppressive, exclusionary and even demeaning, as can be seen from some of the following comments from the interviewees. Speaking on her uses the forest and how this is being controlled, Eunice, age 34 a single mother of four children who has lived in the village for 15 years said,

“I use the forest for firewood collection ... I collect firewood on one day per week, on Wednesday...we used to collect for 3 days a week, but this was reduced by the management of the forest to 2 days the now, to only 1 day...this is oppressive. We are suffering. Two days was better.... We are not allowed to enter the forest with pangas¹⁰¹ to cut the firewood. We are also not allowed to enter without permission...The prohibition for firewood collection should be removed. Our livelihoods depend on firewood collection. When we don’t get jobs, we collect and sell firewood and cannot sleep hungry.”

Informal discussions with several other the women in the slum concurred with Eunice’s opinions it was unfair that that they are only allowed to collect firewood once a week, once a day, for only an hour, fixed to Wednesday mornings at 8.30 a.m. additionally, the collection of medicinal plants is strictly prohibited by FKF-CFA and KFS. Slum residents interviewed indicated that they had been informed by the forest management that they should not collect medicinal and herbal plants at all because they destroy vegetation in the process. Nevertheless, some of the women interviewed said they collect the medicinal plants whenever they get a chance,

101 Swahili for machete

because they cannot afford hospital and have no other choice. However, they do it at a high risk due to chances of getting arrested and fined.

Dictatorship on type of firewood to be collected

In addition to the restrictions on the time and day, the women interviewed informed me that they are also prohibited from collecting dead fire wood (also known as dead wood or traditional firewood) which is what that they actually require for their needs. According to an interview with the Chairperson of the Huruma Women Vision Self Help Group, they are only allowed to collect greenwood from the felled eucalyptus trees. Speaking on the uses (non-uses) of the forest by the community, she said,

“.... we used the Karura forest for firewood collection and to collect Muthiga¹⁰², a medicinal plant and occasional timber posts for building house... (pause)...Now, we only collect(s) firewood on Wednesdays, because it is the allowed day...(pause)...Now the firewood collection is limited to only some sections and traditional firewood is prohibited.... (pause)... Now we are required to collect only the eucalyptus.”

Separate interviews held prior to meeting the chairperson, with the younger women residents in the slum concurred with the women association leader where they said,

“... collection of traditional firewood is prohibited. Now we are required to collect only the eucalyptus.”¹⁰³

The reason given to them by the forest management was that collection of deadwood (dry fallen branches and twigs) is bad for the biodiversity and degrades the forest. Since the forest management is trying to get rid of eucalyptus and other exotic species in order to replant indigenous species, the management prohibits the women from collecting what they need, and force them to collect what the forest management wants.

Armed Military Escort into the forest to collect firewood.

The third complaint on the controls concerns the military style control, in the literal sense, inflicted upon the women when collecting firewood. On the designated firewood collection day (Wednesday at 8.30 am), the women in need of collecting are required, to gather at the forest entrance gate next to their settlement at 8.30 in the morning. Here, they meet with the KFS rangers who are armed with their AK 47 rifles, waiting to escort them into the forest to collect dead wood. Once the women gather at the gate, they are escorted inside to a site, which has been pre-decided upon by the forest management, as being suitable for firewood collection on the appointed day. The Chairperson of the Huruma Women Vision Self Help Group

102 Kikuyu name for a certain species of a local indigenous tree with medicinal purposes.

103 One of the main forest rehabilitation programmes is the removal of exotic species, especially eucalyptus and replanting with the indigenous species. So, FKF has been working hard to get rid of the eucalyptus right from the roots because it can regrow if not. They therefore force the women to pick the eucalyptus which has recently been removed. Most of the time it's not dry, and according to what I understood from the women, it is not a suitable species for fuel wood even when dry.

narrated how the women firewood collectors including herself are oppressed and dehumanised by the new controls for firewood. She indicated that the restrictions were imposed by the new forest managers, the Friends of Karura Forest - Community Forest Association in 2009/2010. As she puts it,

“Since the ‘friends’¹⁰⁴ came... we are now only allowed to go only one place, and we are escorted by askaris¹⁰⁵.... Since we are allowed only one day a week, one day they found us to be many...and they told us we are too many...and there is even a time we were chased by the mzungu¹⁰⁶ lady...the vice-chairperson of ‘friends’. She said we were too many. The mzungu lady hates us, she hates Africans....”

In separate interviews with different women on the same issue, Wanjiru and Nyambura recounted,

“...We used to be taken by the ‘friends’ scouts¹⁰⁷ to be shown where to collect the timber.... However, nowadays, the Kenya Forest Service (armed) rangers are the one who take us to pick the posts...this is because it was alleged that some of the scouts, especially the chief scout used to favour his own people. Therefore, in order to prevent any such more incidences from happening, they decided that the Kenya Forest Service rangers are the ones who should be taking us.”

However, when the above statement was made during the focus group discussion, a small debate ensued as to whether it was true that alleged chief scout was actually corrupt or not. One of the lady’s said she knows someone who paid a bribe to the chief forest scout to be allowed to collect timber posts. She claimed that the after he collected the posts, the person who bribed told other people that he had paid a bribe in order to be allowed. Because of this, the forest scout who took the bribe was found out. The other women said that the scout was falsely accused by FKF-CFA because they wanted to cause divisions among the members of the slum community. After this incident, that the forest scouts from the community were forbidden from accompanying the women into the slum to collect firewood this meant that only the KFS militarized rangers could escort the women to collect the firewood. Moreover, the militarized rangers always have to escort the women, and micro-manage what they are collecting, from the minute they enter the forest to the point where they leave the forest.

Pre-arranged sites for firewood collection

The slum community does not have a voice in the place where they can collect dead wood. The management of FKF, together with KFS, decide before the designated day of collection, the forest patches which the women from the slum should collect

104 Referring to the Friends of Karura Forest, the registered community forest association for Karura forest.

105 Swahili word for security guards, policemen or any type of military personnel.

106 Swahili word for white person.

107 The FKF scouts are employed from the community. The idea of being escorted by either the scouts or the forest rangers was first introduced by FKF when they took over. The scouts were employed by FKF in order to get good will from the community. Their main duties are to act as tour guides, collect gate entry fees and back up forest security offered by KFS rangers.

firewood the following day. They then inform the rangers on duty, who escort the women to the agreed upon patches. Thus, the fourth dissent of the community is based on this dictatorship of the pre-arranged and decided upon sites. The women are usually escorted to these by the forest rangers. Apparently, these pre-decided upon sites do not have the firewood that they need (which is deadwood). Instead, they only have only 'kuni mbichi' or green wood, which is obviously not suitable for their fuelwood purposes, because it is not dry. Even when they inform the forest guards to take them to a more suitable forest patch with dead wood, the forest guards refuse because they say they are under instructions from the management to take them only to the pre-decided sites. The pre-arranged sites are also the sites where the forest management is trying to get rid of newly cleared Eucalyptus and other exotic species, in order to re-plant indigenous trees (most were felled during the colonial times). Speaking of the green wood they are told to collect, the head of the women group said, "*Since friends came, they only allow us to take kuni ya mbichi*" (translated: green wood)

To make matters worse for the slum women, the pre-arranged sites are usually far off from where they live. As such, they have to walk a very long distance to collect the wood, and come back carrying a heavy bunch of firewood on their back for a very long distance (which is time consuming and possibly harmful to their backs, especially in the long run). As the women group head said,

"...the askaris¹⁰⁸, they take us very far. The place they are told to take is many kilometres from where we are here... and then we have to walk a very long distance back with the heavy load on our back...can you imagine? It is very unfair."

Prohibition on carrying and using pangas (wood choppers/axes)

In addition to the requirement of being escorted into the forest by the armed military rangers, the women firewood collectors were banned from entering the forest with the pangas (machete or axe for cutting firewood). The reason they were given for the ban was that using the pangas would make the women destroy biodiversity. Therefore, the women have been informed to cut and break the firewood that they need with their hands. They informed me that this was difficult and unhealthy for their hands because one can easily injure themselves. Moreover, they stated it was very demeaning to this effect, the head of the women's group interviewed commented that this kind of treatment was inhuman, where she said,

"...our challenges started when the fence was built...Since then, we are not allowed to enter with pangas, which makes it difficult for us to collect firewood...They tell us to break the firewood with our hands. This is very difficult and it dehumanizes us...They tell us we should not enter with pangas because we are going to cut down trees and degrade the forest collecting firewood...This is not true...This is because we only collect the traditional firewood, which usually consists of twigs and branches which have fallen off from the tree and dried on the ground. Surely, you cannot use greenwood for firewood... They should tell us

108 Swahili for security guard/forest ranger/policeman/military officer

the real reason they don't want us to enter with the pangas, because common sense knows we can't use kuni mbichi (green wood) for firewood."

When asked if the slum community was involved in any decision making on formulating the regulations and controls on entering and using the forest, all the women interviewed said they were not involved, not even their representative, the chairperson of the Slum based CBO. Interviews with her confirmed that neither she nor anyone in the community was involved by FKF-CFA or KFS, when formulating the new rules. All the restrictions, number of days to collect, when to collect, time, hour and site for collection were solely decided by FKF. According to her, this was a negative deviation and in contrast to the situation before the FKF took over. She stated,

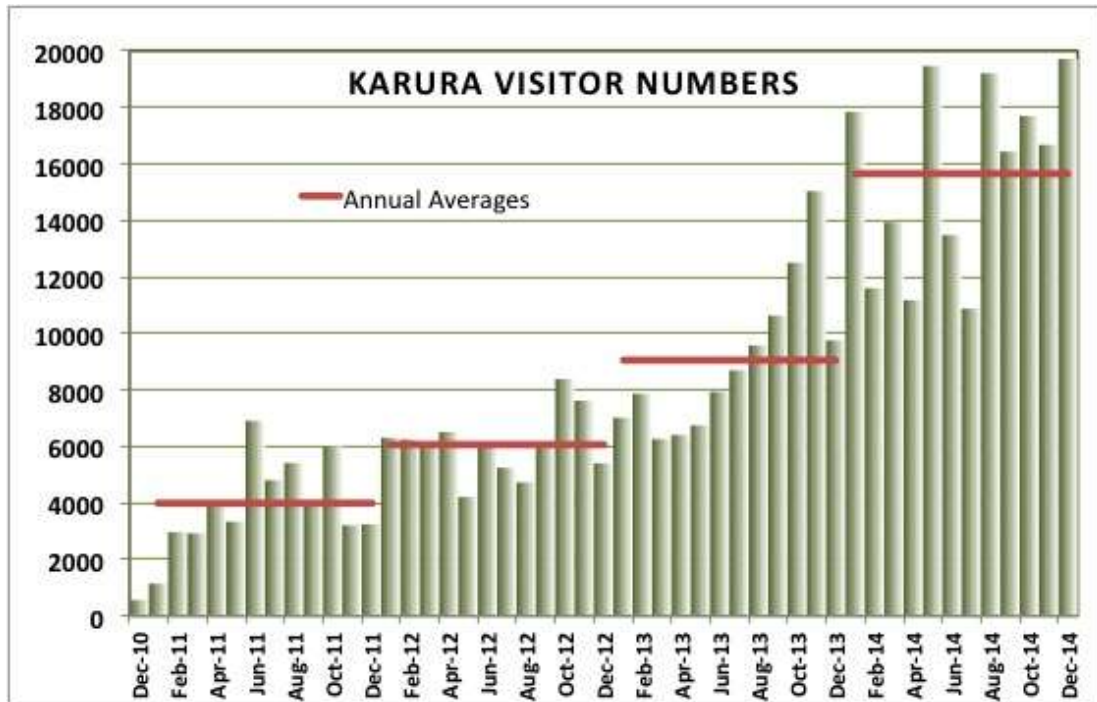
"The management by KFS was much better. They used to come to us directly. The director (of KFS) use to come to us. We used to talk to the director himself.... now, we are not involved in any decision making. For example, the decision to harvest firewood only once a week and on Wednesdays, was not decided by us...We used to be allowed to collect firewood three times then it became two times when the 'friends' initially took over the management. Now it is only one time a week...they didn't tell us when they changed the firewood collection rule. They communicated this change through the forest scouts and rangers at the gate. One day we just went to the gate and we were told that we can now only collect firewood once a week and only on Wednesdays, in the morning, before 8.30 am."

OUTCOMES AND ACHIEVEMENTS OF NON-STATE ACTORS INTERVENTIONS

Achievements Claimed by the Friends of Karura Forest- Community Forest Association

Increase in recreational visitors use and numbers

Graph 2: Visitor Numbers and Trends (December 2010-2014)



source 101: www.friendsofkaruraforest.org

Due to improvements in security and the development of recreation and infrastructure facilities, use of the urban forest for recreation has become possible. Visitor numbers have increased rapidly from 2010 when the FKF-CFA starting putting up facilities and infrastructure that facilitate recreation. By the beginning of this study (April 2012) visitor numbers had increased by over 100% from less than 1,000 persons in December 2010 to 3,000 persons in April 2011. By June 2011, visitor numbers peaked to 7,000. By June 2012, the average number of visitors was 6,000 persons per month. In 2013, the average increased over 9,000 persons per month. By December 2014, the average number of visitors to the forest was 16,000 persons. Currently (December 2015) visitor numbers are approximately 18,000 persons per month.

Visitor numbers to the forest reserve continue increasing even during the cold and long rain season in the months of May, June, July and August. Between May 2013 and January 2014, visitor numbers averaged 11, 500 persons per month, with a minimum of approximately 7,000 persons and a maximum of 17, 800 persons. Individual visitors, both Kenyan citizens and resident visitors formed the largest share of visitors. This figures show that the forest has in fact become very popular even among visitors.

Increased revenue generation and collection from recreation visitors

The table below summarizes the total amount of revenue generated and collected FKF-CFA from 2012 to 2014.

Table 29: Sources of Income and Revenue Generated by FKF from 2011-2014

| Income | 2011 | 2012 | 2013 | 2014 |
|------------------------------------|--------------|--------------|--------------|---------------|
| Donations ¹⁰⁹ | 11,088,666/- | 5,400,752/- | 10,690,529/- | 14,171,564/- |
| Subscriptions ¹¹⁰ | 649,400/- | 2,153,740/- | 2,107,500/- | 1,221,138/- |
| Activity Fees ¹¹¹ | 5,962,150/- | 7,717,495 | 12,340,770/- | 23,632,066/- |
| Miscellaneous Sales ¹¹² | - | 688,000/- | 544,700/- | Not available |
| Interest Income | 218,786/- | 411,352/- | 424,784/- | Not available |
| Total | 17,919,002/- | 16,371,339/- | 26,108,283/- | Not available |

source 102: Compiled from the auditor's report as presented in the FKF-AGM report to members of FKF of 2014

Other sources of income include subscriptions fees for membership into FKF-CFA, miscellaneous and interest income. The various activity fees collected above and total amounts of activity fees collected between 2011 and 2014 as summarized in column 4 in the table, are deposited in a bank account jointly managed by FKF and KFS. The revenue sharing arrangement between the state forest department and the community forest association is supposed to enhance transparency, accountability, community ownership and management. However, a point worth noting here is that proceeds from the membership subscriptions as well as funds collected from donors and sponsors are under the collection and management of only FKF. Apart from the finances received from donations and sponsorships, FKF-CFA has successfully generated revenue through charging and collecting various fees, specifically gate entry, picnics, car parking, hire of guides and guards, private and public events which could be formal or informal (e.g. weddings, corporate functions and music concerts), school parties, annual car passes and membership subscription fees. According to the FKFCFA treasurer's report of 2014 reported by the chairman during the 6th annual general meeting, collection of activity fees had improved significantly since 2013 because of measures installed to improve financial management in the association.

109 Donations for projects and general donations aggregated. Donations are under the collection and management of FKF.

110 There are different types of annual subscriptions fees, in order to be a member of the FKF. They include individual, corporate and family subscription. Subscription fees belong to only FKF.

111 Activity fees for 2011 and 2012 were only from gate collections and event fees. In 2013, the FKF management widened the revenue base by charging separate fees for Nature Walk, Picnic sites and bicycle hire for recreationists. Activity fees are shared between the two partners, but FKF manages the fund.

112 Includes sales from maps sold at the entry gates and soft drinks and alcohol sold at the clubhouse, tree seedlings from the tree nursery. This are collected only by FKF.

Creation of employment and supporting the community projects

According to the officials of FKFCFA, as a recreation centre, the urban forest now provides additional employment opportunities for slum residents living in the adjacent informal settlement. This includes employment of forest scouts and guides employed by FKFCFA and casuals hired on a monthly basis for tree planting and exotic bush clearing activities. They also claim to be supporting the slum community livelihood projects like bee-keeping and fish farming for the women's self-help groups. Interviews with the FKF chairperson revealed that the CFA had apparently built for the slum community a honey processing plant as well as a water and sanitation block, that included a water purification plant. Moreover, in their website, the FKF indicate that they provide community support to the poor communities in the area by,

“leveraging donor money to provide for example, (1) Employment for 25 Karura Scouts, 5 Conservation Clerks, 4 Tree-minders, and numerous casuals to clear invasive bush for tree re-planting, which diverts hundreds of thousands of shillings into the informal settlements; A \$100,000 water purification plant for Huruma (see images); Beekeeping equipment, training including a honey processing plant; A fishpond for Huruma; Two-days-a-week supervised deadfall wood-gathering for domestic use... (image above right); .Educational materials for Karura Primary School; A safe place for hundreds of school kids every month to learn about forests and environmental conservation thanks to KFEET, the Karura Forest Environment Education Trust.”

Social Outcomes of FKF-CFA Interventions on Slum Residents

Elite capture of the Participatory Management: Disempowerment

As mentioned earlier, in 2005, the Huruma Vision Self Help Group was already registered as the CFA for Karura Forest Reserve, and was independently doing participatory forest management and conservation activities, mainly tree nursery and bee keeping, with support and goodwill from KFS and some start-up funding from (UNDP, 2009). In addition to this and according to the interviewed chairperson of the women's group, the group was embarking on expanding and developing to eco-tourism as one of their income generating activities. To this effect, they had written a proposal to the KFS, expressing interest to manage and develop eco-tourism activities in the forest. In their proposal, the slum women's group had outlined how they would manage the gates, collect recreation fees, manage security and develop eco-tourism facilities like picnic benches and toilets. All this was long before the affluent residents in the area formed the Friends of Karura Forest group in 2009. However, their plans were hijacked in questionable circumstances before they implemented anything. The statements below by the head of the slum based CBO, Huruma Women Vision group, testifies to this.

“When ‘friends’ came (in 2009), we (Huruma Women Vision CFA) were told to join with the other groups (referring to other CBOs from the slums and the elite FKF) so that we become an umbrella organisation- Karura Community Forest Association....However, we

don't know what happened, we were thrown out. The FKF- CFA does not have any representatives from the Mji Wa Huruma Slum ...now we are just an issue group...something on the side...They took two people from our group (the village) ... as they told us. They told us that they have employed one in the Friends of Karura Forest..and the other...They decided on the person to represent us from the village at the FKF. We didn't choose that person, they decided and appointed the person without asking us who we want....

"...They haven't done us good, they threw us out (of the CFA). Especially the Friends of Karura. They took even our certificate for the group. They told us that they are going to register us. We were told that the mzungu chairman¹¹³ (who was the chairlady at the time), wanted our certificate, so that we can be registered under the umbrella...Karura Community Forest Association. The friends took our certificate...they threw us out...They said they have employed our group members in the friends of Karura forest. No report was made after our certificate was taken, and we were told we were going to be part of the KCFA. The only thing we have seen is that they employed scouts from the village...to date, we have never been given back our certificate..."

As per the statements above, it is evident that the slum residents were sabotaged from their plans and activities by the elite and more powerful members of FKF with the full support of KFS, this occurred from the moment a message was sent to the representative of the existing CFA, the Huruma Vision Women Self-Help group, by the chairperson of FKF, Prof. Karanja Njoroge. Precisely, one of the forest scouts was sent to the chairperson of the slum based CBO and the then official CFA for Karura, asking her to release their group certificate to the to KFS so that they could be registered together with the elite FKF to officially form an umbrella association. Innocently, the women's group chairperson released their certificate, in the expectation of formally partnering with the affluent residents under this umbrella association. However, after their group certificate was released to KFS the certificate was never brought back and after that they do not know what happened. From then on, they started noticing that the elite FKF had taken over the management of the forest. The slum women then realised that the affluent FKF had kicked out from participating in the management of the forest. At this point, they realised they had been sabotaged, but it was too late.

To date, from 2009, the women's group certificate has never been returned. At the moment, the women are now powerless and cannot do anything because they do not have their certificate, to make any claims proving that they are the original CFA, or to contest the current forest management. They also can't be involved in decision making in FKF, because membership to FKF requires payment of an annual subscription fee, which is too expensive for urban poor, such as the slum women of Huruma village. It is thus evident, that members of the affluent FKF took advantage of the self-help women's group lack of organisation, information and knowledge. Information gathered from a separate interview with another group of women from

113 The chairlady of the FKF-CFA is a white European lady and a retired UNEP employee.

the self-help group concurred with the chairperson's version of the story, where one of them pointed out,

"...We would like to get back the job for the management of the forest. My group, vision group was the one that wrote the first proposal to the KFS regarding this.... We wanted to be taking care of the forest and collecting gate entry fees.... However, our idea was hijacked by the mzungu and her group, the friends of Karura forest."

She also added that the FKF don't like to give manual jobs in the forest to member of Huruma women vision group, and instead give the jobs to women from the other self-help group because the FKF knows they captured the participatory space from the Huruma Women Vision group. As Wanjiru, one of the women from Huruma Vision Group put it, *"The Friends don't like our group (Huruma Vision) because they know they stole our proposal to KFS for management of the forest."* Clearly, the existing and elitist FKF-CFA took advantage of the poorer residents in the area, by tricking and coercing them to form an umbrella organisation and capturing the co-management partnership from the slum CBO. It is evident that the elite FKF used their privileged social status and position to the disadvantage of the slum residents. On the other hand, it was easy for KFS and FKF to take advantage of the slum based CBO due to their vulnerable position, lack of information and possibly some disorganisation¹¹⁴.

The Fence: Physical Barrier to Forest Use and Access

According to interviews held with the head of Huruma Vision Self Help Group, their problems started when the fence was built. As she said, *"Despite some good effects of the fence, our challenges started when the fence was built."* In-depth interviews with nearly all slum women residents interviewed revealed that the fence has had some good effects on general security in the area, including within their slum. As the women's leader put it,

"The fence put up by the Friends of Karura forest is good in the sense that it prevents the theft of forest resources and increases security in the area. Before the fence was put, anyone could walk in and out of the area."

Another resident interviewed said,

"The fence is good because it has improved security significantly in the area. Before, there was a lot of criminal activity reported in the area. Sometimes, people used to be killed elsewhere and their bodies dumped in the forest. Stolen vehicles could also be found there."

On the other hand, they lamented that since the fence was installed, heavy controls and restrictions were imposed on them, and it has become impossible for them to enter the forest to collect firewood. Several of them said that the fence was being used to prohibit and control them for entering the forest for anything, despite living just at the edge of the forest, and that at this rate, they will completely be stopped

¹¹⁴ There were some internal conflicts between the Huruma Women Vision Group and other newer self-help groups in the slum. The friends of Karura Forest officials seemed to be aware of this and were using it against the slum community members to further their own interests.

from entering the forest. Expressing his sentiments, one of the women interviewed said,

“However, the disadvantage (of the fence) is that now we can’t enter the forest any time we want to collect firewood. Like me, I just live down here (near the river) so I used to simply cross the river and get to the forest side to collect firewood. Now I have to walk very far up higher to the gate which they have created for us, so as enter the forest...We have heard of the FKF-CFA but we don’t know them. No, we don’t get any benefits from them, but we heard they are the ones who put the fence. With FKF, things are better in terms of security. However, the rights to use the forest are now reduced to almost nothing. In fact, at this rate we might not be allowed to use the forest any more. It’s like they don’t want us to enter there. Also, we don’t get as much jobs from the forest as before. I now have to rely on casual jobs from outside.”

The women added that they are not allowed to enter the forest just for the sake of it. One has to pay to enter for recreation, which is too expensive for them. Besides, they claimed that the FKF-CFA has told them that they shouldn’t not be seen in the forest at all. One of the women said,

“we were told we are not supposed to be seen in the forest at any time....it is like they don’t want to see us...or they don’t like our faces.... may be because we look poor...or we are black. That mzungu woman...she doesn’t like us...she told us we should not be seen there...they told us the visitors to Karura are not supposed to see us.”

The only other times the slum residents are allowed to enter the forest is when the women are called by the forest guards or scouts on instructions by the FKF management team, for casual jobs like tree planting, removal of invasive species, cutting the grass and collection of garbage. Even then, they are escorted by the forest guards. Even though they cannot tell the women directly, the reason for escorting the women into the forest using forest guards is for the sake of security of recreational users of the forest, from the affluent communities living in the area.

Conservation Discourse: Restrictions on Use of Forest Products

Apparently, to ensure that the slum women collecting firewood do not cut down trees and spoil the vegetation (as they have been informed by the management), the use of *pangas* is forbidden, even on the allowed days for firewood collection, despite always being under the escort of the armed forest rangers who watch over everything the women firewood collectors are doing. The following quote by the head of the women’s group reveals the sentiments of the slum residents regarding the prohibition on the use of *pangas*,

“... our challenges started when the fence was built. Since then, we are not allowed to enter with pangas, which makes it difficult for us to collect firewood. They tell us to break the firewood with our hands. This is very difficult and it dehumanizes us. They tell us we should not enter with pangas because we are going to cut down trees and degrade the forest collecting firewood. This is not true. This is because we only collect the traditional firewood, which usually consists of twigs and branches which have fallen off from the tree and dried on

the ground. Surely, you cannot use greenwood for firewood. They should tell us the real reason they don't want us to enter with the pangas, because common sense knows we can't cut down green (mbichi) wood for firewood."

As per the above quote, the management committee of FKF expects the women to break the firewood they require with their hands only. This is a difficult task, dangerous for their health and the treatment is perceived as dehumanizing by the slum women interviewed. The slum residents are forbidden from using *pangas* to collect or fell firewood. Additionally, as mentioned earlier, the guards escort them to the forest patches that had been pre-decided upon by the FKF management, which is enforced so that they do not spoil the vegetation and pick medicinal plants. The pre decided sites are always pre-selected without the involvement of the slum residents. According to the women interviewed, the forest patch sites where they are escorted to collect firewood by the forest guards, are usually the sites where the management through FKF are trying to remove the exotic tree species, particularly eucalyptus so that they can replant with indigenous trees. These are the areas considered ecologically suitable for the women to use. A testimony from one of the slum women interviewed read,

"The mzungu ...harasses us a lot. She limits the type of kuni (Swahili for firewood) we can pick. She doesn't want us to pick traditional firewood. She only wants us to pick the eucalyptus firewood, which is now very rare, because they have been getting rid of the exotic species from the forest."

The women indicated that the FKF are not sensitive to their needs in many ways. This included restricting them to collect firewood in sites that are far off, resulting in them having to carry a heavy load of firewood on their back for long distances, which is not healthy. These could be subtle tactics to discourage the women not just from depending on fuel wood, but also from coming in to the forest and making recreational visitors feel unsafe. Indeed, some of the women slum residents I interviewed said they felt like they were being treated like "*takataka*" (Translated: Vermin).

Destruction of livelihoods

From 2005, that is, before FKF appeared in 2009, the slum residents had been using the forest sustainably, by engaging in non-wood forest based community industries. These forest based enterprises had eventually started to improve their livelihoods and lessen their dependence on forest products, especially fuel wood (UNDP 2009) According to even the UNDP report, members of the Huruma Vision Self Help Group from the Karura Forest Slum had been participating in forest restoration as an income generating project since 2005. Their main forest based income generating projects was the tree planting and nursery keeping. They also engaged in other income generating projects that ensured the sustainable utilization of the forest resources, mainly bee keeping (using forest trees to hang the bee hives) and liquid soap making (using water from the rivers). The alternative sources of income they generated enabled them to reduce their pressure on forest resources and at the same time improved their livelihoods and quality of life. The women kept tree nursery's in

the river banks of the forest and sold most of the seedlings to big international organisations including GBM, UNDP, UNEP, UNHABITAT as well as other regional, local and international corporate companies undertaking greening projects under their Corporate Social Responsibility (CSR) programmes. These included banks like Kenya Commercial Bank (KCB), Investments and Mortgage Bank (I&M); Barclays Bank and insurance companies, among others. The income the slum women's groups earned from these activities was shared among group members.

However, FKF hijacked all this tree sponsoring activities, most of which used to come to the women directly or through the Kenya Forest Services. Because some of the organisations were repeat customers, they were rather surprised when they found the management had changed, as they were used to working with the women from the slum. However, when they tried to get in touch with the women's group, they were redirected to FKF-CFA. In order to convince the tree-planting sponsors who were wary of the new changes, FKF-CFA engaged in a public relations campaign informing the public that they are the umbrella organisation for all management and conservation activities for Karura Forest. This was announced in a press statement on their website. However, the statement has since been edited after they became official in 2013, when the forest management agreement was signed between KFS and FKF. Nevertheless, their message to the public was clear, that they are in charge of managing the forest and any money for tree planting, other greening projects should be channelled through their office, and not the slum based CBO. KFS also redirected the corporate sponsors to FKF. Since these organisations used to contact the women through the KFS, it means that both KFS and FKF formed a coalition that works against the interest of the slum dwellers. This is a classic case, of disempowering the poor. The hijacking of the women's livelihoods through elite capture of the participatory process is one of the worst outcomes of the new policies for co-management of the urban forest reserve.

Tree seedling selling and tree planting income-generating activities

The tree planting activities that the slum based CBO's were engaging in got killed after the affluent FKF took over the management of the forest. This is because all the contracts for tree planting and seedling selling activities now go through the elitist CBO, who sabotaged and hijacked the forest co-management contract with KFS from slum based CBO. This was revealed by the head of the women's group who said,

"In the past, the work used to come to us through Wangari Maathai, who used to pay us 100,000/- per acre per group of 20 women to plant trees. Other companies that were sponsoring the forest management used to pay us directly. Now the company does not come to us directly. There is a broker- the Friends of Karura Forest. They (FKF) pay us kshs 30,000/- only for one hectare. With the intervention of "friends", all the benefits for the community have gone down. We don't have much benefit now."

Separate interviews with Wanjiru and Nyambura also members of Huruma Vision Self-help group also revealed similar sentiments to their leader above when they said,

“You know, before FKF came, there were some organisations which used to sponsor tree planting in the forest (even now). For every one hectare, they used to pay us kshs 80,000/- per group for tree planting activity. So, since we are 20 women in the group, each person could get 4,000/- for a week’s work and 800/- for a day. This was good money. However, since FKF took over, they have taken the job, and they do not like to pay us well, like the KFS and Wangari Maathai used to. The mzungu lady only pays us 20,000/- or 30,000/- for the whole group. That translates to 1,500/- per week and 300/- per person per 4 days. That is very little money and it is unfair. In addition, she harasses us a lot. She makes us do repeat jobs. She make us do extra work which we had not agreed upon, for example, “anatuambia tubebe majani...na hiyo si majani, ni mbolea tu...alafu hataki kutulipa” translated ‘she tells us to carry leaves yet they are not leaves, they are compost...and doesn’t want to add the money... she doesn’t pay us for the extra work.’”

In summary, according to the slum women CBO members interviewed, the corporate sponsors for tree planting projects in the forest, no longer went to them directly. Instead, they go through what they referred to as a “a middle man”, the elite FKF-CFA, the umbrella organisation for all activities happening in Karura forest. The ‘friends’ in turn call the women to plant the trees and pay them. This intervention by a third party, acting as intermediaries has reduced their financial independence as well as the money that trickled down to them. The pro-poor entrepreneurship opportunity, which the women had picked up very well, has hence been cut short, making them poorer and reversing all the gains they had made before. The women are now experiencing a double loss. Loss of business opportunity that had made them financially independent from selling tree seedlings to organisations and loss of getting the job contracts to manual plant and take care of the trees. (More discussions on how the elite FKF-CFA sabotaged and captured the pro-poor income generating activities of the CBO discussed in page **Erreur ! Signet non défini.:** **Erreur ! Source du renvoi introuvable.**)

Nevertheless, albeit on different terms, members of the Huruma Vision Women Group still continue to contribute to forest management and conservation through occasional labour offered to them, by the new forest co-managers, the FKF-CFA, to plants trees, tend to tree nurseries and remove pervasive invasive species. Due to the manner in which the slum women group was sabotaged, the relationship between Huruma Women Vision Group and the elite FKF-CFA has become tense. Among one of the many complaints of the women group members against FKF-CFA is that they exploit them, giving them more work and paying them much less than what the KFS (page **Erreur ! Signet non défini.**), Green Belt Movement (page **Erreur ! Signet non défini.**) and other private corporate or non-profit organisations (pages **Erreur ! Signet non défini.** to **Erreur ! Signet non défini.**) used to pay them for their labour, as discussed in the respective sections of these other actors.

The mystery of disappeared honeybees

As mentioned earlier, the huruma slum women have been running a bee-keeping and honey-harvesting forest based enterprise. The initiative was adequately supported by UNDP and the Bee Keepers Association of Kenya, long before the Friends of Karura came into the picture in 2009. Indeed, in 2007, UNDP sponsored a bee-keeping and honey harvesting training for the slum women to take up the enterprise. Additionally, they funded the construction of a Honey Harvesting Plant in the slum. To this effect, members of the Huruma Vision Women group had become financially independent using income gathered from the project. Based on interviews with them, the business was good. However, around 2011/2012, the beekeeping women noticed that their bees had all disappeared mysteriously from the hives which they had installed in the forest. as a result, they had not harvested any honey for two to three years (atleast by the time of this interview in March 2014). Therefore, the livelihoods of the slum women who had been successfully undertaking the bee-keeping forest based enterprises were negatively affected since the bees disappeared.

The women interviewed informed this research that their bees disappeared two years after FKF had taken over forest management. Atleast three other different interviews with women from different self-help groups in the slum who were also involved with the bee keeping projects revealed this. When questioned as to why the bees disappeared, most of the interviewees said they did not know what happened, where the bees went to or why they disappeared. Nyambura and Wanjiru from Huruma Vision Group narrated their version of mysterious disappearance as follows:

“The bee keeping business had become worthwhile since the fence by FKF was put. This is because we were not afraid of our beehives being stolen. Therefore, we were selling honey and making good money. We could get 10kgs of honey from one harvest and sell it at 350/- per kilo. However, we don’t know where the bees went, they just disappeared... We don’t know what happened.”

When I asked them if the beehives were stolen, they answered,

“No, the hives (white in colour) are still here, meaning it’s just the bees which disappeared we don’t know how or why. They just disappeared.”

However, during a focus group discussion, one of the women explained to me her observations that the bees completely disappeared in 2012, sometime after the FKF-CFA allowed the International Centre for Insect Physiology and Ecology (ICIPE) to put their beehives in the forest (2011/2012). She narrated what happened as follows:

“Kulifanyika hivii... Kuna hawa watu wa ICIPE walileta bees zao wakaziweka kwa msitu pia. Sasa, kutoka hiyo wakati, bee’s zetu zilipotea. ...kutoka 2012. Hatujui pahali zilienda kutoka hiyo wakati. Zilipotea tu kutoka hiyo wakati. (Translated) « This is what

happened ...some people from ICIPE brought their bees here to the forest....it was around 2012. Now since that time, our bees just disappeared. We do not know where they went. They just disappeared after that time."

Currently, there are several beehives, yellow in colour, belonging to the International Centre for Insect Physiology and Ecology (ICIPE). The beehives, according to ICIPE, are for carrying out an experiment conducted by a PhD student. It is possible that the experiment could be part of a larger effort by FKF to make the women's bees disappear, so that the slum women have no excuse for getting into the forest.

The benefits of the bee keeping business and the unfortunate mysterious disappearance of their bees were alluded to by the head of the women's self-help group who said,

"Some of the benefits we have had from the forest (in the past) include bee hive keeping, which became a bit better since the fence was built, and our bee-hives were not stolen anymore. It is supposed to be a good income-generating project. We have had beehives in the forest for the last four years since the fence was put but nothing much has been earned yet. Because now the bees have disappeared...we don't know what happened to the bees."

As alluded to in the above statement, just before the women's honey bees disappeared, the market for their honey produce had been growing. However, the group members claim that the demand for their honey was very high, but they could not meet it because the hives fell short of the full capacity of the apiaries. They explained that this is because of the type of vegetation in most of the forest. According to KFS, 61% of the forest consists of exotic trees which were planted by the colonial government after they had cut down most of the indigenous trees. The women explained that the exotic vegetation does not produce the right type of pollen that needed to attract the bees. The women's efforts to plant the right type of vegetation (indigenous trees) in the forest for this purpose were blocked by KFS and the FKF. Ironically, KFS was one of the earliest supporters of the honey project together with UNDP, but now does not support the women's activities after the FKF took over the management.

Restricting access to livelihood enhancing forest products: Firewood collection

Another effect of the new powers shared to FKF by KFS, with FKF having an upper hand over the daily management and running of the forest is that the small-scale forest based livelihoods based on firewood collection have been stopped completely. Some of the jobless women in the slum who were not members of Huruma Women Self Help Group, depended on small scale sale of firewood, which they sold mostly only to their fellow slum resident women, who were too busy to collect their own. This is because they may have been busy elsewhere during the day with a job outside the slum, or unable to collect for some personal reasons. The women added that these prohibitions had adversely affected their small alternative source of livelihood on their bad days. They explained that in the past, on the days one did not manage to get a casual job, one could collect two bunches of firewood and sell one

bunch to their neighbour. The slum resident who managed to get a casual job outside the slum would then afford to use part of the earned money, to buy firewood from the neighbour who has been at home in the slum the whole day, without a job. In this way, the one without a day job could also afford to put food on the table. With the new strict controls by FKF on collecting firewood, such women are denied the possibility of an alternative income on the days they do not manage to get jobs. They can only collect for their own domestic use. This means that their previous small alternative livelihood source has been completely cut off.

Financial exploitation

The women group members interviewed claimed that while GBM, KFS and other organisations used to pay them approximately Kshs 80,000/- to 100,000/- (Euros 800-1000), to a group of 20-30 women, for four or five days' work (to clear one acre of the forest and re-plant indigenous trees), FKF pays them only kshs 20,000/- to 30,000/- (Euros 200-300) for the same amount of work and number of persons. This means that the daily wages for the casual jobs in the forest got to less than half of what they used to be paid, after the Friends of Karura -Community Forest Association took over.

The women interviewed added that the vice chair of FKF ate money from the sponsors. To clarify this statement, they explained that before FKF- CFA took over, the sponsors used to give them kshs 82,000/- for a group of 30 women to clear a new site and plant indigenous trees in the forest. However, the FKF vice chair now pays them only a maximum of kshs 40,000/- for the same group of 30 women, yet the work is more. She tells them to clear, weed and remove compost, which is different from the past, where they only cleared and planted trees without removing compost. As they put it, "The work is now more and the money is less". One of the women interviewed narrated,

"You know, before FKF came, there were some organisations that used to sponsor tree planting in the forest (even now). For every one hectare, they used to pay us kshs 80,000/- per group for tree planting activity. Therefore, since we are 20 women in the group, each person could get 4,000/- for a week's work and 800/- for a day's work. This was good money. However, since FKF took over, they have taken the job, and they do not like to pay us well, as the KFS used to. The mzungu woman only pays us 20,000/- or 30,000/-for the whole group. That translates to 1,500/- per week and 300/- per person per 4 days. That is very little money and it is unfair. In addition, she harasses us a lot. She makes us do repeat jobs. She makes us do extra work which we had not agreed upon, for instance, 'anatuambia tubebe majani...na hiyo si majani, ni mbolea tu...alafu hataki kutulipa' translated 'she tells us to carry leaves yet they are not leaves, they are compost...and doesn't want to add the money... she doesn't pay us for the extra work."

In a similar tone, the older women interviewed said,

"Christina¹¹⁵ - only wants the youth to work. She eats money from the sponsors. In the past, the sponsors used to pay us 52,000/¹¹⁶ when we are 30 people for clearing a new site

115 Referring to the vice chairperson of FKF.

in the forest. However, Christina now pays us only 30,000/- and the work is now more. She tells us to clear, weed and remove the compost. In the past, it was only clearing and tree planting. The work is now more and the money is less."

The older women added that the vice chairlady, Christina, only gives work to the youth because she can exploit them, as they have no knowledge on their rights and what they are supposed to be paid and were ignorant of how much the sponsors used to pay in the past for the same jobs,

"the last time they (FKF-CFA) gave vision any job was 9 months ago. They do not like our group because they know they stole our proposal to KFS for management of the forest. In addition, the mzungu woman says that vision group members ask for a lot of money."

Prejudice & Discrimination based on Age

Related to the money issues, a major complaint from the older women group members was that they were simply not being called for any casual jobs, anymore, for forest rehabilitation and maintenance. As mentioned above, FKF prefers to employ only the younger women because it is easier to pay them less money. The younger women had less experience and did not know how to negotiate payment worth for the jobs being offered. This is because the younger women were not there in the early days when the women's group was dealing with GBM, KFS and other organisations. Since the younger women offer cheaper labour, the officials of FKF do not like hiring the older women any more for the jobs. Moreover, they know are guilty of illicitly capturing the co-management partnership from the older women.

In addition, the new forest managers prefer to give casual jobs for tree planting in the forest, to the younger women, who belong to newer CBOs in the slum. Specifically, the new groups and their activities are: (1) New dawn (bee keeping); (2) Mushroom (planting and selling of seedlings) and (3) Karuma (fish farming). According to the interviews with residents, the oldest in the area was the Huruma Vision Self-Help Women's group, which was the first Community Forest Association for Karura.

Exclusion from Decision Making

Decisions on limits and controls on firewood collection

For the slum residents, particularly the women, the prohibitions on firewood collection are excessive and unfair. This is especially so because of the way the whole firewood collections issue is handled by FKF. According to them, nobody consulted them when the decisions were being made on the number of days permissible for collection of firewood. For example, the decision to reduce the number of days to enter the forest to collect the firewood, to only on Wednesdays was communicated

116 This figures sometimes differed depending on who I was talking to. The head of the women's group says the figure was 80,000/- for 30 people in the group. Other members were quoting amounts between 50,000/- and 100,000/-.

to them one morning by the forest guard when they turned up at the forest gate and sent away.¹¹⁷ As one of the interviewees put it,

“...I am not involved in the conservation and management of the forest.... we are not involved in any decision making. For example, they never consulted us about the number of days in a week, in which we can enter the forest to collect firewood. They just decided and we got the information from the scouts and security at the gate. It was a surprise.”

The head of the women’s group had this to say regarding decision-making,

“The management by KFS was much better. They used to come to us directly. The director used to come to us...himself. Now, we are not involved in any decision making. For example, the decision to harvest firewood only once a week and on Wednesdays was not decided by us. We used to be allowed to collect firewood three times then it became two times when the ‘friends’ initially took over the management. Now it is only one time a week...they did not tell us when they changed the firewood collection rule. They communicated this change through the forest scouts and rangers at the gate. One day we just went to the gate and we were told that we can now only collect firewood once a week and only on Wednesdays, in the morning, before 8.30 am.”

From the statement above, it is evident that things were better for the slum residents when KFS was managing the forest, without collaborating with the elite FKF-CFA. During then, the women voices and opinions were considered and they were involved in decision-making. Indeed, the women informed this study that the director of KFS, Dr. Mbugua, used to consult them many times coming to the slum himself, instead of sending his juniors. Thus, the situation before the intervention of the community forest association was better, because they were involved, their voices, opinions were respected. It is an irony that the new policy for participatory forest management, which is supposed to enable the representation of vulnerable groups like the slum residents, is the same one that is being used to oppress them and block their participation in decision making.

Decision on appointment of slum representative in the FKF-CFA

The decision as to whom will represent the slum community in the board of FKF-CFA was made without consulting the slum residents. The chairperson of the women’s self-help group from the slum informed this study that they were not given an opportunity to choose the person they would want to represent them. This is evidenced here from the quote made by the head of the women’s self-help group, who stated,

“The FKF- CFA does not have any representatives from the Mji Wa Huruma village. We are ..just an issue group...something on the side-lines They took two people from our group...the village... as they told us. They told us that they have employed one in the Friends of Karura Forest¹¹⁸...and the other...They decided on the person to represent us from the

117 See field interview notes with the women residents in the appendices.

118 Referring to one member of the group who was employed by FKF as the chief scout for Karura Forest Scouts

village at the FKF. We didn't choose that person, they decided and appointed the person without asking us who we want."

Other slum residents interviewed corroborated the information given their chairperson. In addition, they said that the representative who was picked by FKF to represent them in the CFA was a man (who they simply called Pastor because he is a church leader). According to them, the pastor was only interested in his own self-interests without genuine care for the community. Moreover, they added that he doesn't even live in the slum or any other slum around. He is therefore very insensitive to the needs of the slum residents, particularly the women, making him unsuitable to represent them. The statement below was captured from some two women interviewed together who stated,

"We suspect that pastor did not take that letter stating what we want. This is because he was against the idea from the beginning, but he pretended to be on our side when the sponsor agreed to fund a nursery instead of the computers. We suspect he has other plans in mind for that space. Already, he has told us that the open space land belongs to him. He has only his self-interests, him (pastor) and Chege, the chief scout, who is also supposed to represent our village. Pastor does not even live here in the slum with us. He lives in ndenderu. He doesn't care about us. He doesn't feel what we feel. So he doesn't care about our needs."

The head of the women's group added that they had requested to elect a person of their choice. The chairperson of FKF, Professor, told them to select the person they wanted to represent them. They gave him the names of the person. However, he has never given them any feedback on the issue since then, as can be deduced from the statement below,

"The chairman of the 'Friends' talks to us nicely, but you cannot know what he wants. We don't understand him. He is not straightforward person. He talks but he doesn't act. He told us to select the person who we want to represent us at the FKF-CFA. He told us to choose a chairman, secretary and treasurer. He was to come we give him our representative, but he has never come. There is a lady from the village we used to send to 'friends' and KFS to take our grievances to the chair, but she has never given us feedback."

Photo 33: Cars belonging to recreational visitors parked within KFEET grounds, Karura



Source 103:Field Work, June 201

Table 30: Summary of initiatives and outcomes of FKF-CFA

| Intervention Activity | Outcomes/Achievements |
|--|---|
| Principal/ Overarching Accomplishment | |
| Participated in the drafting of the 2010-2014 Karura Forest Management Plan together with KFS | Extent of participation of the slum community questionable. Only one representative from the slum in comparison to 5 representatives from the affluent community and more than 6 from the state forest department, KFS119. |
| Submitted the FKF 5-year management agreement which was approved by the Forest Conservation Committee (FCC) and signed by KFS in February 2013 | The KFS-FKF forest management agreement and the Forest act 2005 allow sustainable consumptive uses of the forest. However, in reality in Karura, the consumptive uses prohibited by FKF, who have put in place restrictions and several measures on ground, including fencing the forest, to make it impossible for the slum dwellers in the area to access or use forest products. This contradicts the user rights defined in the forest management plan for Karura and the Forest Act of 2005. It is also a paradox since FKF claims to represent the interests of the slum community in the area. |
| Security and Fencing | |
| Completed the installation of the electric perimeter fence surrounding Karura forest | 1) The fence prevents the poor residents in the area to access the forest which they depend on (medicinal plants, firewood, forest based small business like beekeeping and harvesting and tree seedling selling from tree nurseries; 2) Improved security in the area; 3) increased intergroup conflicts - The slum dwellers had at one time pulled down the fence in protest. |
| Hired a contractor to permanently maintain the electric fence | 1) Slum dwellers once brought down the fence in protest; 2) The electric fence is currently well maintained completely restricting slum dwellers from entering the fence. |

119 The acknowledgement section of the Karura Forest Management Plans thanks the following people; Mr. John K. Macharia, Management Plans Section, KFS, for organizing and improving the initial draft by the Local Planning Team (LPT), Mr. Benjamin G. Wamugunda Chair of Forest Conservation Committee for his wise comments, Mrs. Charity Munyasya, Head of the Nairobi Conservancy, Mr. John Orwa, Forester Karura. The representatives of the affluent community were Mr. Christian Lambrechts (UNEP-Policy and Programme Officer), Mrs. Alice Macaire (Wife to British High Commissioner and founder of friends of Karura Forest), Mrs. Lucy Fernie (Expatriate and resident of affluent community), Mrs. Cristina Boelcke and Mr. Harvey Croze (former expats, now retired and residing in the affluent resident of Runda, Muthaiga and Gigiri) while the representative from the slum community was Mr. John Chege, an employee of FKF as chief scout.

| | |
|--|--|
| Got donation in kind from G4S security group who offered their security guards and services to back up security at the forest no cost | 1) Increased surveillance and security for visitors and the affluent communities in the area; 2) increased visitor comfort |
| Creation of Jobs | |
| Hired, trained and equipped 27 forest scouts to patrol, guard the forest and act as guides. | Only male forest scouts employed. Women from the slum complained of gender discrimination by FKF. This were permanent jobs given only to the men. |
| Revenue Collection | |
| Created a system for collection of revenues for forest through charging entry fees for recreation and ecotourism and events | Increased revenues collection from gate collection fees, events KFEET ground subscription fees ¹²⁰ . |
| Increased sources of revenue collection through charging separate fees for nature walks, use of picnic sites, hire of bicycles for recreational cyclists | 1) Increased Revenues collection from nature walks, picnic sites; 2) Increased commercialization in use of the forest; 3) Increasing exclusivity ¹²¹ |
| Community Service | |
| Built a water purification unit to supply Huruma slum village with drinking water. | Water purification plant stopped working. Requires high maintenance by qualified engineers. Residents of slum do not have the capacity to maintain it. The plant is not benefitting the community. |
| Built and fenced a playing field for children of Huruma slum village. | Residents claim the playing field was given to them by KFS, who also built the fence round the playing field. FKF did not build this fence. |
| Organized a beekeeping-training course and supplied 150 hives and assorted beekeeping | Bee keeping project was sponsored by UNDP long before FKF CFA was formed ¹²² . |

¹²⁰ See extracts of report of the independent auditors to the executive committee of the FKF-CFA. Part I, statement of income and expenditure, section 1 on income and part IV, notes to the financial statement for year ended December 2012 and 2013 in section 2 on activity fees.

¹²¹ See activity fees for 2013 and compare with 2012 in the auditor's report of 2013. Part IV, notes to the financial statement for year ended December 2013 in section 2 on activity fees.

¹²² Since FKF took over the management of the forest, they have been claiming to be the sponsors of this project. Other stakeholders like the KFWG have also been laying claim.

| | |
|---|--|
| equipment for Huruma slum villagers. | |
| Built and stocked a fish pond | Not evaluated |
| Created 29 permanent jobs and dozens of casual ones. | For the permanent jobs, it is mostly only men who employed as forest scouts. The women complained of gender discrimination for the permanent jobs. The casual jobs, usually given to the women like tree planting, bush clearing and invasive species removal are have actually reduced, and the money halved. |
| Eco-Tourism/Recreation Facilities and Infrastructure | |
| Improved infrastructure in the forest such as signage and well maintained walking and jogging tracks. | 1) Increased visitor satisfaction; 2) increased reputation of Karura forest as a good place for recreation ¹²³ ; 3) walking and jogging; 4) increase in number of visitors ¹²⁴ |
| Finished the renovation of 2 ranger's houses and building of the washroom at the main gate. | Washroom at main gate increased satisfaction among visitors and a good convenience for staff working in the forest. |
| Built steps down to the waterfall and the caves, two foot bridges over the Karura river and improve the trail | 1) Increased visitor satisfaction; 2) increased reputation of Karura forest as a good place for recreation; 3) increase in number of visitors |
| Built a parking lot at the Sigiria main entrance | 1) Increased visitor satisfaction for the upper middle class; 2) increased reputation of Karura forest as a good place for recreation; 3) increase in number of visitors |
| Sign posted all junctions in the forest with numbered kerns | 1) Increased visitor satisfaction; 2) increased reputation of Karura forest as a good place for recreation; 3) increase in number of visitors |
| Built a challenging obstacle course for group activities and physical challenging recreational activities | In order to use the challenging obstacle, one has to pay extra money. This has resulted in increased commercialization of the forest |
| Designed and printed a revised and improved map of the forest with more details in Sigiria and a bird guide sheet with pictures of 80 | 1) Increased visitor satisfaction due to the navigation aspect especially for first time visitors; 2) Increased commercialization of the forest; 3) reduced economic opportunities for community who would have acted |

¹²³ Karura ranked Number 2 among 39 attractions in Nairobi by trip advisor and given a certificate of excellence 2014 by the same.

¹²⁴ See graph on visitor number and trends

| | |
|--|--|
| species. | as forest guides. |
| Biodiversity Programmes | |
| Made a provisional inventory of 558 trees, shrubs and other plants in the forest and labelled 207 trees. | Increased scientific and educational information about the biodiversity of the forest |
| Ongoing effort to control Lantana Camara – an invasive species that is rampant in the forest, replanted with indigenous trees. | Creates occasional casual jobs for the slum women; improves the biodiversity of the forest. |
| Conducted a study to re-introduce Columbus monkey back into Karura - | The project that will cost Ksh 3million. |
| Ongoing efforts to remove exotic tree species like eucalyptus in order to replant indigenous tree species | Removal of the exotic trees has been criticised by people who see this as part of larger efforts to log trees for commercial purposes. The removal of exotic species is almost complete ¹²⁵ . |
| Ongoing efforts to replant indigenous trees | A lot of support comes in for this from sponsors and donors of all types ranging from schoolchildren and to big international non-governmental organisations. |

source 104: Compiled by Author, 201

¹²⁵ Interview with a cynical stakeholder and a researcher working on the property aspects of Karura forest.

Effects of restrictions on consumptive uses

From the discussions and interviews held with the slum community, it is clear that the slum residents, are treated like criminals and lesser human beings, who among other things, have to be escorted inside the forest like prisoners, every time they go to collect firewood, under the careful watch of AK 47 rifle carrying forest rangers. Moreover, it is evident that the restrictions are meant to: (1) eventually discourage the women from collecting firewood and forcing them to finding other alternative sources of energy, other than firewood for their homes, despite their low social economic status¹²⁶; (2) ensure there is security in the forest for recreational visitors, who are mostly expatriates, white Kenyans, Asian Kenyans and other upper middle class Kenyans and (3) prevent “bad” or “dirty” and “dangerous” poor people from entering the forest and scaring or harming the recreational visitors. Based on the actions of FKF CFA and statements from interviewed persons, it is rather obvious that the real objective for the restrictions, controls and prohibitions is not conservation *per se*, as may be proved by the statement below from one of the interviewees,

“We are only allowed in once a week on Wednesdays to collect firewood ...we are not allowed to get timber posts. Also, we are not allowed to go there just for the sake of it. You have to pay to enter. They told us they don't want to see our faces there.... we are not supposed to be seen... It is like they don't want to see us... maybe we are ugly, the visitors are not supposed to see us.... They are unfair, but there is nothing we can do. We used to collect firewood and sell it and earn money. Now we can't earn money from that. The one for firewood collection.”

The control and restrictions on entry into the forest for any purpose have not been without **negative social-economic and social-psychological effects**, as seen here from some of the comments that came up during the interviews with some of the women living in the slum. Two ladies in their mid to late 20's interviewed said,

“...these prohibitions are unfair but there is nothing we can do because we were just told the decision was from the above by the forest guards. We are unhappy with the new rules but there is nothing one can do. It's the rules.”

One of the interviewees, Eunice highlighted the **oppression and inconvenience** caused to them, by being denied the right to carry *panga's* (the equipment) needed to break the firewood when they are in the forest, where she says,

“We used to collect for 3 then 2 days a week, but this was reduced by the management of the forest to one day. This is oppressive.... We are suffering.... We are not allowed to enter the forest with pangas to cut the firewood. We are also not allowed to enter without permission...The prohibitions for firewood collection should be removed... Our livelihoods

¹²⁶ The women said they only use firewood as fuel energy, since they cannot afford gas, electricity or even charcoal.

depend on firewood collection. When we don't get jobs, we used to collect and sell firewood and could not sleep hungry."

From interview statements such as above, it became evident that the repressive restrictions and controls have had a negative effect even on the alternative source of livelihoods for the slum women and **disempowered** them. Before FKF took over and imposed the extra controls and restrictions, they could not sleep hungry on the days they missed jobs, as they used to get some money for buying food through selling firewood. Similar sentiments were voiced by two other women interviewed.

Apart from small livelihoods based on firewood collection, the excess restrictions and controls on entry into the forest has had a negative effect on their more sustainable forest based incomes. As mentioned earlier, between 2005 and 2009, the slum residents were engaged in non-extractive forest based enterprises such as bee keeping/honey harvesting and tree nursery keeping. The 2009 United Nations Development Programme reports the case study of the women group as a best practice, mentioning that these sustainable forest based enterprises in Karura were contributing to poverty reduction, while at the same time improving the environment (UNDP, 2009). Because of improved incomes from the forest-based enterprises, their dependence on forest based products like fuel wood had reduced, because they could afford other sources of energy like paraffin or gas (UNDP, 2009).

SUMMARY OF CHAPTER

This chapter was about the historical and contemporary structuring forces and actors that have shaped the use, management and access of Karura forest reserve by different social groups in the city. The chapter analysed the historical social process in the production of the urban forest, in order to understand the context in which the current actors involved in the management are working in. Specifically, the study focused on analysing the outcomes and interventions of non-state actors in the rehabilitation of the urban forest reserve. The chapter started by presenting its physical, social and economic context. Here, the study established that Karura forest is located in an affluent neighbourhood in Nairobi, which was a European reserved residential area during the colonial times. However, there are pockets of slum communities in the area whose residents depend on its natural resources for their domestic and livelihood needs. Given its location, the nature reserve is mostly only easily accessible physically by walking, to the affluent residents, as well as the small pockets of slum communities living in the area.

We also saw that one of the main aims of creating the forest reserve was to ensure supply of wood fuel and timber for the early settlers. The main actors then were the colonial government's forest department and the settler community. The indigenous African population had no say whatsoever, in any decisions made regarding the use and conservation of the forest. Moreover, the colonial regulations displaced the traditional rules and norms governing the use of the forest and restricted the natives from entering the created forest reserves under the argument that the natives were

destroying the forests. Thus, the Africans were denied access to forest resources like fuelwood, medicinal plants and pasture.

In order to ensure these autocratic rules were implemented, the colonial government employed militarized forest rangers who arrested any native trespassers under the colonially constructed poaching crime. On the other hand, the white settler community was allowed to access these resources. Such regulations caused tensions between the then government forest department and the African natives, who did not understand the contradiction - being denied access to forest resources, which they had always lived off sustainably, while the white settler population was obviously favoured and allowed.

In the early post-colonial period, Karura forest was riddled with a number of problems ranging from illegal excisions, encroaching development, environmental degradation and being a hot spot for violent crime and murder. Moreover, the independent government inherited the oppressive colonial rules and regulations regarding its use and access. These protocols have been in use for a long time by the post-colonial government. Thus, during the post-colonial era, communities living near Karura forest reserve continued to be denied access to forest leading to further conflicts and tensions between the post-colonial government and the forest dependent citizens. One could only access the forest with the help of an issued permit to log timber or charcoal, and such a preserve only belonged to the wealthy. Moreover, the process was riddled with corruption. It is only until fairly recently when a new Forest Act No.7 of 2005 was enacted, that the community living near state forest reserves like Karura forest in Nairobi, got any user rights to use and access the forest.

Apart from the exclusive nature of the inherited forest policy and regulations, forest reserves were under threat in the mid post-colonial era (especially in the 1990s) due to illegal excisions of sections of the forest to elites (well-connected individuals) by corrupt and powerful government officials in former President Moi's autocratic government. Nearly half of Karura Forest was illegally excised then, some of it sold off to members of the diplomatic community, for the construction of luxury residences for high commissioners for several European governments and international organisations, including UNEP, UNHABITAT and ICRAF. Other beneficiaries have included powerful individuals in government (Klopp, 2000); (Southall 2005); (Njeru, 2008); (KNCHR and KLA, 2006).

However, when subdivision and construction began in the forest, members of the Civil Society bitterly and successfully protest against the illegal excisions, under the leadership of the late Nobel Peace Laureate, Professor Wangari Maathai. The protestors included residents of Mji Wa Huruma Slum, students from the University of Nairobi and professional associations like Architectural Association of Kenya and the Kenya Valuers Board). Eventually, under pressure, the president directed that the constructions stop, and the concerned individuals gave up the constructions, because of the pressure from the protestors.

The successful intervention by civil society to stop the illegal excisions and privatisation of Karura Forest Reserve, appear to have been the first and successful case of public participation in the management and conservation of Karura forest. This set the trend for intervening and stopping other reserves countrywide, which were being illegally excised and sold by a few corrupt individuals. The important role of public involvement became even more important during this time, contributing to major principles that guided the revision of the forest policy. After the forest act of 2005 was passed, the forest department became legally mandated to involve the public in forest management and conservation, as well as allow user access rights.

In order to implement the Forest Act of 2005 and in the spirit of public involvement, the Kenya Forest Services appears to have been encouraging and supporting forest dependent poor communities like Mji wa Huruma slum residents to actively participation in the management and conservation of forest reserves. Initially, KFS began by associating with the urban poor slum communities living adjacent to the forest, under a community based organisation, the Huruma Vision Women Self-Help Group, registered as the community forest association for Karura in 2005. The support from KFS included capacity building on tree nursery keeping and honey harvesting enterprises, as well as forest rehabilitation projects (indigenous tree planting, removal of exotic trees and invasive species).

Since 2009, Karura forest attracted a different group of actors who interestingly, had never been part of the efforts to prevent the grabbing of the forest nor conserving it. These group consists of the elites (expatriates and wealthy urban citizens) living in the high class Karura forest neighbourhoods. Their interests were triggered more by security concerns in the area and luxury recreational needs, rather than by consumptive forest use and access rights for domestic and livelihood needs, which is the case for the needs of the urban poor in the area

The wealthy community in the area has supported forest rehabilitation efforts since 2009, starting with construction of an expensive perimeter fence around Karura forest, in order to keep out crime and prevent forest degradation. Overtime, they have managed to expand their forest rehabilitation actions by raising a lot of funds from local and international conservation organisations, to support indigenous tree replanting, removal of exotic trees and invasive species and development of recreational facilities and infrastructure.

A milestone achievement has been the development of recreation and eco-tourism activities that were previously undeveloped because previous policies did not allow recreational use of state forest reserves under KFS. Moreover, when the policy was changed in 2005 allowing for recreational use, KFS and the forest dependent communities did not have the capacity to develop eco-tourism activities.

Thus, the elite FKF have fitted recreation infrastructure like picnic benches, cleared open spaces to act as picnic sites, built toilets, marked nature trails, installed

signposts and improving security systems and infrastructure. Consequently, Karura has become one of the most popular and highly ranked urban eco-tourism and recreation site in Nairobi, second only to Nairobi National Park (as ranked by trip advisor 2014).

While the interventions of FKF-CFA have been commendable in supporting improving security and forest rehabilitation, they have been oppressive, exclusive and exploitative to the slum community that depends on the forest for their basic survival. Oppression and exclusion of the poor social groups in the area is manifested in: (1) the biodiversity conservation discourse used to restrict consumptive users access rights; (2) the new electric perimeter fence and surveillance measures to prevent entry into the forest by those who cannot afford to pay entry fees for recreational uses; (3) subtle prejudice and discrimination including racism; (4) Financial exploitation- in particular underpaying the mostly women manual workers; (5) elite capture of slum women sustainable forest based livelihoods; (6) elite capture of the participatory institution and exclusion from any decision making; (7) Abusing power and human rights by using privilege to misinform, suppress and intimidate the vulnerable groups.

Thus, the slum residents have become worse off than they were before since the elite FKF took over the daily management of the forest reserve. The analysis of issues raised above revealed that the slum community in the area has been made worse off since FKF took over the co-management of the forest with the KFS. Thus, the presence of FKF has resulted in disenfranchisement, which is more than what there was before the implementation of the Forest Act of 2005 that gives provision for participation and was intended to enhance the access and use of forests in a sustainable manner. The gains made by the communities benefiting and at the same time participation in the conservation and management of the forest between 2005 and 2009 were reversed, when the affluent FKF hijacked and took over and became the community forest association for the area. The slum community has now become worse off now than it ever was before. Even with legal instruments in place that give them a right to benefit, the affluent community has ensured that the slum community has minimal use and benefit of the forest. We have also seen that the delegitimization and exclusion of the slum community as forest users and managers did not occur with the efforts of FKF alone. A number of other forces that were supportive to the interests of FKF, against those of the slum community teamed up with FKF, contributing to the disenfranchisement of the poor community in the area. In other words, the oppression of the slum residents is occurred with the full knowledge and support of KFS, and several other UN agencies even though they might try to distance themselves from the daily activities of FKF, under the notion of a 'hands off' policy.

The powerful actors in the management, rehabilitation and development of Karura forest are inexplicably the elite Friends of Karura Forest, who have undertaken a commercialized and exclusive stand in their forest rehabilitation and conservation

interventions. Their management and decision making approach have been very exclusionary towards of the slum residents, despite the fact that they are the kind of community targeted by the change in forest policy. Moreover, they were the first Community forest association for Karura Forest, when the Forest Act of 2005 was enacted in 2007.

The research on public participation concludes that though the new policy has allowed new structures and actors in the co-management, contributed to rehabilitating the urban forest into a 'nice' place, it is only a few privileged groups in society who are benefiting from the Urban Forest Reserve. The surrounding poor urban communities that depend on urban forest for daily necessities have been pushed out, in what has been described by Sarah Dooling as 'eco-gentrification'. Thus, in the process of making Karura Urban forest reserve into a 'safe, secure, serene' place, the new civil society actors only reflect the interests, priorities and values of the upper and middle class consumers for urban recreation, at the expense of the poor urban communities living in the area whose requirements are excluded. This has resulted in the perpetuation of socio-spatial and socio-economic inequality, the exact opposite outcome of what the new policy change intended. Thus, instead of a public space, the new actors and structures have produced what Lefebvre described as 'appropriated' and 'dominated' spaces.

CONCLUSION

As can be deduced from the above findings and discussions, under participatory management policies, the interventions by non-state actors in the rehabilitation and management of Karura Urban Forest Reserve has resulted in deeper exclusion and marginalisation of the slum community from using, benefitting and access from the urban forest resource. Their vulnerability became worse after the formalization of the co-management partnership between KFS and the elitist FKF-CFA. This entailed throwing out using deceitful methods the initial CFA for Karura Forest, that is the slum based CBO, Huruma Women Vision Self-Help Group. Since the more powerful actors took over, they adopted several practices and discourses, some of them based on built on international environmental conservation policies, which have resulted in the mostly covert oppression and disenfranchisement of the slum community in Karura. Some these include: (1) fencing and militarized security for conservation purposes; (2) commercialisation and commodification of forest for luxury recreation consumption and (3) fortress conservation (by prohibiting consumptive use of forest products).

The first forest rehabilitation initiative by the elite FKF-CFA that changed life for the slum residents was the construction of an electric perimeter fence, which made it possible to restrict entry of the forest dependent community for any purposes whatsoever. The entry controls were enforced with the help of other new measures introduced to ensure security in the area. The new surveillance measures have aided the security needs of the affluent residents in the area as well ensured the safety upper middle class recreational visitors.

Moreover, the fence made it possible to introduce entry fee at the assigned gates and ensure entry to only those who can pay can enter the forest. These fees made it easy to keep off the poor people who obviously cannot afford and introduce commercial activities which target luxury leisure needs of the affluent and upper middle class. As a result, the slum residents can no longer access the forest, despite their proximity to it. Secondly, the slum residents are oppressed through biodiversity discourses that impose global standards and regulations for environmental conservation. Since the elite FKF-CFA took over the management of Karura, they introduced excess controls on consumptive forest use rights under the pretext of sustainable conservation and management of natural resources. These restrictions only affect or target the slum residents in the area because they are the only ones in the area who depend on direct consumption of forest products for their daily needs and livelihoods.

The oppressive restrictions and controls are there despite the fact that the law, the Forest Act of 2005 gives forest use rights for forest dependent communities. The oppression is worsened by the fact that slum residents are not aware of their rights and in fact, believe that it is illegal to collect any forest products (Interviews, 2014). While conserving the forests biodiversity and improving security is not a bad thing in itself, it is apparent that the manner in which the elite FKF-CFA are operating when managing the forest is oppressive to the community of slum residents in the area. In the process of rehabilitating Karura into a world-class recreational centre, the slum residents in the area have been completely pushed out to allow the commercialization of the space. Moreover, under a coalition with other powerful non-state actors in the conservation field and the formalised co-management partnership with the state represented by KFS, the elite FKF-CFA have managed to disenfranchise the poor more than before. While the affluent in the area benefit disproportionately from access physical activity and social recreational space and improve their quality of life, the livelihoods and quality of life for the poor in the area has worsened.

CONSERVATION INTERVENTIONS IN PRESERVATION OF THE GREATER NAIROBI NATIONAL PARK ECOSYSTEM: VIABILITIES, FUTURES AND STRATEGIES OF SUSTAINING AN URBAN PROTECTED AREA

INTRODUCTION

This chapter evaluates an array of conservation interventions, initiated by a coalition of big international and national non-governmental organisations, in order to save the greater ecosystem of Nairobi National Park. This urban protected area is believed to be the only wilderness game reserve or national park in the world, that is located within the confines of a capital city. Because of this, the park is considered to be not just an important ecological feature, but a significant national and international status symbol, with substantial environmental, economic, social and cultural benefits. Measuring only 117 square kilometres, NNP is too small to sustain the rather large population of savannah wildlife within it. Therefore, the parks viability depends on the Kitengela dispersal areas, that is Masai community land south of the park. Most of the wild herbivores like zebras, wildebeeste, buffaloes, impala, kudus and other major antelopes can be found grazing and browsing outside the park in the community land especially during and after the rainy season. Unfortunately, in the recent 20 years or so, the wildlife dispersal areas have increasingly been semi-urbanised, through sub-division, fencing and selling of land for peri-urban settlements, factories and flower farms. As the city expands outside, the open rangelands have become very popular for people wishing to live in sub-urban areas near Nairobi. The increasing human settlements have affected the pasturelands available for wildlife and Maasai livestock, as well as blocked the paths for the migratory animals like the wildebeest, which go to the south towards the Serengeti every year. Moreover, the viability of the parks ecosystem has been worsened by lack of territorial planning policies that take into consideration both human settlements and wildlife habitats outside protected areas. In a bid to halt the subdivision, sale and fencing of lands that act as wildlife habitats outside the park, international, regional and local wildlife conservation NGO's have come up with several intervening strategies, to preserve the animal habitats in community land. However, despite the many interventions, resources and time spent, most or all of this schemes have been very unsuccessful. As it is now, the future seems very bleak for the future of NNP. Based on empirical research with land owners in the dispersal areas, this paper evaluates the various conservation interventions implemented by the non-state actors and explains why they have been unsuccessful despite their seemingly "good intentions".

Following the format of the Karura case study, I begin by presenting the physical, social and economic context of Nairobi national park. Here, I discuss the spatial features, highlighting the unique biodiversity and heritage of the area. This is followed by a socio-economic and cultural description of the region, highlighting the various typologies of communities living within the margins of the park.

Information on the social and spatial context is gathered using a combination of document analysis, literature review, observation and informal interviews.

In the second section of the chapter, I build a social-political history of the park, based on historical-political narratives from literature, document analysis, films, photos and other archival material. Beginning with the pre-colonial era, I describe how indigenous communities used, co-existed, conserved and managed wildlife and their habitats before the colonialists came into the region. I then narrate the events that happened during the colonial era beginning with the early conservation efforts and other social-political intrigues that led to the creation of Nairobi National Park and other parks in the country.

Here, I highlight the foundation upon which conservation and management of NNP is built upon, revealing the exclusionary, repressive and racialized tactics that the colonial administrators utilized. This is followed by a description and analysis of the evolution of the safari tourism industry in parks and community lands. The section ends with a post-colonial review and critique, which demonstrates the inheritance of the colonial policies and practices, based on the USA fortress conservation model that served to reproduce the exclusions and disenfranchisement of indigenous communities from benefitting from their lands and wildlife.

The third section of the chapter discusses the policies and legislations that have been utilized in reserving, protecting, conserving and managing wildlife and protected areas since the colonial times. I demonstrate that the policies have been insensitive, exclusionary and repressive to the local indigenous communities, to the benefit of the safari tourism operators and conservationists. I then discuss the new legislations and policies which have been introduced recently, in a bid to address the challenges faced by communities in a bid to co-exist with wildlife and earn their livelihoods, as well as those faced by the authorities and conservationists, in a bid to convince communities on the importance of wildlife and tourism.

PHYSICAL/ENVIRONMENTAL BACKGROUND OF NAIROBI NATIONAL PARK

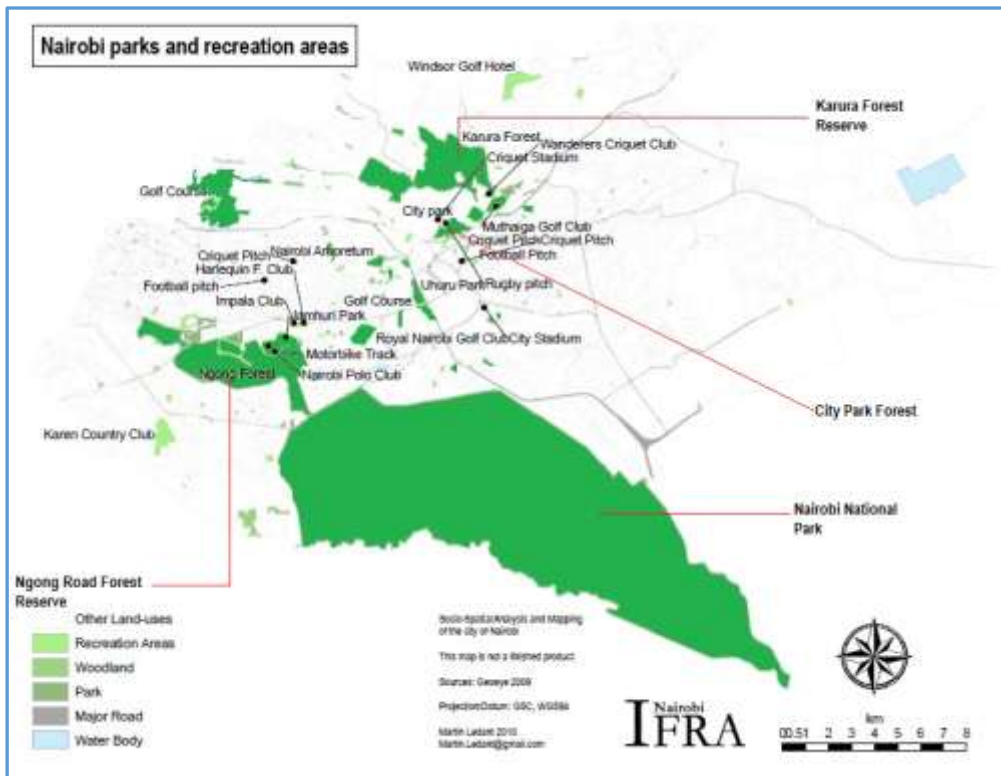
Location and Area

Nairobi National Park is located in Nairobi, the Capital City of Kenya. The park is situated only 7 km south of Nairobi's Central Business District (CBD), in the southernmost part of the city. It lies between 2°18' - 2°20' South and 36°23' - 36°28' East, at an altitude of 1780m above sea level (Kenya Wildlife Service 2005). The park measures 117 square kilometres, (28,911.33) acres, covering almost 17% of the city (Government of Kenya 2012). Administratively, the Park is in Nairobi City County, bordering Kajiado and Machakos counties (peri-urban regions) to the south and east respectively.

The park is left open in the southern part, opening up to the rural Kitengela Community Region within the Athi-Kapiti Ecosystem in Kajiado County (also referred to as the Kitengela Conservation area) by Kenya Wildlife Service (Government of Kenya 2012). Due to its juxtaposition in a fast growing metropolitan

region, the park has been experiencing a lot of urban pressure in the northern borders of the park, these include the proposed, ongoing and already developed massive infrastructure and housing developments in the parks eastern and northern borders.

Figure 38: Nairobi National Park and other Urban Protected Areas in Nairobi



Source 105: (Ledant and French Research Institute in Africa (IFRA) 2011)

Photo 34: view of the city from the Park



Source 106: Courtesy of Tanvir Ali, downloaded from <http://www.urbanafrika.net>

NNP is the only game reserve in the world that is inside a capital city (Kenya Wildlife Service, 2005). Because of this, the park is considered to be not just an important ecological feature, but also a significant national symbol, with substantial economic, social and cultural benefits. Being located in a big city, in the midst of major urban, industrial and transport processes, the park is environmentally significant, acting as a major carbon sink. Economically, the park generates significant revenues from wildlife tourism, as well as creates employment for many working directly and indirectly in the sector. Socially, the park acts as an important recreational space for the urban residents, who use it as a recreational green space. Additionally, the park is an important cultural feature that contributes to preserving the countries natural heritage.

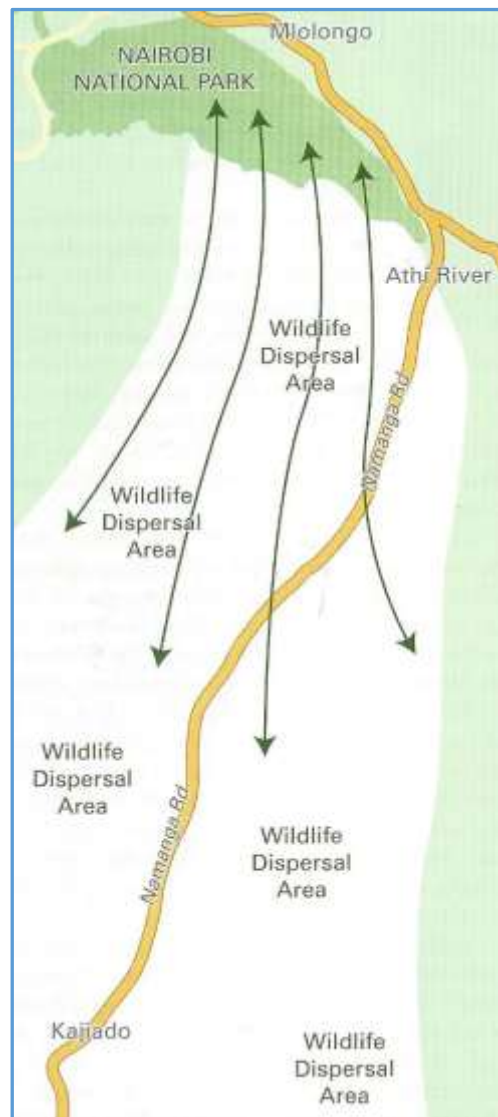
Features delineating the boundary of the park with the rest of the urban fabric include Mombasa Road, a highway to the east (demarcating the eastern section of the park from the surrounding light and heavy industrial land uses, as well as by the new upcoming residential areas); Langata Road to the west (separating the fenced western parts of the park, from the neighbouring the upper middle class residential areas); the southern bypass in the northern border of the park, (a new road which is currently being constructed and is acting as a line of separation between the park and the neighbouring urban land uses, like Wilson Airport and new upcoming middle class residential homes in the area). The park can be accessed from six main entrances, which all fall within the Nairobi City County. These include main gate on Langata Road; Cheetah Gate on Mombasa-Namanga Road; East Gate on Mombasa Road; Langata Gate on Langata-Magadi Road; Pastoralist Communities Gate on Langata-Magadi Road and Banda and Mbagathi gates which are service gates. Even though the park is left open into the south in the Kitengela region, where the Mbagathi River passes, it cannot be accessed legally from the south due to the huge river which runs across the whole southern border of the park.

Figure 39: Image of NNP and approximate location of its entry gates.



Source 107: (Friends of Nairobi National Park (FoNNaP) 2012)

Figure 40: Wildlife dispersal areas in the larger NNP Ecosystem¹²⁷



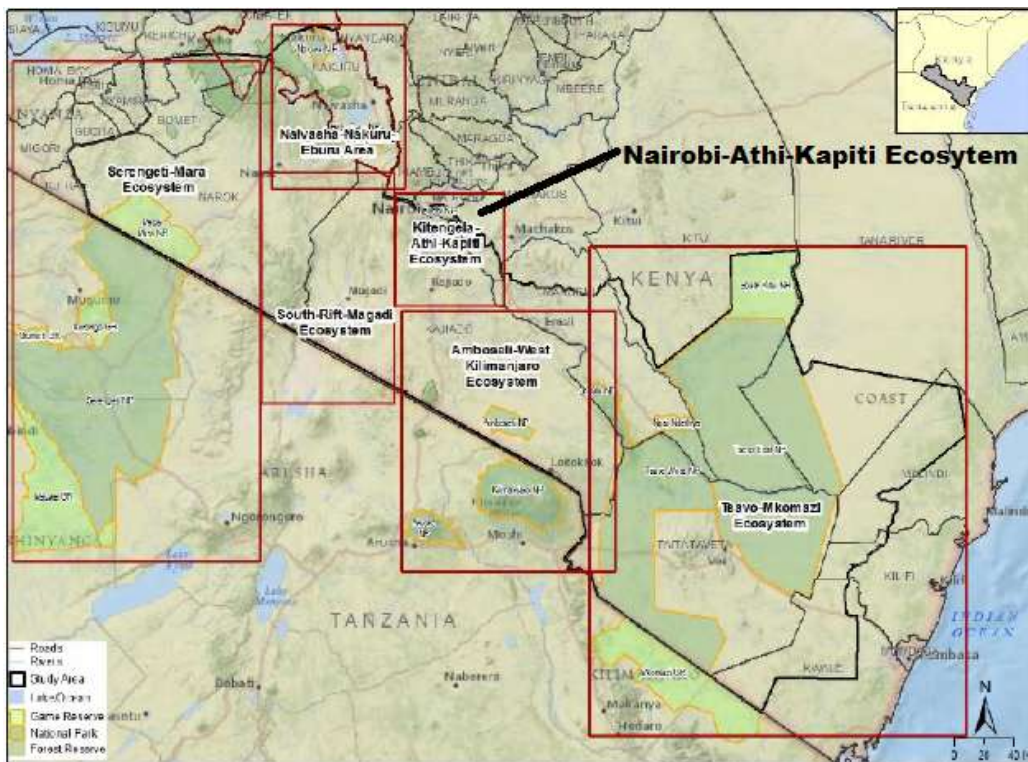
Source 108: (Friends of Nairobi National Park (FoNNaP) 2012)

Regionally, Nairobi National Park is part of the larger Athi-Kapiti-Ecosystem which covers an area of about 2200 km² as shown in the map below (Gichohi, 2003). The Athi-Kapiti plains is majorly a vast savannah land inhabited by the indigenous Maasai pastoral communities, who have utilized the plains for centuries, grazing their livestock and co-existing with wildlife. The plains have an abundant species of wildlife herbivores which attract the lions. The plains have been described as having had one of the most spectacular and largest concentrations of wild animals in East Africa, before the Europeans colonists came into the area in the 19th century and early 20th century (Government of Kenya, 2012).

127 In Kajiado County, South of Nairobi showing the three triangles, the migratory route for wildebeests and zebra, and the wet and dry season wildlife ranges.

The western boundary of the Athi-Kapiti ecosystem is the Rift Valley escarpment, while the south-eastern boundary is the Konza-Magadi Railway. Some of the animals from the park, particularly the wildebeeste have a natural annual migratory circuit between the Nairobi National Park and the plains in the south all the way to the Serengeti in Tanzania. During the wet season, the migratory herbivores come out of the national park to utilize short grass on the community land in Athi-Kapiti plains, where they also breed and calve (Owaga 1975). Rainfall patterns within the AKP regulate the migrations of large herbivores. In the beginning of the rainy season, the zebra first moves out of the park (a dry season refuge) followed by the wildebeest and other herbivores to the south-eastern portion of the ecosystem (Gichohi, 1996). Despite the now intensive use of the Athi-Kapiti plains by humans due to increasing urbanization in some areas, a lot of wildlife still exists in the Athi-Kapiti plains. The plains in are the life line of the Nairobi National Park. Consequently, the people living their bear most of the social, political and economic costs related to the existence of a wildlife tourism park in the city.

Figure 41: Kenya’s Southern Conservation Area



Source 109: (GOK-Memr 2012)

Nationally, the park is in Kenya’s southern conservation area, one of 9 regions classified by the Kenya Wildlife Service (KWS) as worthy of conservation and protection of endangered animal species. The southern rangeland ecosystem comprises of six contiguous sub-ecosystems which are: (1) the Serengeti-Mara; (2) the Nairobi-Athi-Kaputei; (3) the south rift; (4) Amboseli-Kilimanjaro; (5) Tsavo-Mkomazi and (6) greater Lake Naivasha-Elementaita-Nakuru-Eburru forest ecosystem (Government of Kenya 2012).

Natural Heritage and Cultural Attractions

Biodiversity¹²⁸

In comparison to other national parks and wildlife reserves in the country NNP is small in size. Despite its small size, NNP has a rich combination of flora, fauna and geomorphological features. The parks major habitats include grasslands, scattered trees, bush land, rocky habitats, rivers and streams, dams, wetlands and forest. The animals include a range of herbivores, carnivores, primates, reptiles and amphibians and birds. The browsing and grazing herbivores found in the open and bushy grasslands of the park include Giraffes, Zebras, Wildebeeste, Buffaloes and Antelopes like Elands, Impala's and gazelles, Hartebeests, Dik Diks, Waterbuck, Reedbuck, Bushbuck, Duikers, Rhinos, Hippos and Bush Pigs. The small herbivores include Gerbils, Grass Rats, Kusu Rats, Spring and Ordinary Hares. Some of the animals are territorial, choosing to stay and feed inside the park, while most of the others are non-territorial and choosy on what they feed, roaming widely far outside the park in search of young green grass shoots or soft browse.

Photo 35: Herbivores in the NNP



Source 110: Field Work, 2014

The carnivores are the main animals that attract tourists to the park. The predators that can be spotted in the park include Lions, Leopards, Cheetahs, Spotted Hyena, Striped Hyena, Jackals, Foxes, Servals, Caracals, African Civet, Genet, Honey Badger, Mongoose, Aardvark and Hyrax. Most of these are listed as endangered species with some of them now extinct, like the cheetah which has not been spotted for many years now. They are also the source of predator attacks on maasai livestock leading to incidents of human wildlife conflicts outside the park in the Kitengela community land. The issue of predating lions on community's livestock outside the park is a very political and emotional issue, with the government, conservationists and tour companies criminalizing the Pastoralist Communities for killing lions in

¹²⁸ Most of the information on the parks Biodiversity is compiled from (Halliman and Morgan, 1967); latest NNP Management Plan by Kenya Wildlife Service (KWS) and the guide book for NNP, authored by Friends of Nairobi National Park (FoNNaP).

revenge attacks and with the pastoralist communities accusing the government of caring more about wild animals than human life¹²⁹. Currently, there are 38 lions in the park according to the latest census¹³⁰. According to interviews held with members of the Maasai community, this number is too big, considering the size of the park (Mbithi, et. al. 2012).

Photo 36: Carnivores of Nairobi National Park



Source 111: Photos courtesy of Atif Chughtai

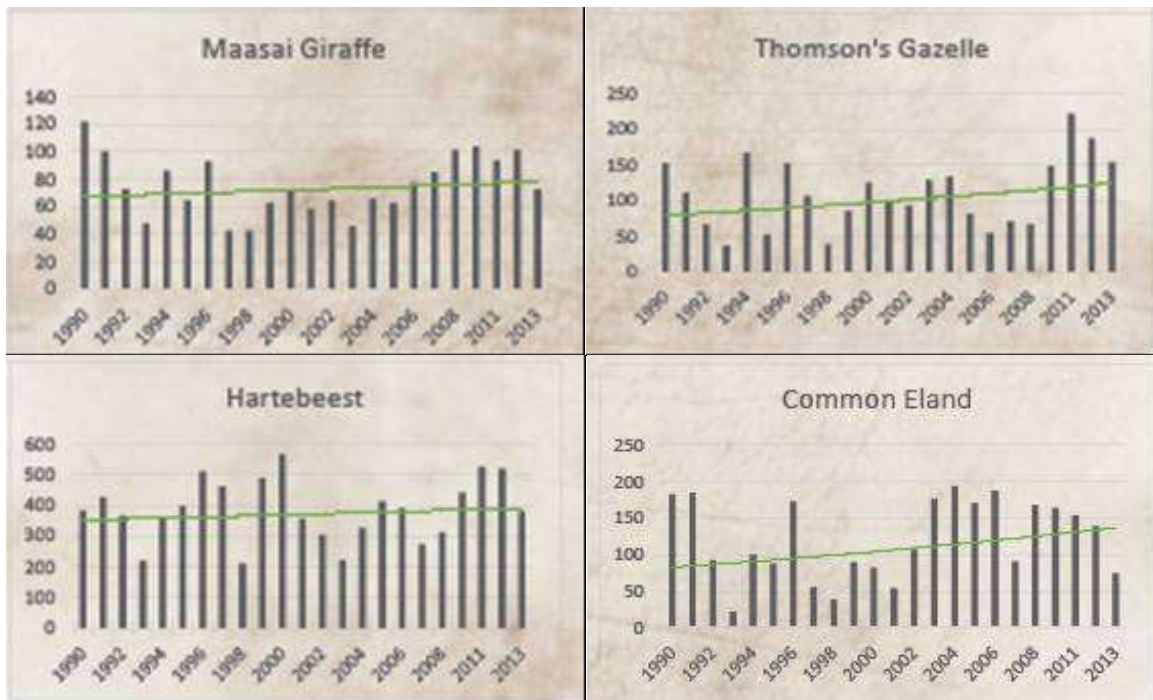
The primates, which are mostly omnivorous, include the Baboons, Vervet Monkey, Sykes Monkey, Gorillas, Galagos and Bush Babies. Other smaller animals include Bats, Porcupines, Giant Pouched Rat, various types of Squirrels. Reptiles and amphibians include Crocodiles, Tortoise, Lizards, Geckos, and Chameleons, a variety of Snakes, Frogs and Toads. Over 400 species of bird life can be found in the park. The variety of birds depends on the season of the year. The biggest territorial bird that can be found in the park is the ostrich. Other bird species found include the Kofi bustard and its smaller resident relatives, the white bellied bustard and heartlands bustard. Guinea fowls, vultures, the green and sacred ibis, crowned cranes and secretary birds are also common. In the rainy season, the northern migrants like the Montagu's European marsh and pallid harriers are plentiful. A common raptor observed in the park is the augur buzzard (FoNNaP, 2012); (Halliman and Morgan, 1967).

Most of the animals, especially the carnivores are not widely as populated as before. Many are listed as endangered species by IUCN. For instance, in the 1970's, NNP and the Athi-Kapiti ecosystem contained the second largest wildebeest population of about 30,000 animals (Ogutu, et al. 2011). These populations have now dwindled to less than 4,000 according to a census carried out by DRSRS in 2011 (Government of Kenya, 2012).

129 Interviews with the pastoralist communities revealed these perceptions of the government by the affected communities.

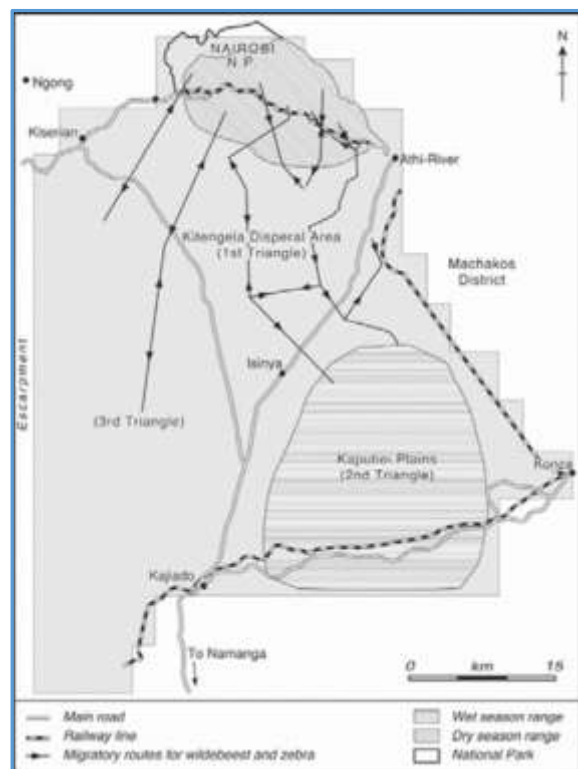
130 Interviews with Nickson Parmisa, Government appointed Chief in the local area and Maasai Pastrolist.

Figure 42: Wildlife Population Trends for Some Selected Animal Species



Source 112: (Feyer 2015); as compiled from KWS in 2015.

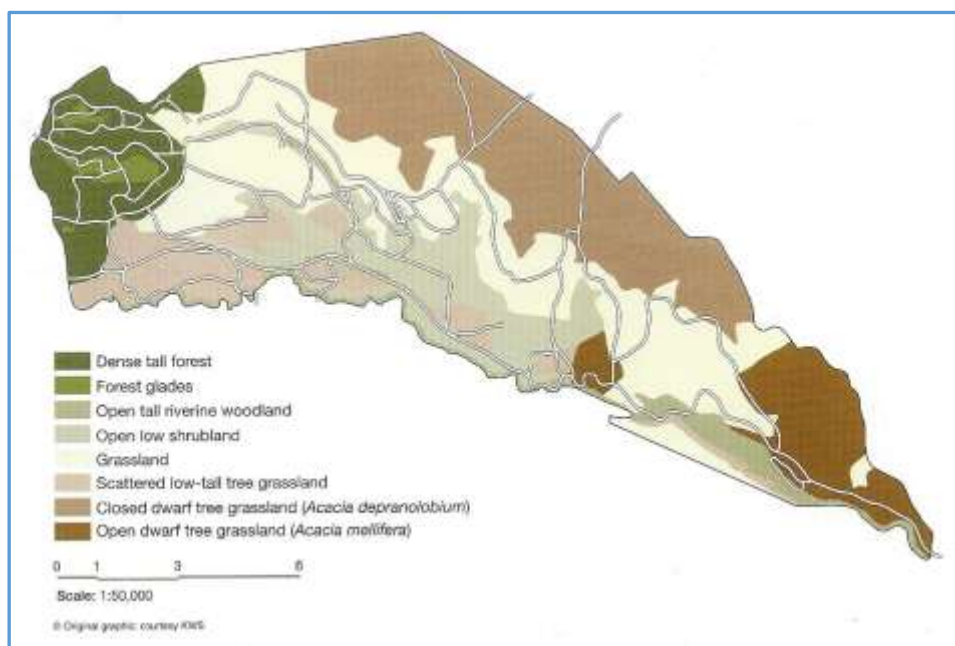
Figure 43: Zebra and Wildebeest Migratory Routes Based On Radio Tracking



Source 113: (Reid, et al. 2008)

Eight main vegetation communities can be identified in the park. This include: closed dwarf tree grassland, open low shrub land, grassland, scattered low-tall tree grassland, open dwarf tree grassland, open tall riverine woodland, forest glades and dense tall forest. The most widespread vegetation is the savannah grasslands, particularly of the species *Themeda triandra*, red oat grass. The tall grass plains consist of the thatch grasses, *hyparrhnia rufa* and *h.filipendula* and guinea grass, *panicum maximum*. Closed dwarf tree grasslands consist of closely spaced whistling thorn shrubs *Acacia drepanolobium*. The short grass plains consisting of the dominant red oat and sweet pitted grass community, fragrant bitter tasting turpentine grass or *Cymbopogon Pospischilii*, red or shining top grass or *Melinis Repens* and wiry spear grass or *Heteropogon Contortus*.

Figure 44: Vegetation Types of NNP



Source 114: (FoNNaP, 2012). Original graphic (KWS, 2004)

Other grasses include Wire Grass (*pennisetum meziannum*), Star Grass (*cynodon dactylon*) and Prickly Seeded Tragus Grass and Harpane Grass. The riverine grasslands include the Tall Guinea Grass (*panicum maximum*), tall grasses such as *echinochloa spp*, Scattered-Tree grasslands like scattered *Acacia* and *Balanites* trees. Forest grasses include the short wavy leaved genus *oplismenus* and the pleated leaved grass (*setaria plicatilis*). Herds of grazing animals like Buffaloes, Zebras, Wildebeest, Hartebeest and Thomson gazelles and territorial feeders like Impala's and Grants Gazelles, are sustained by the grasses, which in turn sustain the parks carnivore species like Lions, Leopards and Cheetahs.

Bush land Habitats include the thicket forming shrubs like orange leaved croton (*c. dichogamus*), scrambling prickly wait-a-bit thorn (*acacia brevispica*), sand paper bush (*Cordia Monoica*) and aromatic fever tea (*lippia javanica*). Others include the *Grewia* species (*g.silmilis*) that has small purple blue flowers and (*g. tembensis*) with pink

blossoms which are prominent hardy thicket forming shrubs, dense scrambling clumps of the bushy shrub (*rhus natalensis*) and the wild honey suckle (*turraea mombassana*) and (*carissa spinarum*). Habitats include rugged rocky habitats, rivers and streams, dams and wetlands, and patches of forests. Some of the most beautiful views of the NNP are the exposed rock landscapes. These include the 'plunging cliffs or weathered rocks lining the deep rugged' gorges through which the Mbagathi river passes and other more interesting rocky valleys which tumble over the escarpment from the upper parts of the park, along the Mokoyeti and other feeder streams dropping into the Mbagathi basin. Rich plant communities and animals are supported and sheltered by these rocky habitats. These include shrubs, trees, delicate flowers and herbs like *craterostigma* or rock violets. Animals supported here include rock agamas, lizards and snakes which are sheltered in the crevices and gorges of the rocks, including smaller animals like caterpillars and butterfly's.

Several rivers and streams run through the park, the most important being the Mbagathi River, which rises in the north of the Ngong hills, flows eastwards capturing the flows of many other rivers, streams and springs in the remnant forests close to Nairobi. The Mbagathi River runs for 30kms, covering nearly the whole southern boundary of the park. Small streams from the east like Empakassi and Sosian flow and from the west and north western parts of the park, like Kisembe and Olomanyi, all drain in the south easterly direction, joining the larger like the Mokoyeti stream and eventually the Mbagathi River. Most of the other streams and rivers in the park are seasonal, so the Mbagathi River is very important for wildlife, especially during the dry season. Riverine gallery forest is the main vegetation supported by the permanent rivers in the park. These areas provide habitats for vultures, olive baboons, vervet monkeys and impala's.

The Dams and wetlands include the 15 dams inside the park, which provide scattered wetlands habitats for vegetation and animals like hippos, crocodiles, various species of birds and reptiles. Some of the dams were built in the 1940's, when the park was established, and some of them have become fully established wetland habitats. Some dams are permanent, like the Nagalomon and hyena dam in the North West sector of the park. The seasonal dams include Ruai, Olomanyi, Empakasi and Elands hollow. There are also some seasonal ponds. The Athi Basin dam in the parks south east corner which is dry is sparsely vegetated, bedded in alkaline soil attracts many wading birds due to its shallowness and supports some of the parks resident crocodiles.

In addition, there is a small strip of the upland dry forest confined to the west of the park, where the altitude and rainfall is high. The underlying soils of the forest are 'shallow friable red clays'. Therefore, it only supports a few tree species and light tree densities. Dominant trees found in the area include *Croton C.Megalocarpus*, African Olive, *Olea Europaea Ssp. Cuspidatus* and Silver Oak Tree, *Brachylaena Huillensis (muhugu)* in Kikuyu. Others include deciduous and prickly shrubs like *ochina ovata* and *erythrocca bongensis*. Altogether, most of the trees provide shade

and cover for forest dwelling mammals and plenty of fruits and food for various mammals and birds.

Photo 37: Vegetation and Habitats in NNP



source 115: Field work, 2014

Cultural Recreational Attractions

The park offers a selection of picnic and event sites which include: (1) impala observation point located on a high hill a few minutes from the main gate. This site is a stone-built with 'panoramic' views and a picnic area with latrines benches and latrines; (2) the ivory burning site is an open space with a few benches and the famous monument in remembrance of the 12 tonnes of ivory burnt by former President Moi in 1989 to show Kenya's commitment to the conservation of elephants and our emphasis on zero trade in ivory; (3) kingfisher picnic site, a green shaded area with picnic tables; (4) Mokoiyet picnic site, an open cliff top site with shaded tables, latrines and parking. The leopard cliff observation point, is close by, looking down into the Mbagathi river gorge and (5) hippo pools and nature trails: a short self-guided nature trail (patrolled by KWS rangers) leads out of a shaded picnic area (latrines and running water available) along the Athi river and offers the opportunity of viewing hippo, crocodile, monkey and a large variety of birds.

The Nairobi animal orphanage opened in 1963. It shelters a host of orphaned, hurt and abandoned wild animals from all over the country. Once the animals are ready, they are released into the wild. The orphanage was established by the first Director of Kenya National Parks, Mr. Marvyn Cowie, during the colonial era at a time when sport hunting was legal, and there was a large presence of wild animals that were orphaned, injured, abandoned or strayed from their families.

Other objectives of the orphanage include: (1) gathering scientific information on these animals that could contribute to better understanding of their behaviour,

feeding patterns and health and (2) Conservation education information dissemination to learning institutions and general public in conjunction with Conservation Education Centre. Every day, hundreds of schools visit the orphanage and teachers are able to utilize the facility as outside classrooms for teaching students about wildlife, based on their school curriculum. Additionally, the animal enclosures have information panels for self-guided tours.

The Nairobi Safari Walk is located just before and to the right of the main gate. It offers the rare chance of viewing different animals behaving as they would in their natural habitat. It is designed with raised timbered boardwalks for leisurely walks and talks. Visitors get ideas of what Kenya's Parks and Reserves in the country look like. It also offers an educational opportunity of the country's parks and reserves given by the naturalists on prior arrangements. With the safari walk, it is possible to see the animals in their nearly natural setting while walking without endangering your life or theirs.

Photo 38: Picnic Site in NNP



Source 116: Fieldwork, 2014

The one in the main park is the Club House, one 1km from the main park entrance. The facility offers a visitor a chance to unwind after a game drive. The grounds are up for hire for social and corporate functions. The Rangers Restaurant is nestled between Nairobi safari walk and overlooks the national park. It is supposed to give visitors the feeling of dining in a bush, away from the hustle and bustle of the city centre. There is a self-service coffee house named Sebastian café, named after a famous Sebastian chimpanzee. It is located just behind the Nairobi safari walk. A number of convenience shops for souvenir, snacks, maps and equipment for game

drives are conveniently located within the KWS headquarters including two other restaurants for KWS staff.

Photo 39: Nairobi Tented Camp¹³¹



Source 117: <http://www.porinisafaricamps.com/nairobi-tented-camp.html>

Newly introduced are tented camps and lodges in the park. In 2014, a private investor, the Porini Camps was allowed by KWS to install tented accommodation inside the park. The Nairobi tented camp is the first and only tented accommodation inside the park. It is deep within the riverine forest section and a few minutes from Jomo Kenyatta Airport, Wilson Airport and Nairobi City. The advertisers of the camp have described it as offering a true wilderness experience, 'straight under canvas' within 30 minutes of leaving the airport.

The tented camp targets specialised (high budget) international visitors and tourists 'who want a wilderness escape and the thrill of camping in the heart of thick bush land right on the doorstep of Nairobi'. International visitors can leave Jomo Kenyatta airport and within ten minutes start their wildlife encounter, or for those with a little time to spare before their flight out of the country, a last wilderness experience before they leave the country, right in the backyard of the city. There are nine tents which house two people each. The tents have their own toilet and shower, with hot water heated over a log fire. Each tent had Low watt LED lighting which is run off rechargeable batteries and solar panels. Guests can also use candles and lanterns. Comfortable beds are wrapped in cosy blankets and soft towels are at the ready after you've washed away the red Nairobi dust from the day. Each of the tents has all the conveniences one would find in a five-star hotel. These include twin or double bed, bedside tables, wardrobes for hanging clothes, writing desk, and veranda lounge among others. Nairobi Tented Camp is part of the Game watchers and Porini Safari Camps group. The tour company provides personalized safari arrangements for clients who want to avoid the mass-market tourist lodges, preferring a more

131 See appendix for the price list for use the camp and safari package

individual safari programme. Game watcher's safaris have been operating for over 20 years in Kenya and are based in Nairobi.

HISTORY OF NAIROBI NATIONAL PARK

Pre-colonial Era: Abundant Wildlife and their Habitats

Prior to the arrival of the Europeans and colonization by the British in Kenya, abundant species of wildlife dominated the large Savannah Plains of Kenya, including the Nairobi Region, which is part of the Athi-Kapiti plains. The large species wildlife in the area co-existed peacefully with the indigenous Pastoralist Communities, and their cattle, sheep and goats. The northern part of the Athi-Kapiti ecosystem (presently NNP), which is higher and cooler than the southern parts, was a dry season refuge used by the animals during the drought season (Gichohi, 1996). The indigenous inhabitants of the savannah plains and the country at large used the natural resources including wildlife for subsistence, shelter and food. The nomadic lifestyle together with traditional regulations, beliefs and cultures ensured sustainable utilization and conservation of plant and animal species for future generations (Pimbert and Pretty 1995). Various historical accounts record the fact that the wildlife in these plains was spectacular, rich and diverse, attracting various European trophy hunters, travellers, explorers, missionaries and adventurers (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989)

Colonial Era (1870-1963): A White Hunters Paradise

According to (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989), virtually all Europeans who came in to Kenya between the 1880's to 1970's hunted regularly and sometimes prodigiously, regardless of whether they were missionaries, explorers, administrator soldiers or settlers. These European hunters had a large negative impact on wildlife populations in the Athi-Kapiti ecosystem leading to the need for conservation lest the animal populations were completely wiped out. According to (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989), there were four types of European hunters and hunting styles in the late 19th century to the early 20th century that almost led to the complete decimation of wildlife. These hunters and their hunting styles are discussed here.

The Decimation of Wildlife

Ivory, Trophy Hunters and Sportsmen

Between 1880 and 1914, there was primary exploitation of big game by a largely unrestrained group of European explorers, ranging from traders, pioneers, adventurers to administrators, who killed wild animals just for sport (fun), ivory, money and food (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989). A review of the accounts of the exploits of some of these hunters reveals a picture of high adventure and record massive slaughter of game at unprecedented and unequal scale, unmatched to recent

times (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989). The hunting expeditions were particularly popular among the rich and famous from the west. Historical records indicate famous European travellers and high ranking government officials undertook safari hunting expeditions as a symbol of class, status and domination of man over nature. These included Theodore Roosevelt, a former US president who between 1909 and 1910, killed and preserved the skins and other body parts of over 3,000 specimen of African game (Akama, Lant and Burnett 1996).

Among Africans, before colonization, hunting had provided food, skin clothes and other useful livelihood products, in addition to meaningful productive work (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989); see also (Pimbert and Pretty 1995). Adult men took pride in their hunting accomplishments and gained reputation for their generosity among their communities for sharing the meat obtained among family members and hunting groups (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989) However, during the colonial times, the African hunter started to get belittled for hunting animals for food by the European and North American hunters, who mocked the Africans for lack of appreciation of hunting as a sport (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989). The African livelihood need for hunting was subjugated, and he began to assume new roles as ancillary to white hunters or guides and trackers. As (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989) observes,

“Racial prejudice and ethnocentrism influenced many white hunters in deprecating African skill in tracking and bush-craft and deploring their lack of interest in the aesthetics of hunting as a sport”.

The European hunters shaped hunting for what it became to date, a luxury affair for the white man. An allure of Kenya as a new playground for the leisured classes was created by visits from the British and Indian Royalty, attracting western style hunters from all over the world. The eminence and wealth, social standing and class backgrounds supported the beliefs that proper hunting was the sport of the gentlemen, who obeyed a civilised set of humane rules of the game. This included the exclusive use of firearms and disdain of bows and poisoned arrows, used traditionally by Africans. (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989), observe the contrasts between the European and African outlooks on hunting highlighting,

“...absence among Africans was the sense that hunting was a calling and a privilege reserved to men of wealth and status, an aristocracy of leisure, who show themselves as the only true sportsmen.”

The abundant wildlife resources attracted Europeans further into the interior contributing to the colonial expansion and more killing of wildlife for the fun of it.

Wildlife products during this time were used for trade, collection of trophies. The economic value of ivory horns was very important for many Europeans (Carruthers 1995).

The White Settler Hunter

According to (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989), the white settler hunter was most visible from 1905, and he had the longest-lasting and most destructive wildlife massacres. As the settlers took up large tracts of land for agriculture, they cleared wildlife habitats for privately owned farms and grazing lands, fenced out and killed wildlife with the primary objective of their extermination. By this time, hunting licenses had been introduced by the colonial government, but animals were killed without impunity and without a game license by landowners. (Carruthers 1995) notes that due to the widespread use of improved firearms by settler hunters, some species of animals including antelopes became extinct.

As (Carruthers 1995)¹³² notes, the dominant settler religion was Christianity, and it excluded the beliefs of the indigenous population who respected nature because of their beliefs in the intrinsic power and value of nature. The settler farmers also blamed wildlife for diseases like Nagana, and were thus on a mission to eradicate the disease by killing wild animals. Unlike African culture, in the Western European value system, wild animals belonged to nobody and therefore wildlife decimation by the white settlers only increased. The settlers ignored any injunctions against over exploitation because they believed that killing wildlife was not a real crime (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989); (Carruthers 1995).

The Visiting Sportsmen

This group of hunters came to spend short, sharp and often ruthless periods of a few weeks to months of intensified game slaughters (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989). Writing on such visiting sportsmen, (Carruthers 1995) observes,

“These sportsmen had the financial means to travel in some comfort and belonged to the class of Englishman who would have been familiar with the strict sporting legislation of England. What they found so attractive about hunting ...in the territory was the total absence of any restrictions and they happily abandoned any pretence of adhering to the hunting ethics of Europe. They revelled in slaughter and their hunting forays were shooting orgies during which they killed hundreds of animals, frequently leaving the carcasses to decay on the veld.”

(Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989) notes that the visiting sport hunters set the ideological foundations of the hunting dilemma among the European elites and laid the basis for the growth of Kenya's modern tourist industry, with the white hunter becoming an object of romance and adventure. In 1934, the East African Professional

132 *ibid*

Hunters Association was opened to sportsmen who contracted their services as safari guides, organisers and entertainers to their millionaire clients. After World War II, a semi-professional group of white hunters emerged, acting as guides, organizers and field leaders of the safari hunting parties and visiting sportsmen, which gave Kenya the overseas image of a safari destination and a wealthy sportsman paradise (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989). Later in this period, the weapon of choice began to slowly change from the rifle to the camera. However, as a blood sport, hunting still continued among the Europeans profusely (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989). It was in this period that the beginning of wildlife or safari tourism without necessarily killing animals started. The tourism industry became established after World War II, with the white sport hunters becoming the organizers and leading tour guides for visitors coming from Europe

Game Keepers

The fourth group of hunters who decimated wildlife were the white colonial government game department officers. This was partly due to their game control functions, a principal service the government provided to the settlers in the new colony (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989). The British government had in 1907 set up the Game Department to 'administer the Game Reserves, enforce the hunting regulations and protect settler farmer communities' property and crops from wildlife' (KWS,). According to (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989), the game keepers could have accounted for the largest share of wildlife killed than any other group individually and collectively. Every year, hundreds of elephants and rhinos were killed to prevent (or avenge) the destruction of crops and fences on settlers' farms by the governments game department. Game keepers were often dedicated full time white hunters who turned their passion for the chase and for nature into an occupation. The colonial game department consisted of senior staff of white wardens and rangers, who believed their job was a calling to kill problem wildlife. During this time, hunting licences were given to visiting sportsmen, but the black Africans were not allowed to hunt or kill animals for food. The Africans were arrested for poaching crime by the white game department officers. This was a paradox which confused the Africans and made him bitter. According to (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989), the game keepers played a critical part in the unfolding drama of cultural confrontation between the hunting traditions of the Africans (considered poaching by the white game keepers) and the sport hunting of the whites. Other than game control, the White employees of the colonial administration, from the district officer and police commander's alike, shot game for fun, for the pot and to supplement their salary by the sale of ivory (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989).

The Creation of the Southern Conservation Area and Nairobi Commonage

The series of massive killing of wildlife described above which had started with the arrival of the European trophy hunters and sportsmen in the 19th and the early 20th Century was very worrying to the then British protectorate government, which relied on sale of ivory. This hunting trend initially led to the decision by the protectorate government, in the late 19th century, to control hunting by introducing hunting permits and licences, in order to limit the game hunting exploits of European visitors who were coming on a free for all basis for hunting. (S. Akama 1996). Subsequently, the decision to create a wildlife reserves was made in the early 20th century and finally, the actual creation and gazettement of the first national park in Kenya, the Nairobi National Park was done in 1946. NNP is therefore the country's oldest animal conservation area. However, as we shall see in the following sections, the decision to conserve wildlife and create Nairobi National Park or other parks was not straight forward nor easy, mainly because of the initial opposition from the settler community.

The first step in the creation of NNP was in 1900, when the British colonial government decided to set up a game reserve known as the southern conservation area. This game reserve extended from the area south of Nairobi to the present Kajiado up to the present Tanzania border (FoNNaP). However, at that time, the Pastoralist Communities living in the area were not yet displaced. The reserved area in the north of the area was then known as the 'Nairobi commonage', and it was just a small northern corner at the north of the Athi-Kapiti ecosystem and the jumbo southern game reserve (FoNNaP).

Not much was achieved from the grand plan of setting the Nairobi Commonage and the southern game reserve. This is due to a number of obstacles which were experienced by the colonial government when trying to set it up. The obstacle's included: (1) Lack of funding. No wardens nor game rangers were appointed making the idea ineffective; (2) the settler community was against the idea of setting up of the reserves as they saw the creation of wildlife habitats limiting their access to more agricultural land, casting covetous eyes upon the grazing potential of the south-western part of the Game Reserve (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989); (3) Capitalist farming interests were antagonistic and provided a powerful lobby against the setting up of the game reserves; (4) Some sportsmen, being farmers and landowners, wanted access to game reserve land; (5) The central government department was also not too keen on setting up reserves with some officials viewing game reserves as merely 'sentimental objects' which were far too large and ineffective; (6) The First World War broke out at around the time, forcing the government to abandon the idea of setting up a game reserve (instead they set up the proposed reserve as training camp and base for the Kings Africans rifles soldiers, fighting the British war against the Germans in Tanganyika); (7) When the war finished, the proposed game reserve was used for the re-settlement of demobilized soldiers, particularly the Somalis, because finding land for re-settlement of the soldiers was considered a higher national priority than the continued existence of an

ineffective game reserve; (8) Somali ex-service military men were resettled in the Nairobi Commonage, thus creating an imbalance between the new comers and the indigenous Pastoralist Communities, causing tribal conflicts between the two groups and making it more difficult to establish the park.

The Creation of the Nairobi National Park

After the World War 1, there were renewed calls for a wildlife area to be established in the 1920's, at least on a smaller scale, but these fell on deaf ears, as the plans were met with apathy on the ground by the settlers. This was despite the government in Britain approving the plans. Frustrated by the colonial governments laxity in setting up conservation policies and areas for protection of wildlife, in the late 1930's, Colonel Mervyn Cowie embarked upon a ploy of anonymously advocating for a policy for the destruction of all wildlife in East Africa, with a view to enhancing agriculture. His trick worked, raising an outcry among the settler community who were the only ones with a political voice those days (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989). The government got too startled by public reaction to the outrageous suggestion, that it was forced to do something. A committee was then set up to examine the matter, with Cowie as the Chairman. Unfortunately, World War II broke out just after the renewal of interest to set up the park was beginning. The Nairobi commonage was again commandeered as a military base for troops serving the British wars. As is expected, the wildlife suffered as the park project was shelved aside again.

After the war ended in 1944, the wildlife numbers increased again, and the government resumed on renewing the national park project (Akama, 1996); (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989). A new program of the creation on national parks as total sanctuaries, free of interference from humans based was adopted from the US conservation movement that was happening at the time. There was a shift in approach from wildlife conservation for commerce or sport towards sentimental and scientific views. Saving wildlife for posterity to see and appreciated rather than for the selfish pleasures of sportsmen, became the new approach of wildlife conservation. Emphasis was placed on the need to ensure that wildlife exists for the benefit of future generations and for 'scientific' purposes (Carruthers 1995).

In 1945 the Royal National Parks of Kenya Ordinance was promulgated to provide for the establishment of national parks. The displaced Somali families who had been brought to live in the area were relocated from the park (Steinhert, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989). New roads and bridges were built, salt licks and dams were laid down and built, trespassing people and livestock, particularly the Pastoralist Communities and their cattle were forbidden and anti-poaching measures were established.

Finally, in December 1946, the Nairobi National Park, the first in Kenya to be gazetted, was opened on what had been the African commonage, on the south-west of Nairobi, Kenya's capital city. The park was created using the USA parks

conservation model. Colonel Cowie was appointed as the parks Executive Director. Gradually, he opened a whole series of parks throughout East Africa, later to be exalted to the title of Royal National Parks (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989).

Photo 40: Entrance Gate to NNP in The Colonial Days

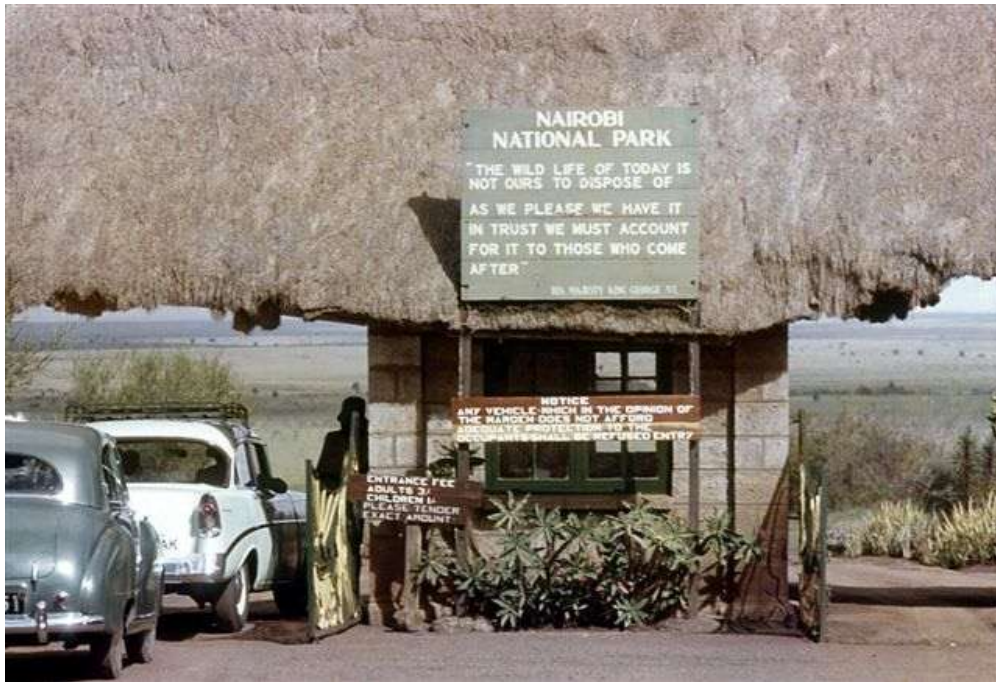


Table 31 Summary of Historical Milestones in the Creation of NNP

| Year | Events | Actors |
|-----------|--|--|
| 1870-1914 | Primary exploitation of big game in the Athi-Kapiti Savannahs using shot guns. Belittling of African cultures for their hunting methods, styles and purpose (Africans hunted for food and used spears, bows and arrows) therefore shunned for lack of appreciation of hunting as a sport. | European Visitors and Settlers (ivory, trophy and sport hunters, travellers, explorers, missionaries and adventurers). |
| 1898 | Introduction of hunting licenses; Laws on controlling hunting imposed e.g. prohibitions on killing female elephants, hunting methods and trade in wildlife. Guided by commercial interest, value of wildlife then and need ensure sustainable yield. | British Protectorate Government; White settlers |
| 1900 | Establishment of a game reserve, the southern conservation area extending from Nairobi (the Nairobi Commonage) throughout Kajiado to the present Tanzania border. | British colonial government |
| 1905- | Massive and long lasting killing of wildlife to create large tracts of land for agriculture. Disregard for hunting licences and killing of wildlife without impunity by the new landowners. Some species of antelopes made extinct during this time. | White settler hunter |
| 1907 | Establishment of the game department to administer game reserves, enforce hunting regulations and protect settler farmers' properties. Game department officer consisted of white staff that turned their hunting passion into chase for nature as an occupation. They enjoyed controlling "problem animals" by killing them to protect settler farms. They accounted for the largest share of animals killed than any other group, collectively and individually. | British colonial government |
| 1934 | Short, sharp and ruthless hunting periods of a few weeks to months of intensified game slaughter by visitors. Professional Safari hunting concept developed for tourism/commercial purposes around this time. | East African Professional Hunters Association. Visiting sportsmen and the |
| 1911 | First World war breaks out. Game reserve idea abandoned. Nairobi commonage turned into a military training camp and base. Wildlife pillaged to feed the troops. | Colonial Government |

| | | |
|------|---|---|
| 1930 | Trick of anonymously advocating for a policy for the destruction of wildlife all over east Africa to enhance agriculture raises outcry among settler community forcing government to be serious about creating game reserves. | Colonel Mervyn Cowie |
| 1930 | The commission for inquiry into the state of flora and fauna recommends the establishment of permanent faunal sanctuaries. | Society for the preservation of fauna of the British empire |
| 1938 | Conservation order defining the location, extent and management of national parks stipulated. | British colonial government |
| | World war 2 breaks out. Renewed interest in game reserve abandoned. Nairobi commonage again turned into a military camp. Wildlife pillaged again to feed the troops. | British colonial government |
| 1944 | World war 2 ends. Wildlife numbers start increasing again. Government embarks on mission to create game reserves. | British colonial government |
| 1945 | Royal national parks order passed. | British colonial government |
| 1946 | Creation of the first national park in Kenya, the NNP. | British colonial government |
| 1950 | Creation of six more national parks in Kenya. | Colonial games department |

Source 118: Compiled from Various Sources by Author in 2014

Post-Colonial History: White Spaces, Black Faces

Apparently in the interest of national development, the creation of national parks and reserves continued after independence. Foreign exchange earnings from the pleasure seeking tourists became the main objectives of the state in the evolution of the tourism policies, leading to the creation of more national parks (Akama, Lant and Burnett 1996) (Akama, Lant and Burnett 1996). Tourism in national parks emerged as the leading sector in national development. The post-colonial government continued establishing new national parks and game reserves, as well as managing them using the colonial conservation philosophies and approaches. According to (Pimbert and Pretty 1995) these deep ecology principles were based on western conservation ideas and beliefs that: (1) wildlife conservation can only work by adopting a total position against killing and use of wildlife; (2) biodiversity conservation can be achieved by not buying wildlife products, regardless of whether they were produced through approved management schemes; (3) wildlife conservation in the developing world can succeed without generating economic returns to landowners and to the traditional custodians of biological diversity; and (4) all wildlife populations are fragile entities driven closer to extinction by any human use.

The independent government inherited colonial conservation and management approaches and even became more exclusionary in order to achieve revenue generation objectives. As the state generated revenue, locals living near the national parks derived no direct or indirect benefits from the wildlife among them, simply remaining as spectators of the tourism sector. This is despite the fact the wildlife from the protected areas reigned havoc on their farms and livestock ranches. The colonial approaches inherited by the post-colonial government is irrelevant and an emotional subject outside the protected areas (Were, 2005). To the locals, the protected animals now belonged to the state, and are pests, whose responsibility it is to tame the wild animals and stop them from interfering with their lives and livestock.

SOCIO-ECONOMIC CONTEXT (RESIDENTS LIVING NEAR THE PARK)

Figure 45: Socio-Economic Profiles of Nearby Residents of the Park



Source 119: Compiled by author from (Koti, Kenya 2010); (Koti, Kenya 2010)

Nairobi National Park is bordered by a diverse range of communities which can be broadly classified as urban, peri-urban and rural communities. The urban communities can further be sub-divided as: (1) affluent (mostly white and Asian Kenyan citizens and a few black Kenyans) living in Karen, a high class green leafy suburb in the south west of the park; (2) middle class (multi-ethnic black Kenyan citizens) living in Langata to the west of the park); (3) middle class (mostly Asian Kenyans) living in south C to the parks north east; (4) lower middle class (Asians and black Kenyans) living in Nairobi west (north of the park); (5) low income (mostly multi ethnic black Kenyans a few immigrants from neighbouring countries) living in high rise in the north west of the park and (6) urban poor (mostly multi ethnic black Kenyan citizens and a few immigrants from neighbouring countries) living in slum and informal settlements within the parks buffer zones.

The peri-urban communities are mostly the middle and low income multi-ethnic Kenyans living in the south west and south east of the park in Ongata Rongai, Kitengela and Athi River Towns, which are in Kajiado and Machakos Counties, bordering Nairobi in the south and south - east respectively. The rural community is mostly made up of the homogenous Maasai Community of Kitengela, to the immediate and far south of the park, also in Kajiado County side.

The Urban Communities

The urban communities adjacent to Nairobi national park are mostly found in Langata sub-county, which is mostly middle class and affluent but an area with glaring contrasts. It spans from the areas in the north-west, to the west and south-west of NNP. It comprises six main wards which are Karen, Langata, Mugumoini, Nairobi West, South C and Nyayo High rise and Kibera ward. Most of the neighbourhoods in Langata and Karen wards are affluent, upper middle class and middle class, apart from Nyayo High rise and Kibera, which are inhabited by low income and urban poor people respectively.

Affluent and Upper Middle Class Urban Communities

The Karen-Langata neighbourhood is in the southern western peripheries of the park has the plush homes of very rich well to do Kenyans who are mostly white Kenyans. Most of them are descendants of former colonial settlers (locally referred to as Kenyan Cowboys) who remained in the country after independence. This group of people are the most vocal in matters related to the management of the park and the wildlife. There are also many well to do Asian-Kenyans and a few wealthy black African Kenyans in the neighbourhood. The area is also favoured by well to-do immigrants from other African countries and beyond.

Middle and Lower Middle Class Urban Communities

These include Mugumoini, Nairobi West and South C neighbourhoods, consisting of middle class and upper middle class Kenyans of African and Asian descent. Apart from the Kenyan Asians, most of this group are indifferent to issues concerning the park, even though they do not mind the presence of a park in the city. Karen, Langata, Nairobi West and South 'C' areas have high percentage of employment. Majority of the locals are employed as professionals in relatively high income.

Low Income and Urban Poor Communities

The most visible low income urban community near NNP is Nyayo Highrise, inhabited by people who have a stable employment earning little or self-employed youth who are just starting up. It is a planned public housing high-rise neighbourhood project originally developed with the intention of relocating residents from the neighbouring Kibera Slums. This area is now inhabited by low income citizens from the various African ethnic groups in Kenya, as well as immigrants from Ethiopia and Somali. It is neighbored by Kibera slum, the largest slum in Kenya and Africa, where some of the poorest people in the city live.

Slums and Informal Settlements

There are quite a number of slums surrounding NNP, some of which have not been recorded. Generally, all these slums are characterised by poor living conditions consisting of poor quality housing, lack of water and sanitation facilities, lack of public utility infrastructure and services like roads, drainage, garbage collection services and electricity. Most of the people living in these slums are unemployed or under-employed. Quite a number though are self-employed in the Jua kali¹³³ sector, or informal industries consisting of various kinds of artisans, small business people working on home based enterprises (HBE's) or micro enterprises (MSE's) in Kenya. As (Hendriks 2010) observes, *"the majority of the people living in slums are just trying to earn a living and show remarkable resilience."*

According to UNHABITAT, 80% of the people living in slums in Nairobi are tenants, who pay rent to structure owners (landlords). The landlords renting out the houses actually do not own the land they have built the structures. The land occupied by slum residents is usually government land which has already been reserved either for railway, roads or electricity. Some of these lands are also fragile lands, like

133 Swahili Word Meaning In The 'Open Sun '

riparian reserves which are off limits for settlements. As a result, a major problem of people living in slums is insecurity of tenure, which means they are constantly under evictions or eviction threat.

Despite the existence of isolated growing numbers of spaces for participation like the slum dwellers federation, slum dwellers are usually a voiceless and vulnerable group. Most of them just move from one slum to another place where they can build their structures again, especially places where they are not likely to be noticed quickly or disturbed for a while. The buffer zones of NNP which have been rather isolated in the past decades, have become increasingly popular for slum residents evicted from other areas, who relocate themselves around the parks borders. In addition, as the need for housing in Nairobi expands, including slum housing, other slums have mushroomed around the borders of the park over the years. Since the park and its buffer zones are under the jurisdiction of KWS and not the cities administration and management, it takes a while before anyone tries to evict them, and slowly they are getting permanently established. The map below the various slums and villages (marked in black) near or surrounding NNP. The location of affluent and middle class residential areas near the park are highlighted with a blue line.

Peri-Urban Communities¹³⁴

Middle and Low Income Residents

The main peri-urban communities that are in the vicinity of NNP include Kitengela, Ongata Rongai¹³⁵ and Athi river towns. Kitengela Town is one of the fastest growing peri-urban dormitory towns serving Nairobi. It is located in Kajiado County, the immediate southern-most neighbouring county of Nairobi. The area is rapidly expanding as an urban satellite town due to proximity to the expanding Nairobi city. The town is located in the heart of the Athi-Kapiti plains and in the immediate south of Nairobi National Park. The major delineating feature between Kitengela Town and the National Park is the Namanga Road which runs along the in the south-east border of the Park and the rural Kitengela Maasai community land.

Just like Kitengela above, Ongata Rongai is a fast growing urban dormitory town located in the south western border of the park in Kajiado County. However, urbanism in Ongata Rongai started earlier and the area is now well established urban centre. Ongata Rongai is located in Kajiado North, between the Athi-Kapiti plains and the western slopes of Ngong' hills. It covers an area of 16.5 square kilometres with a fast growing urban population. It has two administrative wards; Ongata-Rongai and Nkaimurunya. The town is located 50 Kilometres from the headquarters of Kajiado County and only 20 Kilometres from Nairobi City Centre on the Langata-Magadi Road.

134 (Nkedianye, Radeny, Kristjanson, & Herrero, 2009)

135 (Kazungu, Gitau, & Gichuru, 2011)

The Socio-cultural profile of Ongata Rongai and Kitengela is mixed, consisting of various middle class groups, low income and urban poor people. Spatially, Rongai is divided into Rongai shopping centre, a commercial area to the north, Nkoroi, an upper class area to the south, Kandisi, a semi-rural area to the east and Kware, a slum to the west. The small slum borders Nairobi national park to the east. Generally, Ongata Rongai is mostly residential, with rapid formal and informal commercial developments coming up along the Magadi road.

Both Ongata Rongai and Ongata Rongai are located in the Athi-Kapiti plains, which as mentioned earlier, were once abundant with wildlife. Before urbanism started creeping in, the areas were only inhabited by the indigenous Pastoralist Communities people, who used the plains for grazing their livestock, whose meat was sold to the nearby city. Unlike Kitengela, there is no much relationship between the park and the community in Ongata Rongai today, despite being adjacent to each other. This is because the town started growing rapidly in the much earlier on in the 1950s, due to the growth of a quarry mining in present day Kware (quarry) area of Rongai. Also, the proximity of the area to Nairobi gave it an advantage into becoming a local satellite urban centre. Additionally, the area grew out of a small settlement put up by casual labourers who provided labour to neighbouring affluent Karen. As a dormitory town of Nairobi, much of the development has taken place without planning and control. These have contributed to settlements encroaching into the park and pollution of the rivers entering the park from the Ngong' hills side.

Similarly, Athi River Town is a satellite town of Nairobi located in part of the low-lying Athi- Kapiti plains, at the south eastern tip of NNP, along Nairobi-Mombasa road, in Machakos County. The town is approximately 30 kilometres South-east of Nairobi Capital City. Having started as a small township forty years ago, the area has undergone tremendous socio-economic and spatial change. The towns boundaries extended from 8.5 square kilometres in 1969 (Okatch, 1979; cited by (Koti, Same Place Yet Different Worlds: A Gis and Society Perspective on Kenyan Peri-Urbanization. 2004) to 693 square kilometres in 2002 (Koti, Same Place Yet Different Worlds: A Gis and Society Perspective on Kenyan Peri-Urbanization. 2004). The now expansive town is under the political jurisdiction of the Mavoko Constituency. The towns' origins can be attributed to mining activities, which started when a cement plant was located there in the early 1990s. Prior to that, the area was inhabited by significant wildlife populations. Conservationists claim the cement plants blocked the wildebeest migration routes. The town has a mixed socio-economic profile, and is one of the dormitory towns attracting many Nairobians' looking for cheaper housing in the peri-urban areas. In addition to the urban community, Athi River has a diverse population of rural communities, comprising of pastoralists and agriculturalists, of both Kamba and Pastoralist Communities ((Koti, Same Place Yet Different Worlds: A Gis and Society Perspective on Kenyan Peri-Urbanization. 2004); (Koti, 2010).

Most of the urban core dwellers of Athi River are the poor slum dwellers, which provide labour to the industries in the area (Koti, 2004). There is also a commuting

working class that works in Nairobi and a fairly wealthy community mainly gravitating to and from nearby Nairobi City. The local authority of the area has faced serious challenges in trying to plan for the area due to the complex demographic composition (Koti,2004); (Koti, 2010). According to the Mavoko Municipal Council infrastructure stock assessment report for 2002, over 65% of the housing stock was semi-permanent and/or lacks basic facilities such as sewer and running water. Moreover, the town exhibits social and spatial disparities among its diverse and mixed population. The area with classified roads mainly serve the town centre and some emerging middle to high social status residential areas, while low social status neighbourhoods in the periphery remain inaccessible. The largest slum settlement in Athi River is located around the south eastern tip of NNP. The main socio-economic activities of the Athi River town are mining and industry. There are several limestone mining companies in the area as well as Export Processing Zones (Koti, 2004); (Koti,2010). The area is also rapidly growing as a commercial and residential area for the middle and lower classes.

Rural Communities

The rural community adjacent to the park are mostly the Maasai of Kitengela. The area of Kitengela is 390 square kilometres and it is mainly occupied by Maasai Pastoral Communities, who are nomadic cattle herders. Most of the land in Kitengela is held communally under group ranches. The average acreage of land per household can range anywhere from 5 acres to 100 acres., while the average for groups can range from 100 acres to over 1000 acres. Most of the households (45%) obtained their land from sub-division of their community land, (44%) from inheriting their parent's wealth and (6%) got from buying. However, for the last fifteen years or so, the group ranches have been getting sub-divided into individual land parcels/private land holding.

Photo 41: Zebra from The Park Sharing Pasture with Livestock on Community land



Source 120: Field Work, 2014

Photo 42: Giraffe from The Park Sharing Pasture with Livestock on Community land



source 121:Cambridge university wildlife conservation society (<http://cuwcs.soc.srcf.net>)

Among the Maasai, animals are sacred, given to them as a gift from God. Animals are also an important symbol of wealth and a source of livelihood for many pastoralists who sell their beef cattle in a livestock auction every Friday. Most of the beef is sold to butcheries in the nearby Nairobi City. Most of the households in rural Kitengela are male headed pastoralist homesteads. Their level of education is low, ranging from no schooling to 6 years of schooling. Most practise livestock production.

The livelihoods of the pastoralists living in Kitengela can be categorised into 4 main groups. These are: (1) diversified agro-pastoralists; (2) pastoralists with wildlife income; (3) marginal pastoralists and (4) wage earning agro-pastoralists (Nkedianye, Radeny, Kristjanson, & Herrero, 2009).

Table 32: Classification of Livelihoods of pastoralists in Kitengela

| <i>Livelihood Group</i> | <i>Description of Economic Activities</i> | <i>Annual Gross Income</i> |
|--|---|---|
| diversified agro-pastoralists households | Entrepreneurial and highly diversified. Engage in livestock production, trading, farming, business. | Have the highest gross incomes. |
| Pastoralists with wildlife income | More traditional herders. Benefit from wildlife conservation, alongside livestock keeping, under the wildlife conservation land lease programme (WCL) discussed in later sections of this chapter | Do financially well. Most of them have enrolled in a peps programme that help them to earn wildlife based income. |
| Marginal pastoralists | Mostly not doing well with their livestock and have limited alternatives like farming. | Have the lowest gross income compared to other individual groups. |
| the wage earning pastoralists | One member of the household earns an income from employment in public or private sector. Some of them have major success at farming. | Depend much less upon livestock than the other groups (Nkedianye, et al. 2009) |

Source 122: (Nkedianye, et al. 2009).

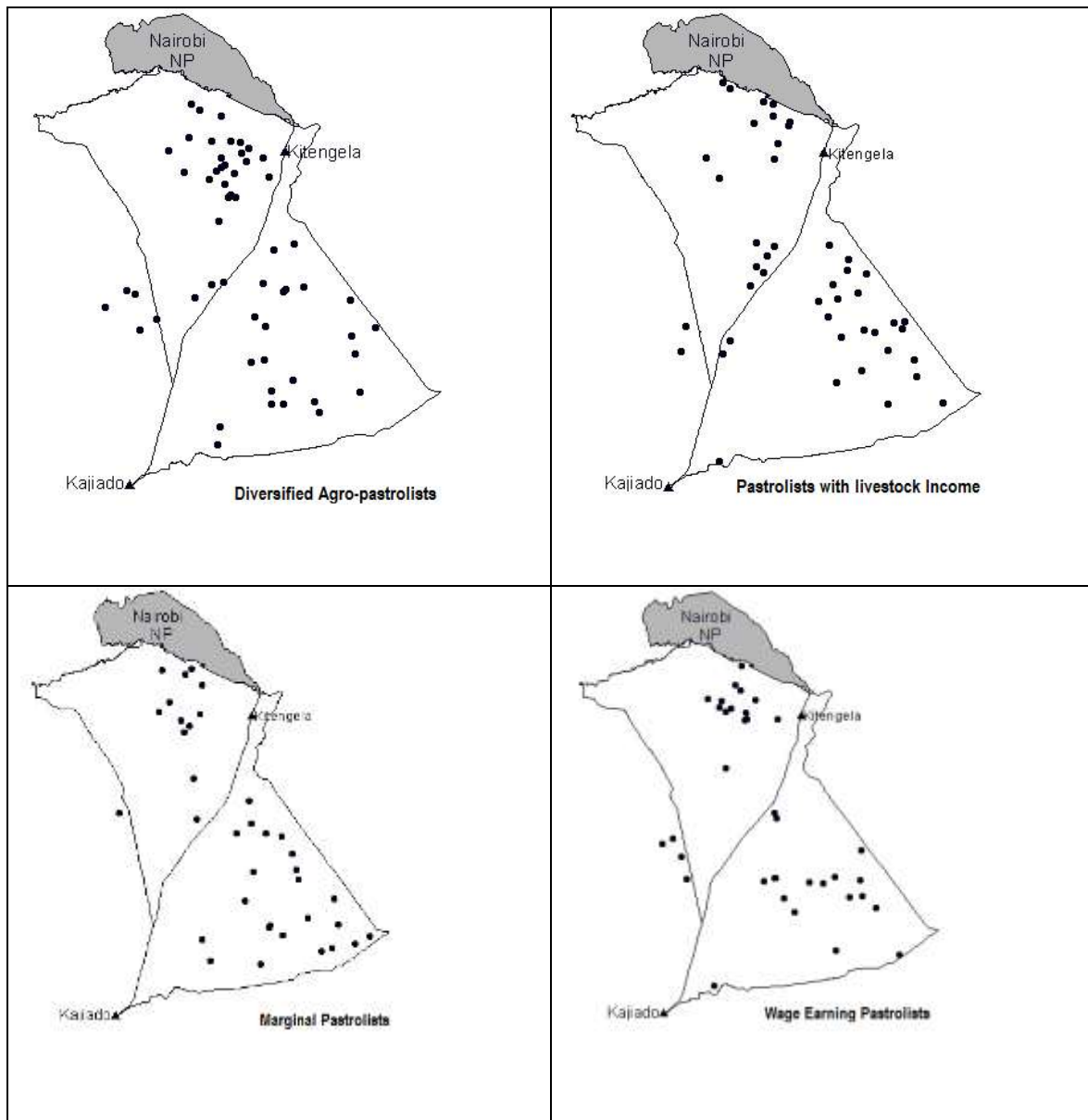
According to a study done by (Nkedianye, et al. 2009), many households in Kitengela (85%) are involved in non-pastoralist income-generating activities. these include wages and salaries (38% of households); business and petty trade (57% of households); and income from wildlife-related activities (14% of households).

Table 33: Gross annual income from non-pastoralist income-generating activities

| <i>Type of off-land income generating activity</i> | <i>Mean annual income (USD)</i> | <i>% of households</i> |
|--|---------------------------------|------------------------|
| Salaries and wages | 1250 USD | 38 |
| Business and trade | 1125 USD | 57 |
| Conservation and wildlife related income | 250 USD | 14 |

Source 123 : (Nkedianye, et al. 2009)

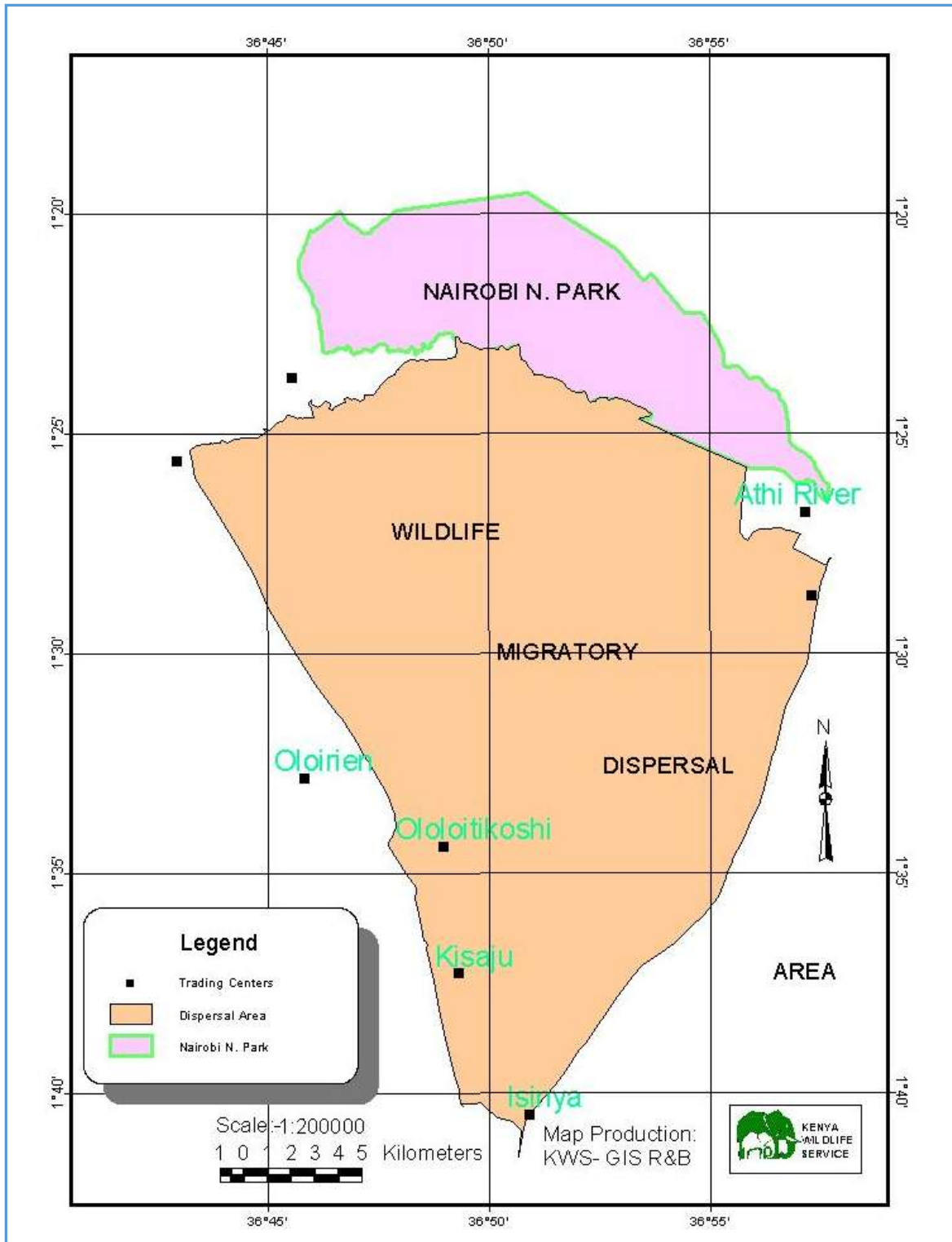
Figure 46: Spatial Distribution of Kitengela Households livelihood strategies



Source 124: (Nkedianye, et al. 2009)

The study by (Nkedianye, et al. 2009) noted that, “Very few households are earning other tourism-related income (e.g. from work as tour guides, community scouts, selling crafts to tourists, etc.)”. As can be seen from the earlier photo **Erreur ! Source du renvoi introuvable.**, the Kitengela Community Lands support abundant wildlife alongside the Pastoralist livestock. According to the Friends of Nairobi National Park, the Kitengela plains had been declared conservation areas during the colonial government, but the area was not formally gazetted as a protected area. Wildlife from the park disperse in the Maasai community land, shown in the map below, because NNP is too small to permanently support viable populations of many of the migratory mammals that rely on the area during the wet season.

Figure 47 Wildlife Dispersal Areas and Migratory Corridors in Kitengela



Source 125 NNP Management Plan, 2005-2015 (Odwori, Obare and Fridah July, 2014)

Over the past two decades, the Kitengela Community lands which are privately owned by the Maasai Pastoralists have undergone a process of subdivision, fencing, and conversion of grasslands to croplands, thus jeopardizing their capacity to

contribute to the dispersion of wildlife and the viability of the park (Odwor, Obare and Fridah July, 2014). This has also caused considerable changes in the grazing environments for the pastoralists and their livelihood options. The greater ecosystem which the wildlife from the park and livestock of the pastoralists rely on is under threat from rapid urbanisation. Changes in land use and livelihood strategies have resulted from a combination of urbanisation related process including, rapid immigration, high poverty rates, diversification of land-use activities with little planning and land tenure change.

Because land in Kitengela is under private ownership, people are free to sell any time they want, and many of them preferring to sell the land and invest in real estate, rather than keep livestock any more, even though income from livestock is higher (Odwor, Obare and Fridah July, 2014). This is partly attributed to increasing land use pressure for grazing resources, which is shared with wildlife from the park. A point worth noting here is that the Pastoralist Communities pastoralists are not allowed to herd their animals in the park, yet the wildlife from the park can graze in the community's land. The increase in pressure from grazing is the main reason they are selling their land more than anything else. During field work for this study, the pastoralists interviewed argued that the KWS should also reduce their wildlife in the same way they tell them to reduce their livestock.

The Maasai Pastoralists of Kitengela have been selling their lands in-order to invest in other types of enterprises, acquire capital for investment or meet significant household needs. Land values very near the park are higher because of the proximity to Nairobi City, the tarmac road and services and infrastructure. Therefore, there is more temptation among the Pastoralist Communities living next to the park to sub-divide and sell their lands. In 2004, the average amount of land held was 137 acres, ranging from 4 acres to 870 acres, a reduction of 46-73% since the land started getting sub-divided in the late 1980's (Nkedianye, Radeny, Kristjanson & Herrero, 2009).

According to (Nkedianye, et al. 2009) throughout Kitengela, there is an increasing recognition on the need to pay attention to both livestock and wildlife in order to enhance the tourism potential and returns from wildlife conservation. The people living near the park have smaller pieces of land, lower herds and livestock assets compared to the people living further down south from the park, who have larger herds and bigger pieces of land (Nkedianye, et al. 2009). Some of the coping strategies among some of the younger more educated pastoralist households include intensive livestock keeping with improved breeds, management practices aimed at improving productivity rather than herd management.

USES AND BIO-CULTURAL IMPORTANCE OF NAIROBI NATIONAL PARK

Two main categories for the uses of Nairobi National Park can be identified. These are the (1) the conceived (allowed) or legal which are largely non-consumptive of natural resources and (2) the consumptive uses, which are perceived (prohibited) and illegal, which entail direct consumption of natural resources. The legal (non-

consumptive uses) include wildlife tourism, urban recreation and leisure while the consumptive uses are grazing (herding) livestock in the park and collecting firewood and medicinal plants.

Conceived (legally allowed) Uses

According to (H. Lefebvre 1991) conceived use of space refers to 'prescribed' use, in other words, agreed, recommended or arranged uses of space. These are officially planned, formal and recognised or allowed by the authorities. They are the dominant constructs of space or representations of space, which dictate the ideal use of a particular space. Having being the first park to be gazetted as a protected area in Kenya, and so close to the city, for wildlife conservation, the dominant representations of space for Nairobi National Park are wildlife tourism, recreation and leisure. As a gazetted national park, only wildlife conservation and tourism are allowed by the government's park management authorities, since the colonial times when the park was created in 1946. In their informational brochure for visitors Kenya Wildlife Service emphasises on the wildlife watching experience, the natural landscape features and the picnic sites.

The related activities allowed inside the park are game viewing; corporate events such as bush dinners and team building video and film production; game photography; special events such as weddings; picnics camping in the luxury tented camps run by a private investor inside the park, popular among international tourists. The camp is run by Porini camps under the brand name of Nairobi safari game watchers. It belongs to a foreign owned company, which also offers camping services in other community lands elsewhere in the Pastoralist Communities land. Porini camps are very expensive, and one night's stay is the equivalent of one-night stay in a 5 star hotels. According to KWS, they do not have the capacity to support cheaper camping activities, which is ironical because the community this could probably be made possible if the park was managed together with the maasai community living in the south of the park, that hosts a lot of wildlife in their lands.

In reality, these user activities are not so non-consumptive, but considered so because the decision makers-more powerful groups consisting of government bureaucrats, conservationists deem them to be so. The maasai on the other hand have no voice in the how the park is used, despite sharing the same ecosystem with the park. This concurs with (H. Lefebvre 1991) theory on the production of space, on prescription of space, postulating that use of space is determined by the elite or more powerful actors or interest groups in society.

Perceptions of Park for International Tourists

The park is popular among international visitors who have come to Nairobi for a short stay and do not have time to visit other game parks in the country. The dominant conceptions of NNP as a wildlife tourism and recreation space is prevalent among international visitors. The park is sold as a good opportunity to view game in natural wilderness but very close to the city centre. However, in reality, most tourists that visit NNP do not specifically come to visit NNP. Rather, the majority are those

in the country for some business or a conference and then manage to squeeze in sometime to visit the park, as they do not have time visit other parks. On www.tripadvisor.com/ the park has received a lot positive reviews from international tourists such as:

"Although this is not one of Kenya's famous safari parks, if you only have a short time in Nairobi and want to see wild life then this is a worthwhile trip. We saw 3 lions, a rhino, several ostriches, many zebra, giraffe, buffalo, eland and other antelope and were very satisfied with our morning at this park."

Another park visitor commented:

"Doing a mini safari round the park is definitely worth it if you do not have the time or the funds to go on safari in the other national parks, such as the Mara. It is not guaranteed that you'll see all the animals you want, but it promises to be an unforgettable experience...Go very early, around sunrise, as the animals will be actively grazing/ hunting around this time. We saw so many giraffe, zebra, wildebeest and water buffalo, antelopes and gazelles, ostriches and monkeys, and we were lucky to see a family of three rhinoceros, catch glimpses of lions and even a hippo or two. I thoroughly enjoyed this city safari, as it exceptional to view animals in the wild, yet on the outskirts of a cosmopolitan city!"

All the reviews of Nairobi national park by tourists who have been there are mostly positive experiences and recommendations for other potential visitors who are in the city for a short stay to visit the wilderness park in the city. To this effect, KWS has done some branding called 'urban safari' to attract tourists and recreational seekers, where they remind readers in their brochures that NNP is the only Wildlife Park in the world that is in or close to the city; that still has the Black rhinoceros, an almost extinct species; and has a major rhino sanctuary for breeding and restocking rhinos. The advertising and marketing work is made easier by tour operators who advertise the Nairobi national park, as part of their tour package, as the only park in the world offering an urban wildness safari experience in the country.

Perceived (illegal) Uses of NNP

According to Lefebvre, 'perceived spaces' or 'spaces of representation' derive from the actual use and imagined use of space. Perceived spaces are the observed spaces of inhabitants and users. They are shaped by how they are understood through associated images, visions and symbols of their everyday use. In other words, they are 'the passively experienced space (s), which the imagination seeks to change and appropriate'. Such spaces may be public or private, they may overlay or disrupt dominant practices, or may take shape alongside them. Perceived spaces make symbolic use of objects and overlay physical space (H. Lefebvre 1991). Symbolic manifestations of this space include slogans, signs of protest and murals. In order to understand the formation of a representational space in any particular context, the study of 'the history of thought' is crucial, because representational spaces have their source in history (H. Lefebvre 1991). Lefebvre interprets representational spaces as embodying complex symbolism, sometimes coded, and sometimes linked to the clandestine or underground side of social life. In this case, these entail the imagined

and observed uses of the Nairobi national park by the community, both on the urban, peri-urban and rural side as well as uses perceived by local and international visitors.

Grazing/Herding in The Park

Lefebvre's perceived spaces can be seen operating through the images, symbols and visions of every day uses the Nairobi National park and its surrounding by the Pastoralist Communities pastoralist communities. The herders living the Kitengela area, in the southern peripheries of the park, would ideally like to utilize the park space as pasture lands for their livestock. Grazing inside the protected area by herders is the main perceived use of the park. During fieldwork for this study, many pastoralists living south of the Nairobi National park expressed interest in grazing their animals inside the park, especially during the dry season. Some of the interviewees stated they had grazed inside the park several times in the past, especially in the 1990s. They added that this was a risky affair, as one could easily get arrested and fined heavily by the KWS. Therefore, most herders took their livestock inside the park at night, to avoid getting arrested. In their opinion, they need to be recognised and accommodated inside the park during especially the dry season, where the biomass is usually high. Herding in the park during the day was taking place with the clandestine help of park rangers, despite being illegal. The community gives the rangers milk and meat (and sometimes money and sex) in return for being allowed to herd in the park.¹³⁶

One of the pastoralists interviewed, a man aged 60 and above and living in his *boma*¹³⁷ which is about 500 metres from the southern boundary of the park, said he had a lot of interest in herding inside the park, because it was very near his homestead. As a matter of fact, he added that he still takes his livestock inside the park every day, particularly during the dry season however, in the rainy season, and was nonchalant on the illegality according to the wildlife law. When asked where he grazes during the dry season, he answered,

"Grazing places depend on availability of pastures. Usually, I use the pastures on community land and migrate in drought to other places. The herding places during drought are usually Emali, Empuyiat and Portland which are very far. I am of course very much interested in herding inside NNP, because it is only 500 metres from my Boma. But this is not allowed to herd in the park. However, I graze inside NNP daily, especially along the riparian sections of the river, which is allowed."

In a different pastoralists homestead, within the same area, the answer was similar, and in the same tone. According to the household head interviewed, a woman in this case, the answer was similar,

"The grazing places for our livestock include the community land in Kitengela, Emali and Samuli... During the dry season, the herding places we usually go to are Emali and Samuli and of course in the park though illegally, and only at night. We have a lot of interest

136 information based on in-depth interviews with the director, the wildlife foundation

137 boma is a general word for homestead. It is swahili, Maasai and most kenyan lingua word.

in herding inside NNP, because we live near the park. The park is only 500 metres or less from our homestead. So, we heard inside there all the time, daily and especially at night. We fear the fines but we have no choices."

Interestingly, even the local government officials who are members of the maasai community in the area, graze their livestock inside the park. Interviews with one of them revealed,

"The main grazing places for my personal livestock are the community land. The herding places during drought depend on where there is pasture. I would like to herd inside the park. I graze inside the park, although it is illegal, but I heard only at night, especially during the drought seasons, because I have no otherwise. In the past, the government used to allow us to herd in the park at night during the drought season."

The candidness, casual admission and openness of this particular government official that he herds in the park were surprising. More shocking was the fact that he is job as a government officer entails maintaining law and order in the community. As he said,

"My job entails maintaining law and order in the community. I deal with different cases ranging from family disputes, shamba, boundary disputes, livestock and farmers and group ranch owners, reporting poachers and the like."

It is therefore contradictory that as a government official, who is supposed to uphold the law, when it comes to his personal activities as a pastoralist, reads the same script as the people he is supposed to arrest and report. This is quite a paradox, but understandable nonetheless, demonstrating the argument postulated by the article 'Ethnography of a forest Guard' by (Vasan 2002) that "public policies that involve or affect local communities... often neglect the characteristics, social conditions, perceptions and attitudes field levels implementers of policy."

Collection of Firewood (deadwood) and medicinal products

*Photo 43: Woman Collecting Firewood Coming Up from Hippo Pool*¹³⁸



Source 126: Fieldwork, 2014

The community on the southern side of the park is a rural, which mainly relies on traditional sources of fuel for energy. As such, women from the area collect firewood daily for their domestic needs from the parks southern buffer zones. Despite the risks involved, the very poor women in the community have no choice but to take the risk and collect the dead wood, both for their own domestic consumption and for sale to others, who might need. Most of the firewood collection takes place at the parks buffer zone areas, but it is still not officially allowed. The picture below shows one such women I spotted collecting firewood, together with her young daughter coming from near the rangers post and not too far from the hippo pool. Among the men, the fear of wild animals is much less; therefore, they collect medicinal plants, but cannot collect firewood because it is a woman's job. The men who collect medicinal plants are mostly the herders, who normally take the cattle out to the wild.

Spatial Practices or Lived Uses of NNP

Spatial practice refers to the lived uses or actual uses of space, whether they have been legal or illegal (H. Lefebvre 1991). In the case of Nairobi national park, we see a combination of tourism, leisure and recreation on the one hand and traditional livestock grazing on the other hand. Livestock grazing is important for the livelihoods of the maasai community. However, it is considered illegal to graze inside parks according to the wildlife conservation and management law. Part XI on offences and penalties, section 102 on breach of protected area regulations subsection 2 states that, *"no person shall enter into a national park with any livestock without authorization."* Sub- section 3 adds, *"any person who contravenes ...commits an offence*

¹³⁸ notice the bundle of clothes she is carrying having washed and dried them at the hippo pool site of the river

and is liable upon conviction to a fine not exceeding kshs. 100,000/- or 6 months' imprisonment."

The possibility of getting arrested and fined by the KWS rangers is high. However, despite the risks of getting caught and heavily fined, several of the pastoralists interviewed stated that they grazed inside the park during the dry season, as they had no choice. This is especially the case for the pastoralists living a few metres away from the park. A major concern of the KWS and conservationists is infiltration of poachers if pastoralists are allowed to enter inside the park. Together with tour operators, the KWS and conservationists the Maasai livestock in the park are seen as spoiling the image of the park, which is supposed to have only wild animals, for the sake of international tourists. Indeed, the pastoralists have categorically been told by the management of KWS, that they should not be seen inside the park with their livestock, as the tourists don't want to see them or their livestock, the tourists only want to see the wildlife.

Previous other studies confirm attest to the fact that the park is used by pastoralists for grazing in the dry season. Findings from a study by (Hazzah, et al. 2013) established NNP as one of the main national parks which used by Pastoralist Communities of southern Kenya during drought. According to their study, 85% of the respondents (n=631) from the Amboseli ecosystem attempted to take their cattle into a protected area during drought. Of this, 49% came to Nairobi National Park, from as far as Eselenkei, Olgulului and Mbirikani. Thus, during drought, NNP is not only used by the neighbouring Kitengela Maasai community, but also by pastoralists who have travelled from very far in the south. Despite evidence of the widespread practice due to the needs of the communities and the importance of livestock grazing during drought, there have been no attempts to make the practice legal. If anything, the new Wildlife Conservation and Management Act Enacted in 2014 has introduced stiffer penalties for any Maasai caught grazing in the park.

Nevertheless, there is a small provision that allows the Cabinet Secretary to make guidelines *"in consultation with the Service with respect to accessing national parks for purposes of grazing and watering of livestock in times of drought and other natural disasters"*. However, this is highly unlikely to happen due to the nature of conservation politics in Kenya, where the pastoralist communities are generally powerless, at the mercy of conservation NGOs and the governments, and whereby any attempts by the government to implement this provision would be mudslinged and bashed by the conservationists using any means. Some scholars have suggested such environmentalism policies by conservationists and government in the name of tourism and wildlife protection is tantamount to inhumanity (Hazzah, et al. 2013).

LEGAL FRAMEWORK USED IN THE MANAGEMENT AND CONSERVATION OF NNP

The policies and legislations used in the conservation and management of Nairobi parks in Kenya are synonymous with the policies for wildlife conservation in Kenya (Were 2005). Policies on wildlife management and conservation in Kenya focus on both conservation and non-conservation issues in and outside protected areas. The

non-conservation domain policies focus on the relationships between local populations and institutions and their human activities on the surroundings of protected areas as they come into contact with protected flora and fauna (Were 2005).

Pre-Colonial Era: African Traditional Regulations on Wildlife Use

The indigenous African populations always co-existed with wildlife, occasionally using them as a means of survival, which could be hunted, gathered or picked whenever the need arose. Indiscriminate killing of wildlife, apart from occasional food requirements, was unknown among the African cultures (Were, 2005). Wild animals had always posed some threat to the people, but these disadvantages were compensated by the meat, skins, hides, tusks and other products which the wildlife could provide. Wild animals were considered as an integral part of the community's support system, and the indigenous peoples had rules for the conservation, use and management of wildlife. Animals were killed, if need be, for food and not for fun. There were prohibitions on the killing of pregnant females and prohibition of hunting. There were also designated sanctuaries for wildlife, which were venerated as holy sites and protected against infringement. Sanctions were imposed on any violators by the village elders (Pimbert and Pretty 1995).

Colonial Era

Early Conservation Efforts

Various Fragmented game ordinances, regulations, policies and legislation were created during the colonial period for conservation of wildlife and their habitats. The Game Ordinance No. 4 of 1898 was first law enacted to regulate access to and utilization of wildlife in Kenya (Akama, Lant and Burnett, A Political Ecology to Wildlife Conservation in Kenya 1996); (Lado 1992); (Sifuna 2009); (Kabiri, 2010) (Waithaka 2012). It was issued immediately after Kenya officially became a British protectorate. This first law was developed in response to the fear of extermination of wildlife by European hunters who came on a free for all bases 'to undertake huge hunting safaris which resulted in the wholesale slaughter of wildlife'. (Steinhert 1989 and 1994); (Kabiri, 2010); (Waithaka 2012). The fear of loss of big game, particularly elephants, had been voiced as early as the 1870's The Imperial British East Africa Company (IBEAC) saw the Ivory trade as one easy way to secure revenue needed for the administration of the protectorate. There was concern on the possible loss of a much needed steady source of income for the state if the game was decimated. This was the case especially for elephants and rhinos, whose ivory was of high value, and acted as a source of steady income for the protectorate government (Meinertzhagen, 1957; Kelly, 1978; cited by (Kabiri, 2010). The protectorate government therefore started imposing licenses on European ivory hunters and prohibited the killing of female elephants in order to provide for the replenishing herds (Kelly, 1978 cited by (Kabiri, 2010).

Thus, the main objectives of the regulations were thus to control hunting, trade in wildlife and full protection of some endangered species in order to ensure

sustainable yield of wildlife, because of the commercial interest and value wildlife at the time (Steinhart 1994); (Kabiri, 2010). In these early times, hunting was only controlled among the Europeans, but not so much among the Africans, because their weapons were considered too primitive to significantly affect wildlife populations (Steinhart, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989). Secondly, it was difficult to control the Africans because they were distributed all over in the interior. Nonetheless, these early regulations set the tone for the creation of wildlife policies on hunting, and later the creation of parks in Kenya (Steinhart, 1994); (Akama, Lant and Burnett, *A Political Ecology to Wildlife Conservation in Kenya* 1996); (Kabiri, 2010).

Between 1900 -1945, other regulations focusing mainly on control of hunting and possession and trade of wildlife trophies were developed. This included; (1) hunting permits and licenses provided on paying a fee as required by Proclamation Order of 1917; (2) Prohibitions on granting of any game licences to 'natives' except with the permission of the Governor as per the Game Preservation Proclamation of 1920; (3) tighter controls on game hunting and expanded wildlife reserves proclaimed in the 1921 Game Ordinance put. These regulations marked the beginning of exclusion of the Africans from using and benefitting from wildlife and the habitats which had been created for animals (Neumann, *The Post War Conservation Boom in British Colonial Africa* 2002).

Creation of Game Reserves

Soon after the Game Ordinance Law of 1898 was passed, the colonial government issued a declaration to set up wildlife game reserves in the south and north of Kenya. In order to create the game reserves, indigenous people were removed from their lands, to native reserves created by the colonial government (Steinhart, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989); (Nelson 2003); (Akama, 2004). The most affected communities were the Maasai, Samburu, Kikuyu, Kalenjin and Pokot, in that order. (Chongwa 2012) observes, "the British wanted protected lands so that they could continue to enjoy their big game hunting safaris, while the locals acted as guides, porters and servants."

By the time the Kenya Uganda railway was completed in 1901, the British protectorate rule in east Africa decided to create more game reserves, which led to the displacement of more people from their land (Steinhart 1994); (Akama, 2004). The Games department was created shortly afterwards in 1907, with the mandate of administering game reserves, controlling problem animals from settler farms and control hunting and exploitation of big game by issuing hunting licences and arrest illegal hunters (poachers - who were usually the Africans, as they were deliberately prohibited from being issued hunting licences); (Steinhart, *Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya* 1989); (Steinhart 1994); (Kabiri, 2010). As (Chongwa 2012) cited by (Raxter 2015) observes, under the games department, '*all wildlife became the property of the crown, hunting by*

indigenous people was prohibited and no mechanism was created for local communities to utilize wildlife resources through non-consumptive means'.

Thereafter, in 1938 a conservation order stipulating the location, extent, characteristics and management of national parks in Kenya was passed. National Parks Ordinance no.9 of 1945 (also known as the royal national park order) then followed to provide for the protection of wildlife through the protected area concept. All wildlife resources were vested in the hands of the government by the law. The genesis of this law was in 1930, when the commission for inquiry in to the state of flora and fauna in the protectorate by the society for the preservation of the fauna of the British Empire recommended the establishment of permanent faunal sanctuaries to preserve biodiversity.

Creation of Nairobi National Park

In 1946, a year after the royal national park order was then passed the first national park in the country, the Nairobi National Park was created. (Chongwa 2012) observes that as the British interests in the region increased, so did the need to not offer only hunting safaris but also much needed recreation for the ever increasing settler population." With the influence of the safari hunting lobby groups, six more national parks were created by 1950, under the management of the game department. A board of trustees for national parks was then established around that time, comprising of only private European settlers, who reflected the European settler communities' interests as opposed to those of the African indigenous groups who depended on wildlife for their livelihoods (Steinhart 1994). The national parks from then on were created using USA conservation model based on deep ecology principles, of separating people from nature. Evidently, as (Honey 1999) cited by (Chongwa 2012) observes, "The birth of Kenya's protected areas did not bode well for the local communities who were immediately faced with challenges of displacement and human wildlife conflict".

Social Outcomes of Colonial Era Policies and Laws

(Steinhart 1994) observes that the national parks program spelled the start of many problems for African people who were either displaced from their lands to leave wildlife on its own, as well as ending the livelihoods gained from subsistence hunting for food and other wildlife related products that provided them a livelihood means. When setting up the protected areas in Kenya, the European colonists did not consult the Africans as the principle stakeholders in conservation (See (N. Kabiri, Historical and Contemporary Struggles for A Local Wildlife Governance Regime in Kenya. Chapter 6 in Community Rights, Conservation and Contested Land 2010); (S. Akama 1996). The Colonial government denied indigenous communities the benefits they traditionally obtained from the resource, by declaring wildlife as state property. The indigenous populations were made culprits of the protected areas.

Policies imposed by the colonial government, barred the utilization (settlement, hunting and gathering) of wildlife in the newly set up reserves, thereby disrupting the livelihood practices of the Africans. Many Africans were displaced from their

lands rendering them landless or internally displaced. Their interaction with flora and fauna inside protected areas was criminalized. Examples include the traditional seasonal hunting of wildlife practised by indigenous African populations, which was considered as poaching. (Steinhart 1994), further notes that the new system of national parks as wildlife sanctuaries created the concept of poaching, a colonial crime which involved the practice of subsistence hunting by Africans on crown lands such as tribal reserves, using traditional methods such as bows and arrows, traps and snares. These were explicitly outlawed by the colonial game laws. This was a quite a paradox in the African people's minds because the Europeans themselves killed animals, not for subsistence, but for the thrill, using more severe and effective weapons. Using the same policies, collection of dry twigs for firewood was restricted and violators were severely punished.

Meeting the European settlers' personal objectives formed the basis of the establishment of parks and national reserves. Other scholars (See (N. Kabiri, Historical and Contemporary Struggles for A Local Wildlife Governance Regime in Kenya. Chapter 6 in Community Rights, Conservation and Contested Land 2010); (S. Akama 1996) view the creation of these parks as having been the beginning of conservation problems and human wildlife conflicts in East Africa. Rather than conserving the parks for the overall enhancement and development of the colony, the reserved parks and reserves were commodified and sold in Europe and North America as tourism and recreational products associated with African adventure, safari hunting, camping, export of wild animals and game trophies, wildlife photography and other recreation activities. The commodification of the protected areas transformed them into "pleasure grounds for the west", with very minor conservation objectives (Akama, Lant and Burnett 1996); (Were 2005). Wildlife conservation was framed nationalistically, with ideas on the preservation of areas of scenic beauty being mobilized to promote a national feeling. Nationalistic sentiments of wildlife and landscapes fed and encouraged the romanticizing of the African savannah. In sum, the wildlife habitat conservation policies introduced by the colonialists were very exclusionist of and insensitive to the indigenous peoples' livelihood means. Writing on colonial land use and wildlife conservation policies in East Africa (Lado 1992) observes,

"early conservation ideas ...showed an apparent lack of concern for African peoples, whose lands were considered for the establishment of wildlife sanctuaries".

Post-Colonial Era: 1963-2014- Extension of the Colonial Legacy

Early Post-Colonial Era: 1963-1988

Sessional paper number 3 of 1975 'a Statement on the Future Wildlife Management Policy in Kenya' was the first policy developed for wildlife conservation after the independence from the colonial government (Lindsay 1987); (Mburu and Birner 2007); (Homewood 2009) and (Kabiri, 2010). It was less preservationist compared to previous policies and recognised the presence of wildlife outside protected areas (Lindsay 1987) (Mburu and Birner 2007); (N. Sifuna 2006) and (Homewood 2009).

Despite this recognition, wildlife utilization remained prohibited outside protected areas, and where it was allowed, (through game farming); it was burdened by strict regulation and supervision (Were 2005); (N. Sifuna 2006). Legal notice number 57 of 1976 set Regulations and prohibitions on import and exports of raw ivory (Masika 2012); (Wamukoya 2013).

The Wildlife Conservation and Management (WCMA) Act of 1976 was enacted shortly thereafter (Were 2005); (Sifuna, 2009). Its main objective was, *“To ensure that wildlife is managed and conserved so as to yield the nation in general and to individual areas, in particular, optimum returns in terms of cultural, scientific, aesthetic gains as well as economic gains, as are incidental to proper wildlife management and conservation and which may be secured without prejudice to such proper management and conservation.”*

According to (Were 2005),

“this objective was clear, but it fell short of specifying the specific activities that the act would perform to benefit the private areas or lands where the national parks and reserves are located and whose inhabitants are expected to play beneficial roles associated with wildlife conservation.”

The economic gains of tourism were intense and they occurred at the expense of the local people, especially the Pastoralist Communities who are always in persistent and accelerating conflicts with park wildlife over grazing and water resources (Campbell, et al. 2000); (Were 2005) and (Gadd 2005). This is because wildlife parks (including NNP) were created in important dry season grazing ranges, traditionally used by both wildlife and herders (Campbell, et al. 2000). These scenarios were accentuated by lack of involvement of the Pastoralist Communities in the management and utilization of these resources, as well as state tourism and wildlife policies which focused narrowly on the protection of park wildlife for foreign tourists (Akama, Lant and Burnett, A Political Ecology to Wildlife Conservation in Kenya 1996) (S. Akama 1996). The implementation of the 1976 policy was difficult because of ecological management problems and conflicts (Sindiga 1995) ; (Campbell, et al. 2000). This included an increase in poaching of some of the most coveted wildlife species and problems related to human wildlife conflicts, especially in areas adjacent or in the peripheries of the protected areas (Lado 1992); (Western, Russell and Cuthill, 2009); (Western and Waithaka, Policies for Reducing Human Wildlife Conflict: A Kenya Case Study 2005).

Legal notice number 120 of 1977 was passed to ban all hunting of game animals. The law was issued because Wildlife numbers were heavily affected due to sport hunting, which was still legal up to 1977 when this notice was issued (Steinhert, Hunters and Poachers and Game Keepers. Towards a Colonial History of Hunting in Colonial Kenya 1989); (Kabiri, 2010); (Sifuna, 2009). The aim was to conserve by completely prohibiting hunting of wild game animals inside or outside protected areas. Parliamentary Act, Number 5 of 1978 and the Legal Order Number 181 of 1979 imposed a ban on trading in wildlife products (Were 2005); (Sifuna 2009) (Wamukoya 2013).

Mid Post-Colonial Era: 1989-2013

In the late 1980s, the inadequacies expressed by the WCMA of 1976 were subsequently reviewed and amended into the Wildlife Conservation and Management Amendment Act No. 16 of 1989. The specific functions that were core to the mandate of the then newly created Kenya Wildlife Service (KWS) were improved in the amended act (Were 2005) (Mburu and Birner 2007). KWS was set up under the section 3 of the Wildlife Conservation and Management Act No. 16 of 1989, and it is currently the state agency responsible for the management of all wildlife in Kenya to date.

Table 34 Summarised functions of the KWS in the WCMA of 1989

| |
|---|
| <ol style="list-style-type: none">1) Formulation of policies for wildlife conservation, management and utilization;2) Advise government on establishment of protected areas;3) Management of National Parks and Reserves for tourism, extension services and public awareness;4) Sustenance of wildlife to meet conservation, research and management goals;5) Advise government, local authorities and landowners on wildlife conservation and management and6) Render services to farmers to enhance protection of crops and domestic animals against wildlife |
|---|

According to (Were 2005) these functions touched on issues outside protected areas that had been the cause of sour relationships between the conservation authority and the local populations that inhabit the surrounding of the parks. KWS was mandated to render service to farmers and pastoralists outside protected areas, by enhancing the protection of farms and domestic animals against wildlife attacks. The resurgence of hostility between communities and protected areas was the driving force behind the change of direction from adherence to bio-centric principles of deep ecology (Pimbert and Pretty 1995) to the inclusion of participatory approaches in conservation (Were 2005).

Table 35 Some Positive provisions made by the WMCA of 1989

| |
|--|
| <ul style="list-style-type: none">• Section 5B of the Act attempts to involve communities in the management of wildlife with provision for the establishment of Wildlife Advisory Councils (WAC) in areas where National Parks and national reserves are situated¹³⁹;• Section 57A (2) (b) of the WCMA makes it the responsibility of KWS to mitigate human wildlife conflict and provides for compensation for personal injury or death caused by wildlife¹⁴⁰. |
|--|

¹³⁹ However, these were not implemented because they were never created as required by law.

Source: Were, 2005

After the 1989 policy was enacted, the bureaucratic requirements of KWS were reduced, liberalizing the organisation from the parent ministry to act independently. This had impacts on the operations of the organisation, prompting the protection of wildlife conservation in the short run and improving security for both the animals and tourists outside protected areas.

Box 14 Criticisms levelled against the WMCA of 1989

- 1) Centralizing wildlife management to the state;
- 2) giving powers to the president to appoint the director of KWS without consultation or parliamentary approval;
- 3) Giving powers to the president to appoint the KWS board of directors without consultation or parliamentary approval;
- 4) Requiring the appointment of members of the wildlife advisory councils (WACs) to be done by the KWS board of trustees (section 5b) thus denying locals the opportunities to make decisions on who should represent them and diluting the provision of enhanced community participation;
- 5) Giving powers to the minister of wildlife to create national parks and reserves or sanctuaries (section 6, 18 and 19) in consultation with a “competent authority”, thus denying locals the chance to have a say in the creation of parks from their lands, leading to hostilities between the government and communities.
- 6) Failure to provide for community wildlife conservation areas of any kind and prohibiting the establishment of any game reserve or national reserve except with the approval of the minister showing how autocratic the WCMA is by disenfranchising the communities from participation in wildlife management, despite claiming to encourage the conservation of wildlife (see section 18 (5))
- 7) Section 62 on compensation for personal injury or death caused by wildlife creates a District Compensation Committee comprising national government officer at the District level to receive and consider applications for compensation, thus increasing bureaucracy in the process and preventing devolution of conflict mitigation measures to the communities (western and Waithaka, cited by Wamukoya, 2013)

Source: Were 2005

Social Political Outcomes of the WMCA of 1989¹⁴¹

Autocratic Management of Wildlife Resources and Abuse of Power

According to (Were 2005), the Wildlife Act of 1989 gave too much power and responsibility to the Director, KWS. Between 1989 and 1993 the State Corporations Act exempted the management of the KWS, from consulting with the parent

140 However, the bureaucracy in the compensation process made it difficult to implement the policy and created dependency and local inaction.

141 (Were 2005) is the main author whose work has been reviewed for this section.

ministry on all its activities. The director of the KWS, a white Kenyan emerged as an independent actor and an important stakeholder in the wildlife conservation agenda and arena in Kenya. He made decisions without the approval of the institution's management overgrowing his mandate. (Were 2005) observes that some accusations levelled against the KWS director then included being dictatorial, turning KWS into personal property, ignoring the opinions and suggestions from the county councils of Narok, Taita Taveta and Kajiado which have the communities that host wildlife outside the protected areas; practising racism by employing foreign and local Europeans in the organisation; paying Europeans employees their salaries in dollars and Africans in Kenya shillings; paying Africans lower salaries than Europeans even though they did similar and tougher jobs; tribalism in the employments of staff; incineration of 8 tons of ivory and rhino horns captured from poachers without informing or involving the ministry. The director defended himself against such accusation arguing that they were attempts by local politicians to grab and use KWS property. The supporters of the director, mainly Kenya Association of Tour Operators (KATO) and The Kenya Association of Hotels and Caterers (KAHC), mostly white entrepreneurs, appealed to the government to give the director and KWS more autonomy to implement its conservation programmes.

Lack of Revenue and Benefit Sharing

The law did not require KWS to share revenue with communities affected by wildlife and those living outside the protected areas. KWS was generally insensitive to the wishes of people living in the periphery of protected areas, and who bear the brunt of wild animals that roam freely into their farms and homesteads (Were 2005) (Akama, 1996) (Akama, Lant and Burnett 1996). Due to its partial autonomy from the state, the parastatal had secured colossal amounts of funding for the conservation of wildlife from western donors, and the World Bank, enabling it to implement its mandate effectively within five years. The national economy was in doldrums, with major donors having blacklisted the state's economic management policies and freezing economic aid. There were calls for channelling part of the revenue of KWS into non-conservation projects, especially in the neighbourhood of the protected areas. The government directed that 25% of all KWS revenues be redirected to the County councils and communities hosting protected areas, merely reiterating the revenue sharing policy which KWS had failed to implement. Despite the government directive, KWS did not share revenues with the communities. Instead, the western international aid donors supported KWS and its controversial director, arguing that corrupt Kenyan leaders were hoping to lay their hands on the annual revenues from Kenya's national parks, in particular the World Bank, who stated that they were very satisfied with the work done by the management of KWS. The World Bank and the opposition politicians formed the supporting camp of the KWS and its director, while the state and local politicians opposed the KWS.

Human Wildlife Conflict and Land Use

Despite having adequate knowledge of the land use and human wildlife conflict problems in the peripheries of protected areas, KWS ignored these problems. In the

eyes of the local inhabitants, the national parks were isolated island. The areas falling in the peripheries of the protected areas were seen as falling outside the domain of authority of conservation. Such mentalities among the KWS bureaucrats and scientists were due to the short sighted nature of conservation philosophies borrowed from western European and North American countries.

Due to such misconceptions of the relationships between wildlife and the neighbouring communities, KWS still grapples with the problems of human wildlife conflict. As such, they have been applying hard edge policies wherever possible, which involve fencing, using electric wires of an entire protected area 'to keep humans out of the protected areas', in the pretence that they are fencing in the animals 'to stop them' from destroying crops and other properties belonging to the community. Lack of Community Involvement

Even amongst some of its supporters, KWS was criticized for not investing parts of its resources in social or community development. KWS had failed to link its mandate to the existing regional and local economic, social and environmental problems. Some county councils which had million dollar earning national parks and reserves located in their midst suffered from lack of basic socio-economic facilities and infrastructure like schools, health centres, roads etc. Strong opposition towards KWS came from local politicians from these counties. Poverty amidst protected areas was seen as incompatible.

Later on, KWS realised that it was important to let the communities to participate, and started encouraging local participation. A community wildlife program was later speedily established to encourage participation. Wildlife farmers, wildlife fora and group ranches were encouraged to participate. The most vocal and influential were the white European wildlife farmers since they ran their wildlife farms as businesses targeting rich foreign tourists who enjoy sport-hunting (shooting over abundant species) and photography. Since they have a large stake and are rich, they are the most influential in the management decisions and policies made by KWS. However, KWS practised favouritism and discrimination in the allocation of wildlife user rights. It emerged that local European wildlife farmers were indiscriminately allotted user rights while aspiring African wildlife farmers were denied. In essence, they demanded that the director of KWS resign immediately. However, his supporters argued against it. Eventually, he resigned in 1994.

Late Post-Colonial Era: changes in policy

Wildlife Conservation and Management Act of 2013

The Latest Change in Policy is the Wildlife Conservation and Management Act of 2013 passed by parliament of Kenya and enacted in January, 2014. Prior to that, the country had been relying on the old Wildlife Conservation and Management Amendment Act No. 16 of 1989 discussed above. The process of reviewing the 1989 WMCA took sixteen years (16 years) beginning in 1997 and ending 2013. This was due a combination of competing political and stakeholder conflicts and interests. The

table below summarises the issues proposed and outcomes of the reviewed law over
the 16 years.

Table 36: Summary of The Review Process of The WCMA Act of 1989

| <i>Proposed Bill/Policy</i> | <i>Issues Proposed/ Emphasised</i> | <i>Outcome</i> |
|-----------------------------|--|---|
| WCM bill of 1997 | Public participation through wildlife user rights to land owners; A national wildlife association and zonal wildlife associations | Bill did not see light of the day |
| WCM amendment bill of 2004 | Consumptive utilization of wildlife; Reintroduction of sport hunting; enhanced compensation for loss of life and injury caused by wildlife | Taken to parliament for approval; vetoed by president. |
| WCM bill of 2007 | Community participation by providing for community wildlife conservation areas and sanctuaries; constituency wildlife associations and wildlife user rights. | Bill did not reach parliament |
| WCM bill of 2009 | Attempted to overhaul wildlife legislation; mostly a restatement of the 2007 bill; proposed changes in administration of wildlife management by creation of many state corporations to address different aspects of wildlife | Bill did not reach parliament |
| Wildlife bill 2011 | A realignment of the 2009 bill with the new constitution; provisions for new constitutional issues especially community participation and devolution. | did not see the light of the day |
| WCM bill 2012 | Restated aspects of 2009 and 2011 bills; | brought to cabinet in 2012; approved and sent to attorney general for approval where it stuck till may 2013 |
| WMC bill 2012 (amended) | A few changes done by the AG | Brought to cabinet for approval of the new changes; approved and published on 22nd July 2013 in Kenya gazette supplement number 107, national assembly bills no. 121. |
| WCMA Bill 2013 | | Enacted |

Source 127 Compiled and adapted from (Wamukoya 2013)

This legislation was enacted in 2014. It attempts to address some of the issues that have been quite challenging in the previous eras such as human wildlife conflict by giving compensation to victims of livestock killed by predators; wildlife user rights; wildlife crime; promoting wildlife based livelihoods; participation in wildlife management under the County Wildlife Conservation and Compensation Committees (CWCCC's) and wildlife research and training.

An interesting new provisions in the WCMA of 2013 is that upon successful registration of the applicant with the County Wildlife Conservation and Compensation Committee, land owners with wildlife on their land can undertake consumptive wildlife use such as (a) game farming; (b) game ranching; (c) live capture; (d) research involving off-take; (e) cropping and (f) culling (Part X, Article 80 No. 3), subject to approval from the county wildlife committee and permission granted by the Cabinet Secretary. This means that people can keep wildlife on their farms and land, with authorized licences from the KWS. However, these wildlife user rights can only benefit people with big pieces of land, particularly the European land owners in places like Laikipia and Naivasha (remnants of colonial settlers) who own large ranches with both livestock and wildlife. Besides, game farming and ranching are very expensive activities to undertake, beyond the reach of most of the local Pastoralist Communities populations. nevertheless, maasai landowners whose lands have abundant wildlife are now supported by the act to consolidate their lands and create conservancies for community based eco-tourism from the wildlife that roams on their land.

Despite the fact that communities living outside protected areas share their grazing lands with wildlife from the park, the new act put stricter penalties on pastoralists caught herding their livestock in the park, even during the dry season. It is interesting to note that the government and conservation NGOs encourages the communities to give up more of their land outside protected areas to wildlife conservation, in the form of community wildlife conservancies, yet they are not ready to allow use and access of pasture lands in national parks for marginal pastoralists even during the dry season, when there is usually abundant grass in the national parks and no grass outside the protected areas. As (Kabiri, 2010) notes, the devolution of wildlife management can only be entertained by the state on its own terms. Indeed, this is true, especially in the case of use and access to pasture lands in national parks for marginalized communities living outside protected areas is concerned.

Some critiques see for instance (Wamukoya 2013) have already criticised the new WMCA of 2013 noting that the new act paints a rosy picture of devolution of wildlife management to communities when in actual fact, the intention is for the state to keep control over the wildlife (and its habitats). The critics emphasize that while the act has a provision for devolution of wildlife management and public participation of communities through the creation of the county wildlife conservation and compensation committees, KWS is still responsible for setting up or recruiting its members (section 8). In essence, the created community committees will give the

communities the fake impression that wildlife management rights have been devolved to them.

The other issue is that the communities are much underrepresented in the membership of the county wildlife conservation and compensation committee (CWCC). In section 24, the membership of CWCC is specified as consisting of five persons from the national government agencies, one representative from the county government and four members from the community. This is very small considering that there are 47 counties in Kenya with a diverse range of sub-communities.

While the act seems to encourage community participation by allowing for the establishment of a conservancy or sanctuary (section 41), it requires: (1) registration with the CWCC and obtaining a permit from KWS (Section 67 (1)); a management plan for the proposed sanctuary or conservancy developed in consultation with CWCC and KWS (section 46). These requirements increase bureaucracy and reduce the decision making powers of the communities, with the KWS having an upper hand. Eventually, communities may be discouraged to participate due to the red tape, and may opt for land use options that do not require a lot of bureaucracy and paper work (Wamukoya 2013). Even if the other land use options, like subdivision and selling may involve some transactions with red tape, the financial returns are much higher and faster, and the communities may opt for this, e.g. in Kitengela. With all the regulatory activities introduced, it is clear that the state is still in control over the management of parks and wildlife in Kenya, compromising its ability to act only in the advisory capacity to communities (Wamukoya 2013).

Community Land bill 2014

Community land tenure was not recognised by the government of Kenya prior to the CoK 2010. It was previously held under different tenure regimes, particularly the Land Group Representative's Act, Cap 287 of the laws of Kenya. Community Land bill 2014 has since been developed to cater for community land tenure. The purpose of the community land bill is to provide for the (a) recognition, protection and registration of community land rights; (b) vesting in and holding of community land by communities identified on the basis of ethnicity, culture or similar community of interests; (c) management, utilization and administration of community land; and (d) holding of unregistered community land in trust by county governments (part 1, section 3 of CLB, 2014). The bill proposes the recognition, protection and registration of community land rights, an institutional framework for the management and administration of community land, special rights and entitlement in community land among other proposals. If enacted, the community land bill will establish governance structures for the management of community land which has wildlife resources, therefore devolving the management of wildlife. The bill has provisions for ensuring full participation of community members including vulnerable groups including physically challenged persons, women, elderly persons, children and youth (section 5(3)).

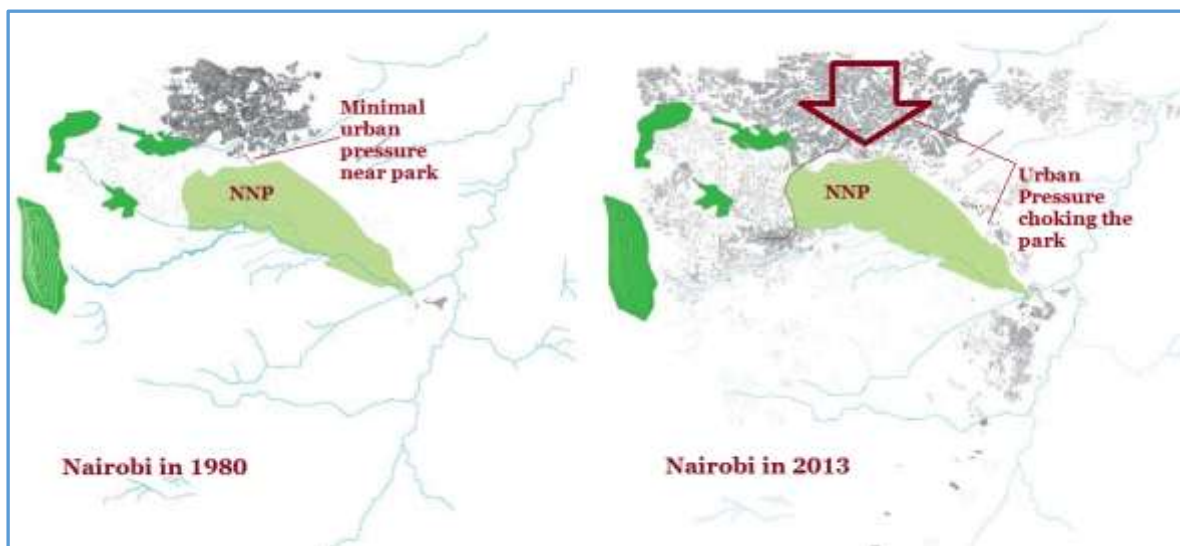
Just like the CLB, the Natural Resources (Benefit Sharing) Bill was developed and proposed in 2014. If approved by parliament and enacted, this proposed legislation will be 'an act of Parliament to establish a system of benefit sharing in resource exploitation between resource exploiters, the national government, county governments and local communities; to establish the Natural Resources Benefits Sharing Authority; and for connected purposes' (Part 1, NRBSB,2014). The law will apply with respect to the exploitation of: (a) petroleum; (b) natural gas; (c) minerals; (d) forest resources, (e) water resources; (f) wildlife resources; and (g) fishery resources (section 3 (1)).

Section 2 of the bill defines benefit sharing as *"the sharing of any benefits arising from the utilization of natural resources in a fair and equitable manner"*, while exploiter means, *"an organization involved in the exploration, appropriation or in any way extraction or use of a natural resource from the first point of contact for commercial purposes."* Exploitation means 'the extraction or use of a natural Resource for commercial benefit while "Local community" means a people living in a ward within which a natural resource is situated and are affected by the exploitation of that natural resource.

If enacted, this law will require organisations involved in exploiting or using natural resources for commercial gain to share revenues with the local community. This law is the only hope for ensuring that pastoralists communities in Kitengela at least get to benefit from wildlife from the Nairobi national park which they frequently host in their community lands.

CHALLENGES AND THREATS FACING NNP

Figure 48: Comparison Maps showing Urban Pressure Facing NNP in 1980 & 2013.



Source 128: (Ngumbau and Kathuli 2014)

Over the past 20 years, NNP has been experiencing insurmountable challenges related to pressures from urbanization and peri-urbanisation on all its vicinities. The major threats coming from the urban and peri-urban sides of the park include: (1)

pollution emanating from nearby residential areas, industries and flower farms which result in contamination of the parks water bodies; (2) Proposed and ongoing new road and railway infrastructure development and (3) encroachment of park by Illegal housing developments belonging to both the upper middle class and slums/informal settlements) in the parks buffer zone (Kenya Wildlife Service 2005). On the rural side of the park, the main threat faced by the park includes: (1) fragmentation of the wildlife dispersal to accommodate urbanization and peri-urbanization resulting in reduced dispersal area available for wildlife; (2) Human Wildlife Conflicts (HWC) and (3) fencing of land in the dispersal areas resulting in the blocking of animal corridors.

Infrastructure Development: Transport Corridors

Under a new political dispensation since 2002, the Ministry of Transport started in 2005, the process of implementing the major transport corridors (by pass roads) around the country which had been planned in previous master plans but never implemented in the corrupt Moi regime. Most of these transport corridors cut through Nairobi, and some of them are designed to cut through or run in the vicinity of Nairobi National Park. The infrasture plans have approved proposals to hive some sections of the park to make way for railways and highways. The major proposed and ongoing infrastructure projects in and around Nairobi national park include: (1) the southern bypass road in the parks northern border; (2) the greater southern bypass, proposed to run along the parks southern border and (3) the standard gauge railway.

Box 15 History on proposed excision to accommodate transport corridors

Discussions on excision of Nairobi National Park to accommodate transport corridors began in 1956, during the late colonial period. The earliest negotiations were for a railway reserve.¹⁴² However, the following year in 1957, The East African Railways and Harbours anticipated the need for a bypass railway station and marshalling yards so that railway traffic going upcountry did not pass through the Nairobi railway station and so that trains would move from Embakassi station directly to Kibera station and onwards to Nakuru. Kenya Railways Corporation (then East Africa Railways and Harbours Administration) and the trustees of Kenya Wildlife Services (then Royal National Parks of Kenya) agreed that land be excised for a marshalling yard measuring 342 acres and for a bypass line 75 acres. Official transactions took place between the railway authorities and the then Royal National Park (now KWS) which resulted in park boundaries being adjusted in favour of the railway infrastructure. According to aviation safety requirements, the airport would not allow the construction off a railway line immediately at the end of the runway and hence there was a need for a railway corridor to shift away from the Wilson airport for a short section. Despite having gotten the approval and set aside the land for the railway corridor, the government never implemented the construction for

¹⁴² Information gathered from interviews with a former chief estates manager of Kenya railways corporation (1991-1997) and archival documents in the Kenya Railways Museum.

many years to come. Thus, from around the mid 1990's, the railway corridors that were planned in the 1950's were partly illegally encroached upon by private developers who built high end commercial properties and some pockets of slums and informal settlements. The illegally allocated the railway reserve ran all the way from Mombasa Road, Likoni Road Junction (near Ole Sereni Hotel) and the junction with Langata road.

In 1985, the railway line reserve was redesigned to accommodate a road reserve. The draft Part Development Plan (PDP) number 42-28-85-9 of 17th May 1985 indicates that the road reserve for the Trans-Africa highway was designed to run contiguous to the park boundary but with some deviation into the park, around Wilson airport. In the early 1990s, the Government of Kenya with the support of Japan International Corporation Agency (JICA) undertook detailed design studies for the proposed 30km on southern by pass. The designs were corroborated by part development plan number 42-28-90-5 dated 4th September 1990. The JICA plan still necessitated shifting into the park as a result of the ICAO requirements. Initially, KWS objected to the design because the road alignment shifted in the park.

In 2005, during the negotiations and following consultations and after the consideration of all other options (including tunnelling the road), it became apparent that the tunnel option was too expensive and not feasible. More critical was the fact that the realignment was to ensure compliance with International Civil Aviation Organisation (ICAO) safety requirements of at least 570 metres clearance of the southern by pass from the end of the north-south runway of Wilson Airport. Subsequently, the KWS board approved the request to allow a section of the corridor be realigned through the park, but subject to the following special conditions: (1) Documentation of ecological effects of the proposed bypass into the park; (2) The concurrence of the Kenya Anti-Corruption Commission being sought; (3) Compensation of park land with land of equivalent value (ecologically) to be identified along the park boundary and (4) Cabinet approval.

Source 129: Compiled by author from documents provided by the Kenya National Highways Authority (Ministry of Transport) and the Kenya Railways Museums

The Roads and Railways Component¹⁴³

On 18th February 2011, the National Environmental Management Authority (NEMA) issued a license to the Kenya National Highways Authority (KENHA) for the purpose of "construction of the Nairobi southern bypass within the Nairobi road network master plan covering a total of 28.6 km." A few months later, precisely June 2011, the then minister of roads announced the government's plans to commence with implementing the construction of the Nairobi southern bypass in October the same year. According to the ministry in charge, the road was expected to link heavy traffic

143 See appendices on by pass

flow on Mombasa road near the Ole Sereni hotel and run along the Nairobi National Park fence, across Langata road and into kikuyu town.

The southern by pass would ensure transit vehicles especially heavy lorries destined for neighbouring countries be removed from Nyayo Stadium, City Centre and Westlands; ease congestion on several adjacent roads such as Langata and Ngong Road by drawing away traffic; improve access to NNP and animal orphanage which are heavily obstructed by traffic congestion. The minister also announced the proposed construction of the Greater southern by-pass, to run along the parks southern bypass. These would have a major effect on the movement of animals from the park, which is open in the south, to the dispersal areas and migratory corridors.

Fragmentation and Subdivision of Animal Habitats

As far as the viability and future of the greater parks ecosystem is concerned, the pressing challenge is emanating from the rural (southern side) side of the park, where the park is unfenced. Given that the park is too small to sustain the wild animals within (it measures 117 square kilometres), the animals from the park depend on community land outside the park which are privately owned. Therefore, the viability of the park sustaining its animal depends on dispersal areas outside the urban protected area in the south. However, these open spaces shared by the communities' livestock and wild herbivores from the park are increasingly under threat from urbanization and peri-urbanization, due to proximity to the expanding Nairobi city. Thus, one of the major threats facing the viability of NNP is that the community lands acting as dispersal areas for the wildlife have increasingly been sub-divided, sold and fenced to accommodate urban and peri-urban development, in the process blocking the wildlife migratory corridors which are pathways or routes in which game animals use when migrating from the northern parts of the athi-kapiti ecosystem to the southern parts in the Serengeti (Reid, et al. 2008).

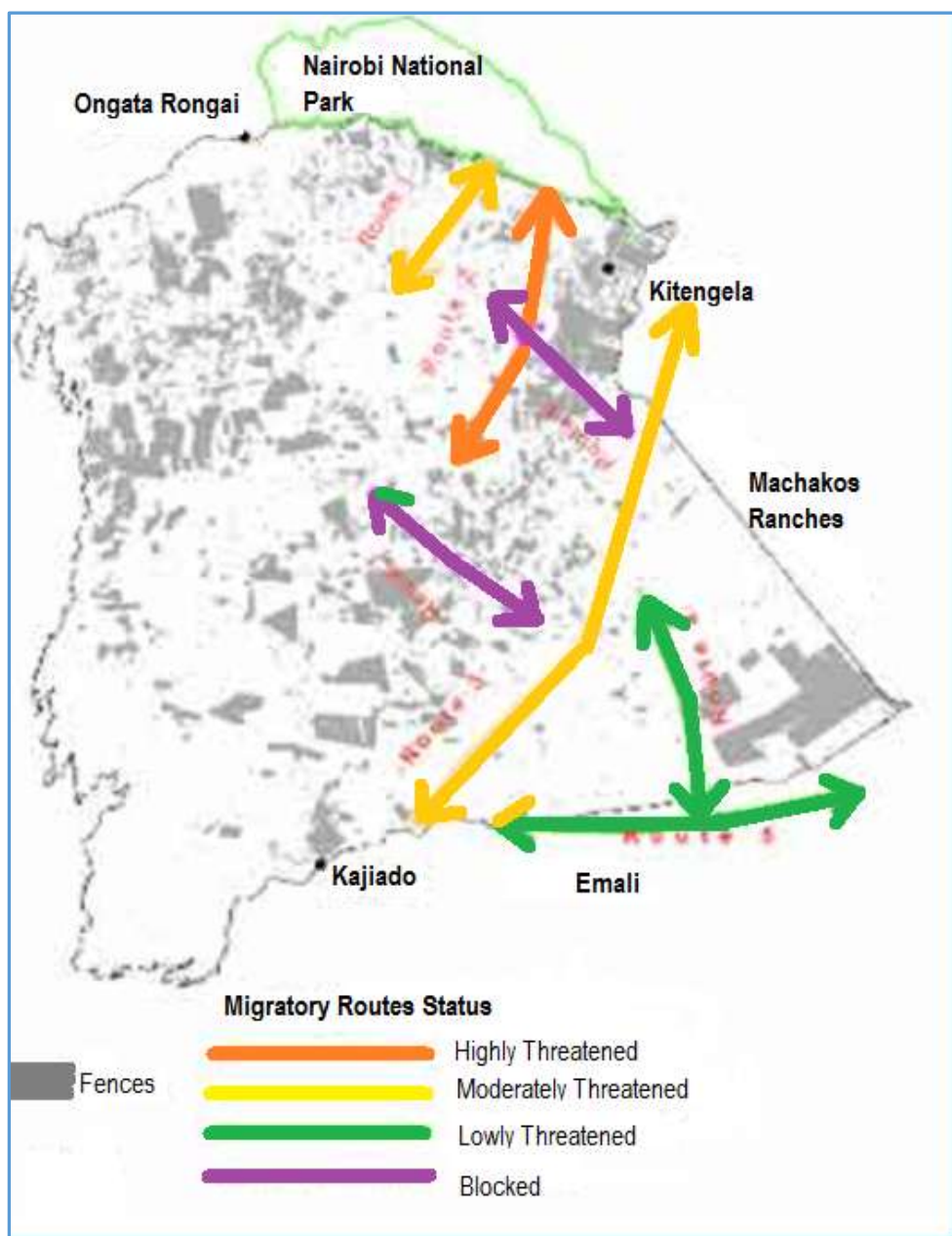
The pressure of urbanization in the area has since 2008, been taken very seriously by the government which envisages the expansion of urbanization of Nairobi's peripheries (GoK, 2008). Indeed, Kajiado County where Kitengela is located is part of the proposed Nairobi Metropolitan Region, a vision 2030 economic growth project for the country, which among other things, strategizes to support peri-urban development. Due to proximity to the city, land in the Kitengela wildlife dispersal area has become very attractive for people wishing to build and live in sub-urban homes (Nkedianye, et al. 2009); (Homewood 2009); (Reid, et al. 2008); (Nkedianye 2004); (Gichohi, 1996).

In essence, the region outside the protected area that the park depends on has become very attractive, therefore, the land values south of the park have become high, making it attractive for Maasai pastoralists land owners to sell their open rangeland for sub-urban development. Prior to the Nairobi metropolitan region plan, conversion of rangelands to settlement areas had already been going on at a fast rate, without any form of territorial planning, as urban residents purchase land in the rangelands, leading to sub-division, fencing and conversion of land use to non-pastoral uses. The sub-division fencing of land parcels in the once open

grasslands has blocked the paths for the migratory animals like the wildebeest, which migrate to the south towards the Serengeti every year.

Given that these plains have been utilized for centuries by both Maasai livestock and wildlife, with minimal influence from modernity and or urbanisation, such trends are negatively affecting the NNP ecosystem as a whole, which has an effect on the animal habitats and the migratory routes. This has been worsened by lack of policies planning for conservation and management of wildlife habitats outside protected areas. As it is now, the future seems very bleak for the wildlife habitats on which the NNP is dependent upon for its viability.

Figure 49: Migratory Corridors (Blocked and Threatened Wildlife Routes)



Source 130 (United Nations Environment Programme 2013)

There are deep concerns by environmentalists and conservationists that if nothing is done soon, to stop the fencing of land parcels, all the migratory corridors will be blocked, and animals will not no longer to move and migrate freely in the once open grasslands. This means that in the next 15 years, NNP will be just a zoo¹⁴⁴

Photo 44: One of the many fences in the dispersal areas blocking wildlife corridors



Source 131: Photo Courtesy of John Solonka, The Wildlife Foundation – Kenya

Human Wildlife Conflicts

Since the park is open in the south, naturally, the animals do not confine themselves to the park, simply because it is a park. This is especially the case during and after the rainy season, when majority of the herbivores leave the park to utilize short, fresh and delicious grass on the community land in Athi-Kapiti plains, where they also breed and calve (Owaga, 1975); (Gichohi, 2000). Consequently, the lions and leopards follow the herbivores outside the park, resulting in predation of the community's livestock, which are more docile than the animals from the park. The parks openness in the south into the rural community land has always resulted into a number of human wildlife conflicts cases, which are apparently increasing due to increasing human settlements in the area (Reid, et al. 2008); (Gichohi, 2002 & 2003); (Matiko 2014). Three main types Human wildlife conflicts were identified by this research. These were: (1) **predator conflicts**; (2) **resource conflicts** and (3) disease conflicts.

Predator Conflicts

These occur when carnivore's lion, leopards and hyenas from the park attack livestock and occasionally people, and then the community reacts to protect itself by

144 interviews with KWS Community Officer, Mr. Omondi.

hunting and killing the predators. Predator related conflicts continue to threaten the viability of conserving the parks lions, which are the main attraction for tourists and also the most endangered species in the park. This has led to a decrease in wildlife numbers, particularly the carnivores like lions, cheetahs and leopards, which are killed in revenge attacks by the communities. Besides that, there have been increasing cases of poaching of bush meat by other newer communities that are now settling in the area (United Nations Environment Programme 2013).

Resource Conflicts

These occur when the land owning pastoralists in the south of the park share their pasture and water resources with wildlife from the park, especially during and after the rainy seasons. In the dry season, when there is no more grass in the community land, the wildlife goes back to the park after using all the community pasture, leaving the livestock of the pastoralists with no pastures. On the other hand, the pastoralists cannot get into the park during the dry season, and their animals starve to death. Resource conflicts also include crop destruction. Some agro-pastoralists and farmers who plant crops occasionally experience crop destruction from the herbivores, which eat their foods (Imbahale, et al. 2008) (H. W. Gichohi 2000).

Disease Conflicts

Apart from the predator conflicts, there is also the spread of disease from wildlife to livestock in the plains (Bedelian, The Impact of Malignant Catarrhal Fever on Maasai Pastoral Communities in Kitengela Wildlife Dispersal Area, Kenya 2004); (Bedelian, Nkediye and Herrero, 2007); (Ngotho, Macleod and Mirangi, Perceptions and attitudes to malignant catarrhal fever (MCF) by the Maasai people of Kajiado and Narok Districts in Kenya 1999a); (Ngotho, Macleod and Mirangi, 1999b). Some migratory herbivores, particularly the wildebeest, have a natural annual travelling circuit through the Athi-Kapiti plains to Amboseli-Maasai Mara (southern Kenya) and Serengeti (Northern Tanzania), which means that they leave the park every other year, passing through community land where they also calve, especially during the wet season (Gichohi, 2000); (Gichohi, 1996). Naturally, when the wildebeest calve, the body fluids they release on the grass are very lethal. When any livestock ingests the grass from a section which was recently calved, they contract a deadly disease known as Malignant Catarrhal Fever (MCF) from the wildebeest body fluids. The disease is deadly and incurable. It kills the affected animal within a very short time (Ngotho, Macleod and Mirangi, Perceptions and attitudes to malignant catarrhal fever (MCF) by the Maasai people of Kajiado and Narok Districts in Kenya 1999a); (Ngotho, Macleod and Mirangi, 1999b); (Bedelian, The Impact of Malignant Catarrhal Fever on Maasai Pastoral Communities in Kitengela Wildlife Dispersal Area, Kenya 2004); (Bedelian, Nkediye and Herrero, 2007); (Reidet.al., 2008), (Gichohi, 2000) (Imbahale et al., 2008). According to the community, if any livestock which is not vaccinated against MCF ingests the grass from a fresh section used to calve by the wildebeeste, they contract the deadly disease. These landowners said they could not afford to vaccinate all their animals as it was too expensive. Hence, they preferred to prevent disease spread to their

livestock by fencing out the animals. However, KWS denies that MCF disease is a problem. According to interviews with the veterinary officer at KWS, the disease takes care of itself, because only the livestock that is affected gets to die without spreading to other animals. Conservationists as well do not acknowledge anywhere that the disease is a problem. Infact, if anything, the conservationists say the Maasai cattle are the ones that transmit diseases to the wild animals (social media discussions with conservationists on Kenyans for Wildlife Facebook forum). Indeed, studies have shown that the Maasai pastrolists resent the fact the disease has been ignored by government and and international donors in favour of wildlife conservation (Cleveland, 2007); (Cleveland, Kusiluka, et al. 2001).

Box 16: Case Study Incident On Human Wildlife Conflict (Predator Related)

One of the major incidents of human wildlife conflicts happened on 20th June 2012, when 6 lions were killed by the maasai community bordering the park in Kitengela, in revenge attacks. This happened after a pack of lions entered into a livestock shed after 11.00 pm at night and attacked 13 sheep and goats. The owners and the community called KWS to inform them of the attack at the said hour. The longer the community waited for KWS to come and tranquilize the lions and take them away, the more the community members got agitated. By 2.00am in the morning, the KWS had not yet arrived to remove the lions. By this time, the members of the community got angrier and reacted by killing the lions (Interviews with John Solonka, Field Operations Officer, TWF). The lions were killed right in front of three armed Kenya Wildlife Services rangers, who had come to the scene earlier, without tranquilizing dart guns and so could not do anything to relocate the lions. The three rangers had tried to persuade the community not to kill the lions unsuccessfully. Despite having guns, the three KWS rangers were threatened by the community, who refused to negotiate with the rangers about the lion killings and told them to keep off. The elders of the village also tried unsuccessfully to negotiate with the young morans. According to media reports in the Star Newspaper, the young men who speared the lions operate a community vigilance group known as 'Operation Linda Ng'ombe' translated *'Protect Livestock'*. According to some members of the community interviewed, they were incurring a lot of livestock loss and KWS did not bother to compensate or console them for livestock losses due to strayed animals from the park. Many times, they do not even go to the scene to confirm the mauled livestock. So, the community felt justified to kill the lions. Secondly, whenever their livestock was killed, the money they were never paid any compensation (only a consolation payment by a program run by an NGO in the area, TWF. The consolation payment was well below market value of their animals, hence dubbed, 'consolation fee'. Additionally, many times they were never compensated because KWS was not mandated to compensate the losses. Thus, their major issue was the insensitivity of the KWS, therefore the anger and motivation to kill the lions in retaliation. According to the community, KWS does not care much about their livelihoods and welfare, as much as they care for the lions. However, KWS gave a different story of what actually transpired according to the press report published on their website, just after the incident. According to KWS, the community had been incited to kill the

lions by local politicians with selfish interests. A comment by the Senior Warden of Nairobi National Park after the incident expressed this sentiments, showing the position of KWS on the matter,

“This is impunity of the highest order perpetuated by greedy leaders of the local community. This is cheap politics that is being played here because how can the same people who are the chief beneficiaries of wildlife preservation in Kenya kill lion cubs. They are heartless, greedy and backward. I am not ashamed to say they are headless leaders who do not see beyond their noses” (Comment on *The Star Newspaper Report* on 21, June 2012)

Talking about the consolation fees for compensation for livestock given to the community by NGOs’ the senior warden added,

“It is wrong for the elders and other Masai leaders to use the delay in enacting the Bill as an excuse to kill animals. At the end of the day, they benefit the most from the compensation fund that come from the friends of wildlife conservation in the diaspora”.

According to KWS, they had been funding the consolation program and it was wrong for the community to kill the lions, when they would still have been compensated. Thus, the position of the KWS was that the lion killings were politically motivated.

Source 132: Compiled from interviews with stakeholders and media reports on the incident.

Fencing of Land in The Dispersal Areas

Box 17: Reasons for Fencing According (Based On In-Depth Interview with Mama Pato)

An in-depth interview with Mama Pato, one of the landowners who had decided to fence their 250 acres of land in mid-2014 revealed deeper reasons not necessarily related to money or urbanization, as to why her household and her neighbours (other maasai landowners) in the area had decided to fence their lands. The particular household studied was located abit far away from the park, but in the dispersal area abundant with wildlife herbivores and in an essential wildebeest migratory corridor. One could argue that they were uneducated or unaware about the benefits of wildlife. However, this was not the case because their socio-economic profiles revealed they know better. For instance, in addition to pastoralism, the husband who is the household head is well educated person, working as a high school teacher. As the he was away at work at the time of the interview, I talked to the wife (Mama Pato), who stays at home, grows her own vegetables in a small garden in their compound and takes care of their livestock (by supervising the herders she has employed). The couple has five children who are all young adults (a combination of newly married, university graduates and just finished high school). During the interesting informal interview, I conducted with her, she revealed the reasons which motivated her husband and other landowners in the area, to fence out wild animals from their land. The reasons she gave for fencing of land by her household and other landowners were:

To store grass-banks

The first reason highlighted was the need for fencing in order to grow and store grass banks especially for use in the dry season. Growing and storing of grass banks is a new coping strategy and trend that the pastoralist communities seem to be adopting. This is understandable especially now due to the high competition for

food, land and water resources, between the wildlife from the park, the individual and community livestock and land use pressure from increasing urbanization amid the already subdivided lands. Therefore, this particular household was fencing their land to store grass for their individual livestock to use, especially during drought season. Storing grass banks has also become a commercial venture, especially for large land owners. During the dry season, the small land owners said they pay the large land owners kshs 20/- per livestock head to use their grazing lands.

To prevent livestock being attacked by diseases from Wildlife

According to interviews with the community, one of the main reasons given by the landowners for fencing their land is the necessity to prevent their livestock being infected by the Malignant Coast Fever (MCF) acquired from wildebeest. Some of the land owners had enough of their animals being killed by the MCF, and therefore they decided to fence their lands. One of the households interviewed located in the area abundant with herbivores and calving wildebeest informed this research that two of their livestock had been killed in June 2014 by the deadly Malignant Coast Fever (MCF), which is transmitted from wildebeest to cattle, sheep and goat. According to the elderly woman landowner interviewed, her husband decided to fence their land after the incident to prevent their animals being attacked by MCF again. She added that their animals were not vaccinated from MCF, because it was too expensive to vaccinate their large herd of cattle. She reiterated that several households, including many of her neighbours prefer to fence and segregate their animals, especially if the animals are many and not vaccinated against MCF. She argued that they don't get any benefit from wildlife or KWS, incur many costs and thus do not see the need to accommodate problem wildlife anymore. However, she added that they have no problem co-existing with wildlife, as they have always done. The problem was the costs associated and lack of any sympathy, even of the moral kind, from KWS.

To prevent loss of livestock to carnivore predators

Mentioning the exact date of the incident, Mama Pato recounted that her household had also recently lost some sheep and goats to a Hyena. She added that this was a very big loss to them, and the KWS did not compensate nor even sympathise. To add insult to injury, when they reported the hyena attack to KWS, they were told to go and hunt for the hyena that killed their livestock and kill it. As she narrated the experience, she was clearly incensed by the attitude and statement of KWS. In her opinion, KWS were very insensitive to the plight of the community. To demonstrate this point further, she went on to say,

"kama ingekuwa ni simba ndio iliowa, hao watu wa KWS wangepimbia hapa haraka sana na hizo magari zao, kuchukua hiyo simba, lakini sababu ni fisi, hawajali fisi, hata wantuambia ati tuende tutafute hiyo fisi iliowa wanyama wetu na tuiuwe. Wewe unaeza imagine" (Translated) "if it was a lion which has been reported as having killed livestock, the KWS officers would have rushed to the area immediately with their rescue team, to save the lion, but because it was a hyena that was reported, they don't care, infact, they told us to go and look for the hyena that killed our goats/sheep and kill it. So you can imagine!"

The interviewee expressed more sentiments saying that for KWS, the Lion was obviously more important than people. From her tone during the conversation, the

arrogance by KWS to their plight for the last incidence seems to have sparked her husband into action. Clearly outraged, he decided to fence his land. To her household and others in the area in similar situations, the losses incurred from competition for resources with wildlife, the predator carnivores and poor attitude of KWS were just not worth keeping their lands unfenced. The situation is worsened by lack of any more monetary incentives to keep their lands open.

Source 133: Fieldwork, 2014

According to fieldwork carried out for this research, fencing of land was not only caused by subdivision and selling of land to accommodate urban and peri-urban developments, but other deeper reasons related to human wildlife conflicts (pasture, disease and predators). Therefore, not all landowners fence their parcels due to selling and subdivision. Many of the land owners infact hold traditional values and would rather not sell their land so as to maintain their culture and so that their children can inherit the land as per tradition. The reasons given for fencing were associated with overcoming the high competition for food, land and water resources, between wildlife from the park, other people's livestock and land use pressure from increasing urbanization amid the already subdivided lands. Indeed, during interviews with some of the landowners, the study found out that there is a new emerging trend of fencing to store grass banks, to be used in the dry season among the landowning pastoralists in Kitengela. In order to store grass banks or make hay, one would need to fence their land for effectives and efficiency. In an already fragmented ecosystem that is supposed to rely on open grasslands, it is understandable why the landowners who once lived communally sharing grasslands are now preferring to fence their lands, even when they are not planning to sell or subdivide. These and other reasons are highlighted in the box below, based on an in-depth interview with one of such landowners.

ANALYSIS OF CONSERVATION INTERVENTIONS TO INCREASE THE VIABILITY OF NNP

Overview of Interventions

Over 100 local, national and international NGOs are listed by KWS as conservation partners, actively involved in the management and protection of Kenya's wildlife and their habitats. Many of these NGO's are known to be 'some of the strongest in Africa' (Raxter 2015). These NGOs support the activities of KWS by engaging in activities such as education and awareness raising, fundraising, patrolling areas adjacent to parks, monitoring of wildlife numbers, intelligence gathering on wildlife related crime, research and data management. In line with international trends of the past two decades, many of the NGO's engage in 'direct action, advocacy, involvement with setting government policy agendas and other political decision making' (Griffiths 2010) cited by (Raxter 2015). Increasingly, many of them are deeply involved in driving the development of community based natural resource management (CBNRM) schemes.

Within the NNP ecosystem several international and national NGO's have initiated an array of conservation interventions to save the larger ecosystem of NNP, both the animals and their habitats. Their interventions are therefore focused on halting wildlife habitat loss and preventing Human Wildlife Conflict (HWC) with the associated Retaliatory Killing (RK) of predators "from the park" by the neighbouring *Maasai* community. At least six main interventions can be noted, as having been implemented and initiated by a coalition of international and national wildlife conservation NGO's. The initiatives include those that focus on: (1) Preventing Habitat Loss, that is (a) Wildlife Conservation Lease (WCL) Programme; (b) Land Use Master Plan (LUMP); (c) Community Conservancy Concept (CCC) and (d) Protests and Campaigns against proposed and ongoing infrastructure (transport corridors) development in or within the park environments and (2) Preventing Human Wildlife Conflict and Retaliatory Killing of Predators by the community include: (e) the Lion Entry Deterrent (LED) system and (f) Consolation Programme (CP). The following sections attempt to analyse these conservation interventions and their various issues, as implemented in the ecosystem of Nairobi National Park.

Wildlife Conservation Lease (WCL) Program

Description and context

WCL is a Payment for Ecosystem Services (PES) program which works by paying land lease payment benefits to landowners to keep their lands open for wildlife dispersal and prevent conversion of land to uses incompatible with wildlife conservation such as urban and peri-urban development, industry and agriculture. Land owners were paid USD4 per acre per year. Depending on the amount of land owned, the average participating households were paid 400-800 USD per year for the lease of their land for wildlife conservation purposes (Matiko, 2014).

The programme was implemented in the Kitengela region, on private community land within the Athi Kapiti Ecosystem, to the immediate South of Nairobi National Park. Participants joined on a voluntary basis and a written contract was signed between the individual landowners and the implementing NGO. Landowners who signed up their land to the programme were required to have: (1) land adjacent to Nairobi National Park; (2) unfenced and subdivided land (3) proof of land ownership in form of a title deed (Field Interviews, 2014¹⁴⁵; (Matiko 2014). Once signed up for the land lease programme, land owners were required to manage their land for the benefit of wildlife and sustainable livestock grazing by: (1) Leaving their land open without installing any perimeter fencing; (2) stop any cultivating, mining or quarrying in any manner the land under WCL; (3) keep land under lease free of buildings or any other structures and protect indigenous plants and trees (Matiko, 2014); (TWF, 2016).¹⁴⁶

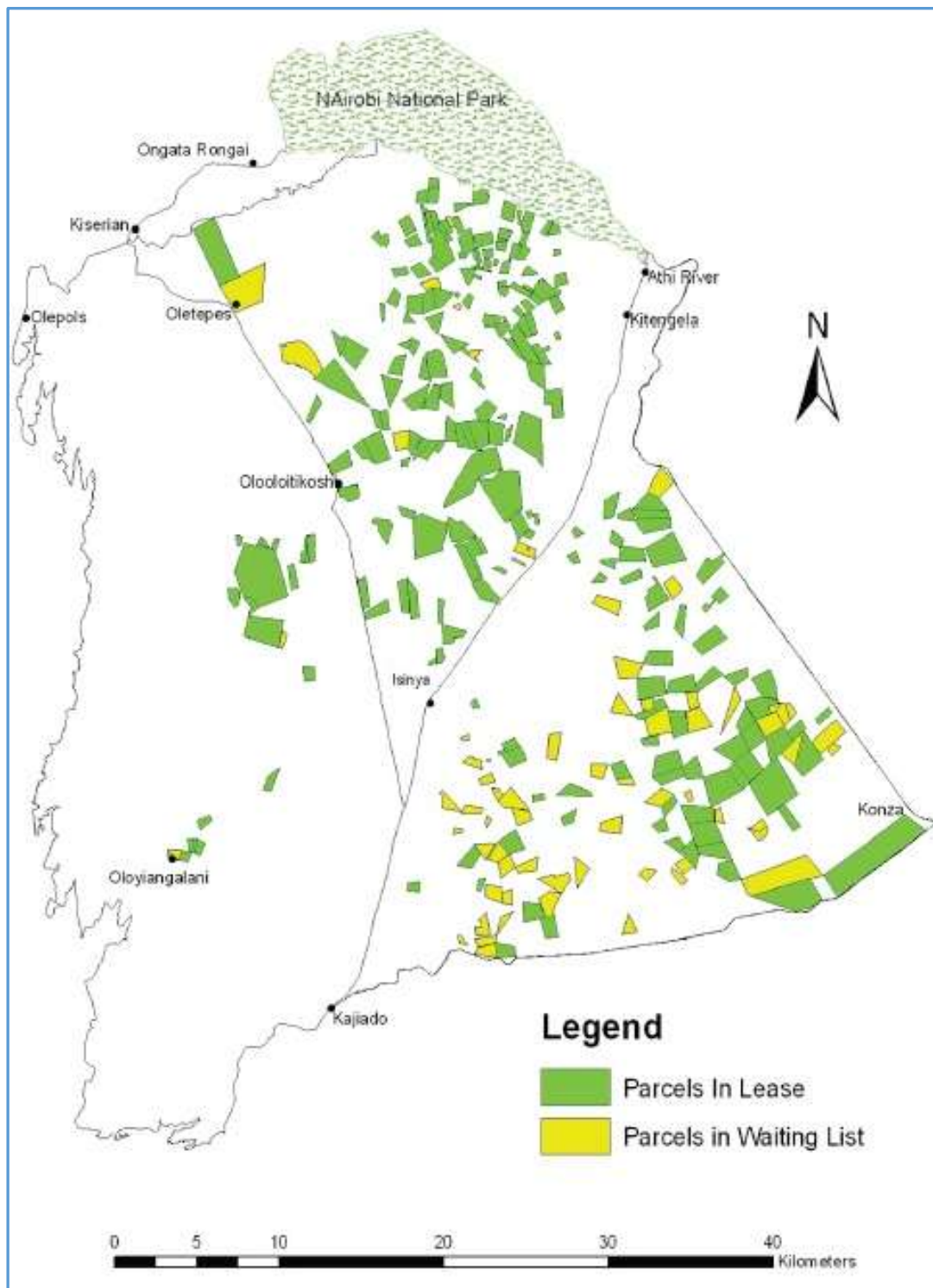
The lease program ran from 2002-2012 and was implemented in two phases. During the first phase (2002-2008), the WCL programme faced resistance and low enrolment

145 Information given by Mr. John Solonka, Director, Field Operations- TWF

146 <http://wildlifefoundationkenya.org/programs/>

by the Maasai landowners (only 18 families signed up) because the majority were suspicious of the intentions of conservation NGO's and government, believing it was a ploy to steal their land for wildlife conservation. According to an interview with an official of TWF who was implementing the WCL programme, the community *"said the government took their land before...they gave the example of NNP, sheep and goat land and of several other lands taken by the government, mostly parks"*. In the second phase, the community members were more open and enrolment increases to over 394 households because *"they (the community) had seen that those who accepted the WCL did not have their land taken by the government and they are benefitting from WCL by sending their kids to school."* The enrolment increased rapidly despite giving the same amount of 4 \$ per acre per year.

Figure 50: Land Parcels enrolled in lease program for 2008-2012 period



Source 134: The Wildlife Foundation, 2014¹⁴⁷

147 <http://wildlifefoundationkenya.org/programs/>

Stakeholders and their roles

Table 37: Funding for the Wildlife Conservation Lease Programme from 2007-2012

| <i>Funding Institution</i> | <i>Amount (USD)</i> | <i>Period</i> |
|---|------------------------|---------------------|
| World Bank -Global Environment Facility (GEF) | 792,000 ¹⁴⁸ | 5 years (2008-2012) |
| The Nature Conservancy (TNC) | 150,000 | 3 years (2007-2010) |
| Kenya Wildlife Service | 64,000 | 5 years (2008-2011) |

Source 135: (Osano 2013) based on TWF data

Most of the funding for the WCL programme was provided by the Global Environmental Facility (GEF) of World Bank under the Medium Sized Project (MSP) category. The first phase- the pilot - ran from 2002-2008 and was solely funded by World Bank- GEF Facility and implemented by the Friends of Nairobi National Park (FoNNaP), a registered civil society organisation. The second phase run from 2009-2014 and was implemented by The Wildlife Foundation (TWF) - Kenya a local NGO which is a child of The Wildlife Foundation (TWF) - USA. In addition to main funding by the World Bank's- GEF, several other conservation NGOs and KWS contributed to the lease programme funds in the second phase, as above.

Objectives of The Wildlife Conservation Lease Program

The main objectives of the lease program were to ensure long-term ecological viability of Nairobi National Park by maintaining seasonal dispersal areas and migration corridors on adjacent privately owned lands and demonstrating the use of wildlife conservation leases as a conservation tool outside protected areas. The sub-objectives of the programme were: (1) Increasing conservation land through wildlife conservation leases (WCL); (2) Institutional strengthening and information dissemination; (3) Enhancing long-term sustainability.

Table 38: Summary of Specific Objectives of the WCL Programme

| <i>Objective</i> | <i>Strategies to Achieve Objectives</i> |
|--|--|
| i. Increasing conservation land through wildlife conservation leases | Increasing area under contractual commitment for wildlife use (WCL) signed between TWF and private landowners and strengthening commitments through introduction of multi-year leases. |
| ii. Institutional strengthening and information | Developing the capacity to administer expanded WCL program efficiently and to the satisfaction of program participants and funding sources and increasing |

148 In the request for endorsement/approval document to the World Bank, GEF was to provide \$270,000 "up-front" seed financing for wildlife conservation leases upon signing of the Grant agreement. The remaining \$270,000 of the GEF funds for WCL were to be provided on a 1:1 matching basis once TWF mobilized cash contributions from other donors. The document stated that the matching GEF funds would not be provided until the confirmed co-financing was provided. The chairman of TWF who requested for the funds from the WB indicated in the document that there was some confirmed co-financing from other NGO partners including the African Wildlife Foundation (AWF); KWS and others. This, according to TWF, included some funds already provided or committed by KWS and by NGO partners during the period of GEF project preparation, specifically leveraged by the anticipated GEF funding.

| | |
|---|---|
| dissemination | awareness of and interest in WCL and similar approaches in East Africa’. |
| iii. Enhancing long term sustainability | Taking key positive actions on land related policy and institutional measures that support the maintenance of wildlife and habitat (joint objective with USAID – AWF Kitengela Conservation Project (KCP); reducing human wildlife conflicts in the project area; increasing the amount and reliability of funding for WCL during and beyond the project. |

Source 136: (Osano 2013)

The payments made by WCL program were supposed to help in achieving the objectives above, by giving incentives to local Pastoralist Communities families to steward a mutually beneficial relationship between their land, their livestock, and local wildlife (Osano 2013). The idea was to encourage and helps pastoral landowners to: (1) retain ownership of their land; leave land open, uncultivated and un-subdivided; (2) graze livestock sustainably; (3) share both pasture and water among livestock and wildlife; (4) allow free movement of livestock and wildlife and support secondary and university education for their children (Osano 2013) (Interviews with TWF, 2014)¹⁴⁹. In their website, TWF- the latest implementing NGO for the lease payments, ‘the program has been successful and has especially empowered women as they are the ones who receive and control the lease income on behalf of the family’. TWF reports that many were eager to join, not only for the payments but also for the opportunity to continue traditional ways of life like raising livestock and sharing the land with wildlife. The following sections discuss in a bit more detail, the achievements of the program.

Achievements of the WCL program¹⁵⁰

In their website, TWF reports that the WCL programme has increased the protected area of Nairobi National Park by 200%. This is because of the additional 60,000 acres of land from the 394 families which was signed up under the programme, in addition to the KWS protected area of NNP which covers an area of 24,000 acres. This means that the wildlife habitats which cannot be fenced, subdivided and sold due to the lease programme have been increased by 200%¹⁵¹. Further, they note that the program began in 2000 with only two Pastoralist Communities families and a total of 214 acres of grassland and but has since expanded to include 55,000 acres of land under conservation. In their website, TWF, notes, “*the Conservation Lease Programme directly benefits 3096 people in 385 Pastoralist Communities families. The program also indirectly supports an additional 4000 Pastoralist Communities individuals.*” These observations concur with a study done by (Osano 2013) and reports the objectives of

149 See <http://wildlifefoundationkenya.org/programs/>

150 See <http://wildlifefoundationkenya.org/programs/>

151 However, land owners still keep their original free hold land titles. under the law, they are free to do anything they want with their land, including selling. If one wishes to sell their land, they can always withdraw from the lease program anytime.

the program as being well achieved. Key accomplishments cited in the project evaluation report by (Osano 2013)¹⁵² include: (1) Enrolment of approximately 61,067 acres of Communities land in the wildlife conservation leases by 2012, compared to only 10,000 acres in 2002-2008 period; (2) Increased number of participating and benefiting households from 148 in 2008 to 417 in 2012 and (3) Increase in the number of lions in the Kitengela area, from 18 in 2008 to 35 lions in 2012 and (4) initiation of a land use master planning process for the area with a final land use master plan getting fully gazetted by the Ministry of Lands and settlements, adopted and implemented for Kajiado county as the key planning framework for the areas surrounding the protected area in the south. On sustainability, the report states that TWF managed to increase the amount and reliability of funding for WCL after developing and maintaining a professional fund-raising strategy that raised additional funds for wildlife leases, beyond the initial Global Environmental Facility (GEF) by the World Bank. The report mentions other additional positive effects on economic security and quality of life of local land owner residents. These include: (1) provision of cash income and poverty reduction to households participating in the lease program; (2) building human capital through education investments; (3) reducing pastoral vulnerability to drought; and (4) gender empowerment. Other achievements mentioned by the report include the provision of an additional source of income to participating households that meets additional requirements of money to sustain basic living, instead of selling land.

Photo 45: Maasai Land Owners Signing Up for The Land Lease Programme



Source 137: (Matiko 2014)

152 A PhD student who did a project evaluation report on the programme on behalf of TWF to the World Bank and other donors of the initiative

Table 39 Achievements of the WCL project according to (Osano 2013)

| Expected outcomes | Expected outputs | Baseline | Project end (2012) |
|---|--|-------------------------------|--------------------------------------|
| Objective 1: Increasing conservation land through wildlife conservation leases | | | |
| Area under contractual commitment for wildlife use (WCL signed between TWF and private landowners) expanded, and commitments strengthened through introduction of multi-year leases | Area voluntarily enrolled in Wildlife Conservation Leases increase to 60,000 acres, with at least 20% of the WCL being multi-year | 10,000 acres (2008) | 61,067 acres (2012) Well achieved |
| | Number of participating/ benefiting households increase to 400 | 148 (2008) | 417 (2012) Fully achieved |
| | % of Kitengela rangeland within the 60,000-acre target area that is enclosed by fences does not increase over baseline | | |
| | 20% increase in number of lions (indicator species) regularly using Kitengela | 18 individuals ¹⁵³ | 35 individuals (2012) |
| Objective 2: Institutional strengthening and information dissemination | | | |
| TWF develops capacity to administer expanded WCL program efficiently and to the satisfaction of program participants and funding sources; Increased awareness of and interest in WCL and | Wildlife leases are used strategically, based on research and monitoring, to maximize conservation benefits achieved with available funds | | Not assessed |
| | Stakeholders (local landowners, financiers) satisfied with effectiveness, transparency and responsiveness of management of scaled-up WCL program | | Not assessed |

¹⁵³ As the baseline for the GEF/World Bank Grant, the number of lions was given as 18 individuals by TWF Chair, Ed Loosli

| | | | |
|---|--|--|---|
| similar approaches in East Africa | East Africa conservation practitioner community identifies at least 2 additional sites for trial implementation of WCL approach | | Model tested in Pastoralist Communities mara and amboseli |
| Objective 3: Enhancing long term sustainability | | | |
| Positive action on key land-related policy and institutional measures supporting maintenance of wildlife and habitat (joint objective with USAID KCP) | Land Use Master Plan (MLUP) implemented as the key planning framework for the project area (joint objective with USAID-funded project) *****. | | LUMP gazetted by GoK and adopted by Kajiado County Council (Fully achieved) |
| Reduction of human/wildlife conflict in project area | Kitengela Sheep & Goat Ranch permanently secured for wildlife habitat ***** | | Not assessed |
| Increase in amount and reliability of funding for WCL during and beyond project | 25% increase in households adopting Non-lethal measures for reducing wildlife predation on livestock. in the project area | | Not assessed |
| | TFW develops and implements a professional fund raising strategy for WCL, and raises at least \$270,000 of additional funds (beyond baseline) for wildlife leases from non-GEF sources by end of project | | TWF raised US\$ 270,000 by December 2011 154 (Fully Achieved) |

Source 138: (Osano 2013); p 5-6; (Matiko 2014)

154 Information provided by ED LOOSLI, the chairperson of The Wildlife Foundation to the evaluator of the program.

*Community Views and Opinions of the WCL programme*¹⁵⁵

The research for this study set out to establish the perceptions of the communities and households who had signed up for the WCL programme, in order to evaluate the achievements of the WCL according to the supposed benefits mentioned by TWF. While it is true that the WCL programme achieved some of the objectives it set out, for example increasing land area available for animal dispersal several short comings¹⁵⁶ of the lease program were highlighted by the participating households during this research. Two main issues regarding money were highlighted by the heads of the interviewed households during fieldwork for this research in 2014. These were: (1) the un-sustainability of the programme and (2) Amount granted to beneficiaries (too little, below market value of land etc).

One of the first interviewees was an elderly pastoralist living about 500 metres from the southern boundary of the park. He owns 400 acres of land which he had signed under the WCL programme. His opinion was that the money paid by the lease program was well below market value/ price of their land and that the program was not sustainable. This was considering that since 2012, the World Bank had stopped funding the lease payments. Accordingly, he stated,

“the money we are paid under the lease program is well below market value of our lands...It is the market value of land in the 1980's... and the sponsors of the lease programme ran out of cash. The last time they paid us for the lease programme was in 2012.”

One of the local grassroots government officers from the area (also indigenous to the community as required by county administration law) had this to say, about the lease programme,

“As a pastoralist in the area, I have been a beneficiary of the Wildlife Conservation Lease (WCL) programme which TWF has been carrying out. The WCL programme is important because it helps to reduce human wildlife conflict. However, the money they pay is too little and the NGO funds finished and they have stopped paying.”

All of the interviewees noted that the money paid under the land lease programme was little and well below the market value of their land. They also commented on the lack of sustainability of the programme, noting that the last time they received any lease payments was in 2012.

An employee of one of The Wildlife Foundation, the implementing conservation NGO's of the lease programme working in the area and a member of the maasai community and a youthful landowner had this to say, concerning the amount paid under the lease program to the pastoralists,

155 This section is based on field interviews carried out between July 2014 and January 2015

156 It appears that (Osano 2013)- the PhD student did not mention these shortcomings for one or both of the following reasons: (1) because he was hired as the consultant for evaluate the programme by TWF, who were also paying him for the work, therefore, his report was biased in favour of TWF or (2) he did not interview the households (personally) to get their views – relying on secondary data provided in the offices of TWF.

“The lease program entails paying for the land which the owners have agreed to leave ...open, for free movement of wildlife instead of selling. Here, we pay 4 dollars per year per month. The lease programme is good but not sustainable. It depends on funds from donors. ...4 dollars is well below the market value...but despite being below market value, the money comes in handy to the owners of the land. The money is usually paid to the owners of the land during the beginning of the school year. This comes in handy as the money is usually used to pay school fees for children going to school. This prevents the owners of the land from selling their land to raise money for school fees.”

Despite the shortcomings associated with the lease programme, many of the former beneficiaries interviewed acknowledged the potential benefit of the programme due to the direct monetary benefits it offered. Most of the people interviewed acknowledged the small contribution of the money payments for wildlife use of their land under the WCL programme, at the time when the funds were still available¹⁵⁷ stating,

“imetusaidia kidogo” (swahili for), “it has helped us a little”.

When asked if he has ever received any benefits from wildlife conservation, one of the elderly land owners mentioned earlier living 500 metres from the park answered,

“The lease programme through the TWF and KWS has enabled me to receive some donations. I was the number 12 beneficiary of the lease programme, where they paid me kshs 300/- (3 euros) per acre per year. The money was given in January, April and September, when the schools were opening. The money helped me to pay school fees for my children. Through the lease programme, I have been getting kshs 41,000/- (41duros) per school term for the 400 acres. For ½ acreage, they pay me kshs 21,000/- (210 euros) per term.”

Some of the women were also beneficiaries of the lease program. Case in point was Mama Tina, who lives on the family land, which is 13,750 acres in total and signed under the lease program. According to her, the family keeps livestock for both cultural and livelihood reasons. She added,

“I was a beneficiary of the lease programme ...because I don’t have school going children, the money was used to pay school fees for my relatives’ children who are in university.”

The main benefit highlighted from nearly all the participating households interviewed was that the money contributed to their school fees expenses for their children. Nevertheless, it was clear that the lease programme did not solve many of the interconnected challenges facing the community, wildlife and livestock in the area. According to the TWF officer interviewed, there were still some cases of landowners who continued fencing, others continued killing lions and other despite cashing in the 4 \$. Many community members interviewed, even those that were signed up under the lease programme did not see the potential benefit of wildlife conservation. Case in point was Madam Nkamalo Ntalalai, a semi-illiterate

¹⁵⁷ Lease payments stopped in 2010 or 2012 when the NGO funds run out highlighting un-sustainability of the program.

widower, with three children and two employee herdsmen who specializes in livestock keeping;¹⁵⁸ She said she owns 70 cattle and 12 sheep and 25 acres of land which were signed up under the lease program. She added that she sells 12 calves every year at 30,000/- per head to control her herd, thereby following the advice by International Livestock Research Institute (IRLI) based in Nairobi, as well as other livestock experts and KWS to reduce their stock, in order to reduce over grazing. When asked which benefits she gets from wildlife in the area, she answered,

"I have no benefits from wildlife...the wildlife are eating food meant for our livestock ...even when we reduce our livestock, we are still having problems."

Effects of stopped Lease Payments

Fencing and Subdivision

Field work done for this research in 2014 suggests that since the lease payments stopped in 2012, many of the landowners that were participating in the lease programme are now less inclined to leave their lands open for wildlife movement and have recently started fencing, sub-dividing or even selling their lands again. However, it is important to note that the stopped lease payments are not the main reasons that has led the landowners to sell their lands. According to interviews with the landowners, it is there several reasons that compel them to fence their lands, that are not necessarily related the little amounts paid by the WCL programme or to the stopped lease payments. The landowners asserted that they have been incurring a lot of costs from sharing their land with land, while sacrificing more viable sources of income¹⁵⁹ in a context of increasing scarcity of land, pasture and water resources. The land owners gave the following reasons for continuing to fence their land.

Reasons for Fencing of lands in the dispersal areas

Majority of the former lease beneficiaries have resorted to fencing their lands for several reasons. An in-depth interview with a member of a household who had fenced their 250 acres of their land recently in mid-2014 revealed the reasons why they had decided to fence. This particular household is located abit far from the park, but in an area abundant with wildlife herbivores and in an essential migratory corridor. In addition to being a herder, the household head of the homestead is an educated school teacher. As the household head was away at work at the time of the interview, the interview was conducted with the wife known as Mama Pato who was the one present during the fieldwork for this research. During the interesting and enjoyable conversation, she revealed the reasons which motivated her husband to fence out wild animals from their land, as being deeper than just the issue of the stopped land lease payments.

158 From livestock keeping, she earns approximately kshs 20,000/- to 25,000/- (200-250 Euros) per month for selling milk, 360,000/- per annum and animal manure worth 8,000/- twice a year.

159 like keeping larger stocks of livestock to meet the beef demands, and agriculture and/or benefits of urbanization,

To store grass-banks

The first reason highlighted was the need for fencing in order to grow and store grass banks especially for use in the dry season. Growing and storing of grass banks is a new coping strategy and trend that the pastoralist communities seem to be adopting. This is understandable especially now due to the high competition for food, land and water resources, between the wildlife from the park, the individual and community livestock and land use pressure from increasing urbanization amid the already subdivided lands. Therefore, this particular household was fencing their land to store grass for their individual livestock to use, especially during drought season. Storing grass banks has also become a commercial venture, especially for large land owners. During the dry season, the small land owners said they pay the large land owners kshs 20/- per livestock head to use their grazing lands.

To prevent disease spread from Livestock to Wildlife

One of the households interviewed located in an area abundant with herbivores and in an essential migratory corridor for wildebeest informed this research in 2014 that two of their livestock had recently been killed by the deadly Malignant Coast Fever (MCF), which is transmitted from wildebeest to cattle, sheep and goat. According to the woman interviewed, her husband decided to fence their land after the incident to: (1) prevent their animals being attacked by MCF again and (2) to store a grass bank. She added that their animals were not vaccinated from MCF, because it was too expensive to vaccinate their large herd of cattle. She reiterated that several households, including many of her neighbours prefer to fence their lands and segregate their animals, especially if the animals are many and not vaccinated against MCF.

To prevent loss of livestock to carnivore predators

Mentioning the exact date of the incident, the woman interviewee mentioned above recounted that her and her husband had also recently lost some sheep and goats to a Hyena. She added that this was a very big loss to them, and the KWS did not compensate nor even sympathise. To add insult to injury, when they reported the hyena attack to KWS, they were told to go and hunt for the hyena that killed their livestock and kill it. As she narrated the experience, she was clearly incensed by the attitude and statement of KWS. In her opinion, KWS were very insensitive to the plight of the community. To demonstrate this point further, she went on to say,

“kama ingekuwa ni simba ndio ili uwa, hao watu wa KWS wangekimbia hapa haraka sana na hizo magari zao, kuchukua hiyo simba, lakini sababu ni fisi, hawajali fisi, hata wantuambia ati tuende tutafute hiyo fisi ili uwa wanyama wetu na tuiuwe. Wewe unaeza imagine”

(Translated)

“if it was a lion which has been reported as having killed livestock, the KWS officers would have rushed to the area immediately with their rescue team, to save the lion, but because it was a hyena that was reported, they don't care, infact, they told us to go and look for the hyena that killed our goats/sheep and kill it. So you can imagine!”

This interviewee expressed more sentiments saying that for KWS, the Lion was obviously more important than people. From her tone during the conversation, the arrogance by KWS to their plight for the last incidence seems to have sparked her husband into action. Clearly outraged, he decided to fence his land.

To her household and others in the area in similar situations, the losses incurred from competition for resources with wildlife, the predator carnivores and poor attitude of KWS were just not worth keeping their lands unfenced. The situation is worsened by lack of any more monetary incentives to keep their lands open. These and other reasons highlighted in other sections of the report are the driving the Pastoralist Communities households to fence their lands.

A second effect, atleast according to one of the TWF officers interviewed, members of the community have started killing lions more and even burying them secretly. This is because they are avoiding arrest. However, they are forced to kill the predators because they continue to incur costs and losses due to numerous predations of their livestock on their lands, without receiving any compensations or even just sympathies from KWS (and/or NGOs/ safari tour companies that are gaining a lot from the wildlife tourism business at their cost).

Summary of the WCL programme

The issues raised regarding the amount of money paid that was below market price and the sustainable feasibility of the land lease programme for wildlife itself bring into question the participatory process that was used, if any, in coming up with the ideas and decisions on the lease program. Firstly, there was genuine participation of the community. According to the residents interviewed, no one consulted them when designing the Wildlife Conservation Lease Programme. They were just informed about it and asked to participate on a voluntary basis. According to one of the large landowners who lives about 500 metres from the park, there was only one time when some people arrived at his homestead and asked him some questions. They then left and never came back again. Thus, it is evident that the community was not involved in the programme design. This includes decisions on the amount to be paid to the participating households.

Secondly, the inevitable un-sustainability of the funding. As mentioned earlier, the funding was provided by World Bank's - Global Environment Facility (GEF), as part of a pilot programme. The plan was to have it adopted by the Government of Kenya, who would then anchor it into the wildlife conservation and management policy, therefore requiring KWS to implement it as part of its mandate. However, the programme was never passed into policy. When the programme funds finished in 2012, the WCL programme stopped and the government never took it up. Thirdly, even though the programme was working, the land in the dispersal area is already highly fragmented as can be seen from the map of enrolled plots, some plots were not always adjacent compromising the efficiency of the programme (Figure 50: Land Parcels enrolled in lease program for 2008-2012 period).

It is evident that before coming up with the lease program, the community should have been approached, the problems discussed and feasible solutions for the problems gathered from the community itself, rather than imposition of external ideas, which are not feasible nor sustainable in the long run. According to the community, there has never been any real participation of the community in developing and designing programmes to solve their problems. Outsiders arrive in the area with nice sounding fancy ideas which they tell the community will solve their problems. The community agrees to take up the programme, without fully understanding how the programme works or who will benefit in the long run. In essence, the conservation NGOs, just like KWS, appear to have never really acted in the best interests of the community, rather to fulfil their own interests. If there was real participation of the Pastoralist community from the beginning, maybe the solution would not have been the lease program, but a community designed long term sustainable and less costly solution. This would have contributed to a feasible solution for human wildlife conflict, fencing, subdivision and sale of land. It therefore seems that there was no real involvement of the community, rather than imposition of ideas and coercion with piecemeal money.

Indeed, many of the traditional Pastoralist Communities household's heads are illiterate or semi-illiterate, and could be easily malleable or coercible, partly due to their limited understanding or knowledge of the operation of the lease program contract and benefits as presented to them. Many of the Pastoralist Communities households already signed commitment contracts to the lease programs. After 5 years, the payments stopped with the explanation that the funds for the program have run out. A question that comes to mind then is whether the lease program was a way of buying time to prevent the communities from selling their land? Or a hidden strategy to compel the Pastoralist Communities to legally commit their lands for wildlife conservation using long term lease contracts? A point to note here is that despite the WCL programme finishing, and the long-term contracts losing validity, a few of the land owners, especially those with huge tracts of land still hold on to the values and principles that the programme promoted.

One of such long term lease contracts that could be illustrative of this point is the lease contract committing 1,200 acres of land for 199 years signed by one elderly illiterate landowner, known as Mzee Somog. He has been much praised by TWF as a good role model for his decision to commit his large piece of land to the lease program (for more on this, see TWF website, *Article titled, 'The 199 Years Pledge: My 1200 Acres Of Land For My Cows And Your Wildlife' by Ed Loosli, The Director of The Wildlife Foundation on <http://wildlifefoundationkenya.org/blog/the-199-years-pledge-my-1200-acres-of-land-for-my-cows-and-your-wildlife/#sthash.ADgiOSyP.dpuf>*). According to the information given to the landowners by TWF, the program was meant to be a pilot, to test how viable it can be, to be modelled and adopted by the government institution in charge of wildlife. However, some land owners like Mzee Somog have already committed their lands to non-subdivision and fencing for the sake of wildlife, yet the funds have run out. Nevertheless, apart from a few like Mzee Somog, most landowners who were in the

lease program have fenced in their lands, sold or even started quarrying. They have no hopes that the lease program funds will be back, nor are they interested, so long as the money is below the market value of their lands.

Despite the claims made by TWF and its coalition of stakeholders that the lease program is to enable the Pastoralist Communities to continue using their land for grazing of livestock, it is clear that the main focus of the WCL programme was to keep the plains open and ensure that the Pastoralist Communities don't fence or subdivide their lands for the sake of free movement of wildlife through their lands outside the protected area. This allows the grazing and natural migration of wildlife like wildebeest from Nairobi National Park to the Serengeti Plains in the south. Additionally, the populations of lions will increase because the other wildlife which sustain the lions will also be sustained in the Pastoralist Communities plains.

Thus, even though the concept is good and has some valid points, it is not feasible or practical in the long-term. The program can only work in the short-term, even if there are funds to sustain it. Indeed, Osano 2013 observes that a Hybrid of Conservation interventions: must be used, and that,

'The WCL cannot succeed in isolation. In that regard, there is need for development of a hybrid of interventions with a package that includes the use of Conservation easements, livestock compensation schemes, establishment of community conservancies¹⁶⁰ and strengthened anti-poaching efforts'.

However, based on the fact that the other conservation interventions have not worked in the case of NNP, it is important to let the community come up with its own solutions. It was apparent from this study that there were no real synergies between the wildlife, livestock and community's needs, knowledge, opinions and proposed solutions, when coming up with the lease program.

Land Use Master Plan (LUMP) for the NNP Ecosystem

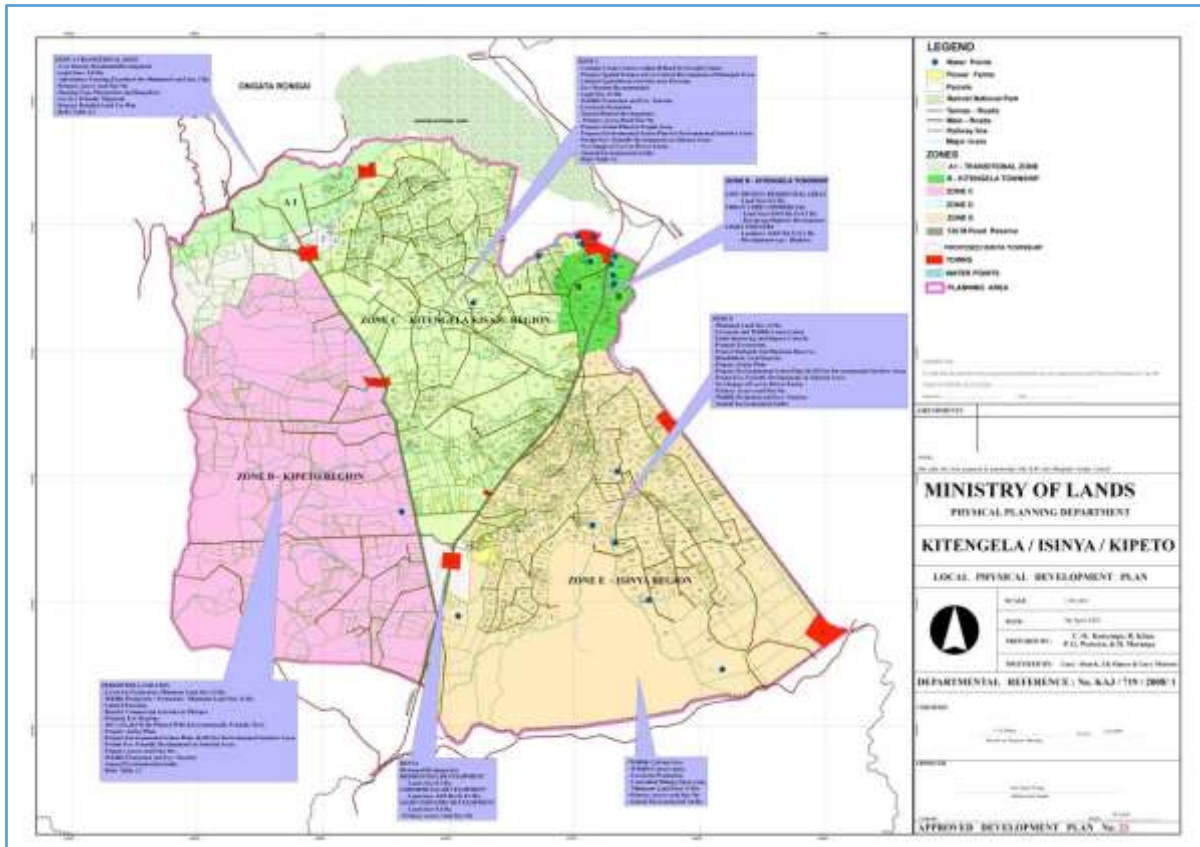
Background and description of initiative

This is a land use policy intervention in form of a land use master plan that started being developed in 2004, by the Department of Physical Planning in the Ministry of Lands, on request by the now defunct County Council of Olkejuado (CCO). The idea was initially conceptualized by David Nkedianye, a native of Kitengela and a teacher in one of the schools in the community. By then, he was a graduate student at the University of Nairobi and affiliated with the International Livestock Research Institute (ILRI). Being a land owner and having worked with The Wildlife Foundation TWF and ILRI he understood the community problems well enough. His idea got the support of a wide range of other stakeholders particularly non-governmental organizations working on wildlife conservation and even community landowners.

160 community conservancies refer to....

The Land Use Master Plan for the larger NNP ecosystem was prepared within the legal framework of the Physical Planning Act, Cap 286. In February 2010, the Ministry of Lands finalized and formally adopted the plan. In June 2010, the client, the County Council of Olkejuado adopted the plan through a full council resolution. Specifically, the Land Use Master Plan covers the Kitengela-Isinya-Kipeto region most of which is privately owned indigenous Maasai pastoralists lands, which also happen to be the dispersal areas utilized by the animals from the Nairobi National park especially during the rainy seasons.

Figure 51: Land Use Master Plan (LUMP) for Kitengela-Isinya-Kipeto



Source 139: Physical Planning Department, Ministry of Lands

The main narrative promoted by the initiative was saving of land/ stopping fragmentation and comprehensive planning. Thus, a major aspect of the LUMP is the zoning plan for the area, that specifies land uses for each of the zones. The plan sets aside areas for settlements, pastureland for wildlife and livestock, commercial urban areas, infrastructures and utilities. The plan utilizes physical planning rules and regulations on minimum land size for town and agricultural land. The plan states that, "that land cannot be sub-divided to less than 60 acres for agricultural land." Since most of pastoral land is considered agricultural land, the minimum lot size no subdivision to less than 60 acres applies.

Objectives of the Land Use Master Plan

The LUMP was developed because stakeholders realized that despite the potential advantages of WCL, rapid urbanization and rising land prices near the NNP provided a very powerful incentive for landowners to sell or develop their land. Therefore, a strong policy on land use planning was seen as the only long-term and viable solution to the negative social, economic and environmental trends that were increasing due to selling/ subdivision of land and reducing habitat for wildlife (and livestock). The main objective of the master plan was to control land use change, prevent the sub-division, fencing and selling of open rangeland ecosystem into incompatible land uses for wildlife from NNP. The specific objectives were: (1) to control land use and increase available space for wildlife; (2) create conservation easements for wildlife movements; (3) purchase land for conservation in critical areas near the parks and tarmac roads where settlement is most attractive; (4) carefully plan for urban and rural development and (6) plan for providing urban and rural infrastructure.

Actors/Stakeholders and their Roles/ Contributions

A wide range of stakeholders were involved in the planning process. The lead government stake holders were Department of Physical Planning, Ministry of Lands, County Council of Olkejuado, while the lead non-government stake holders included a conservation NGO, the African Wildlife Foundation (AWF) and the International Livestock Research Institute (ILRI). The latter two organizations provided the main sources of funding for the plan. Other stakeholders included The Wildlife Foundation (TWF), Kitiengala Ilparakuo Land Owners Association (KILA); African Conservation Centre (ACC), Department of Resource Survey and Remote Sensing (DRSRS), Isinya Task Force (Kajiado Pastrolists Forum), Université Catholique Leuven (UCL); Friends of Nairobi National Park (FONNAP), Community Based Organizations (CBOS) and land owners.

Table 40: Stakeholders and Their Roles in The Development of LUMP

| Name of Stakeholder | Role/ Contribution |
|--|--|
| African Wildlife Foundation (AWF) | Funding (with the help of USAID) for workshops and community mobilization; worked with ILRI to start the planning process and Kajiado Pastrolists Forum (KPF) to initiate discussions with the County Council of Olkejuado (CCO) |
| International Livestock Research Institute (ILRI) | Actual mapping and community mobilization through Reto-O-Reto project. |
| The Wildlife Foundation (TWF) | Community mobilization and awareness creation |
| Kitiengala Ilparakuo Land Owners Association (KILA) ¹⁶¹ | Community mobilization |

¹⁶¹ Part of the community land owners who helped other members of the community to understand the concept.

| | |
|--|---|
| Kenya Wildlife Services (KWS) | Funded the plan drawing, lawyers and technocrats. |
| County Council of Olkejeudo (CCO) | Implementation of plan. They provided the topo sheet which was used for making the plan. |
| Ministry of Lands, Department of Physical Planning | Lead the technical aspects of making the plan, developed final plan and approved it into policy |
| Friends of Nairobi National Park (FONNAP) | Community mobilization and awareness creation |
| Community Based Organizations (CBO's) | Community mobilization and awareness creation |
| Community Land Owners | Acceptance and implementation of plan |
| Other NGOs | Community mobilization and awareness creation |
| African Conservation Centre (ACC) | Community mobilization and awareness creation |
| Université Catholique Leuven (UCL) | Research, provision of information and expertise to support communities make better land use decisions. |
| Isinya Task Force (Kajiado Pastoralists Forum) | Participating land owners who contributed to improved understanding of land issues in the community; mobilized the community to understand the LUMP concept |

Source 140: Compiled from interviews in 2014 and various documentation

The main strategy to influence decision making during the plan making process was awareness creation and community involvement. All players were informed of the idea through a series of workshops held for the community. The common goal of all the stakeholders was to come up with the land use plan, map, identify areas that the plan would be implemented, identify a town area and create awareness among the community involved. Unlike other master plans developed by the government, the Kitengela-Isinya-Kipeto master plan is applauded by many for being the “*first community driven comprehensive land use plan to be approved by the government of Kenya.*” Altogether, these organizations formed a coalition to enable them to work together and access funding. The coalition was named as Reto-O-Reto project (a maasai word meaning I help you, you help me). The Reto-O-Reto project operated as a collaborative research, working in the pastoral regions of Kenya and Tanzania to enable maasai communities to make better decisions on their use of land and natural resources, to safe guard their future, through provision of better information and access to appropriate innovations and expertise. The project was funded and facilitated by ILRI. The expectations of the initiating stakeholders were that the plan would provide a basis for : (1) controlling development and minimizing land use conflicts through zoning; (2) promotion of the local economy through wildlife tourism and continued provision for pastoral livelihoods for the majority of the rural residents of the area; (3) supporting sustainable utilization of natural resources like water points, salt licks and wetlands which are shared between wildlife and livestock; (4) purchasing land for conservation in critical areas to stem urban sprawl near the park and tarmac roads.

Conflicts and challenges in developing and implementing the LUMP

During the plan making process, a number of tensions and challenges were experienced among stake holders. Firstly, in 2008, the process stalled because politicians from the area incited the community by telling them not to participate because the Land Use Master Plan was yet another a way of the government stealing their land from them. The politicians did this to divide the people and gain their votes. Thus, among the political class, there was tension between those propagating the idea and those against it (Field Work Interviews with TWF officer, 2014).

Secondly, according to other stakeholders, the LUMP is not being implemented mostly because the political environment kills the will and desire to implement the initiative. The lack of political will appears to have begun at the initial stage when the idea was conceptualized, developed and launched. The local government authority, the now defunct Olkejuado County Council was against the idea. (Flintan 2013) observed *"their lack of participation (referring to County Council of Olkejuado) in the LUMP development and launch demonstrates their lack of interest and ability in implementing the lump"*. Apparently, the community had to pressure the County Council of Olkejuado through lobbying, writing letters and personal meetings in order to adopt the plan, which they eventually did after a long struggle in June 2010 (Flintan 2013). Interviews with an official of TWF in 2014 corroborated the assertion, as per the statement, *"the willingness of the county government to implement the plan has been a problem... there has been no political will, otherwise, it would have been long implemented."* (Field Work Interviews, 2014).

Nevertheless, there are contradicting reports on the role and/or enthusiasm of Olkejuado County Council in supporting the LUMP. For instance, (Flintan 2013) views on the lack of political will differ from those (Fitzgerald 2012) who noted that Olkejuado County council together with other key stakeholders initiated and requested for help from ministry of lands to develop the LUMP, showing that they were supportive and part of the process. On their website, AWF commends the Olkejuado County Council for working together with the community and other stakeholders to develop a land use plan (AWF, 2011). An internet article by the (Chairman, Kajiado Pastrolists Forum n.d.) indicates that the Olkejuado County Council initiated and cooperated in the LUMP process for Kitengela. Based on these contradictions, it appears that there were conflicts among stakeholders based on self-interests. It is worth noting here that the LUMP was being funded by AWF, and that (Fitzgerald 2012) was a senior employee of AWF at some point when the LUMP was being formulated.

Thirdly, one of the major areas of contention brought on by the LUMP is the regulation on subdivision, that is, the rule of minimum of 60 acres for land parcels in the area Zone C, D and E (areas zoned for wildlife and pastoral use). This regulation has brought tension among stakeholders that was not anticipated. This is because some land owners already had less than 60 acres while among other land owners, there was (and still is) the question of their requirement of subdivision to smaller parcels than 60 acres for inheritance among their children. These land owners

complained that the issue of family inheritance (cultural practice of subdividing land among children) was being ignored by the plan. They questioned how they shall subdivide their land for their children if the minimum is 60 acres. The regulation of 60-acre minimum lot size was therefore unpopular among the landowners because it was conflicting with the needs and realities (including cultural practices) of the community. According to interviews done in 2014 with a TWF officials who is also a landowner and a member of the indigenous maasai community in the area, one of biggest challenge and threat to maintaining the open rangeland south of Nairobi National Park, even if they attempt to implement the LUMP, are the issues of already subdivided parcels and need for future subdivision for inheritance. Other challenges faced in implementing the plan include the broad geographic area under jurisdiction and a number of land parcels with unknown land owners who make it difficult to regulate any land use.

Achievements of the Land Use Master Plan

Despite the good intentions, the only major milestone achieved by the plan and/or planning process for the LUMP is the plan in itself, that is: (1) the zoning of land with designated areas for wildlife and livestock pasture and (2) provision of community driven guidelines for sustainable land use and resource management in the area. However, from discussions with community members, it appears that the situation or subdivision, selling and fencing land would have been worse if the LUMP process was never initiated at all. During the process, education and awareness on the utilization and management of land was passed on to the community, landowners were sensitized on the importance of not selling and subdividing their land and coalitions were created among members of the community, non-governmental and governmental organizations, opening up spaces of communication that were not-existent before. In sum, despite not being implemented, the LUMP idea was good and well appreciated by most of the parties concerned, even politically incited landowners, who were eventually in consensus that the idea was good. According to interviews held with some members of the community, the LUMP idea was quite innovative, especially in the pastoral context. The aspect of identifying town areas as small portions of plots which can be subdivided and agricultural areas as large areas of land which could not be subdivided was quite innovative and promising to some extent.

If implemented, it was anticipated that the plan would: (1) improve pasture and water for livestock and wildlife; (2) reduce pollution; (3) maintain traditional lifestyle and livelihood of the maasai; (4) improve economic status of the community through wildlife conservation and pastoralism. Nevertheless, the LUMP has not had any anticipated significant positive effects because it was not implemented.

Failures of The Land Use Master Plan

The most important failure to the initiative is the lack of political will for implementation as well as policy failure to address the issue of subdividing land to family members. The plan did not address how to deal with: (1) cases where some landowners already had less than 60 acres of land as they had already subdivided

among family members (or possibly sold to outsiders who are not pastoralists) and (2) the issue of family inheritance of land and consequent subdivision among family members (a cultural practice all over the country). The latter is particularly difficult to address as no one can stop families from subdividing their wealth among the children. Thus, the sub-division and fencing of land continues unabatedly at a rapid pace. In a bid to stop the trends, the current governor of Kajiado County (Formerly Olkejuado County Council) had banned all land transactions in the county. However, the move was challenged by members of the public because it is unconstitutional. This is because these lands are privately owned, and legally, it is impossible to stop individuals from selling their or developing their own pieces of private land. This presents a specific policy challenge related to the initiative that was not addressed when the plan was being developed.

Generally, the problem is that plan does not address some major specific issues related to land, which affect the implementation of the initiative. External factors that are important and may affect the implementation of LUMP in the future include the National Land Commission, a newly formed autonomous government institution created to look into land issues in the country and create a national land policy, development of a policy on the establishment of conservancies, training and management of county reserve, private and community rangers and the introduction of wildlife corridors by Kenya Wildlife Services. It is not easy to predict how this factors will play out in the future as far as the implementation of LUMP is concerned. Nevertheless, by the time the National Land Commission is ready, current rapid trends of selling and subdividing the land indicate that it might be too late to make any impact because most of the land may already be sold and subdivided. Regardless of whether the national land commission will be ready or not, or if the conservancies will be established or not. Moreover, the cultural issue of family sub-division for inheritance (a practice among all communities in Kenya adopted during and after independence) makes it almost impossible to implement the rule. A point to note is that the issue of sub-division for inheritance is too tricky to be handled by even the NLC.

Protests against Infrastructure Development in and around NNP

Origin and Objectives of protest initiative

On 7th June 2011, the government Minister of Roads announced the soon to be commenced, proposed construction of a major road/highway known as southern bypass to run in the northern border of the Nairobi National Park. The following day on 8th June 2011, Dr. Paula Kahumbu, the then chairperson of the Friends of Nairobi National Park (FONNAP) posted a protest statement on their website, with the heading, 'Nairobi Park is Not a cake' alerting its members and conservation groups, with the aim of getting their support to campaign against the government's intention to hive off a section of the park, to make way for the highway. The box below shows the exact statement as posted and picked from the FoNNAP website.

Box 18: Initial press statement on public protests against road construction near the Park

NAIROBI PARK IS NOT A CAKE!

June 8, 2011 by Paula Kahumbu

Just when we thought things were going well we discover a disaster lurking around the corner. It has just come to my attention that the Kenya Highway Authority plans to build a highway called the Northern bypass that will take a bite out of the northern section of the Nairobi park near one of the runways to Wilson Airport. That's only half the problem, they also intend to build a southern bypass right through the Kitengela just south of the National Park boundary. This development will lead to strip development and end up cutting off the wildlife movements further south. These roads will strangle the life out of the Nairobi National Park and we have to do everything possible to prevent this disaster for the Nairobi National Park. Roads here¹⁶² are not beneficial developments, they will strangle the World's Greatest City Park

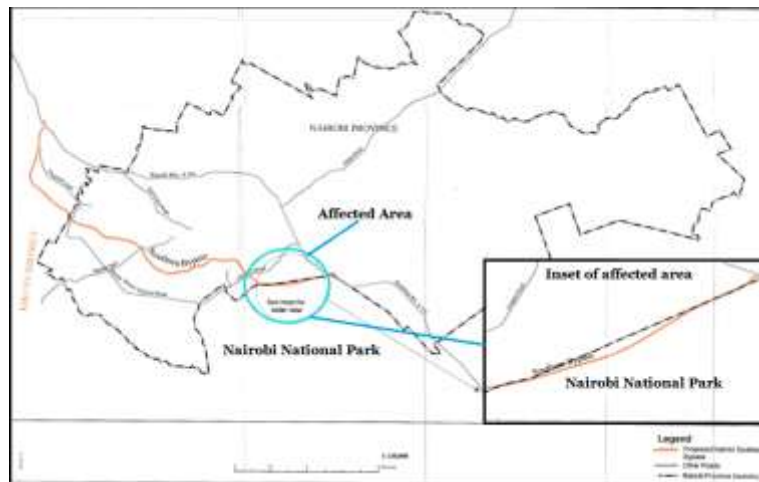
Source 141: Website of the Friends of Nairobi National Park

This was the first and earliest statement that led to a series of other events, that culminated in the conservationists and a few other members of the public coming together to campaign against the government's plan to build the road and hive off sections of the park. FoNNAP argued that the government had violated environmental and wildlife legislation in Kenya. Further, they claimed that the government was betraying the Kenyan constitution of 2010 by "*not promoting and processing its plans in the manner in which the laws of Kenya demand*". The conservationists accused the government of not following the due process of public participation.¹⁶³ They cited the illegality of the way in which the government made the decision to build roads in or near the park, arguing that land had already been set aside for the road reserve but had been illegally grabbed by powerful individuals, who had sold it to private developers. They argued the government should evict the encroachers first before touching any section of the park.

¹⁶² The road in question is the one highlighted with blue underneath the yellow. The southern bypass will be located in the northern border of the park while the greater southern bypass will be in the southern border of the park in the Kitengela wildlife dispersal area.

¹⁶³ However, based on the history of the negotiations, the arguments of the conservationists cannot be valid because the plans for the highway construction were made in previous administrations, between 1985 and 1990, in the era of the old constitution, before the new Constitution of Kenya of 2010, which requires public participation. The new constitution the conservationists were referring to was the 2008 one, which was developed long after the plans had already been made.

Figure 52: Map of Southern Bypass Showing Affected Area



Source 142: Government of Kenya, Ministry of Roads, 2011

Together with other conservation and non-governmental environmental organisations namely African Network for Animal Welfare (ANAW), East African Wildlife Society (EAWLS), Nairobi Green Line Project, Youth for Conservation and a few individuals (mostly whites, indo-asian and a few upper middle class black African Kenyans), FoNNAP issued a series of other statements on social media platforms including their website, and sometimes the print and electronic press, to campaign against the road construction. They organised protests, online petitions, confrontational meetings with senior government officials, media campaigns and wrote letters of protests to concerned government departments. The following sections summarize some of the protest activities and their end results.

Strategies Used by Conservationists to Protest Road Construction in Park

Meetings with Senior Government Officials

In August 2011, several conservationists¹⁶⁴ met with the CEO of the Water Services Board¹⁶⁵, who had arranged a meeting on their behalf with the Chief Engineer of the Kenya National Highways Authority, Eng. Sam Okech Omer. There was no representation of the other conservation agencies in the meeting because according to their team leader, the other conservation organizations were busy, tied up with reviewing the Wildlife Bill. During the meeting the conservation team raised their concerns regarding the plans for Greater Southern Bypass. They informed the government officers about the wildebeest and zebra movements based on radio tracking in the south of the park.

The government officers agreed that the park should not be compromised. However, they informed the conservation activists that plans were still in discussion stage. Additionally, they confirmed to them that the route the conservationists were concerned about was not on the cards. Apparently, the proposed route was much

164 Jo Kinnear, Enoch Mobisa, Michael Mbithi and Paula Kahumbu

165 A quasi-government agency

further in the south. The conservationists expressed their concerns that no matter where the road would be placed in the Athi-Kapiti plains, it would cross the wildebeest migration routes in the Kitengela ecosystem and affect the animal migration. Finally, the government officers assured the conservationists that they would be consulted when planning for the Greater Southern Bypass starts, and that they were open to suggestions on overpasses and underpasses to permit wildlife movements.

The conservation team further informed the government officials that the future roads in the area need to be sensitive to the needs of wildlife and pastoralists. The government team through the Kenya National Highways Authority (KeNHA) engineer reassured the conservationists that they would play a leading role in combining conservation with development and make Nairobi a model city. They were also invited them to learn more about KENHA and share their work and plans. In addition to this meeting one of the conservationists Dr. Paula Kahumbu, had a long discussion with Director General (DG) of the Kenya's vision 2030 development team, Mugo Kibati regarding Vision 2030 and the importance of wildlife conservation as being key to Kenya's future image. According to Paula, the DG was open to collaboration with the conservationists and invited them to participate in the stakeholder consultations for the Nairobi Metropolitan masterplan, which they stated they would follow up. As a follow up to the meetings, the conservationists promised to write to Eng. Okech thanking him for the meeting as well as follow up with the DG of KeNHA to inform him of the meeting and state their concerns and offer to participate in the planning of the Greater Southern Bypass.

Online Petitions

This was one of the protest/campaign activities that the conservationists undertook in trying to mobilize support from general members of the public, through asking them to sign the petition join in the campaigns to protest against the encroachment of the park.¹⁶⁶ However, many members of the public were not interested in supporting the conservationists' campaigns to stop the road construction. This can be evidenced from some of the responses to the petition request on their website. For instance, Rodney on July 19, 2012 commented,

"Why would we want to demonstrate and waste time? we need this road like yesterday. If you love wild animals that much go to the Mara and pitch tent there."

While Dickson on July 23, 2013 commented,

"Pliz let have this road to ease congestion on Mombasa rd. & Lang'ata rd. A 4km long 60 mtrs wide road on the park edge will not wipe out the entire park as some people want the world to believe!!"

166 http://www.avaaz.org/en/petition/Save_Nairobi_National_Park/?cl=1839491480

Court Case in the National Environmental Tribunal Court

In February 2012, the East African Wildlife Society (EAWLS), African Network for Animal welfare (ANAW) and Dr. Paula Kahumbu took the two government parastatals to the National Environmental Tribunal. The National Environmental Management authority (NEMA) and the Kenya National Highways Authority (KeNHA), the quasi- government agencies that are involved, respectively in the licensing and construction of the southern bypass, were taken to court, over the license issued and intention to construct a 5 km section of the Southern Bypass through Nairobi Park. The conservationists accused NEMA, for issuing a license to the KENHA to carry on the project and argued that the proposed construction in NNP was in breach of the NEMA license for the highway which had certain conditions.

The main concerns of the conservationists who took the case to court was that *'if they built the road according to their plans which included 5 km inside Nairobi National Park, they would violate condition 2.2'* which states that the road must not encroach on gazetted National Parks. according to the appellants, while KENHA had agreed to the conditions, their meetings with them, maps and plans revealed that they had no intention of adhering to the condition. The conservationists also challenged NEMA because *'they issued a conditional license but was doing nothing to ensure that the condition was being adhered to.'* both NEMA and KENHA tried to have case thrown out and accused the conservationists of trying to frustrate the government's work of building infrastructure.

According to NEMA, they issued a conditional license to KENHA (dated 18th February 2011) stating that construction of the southern bypass could proceed so long as *"the proponent does not encroach on gazetted national parks"*. (Interviews with NEMA official, 2013); (Environmental Impact Assessment Licence, Application Reference No. EIA/625, Reg No. 000821, 2011).

NEMA argued that they had done their part, of warning the project proponents not to interfere with the park, and that conservationist's appellants were being *"insincere, mischievous and influenced by ill motive."* However, the court judge ruled that the condition had been violated because they *"intended to breach the condition 2.2"*. In its ruling the NET judges ruled that, "NEMA ought not to have licensed construction of the whole by-pass if it deemed it likely to affect the park and the biodiversity there in irreparably."

As for KENHA, the Tribunal stated that KenHA accepted NEMA's EIA License condition 2.2 knowing that it would be impossible for it to comply with it. In its Orders, the Tribunal stopped the road construction in the disputed area (between Ole Sereni Hotel and Carnivore Restaurant) and excluded it from the License until KENHA fully complied with all legal requirements for acquisition of part of the Nairobi National Park.

NEMA was ordered to fully comply with both substantive and procedural provisions of law in supervising any future EIA processes for the area under

contention in the appeal. These included a requirement for the project proponents to submit to NEMA, an alternative site, road design and technology for the contentions segment of the by-pass as required by Environmental impact assessment and Audit Regulations and parliamentary approval for de-gazettement of the part of the park, *“if excision is deemed necessary, before approving and licensing construction of a section of the by-pass in that area.”*

While the conservation activists were clearly happy with the ruling of the judges, ordinary citizens were not, as can be seen from some of the statements of the ordinary citizens made on the FONNAP website, after the conservationists posted the news ruling of the court to the favor of the conservationists. Reacting to the news of the court ruling in favor of the wishes of the conservationists, Dickson commented on July 22, 2013 with the following statement on the FoNNAP website,

“I am a resident of Lang’ata/Ongata Road and always commute using langata road to & from work in the city. To tell you the truth, most of us are traumatized by heavy traffic congestion on this road. The southern by-pass is much a relief to the residents here and stopping its construction in place of animals is the last thing we would expect to hear. It is O.K to stop the proposed encroachment to the park but also you have to suggest alternative route rather than stopping the road construction altogether. I am double sure that the 4 km stretch will not in any way interfere with the animals since the said animals do not come near the residential building along the by-pass. This whole issue has been badly politicized and I read malice on the part of the so called ‘foreign’ environmentalist who do not live in Nairobi and occasionally trip to the country to enjoy the park that never benefit the locals in any way. I am double sure the government appeal to this case will succeed and this by-pass completed soonest possible to end the suffering of the superior animals (humans).”

James Murage on June 30, 2013 ,

“Worst bit of news, what does this activism hope to achieve?”

Kadenge Adolwa on May 11, 2014 commented,

“That road is necessary and an important part of Nairobi’s development. Some busy boy muzungus, consultants are the only ones who are really opposed to this road which will have a positive transformational impact on the lives of we the African people. The first benefits include is the reduction in pollution, reduction of accident fatalities, reduction in spread of HIV and rapid economic growth”

Letters to Senior Government Officers

On May 19 2012, the conservationists under the leadership of FONNAP wrote a letter addressed to the director general of NEMA, asking him to stop the construction of the southern by pass from encroaching into the Nairobi National Park. According to the letter they wrote (the conservationists argued that the proposed by-pass road encroaches into the park, in contravention to the environmental license issued by NEMA. In addition, the conservationists posted the letter on their website and asked members of the public to support the cause by

sending the letter by post or email to the director general of NEMA and forwarding it widely to their networks.

Box 19: Letter to Director General of NEMA on Park Encroachment by FoNNAP

Professor Geoffrey Wahungu
Director General
National Environment Management Authority,
P.O.BOX 67839-00200,
Nairobi.
Email: dgnema@nema.go.ke

Dear Sir,

STOP THE SOUTHERN BYPASS FROM ENCROACHING ON NAIROBI NATIONAL PARK

Nairobi National park is the World's Greatest City Park being the only park in a capital city with wild megafauna like lions, rhino, buffalo giraffe and many other species. This park is invaluable for the people of Nairobi Kenya and the world. The Southern Bypass road threatens this park. While I have no objection to the development of badly needed infrastructure in Nairobi and Kenya as a whole, with respect to the Southern Bypass, I have information that the proposed and designed Bypass encroaches into the Nairobi National Park in contravention to the environmental license issued by your office. I have looked at the license granted by NEMA and more particularly paragraph 2.2 and 2.3 which state as follows:

2.2 The Proponent shall not encroach on gazetted Parks (Nairobi National Park).

2.3 The Proponent shall ensure that the sections of the road along the Nairobi National Park, Ngong and Dagoretti natural forests should be implemented in close consultations and agreement with Kenya Wildlife Service, Kenya Forest Service, and other relevant authorities.

By encroaching into the Nairobi National Park, the proponents of this project have breached part of the conditions of the license. I object to this breach of the terms and conditions of the license as aforesaid, and believe that practical alternatives have been proposed to keep the Southern Bypass out of the park. This letter is to ask that you take necessary measures to ensure that the construction of the Southern Bypass is compliant with Kenyan laws and does not encroach into the Nairobi Park.

Yours Sincerely

Paula

Kahumbu

for the Southern Bypass Action Committee (The SBAC East African Wildlife Society, Youth for Conservation, Nairobi Greenline Project, FoNNaP, African Network for Animal Welfare (ANAW) and many other individuals

Source 143: <https://fonnap.wordpress.com/2012/05/19/stop-the-southern-bypass-from-encroaching-on-nairobi-park>

The post elicited several opinions from members of the public. There were 11 responses to the post and the majority (7 persons) criticized the action by conservationists. The comments they made show that there was a mismatch between what the conservationists hoped to achieve and what majority of the public, or urban citizens required. For instance, Levi on May 19, 2012 at 2:36 pm commented,

“.....The building of the Southern bypass is ...of little or no threat to the park. The area that the road (legally) encroaches into the park has barely any impact on the parks ecosystem. The park has other roads around it; Langata rd, Magadi rd, Mombasa rd, yet these havent adversely affected it. The benefit of the Southern bypass vis a vis preservation of a 60-meter wide stretch cannot be compared. Fight for the environment but please don't distort facts in doing so.”

The comment by Levi above suggest that that the conservationists led by FoNNaP could have been exaggerating. As the NEMA lawyer in court put it, the conservationists were 'misrepresenting' some facts about the proposed bypasses. These includes information about the location of the roads and extent of encroachment of the highway in to the park, which the conservationists appear to have been exaggerated in their reports to the public on social media. From the historical account of how the bypass negotiations took place from the 1980s, the allegations against the conservationists by NEMA could be valid, because the conservationists either ignored or were unaware of the fact that the bypass negotiations had taken place long before the government administration that was implementing the construction of the bypasses. Backing up and supporting Levi's views above, Raymond on May 19, 2012 at 3:18 pm commented,

“Thumbs up Levi...uve spoken your mind and nothing could be any closer to the truth. If parks were so important compared to undertaking mega projects vital for realising vision 2030 then we can as well turn the whole country into a giant park where am pretty sure some foreign nationals shall come laugh at our ancient lifestyle...no no no way...this won't happen, we shall move with the world and obviously you can't make an omelette (Spelling) without breaking eggs.”

Other ordinary citizens living and working in the areas at the northern border of the park supported the construction of the bypass road since they had no proper road in the area and had difficulty accessing their homes and places of work. Besides, no public transport served the area, making the place difficult to access among poor citizens who did not have cars and four-wheel drives for that matter. A comment by a Nairobi resident who works in the area and had to commute daily to her place of work going by the name Nyambura Maru on June 5, 2012 read:

“pls let that road be built some of us guys we hjaave problem with road we dont have any other rd which can take us to main rd or thika highway.We were so happy venye tulisikia about that rd southern bypass now inapigwa what are going to do?kama ni bridge in theta we dont have that any vihecle can pass every time we use bodaboda and its very expensive to and flo we pay 200/= ksh plus fare of 200/=ksh making a total of 400 per day and our salary ni kidogo sana.Pls we beg yu mutukubuke bcz iki stop then that 17 billion will go to somebody's pocket na Mr Kibaki akienda that rd will not be constructed.”

This comment was made by the typical Nairobi resident with possibly average to low social economic status. In summary, the commenter said the proposed road would positively impact on her wellbeing, because it would improve connectivity within the city, helping her to commute easily daily between her place of work and where she lives. She added that she uses (dated June 2012) a motor cycle taxi, to and

from her place of work, where she has to pay kshs 400/- daily, which was too expensive because she earns very little salary. She emphasized that the area has no proper road, there are no cheaper options of transport like mini-buses and shuttles. Therefore, only the upper and middle classes who have cars are able to survive the inconveniences brought on by a lack of a road in the area. Therefore, the opposition of a road along the northern border of the park was going to impact negatively on people like her. Some members of public viewed FoNNaPs opposition to the construction of the road along the parks northern border as elitist, hypocritical, insensitive and selfish, as can be seen from the following three comments below. the first one by Cheupe on June 11, 2012 at 9:21 am read,

“Environmentalists want to live in stone houses too, and a tree had to be cut down in order create room to build that house too...hypocrites hehehe.... So; who among us in here lives in an ecofriendly 100% organic manyatta? Aich”

Murage James on August 3, 2012 at 2:03 pm wrote,

“Environmentalists are damn liars who want to make the loudest noise so that their donors can see they are active. How does annexing 60 acres from one side of the park and compensating it with equivalent park equal to not minding the park?”

Sev to view FoNNAP as giving more regard to wildlife conservation than human well-being.

While Friend of Humans October 19, 2012 at 12:44 pm commented on the insensitivity of conservationists towards suffering humans and giving more attention to wild animals as can be deduced from his comment below

“I fail to understand some people. Let’s say you find a lion and a small boy all critically ill and you have a chance to save only one. What would be your choice? We are willing to let people choke on vehicle fumes for hours in traffic so that some few animals can run in a clean environment. We are created in God’s image but value animals more!!!! God forbid.”

Conflicts: Opinions and Interests of Conservationists Versus Ordinary Citizens

While conservationists¹⁶⁷ appeared to be very opposed to the construction of the highway in the parks northern border, ordinary citizens thought the construction of the highway was important at the designated place, to improve the connectivity of the city between regions, ease traffic congestion and generally improve infrastructure.¹⁶⁸ Additionally, people supporting the construction of the road did not mind the possibility or fact that the highway was proposed to cut into a section of the park.

167 Including many white Kenyans. Most conservationists and Friends of Nairobi National Park are white Kenyans.

168 See Chapter 5 on Public Participation in the official EIA report for the southern bypass, Application Reference Number 625, as done by environmental consultants for the proponent, Prof. Kibwage and the Africa Waste and Environmental Management Centre, 2010.

In retaliation, conservationists on the FONNAP website used rather harsh, antagonistic and hostile language to all the commenters who were supporting the construction of the bypass on their website, as can be seen from some of their comments below. For instance, Vincent on May 23, 2012 at 1:39 pm replied to Levi and Raymond mentioned earlier with the following statement,

“Levi and Ray, please check your facts again before you give each other the thumbs up. Levi, the biggest deal is not the size of the park proposed to be annexed to form part of the southern bypass infrastructure, but the manner with which it is done and the blatant flouting of the law to achieve some supposedly beneficial end. Indeed, Ray, one must break the egg to make the omelette, but, not if the egg is not yours. Fonnnap, keep going because unchecked, tomorrow more “illegal developments” will take place. The end does not justify the means.”

Another conservationist commented, *“Levi and Ray, have you considered that there are alternatives that will leave the park intact? Please don't be short sighted”*

Lesley July 4, 2012 at 10:08 am commented,

“Levi and Raymond, you really do need to check your facts before you post. Saying that the roads already surrounding the park do not affect it ... well have you not heard about the lions (the last of the less than 2,000 left in Kenya), getting hit on the road while trying to find territory that they used to roam free in before the development moved in to their area? Or being killed once in the newly developed areas, for doing no more than trying to protect their babies? Other species have the right and indeed are necessary, for life on this earth. With an earth only filled with humans what an unbalanced and awful place that would be to live in, given what a mess we make of it all. Time the developed world learned from the First world mistakes.”

The conservationist's insensitivity and language towards ordinary citizens' opinions regarding the park and the road caused tension between the two groups on the social media including the FoNNaP website which I monitored. Case in point can be seen by a response to conservationist hostile comments by Ajay June 25, 2012 at 3:47 pm who wrote on the FoNNAP website in a calm but irritated tone,

“Being antagonistic on the blog won't be help to you conservationists (FoNNAP), Do you propose wild life has a higher purpose than other economic activities of the country, do you purport that Kenyans / Nairobians are ignorant? For your information your response to comments on the blog will not add value join a cause or Friends of Nairobi National park and air your views there, but remember even they have to lobby. And lastly development will always take precedent over wildlife, that's just the bare truth and you must live with it.” Another comment made by a person who was obviously disgusted by the conservationist's efforts to protect wild animals' habitat at the expense of human development using the alias tag name, 'It Is The Reality Of Many Many Kenyans...Face It! wrote on the FoNNAP website March 21, 2012 At 11:15 am the following comment,

“...It’s the reality of life. Hard to face from the comfort of your mansions¹⁶⁹. And quite unfortunate. It may not be your reality but somebody somewhere has put it as it is. So don’t get irritated just because you are blind to the plight of Kenyans. We would all love to live well with tracks of nature and wildlife around us but it is not so. I challenge you conservationists to enlarge your vision so you are able to find pragmatic solutions/ideas in these less than ideal situations.”

However, one of the commenters was for the road construction before changed his mind because he learnt of and became concerned with the allegations by conservationists that there was land which had been allocated for the road but had been illegally allocated to private developers therefore necessitating encroachment into the park. Therefore, Kimani on August on 23, 2012 at 4:13 pm commented,

“I had not appreciated what the ‘hue and cry’ by Friends of Nairobi National Park was about until i walked the length of Southern Bypass stretch from the Lang’ata Road (Carnivore) Junction to Mombasa Road (Ole Sereni) Junction. IF the NNP fence, as it runs, is the correct edge of the Bypass road Reserve, then clearly, there are some built-up estate houses which have been illegally put up on the Road Reserve allocation. This is visible to the naked eye. Before an inch is hived off the Park, i say any encroaching constructions MUST be pulled down and the land revert to the PUBLIC. Impunity must stop! Let the road run its afore-allocated course.”

However, despite being informed that the road was going to impact heavily on the park by the conservationists, most ordinary urban citizens were in fact supportive of the governments initiative to the highway, even if it means having to “hive off 60 acres of the park” in-order to stop traffic congestion in the city. Many continued to respond negatively to FoNNAPs campaigns against the construction southern bypass, whether or not it was encroaching on NNP. Some of the other responses to FONNAP protests by ordinary citizens¹⁷⁰. are quoted here On the FONNAP website are presented here below. An anonymous commenter on the FoNNAP website using the alias ‘Somebody Somewhere’ on March 16, 2012 at 11:10 pm commented:

“The Nairobi Park has impeded the southward spread of the city. Today more than 70 % of the city’s population lives in slums. Additionally, many more Kenyans are living in squalor in Internally Displaced Peoples (IDP) camps. This population of Kenyans is either too busy or too poor to benefit from a park. Actually 90% of Nairobi’s residents care less if a park exists within its environs. The expanse land on which the park lies is a constant reminder to the slum dwellers and IDPs of the unfairness and injustice that exists within. Kenyans have traditionally coexisted, lived, worked and played among their wildlife – they did not need fences or boundaries. Those claiming to be friends of the park are actually enemies of the poor who will benefit most from the proposed road project.”

David on October 29, 2014 at 8:26 pm remarked,

“i live along this dusty road. We want this road like yesterday”

169 In reference to the elite conservationist who wrote the article.

170 Please note that some commenters used an alias name to protect their identities. The names that appear here are exactly as they appeared in the social media, whether an alias name or true identity.

Similarly, a resident who live in the parks Northern border were very supportive of the construction of the highway road, because they had no proper road to access their homes. David's comments on (October, 2011) was,

"I live along this dusty road. we want this road like yesterday".

Hon David Ole Parseina August 30, 2011 at 11:11 am commented,

"ignore the concerns of wildlife auctioneers, human life is more important than wildlife, the Pastoralist Communities ways of livelihood are not threatened, the educated youth are no longer motivated by pastoralism but like other Kenyans want to diversify their ways and means of survival provided by nature and the gains of civilisation in the 21st century."

Another supporter of the road construction, Leah Njuguna on May 16, 2013 at 4:33 pm wrote,

"Hi friend of the Nairobi Park. Yes, it is true we need the money and economic growth. Once you get the money from tourism, what do you with it? You take care of your people. I think it is much easier to move the animals to other parks in the wild and give the wananchi what they need most. De congesting the city is one of the ways of making economic growth. People are wasting much needed time on the roads. Animals can be watched in the wild. It is a question of priorities. It is so beautiful, and actually romantic to have wild animals next to your palace, but is nicer to give shelter to your people, and yes, one day the Chinese may do exactly that."

However, there were some neutral commenters like Gideon Lilah on October 13, 2011 at 3:54 pm who commented,

"Some leading environmentalists are raising concern for this new Bypass which they claim will destroy the migration of wildebeest and zebra into the Nairobi National Park Nairobi ... a globally recognized model park because of its location in a capital city... Kajiado County has now become the bedroom/dormitory of Nairobi and hence the urban creep so close to this huge city is inevitable. The traffic jams are so bad now that it is affecting tourist transfers to and from central Nairobi, Wilson airport and JKIA international airport. These new bypasses are essential to get traffic moving again and there is bound to be some effect on this National Park within the city... the key is to find a balance between the inevitable growth of this burgeoning African capital, and the protection of this unique and valuable park with its wildlife corridors."

In summary, the comments by majority of the ordinary citizens on social media and other spaces corroborated with the Environmental Impact Assessment Report as carried out by Africa Waste and Environmental Management Centre in 2010 on behalf of the Proponenet, KenHA (EIA application refrence number 625), in accordance with the law and procedure for any construction project. The EIA report reveals that a number of stakeholders who were affected by the road construction were consulted and their views and opinions taken into consideration. The EIA reports that majority of the stakeholders were for the construction of the road for the following reasons which they gave as feedback: (1) The road will be beneficial to all

so it should go on as planned; (2) The project will provide employment opportunities for locals during road construction; (3) There will be improved infrastructure and security; (4) The project will enhance development, access to resources like water and electricity and (5). The road will ease the movement of goods and services.

Final Outcomes of the conservationist's protests

Despite all the protest activities by the conservationists, the construction of the bypass road went ahead as planned, though with some delays spanning almost three years. The outcome of the court case which issued an injunction was not the final decision on the way forward for the construction of the bypass through the contested small section of the park. During the court case, it emerged that KENHA had offered KWS 1.6 billion for the 4 kilometres section of the road. Given that the injunction to stop the construction in the affected section was to be revoked once the contentious issues had been addressed, the construction of the bypass road continued in the rest of the undisputed 25 kilometres sections out of the 29 kilometres. Eventually, the government finished constructing the 25 kilometres sections from either sides, leaving a 4 kilometre stretch mid-way in the remaining section. During this time, negotiations had been taking place between the Ministry of Transport and KWS. Finally, in October 2015, KWS agreed to a deal to hive off about 53 acres of land from the Nairobi National Park to give room for completion of the Nairobi Southern Bypass, as per an agreement between the National Land Commission, The Kenya National Highways Authority and the Kenya Wildlife Services.¹⁷¹ By around mid-November 2015, the governments contractor, China Road Bridge Construction company started building the remaining section of 4 kms across the park. As is expected, many ordinary citizens were pleased with the resumption of the construction, as can be read from some of the reactions to the news as published in the standard digital newspaper of 1st November 2015 presented here. For instance, Richard Soke commented,

“As much as there is sufficient ground for KWS to demand for the removal of the structures that are sitting on the by-pass road reserve, including government buildings, human welfare, by any measure, supersedes those of wild animals. KWS staff are not animals and they also need roads to access their work stations and live in houses. However, the people who grabbed the bypass land and sold it out to unsuspecting developers should be hunted down and prosecuted.”

Another commenter, Oletip wrote happily, *“Woo finally! hope they get started soon!”* while Chemoge wrote, *“Finally? Great, if true”*.

Despite the conservationists having achieved some milestones in stopping the park from being interfered with, the pressure to have infrastructure development appears to have overridden the interests of the conservationists. the fact that many citizens were happy when the road construction in the affected area of the park resumed

171 Read more at: <http://www.standardmedia.co.ke/article/2000181276/kws-agrees-to-give-land-for-nairobi-southern-bypass-road#comment-2337428713>.

show that the approach the conservationists was using ignored the needs of ordinary citizens and appear to have assumed that the needs of ordinary citizens are conservation at the expense of infrastructure development.

Lion Entry Deterrent (LED) Lights Intervention

Origin and Objectives of initiative

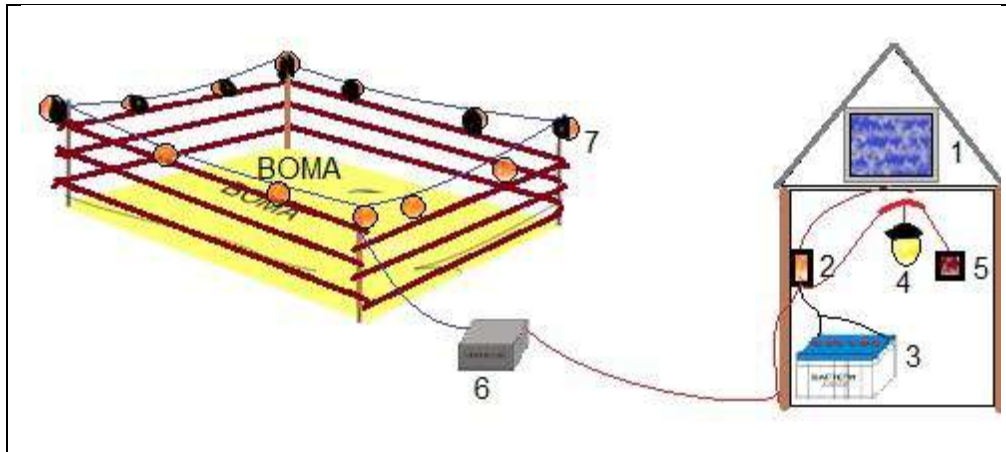
LED lights are an automated lighting system that deter large predators from killing livestock held in enclosures during the night. The innovative idea uses a system of torches flashing intermittently. According to FONNAP, lion lights were invented by a 11-year-old maasai boy called Richard Turere who was trying to find a way to stop his family from losing any more cattle to lions from their boma in Kitengela region, community land at the southern border of the national park. FONNAP spread word of the invention in the media and overnight, the young maasai inventor became a star globally. The young boy's invention has since been refined to be solar-powered and automated. Studies are underway to develop the product using low-cost, high-tech solar equipment.

Stakeholders Roles and Contributions

Installing lion lights in cattle *bomas* of the Maasai community officially began in 2011, spear headed by the Friends of Nairobi National Park (FONNAP) who saw the invention as key to solving the human wildlife conflict in the community lands bordering Nairobi National Park. The objective of the initiative is to prevent predation of livestock by carnivores for communities living near protected areas or wildlife abundant areas. From the beginning, there was the recognition that the donor community has to be involved particularly in funding the initiative. Initially, FONNAP received donations from a variety of donors and government through KWS to install the lights for households in the Kitengela region bordering the park. FoNNaP advertised the boy's invention to the international community. Soon after, the young boy was flown to USA to give a Ted-X talk on lion lights system. He also received a fully funded scholarship at Brookhouse International School in Nairobi (although it is not clear who is funding the scholarship)¹⁷². The Donors who have at one time or another funded the initiative have included members of FONNAP, KWS, TWF, WWF and Emakoko Lodge.

Box 20: Technical Overview of Turere LED Lights- Refined Version

¹⁷² The siblings who are in the same age group did not receive the same scholarship, they attend local public schools in the remote areas of empakasi in kitengela. This has brought tension among stakeholders. Questions have been raised about the amount of money that was raised for the lion lights vis a vie what the Turere family got in return. Richard Tureres father complained that the family has not received any money for the invention of his son.



1. 15 Watt, 12 Volt all weather Solar Panel.
 2. 5 Amp Solar Charge Controller.
 3. Two 12AH, 12Volt Sealed Lead Acid Batteries.
 4. Maximum of 3 fixtures of 3 Watt, 12V LED bulbs.
 5. DC 12Volt Phone charger Port.
 6. 12Volt Light Flasher Unit.
 7. 8 to 14 - 1Watt, 12V LED bulbs
- use of a 1.5mm Oxygen-Free audio cable

Source 144: Michael Mbithi

Other stakeholders in the initiative include David Mascall and Michael Mbithi who are the sole contractors installing the lights. Interviews with David Mascall revealed that the two partnered to improve the lighting system and propagate it across the country. They managed to acquire long lasting bulbs with a warranty of 25 years that use up very little power (1 watt). They eventually made the system solar powered and automated.

Figure 53: A Mounted Lion Light



Source 145: Photo Courtesy of The Wildlife Foundation.

Figure 54: One of the Contractors Fixing the Lion Lights



Source 146: Photo Courtesy of John Solonka,

Funding for the initiative

Interviews for this study revealed that the initial funding for the initiative came from fundraising activities carried out by FONNAP. The government, through KWS also chipped in in the initial stages. However, the government funding for lion lights

stopped when they realized that the initial installation by the contractor was below standard. One area of conflict after the government and FONNAPS funding stopped was the question of who should pay for the initiative. Some of the conservationists were of the opinion that money should be raised by these organizations and be used to install the LED lights, others thought that the costs should be shared between boma owners and the conservationists while others believed the boma owners were wealthy enough to afford buying and installing the led system, because many of them had large herds of livestock. The following comments captured below illustrate the points above respectively,

Rowena Lafferty comment

"...but I also think protection of lions is paramount... There will be folks who need the lights badly, but really cannot afford the capital outlay. Better there be funds available and lions be saved."

Her suggestion was that funds should be raised by donors for the initiative, because according to her, some of the people would be too poor to afford the LED system.

Opposing the above suggestion, Were Joseph commented,

"....People being helped to get these LEDs are not paupers by Kenyan standards. On the contrary we are encouraging HWC by these handouts. What some of these people we being given handouts could easily buy these products by themselves but we don't want for our own personal reasons."

Comment by Monic Rijkhoff,

"I agree with Niels Mogensen that it is better that costs are shared...They will take better care of the system if they paid part themselves."

According to David, the main factor that has challenged the development of the initiative is lack of funds. Many boma owners are unable to afford the system themselves and seem to depend on donor funding to cover the costs. Additionally, David states that the project was initially not meant to be donor dependent. With time however, funds from donors have become a crucial part of the project, especially in the Kitengela region. This is because most of the cattle boma owners claim they cannot afford. To David, this is a strange phenomenon, given that many of the livestock owners have large numbers of cattle and selling just one cow to install the LED lights for the sake of protecting the majority should not be a big deal. According to David, together with his partner Michael Mbithi, they submitted a proposal to WWF through TWF asking for funding for the LED lights initiative. Michael Mbithi included David Mascall as his partner in the project. However, when the funds came, he did not give David Mascall any funds for the project. (Eventually, this led to friction between the two former partners resulting in a breakdown of their association). In his proposal, Michael Mbithi quoted that it costs kshs 40,000/- or euros 400 to install the LED lights per homestead. However, according to interviewed sources on the ground, the actual full cost is only kshs 8000/- for the whole system per homestead.

Thus, while one of the contractors, Michael Mbithi has been using donor funds from WWF to install lion lights at no cost to boma owners, the other contractor, David Mascall charges each homestead kshs 25,000/- (250 euros) to install the LED lights. According to David, he charges the boma owners a very low price for the installation. He claims that he uses a lot of his own money including vehicle and fuel costs from his own pocket to get to the maasai bomas where he is installing.

Conflicts and tensions between stakeholders

A number of conflicts and tensions have been witnessed since the idea of lion lights picked up and conservationist started implementing the invention. A point to note is that initially, the region of focus for the initiative was Maasai *bomas* was Kitengela. Eventually, several other conservation and livestock based organizations as well as individuals gained interest in the LED lights across the country. These includes Tsavo Pride, in the Tsavo area of Southern Kenya. The former chairman of FONNAP, Dr. Paula Kahumbu who promoted Richard Tureres invention at home and abroad was aggravated by the fact that these organizations and individuals did not pay any money to Richard Turerere. Case in point of this irritation was expressed on some exchange in social media between actors and stakeholders interested in or using the lion lights invention. On 19th May 2013 David Mascall, a white Kenyan and lion conservationist had posted a thank you statement on social media, in the 'Kenyans for Wildlife' Facebook page, to thank all who had attended a fundraising event he had organized to raise money to install led lights in predator prone conflict areas, for Maasai *bomas* around the country, held at Purdy Arm in Karen Nairobi. In response to David Mascall thank you note on social media, Paula commented,

"Dave, I still wish that you had talked to Richard Turerere's parents about using his invention and not recognizing him nor rewarding him for his idea. Your letter on the issue was copied to his dad. Neither he nor his dad, nor many Kenyans can be happy that about your words. On the other hand, I'm extremely happy that all the conservation organizations that I have spoken to have promised to put Ksh 1000 into an account for every installation of the lights. I hope you come round as well."

In response, David Mascall commented,

"At ALL the demonstrations of the LED system that we are installing and including the fund raiser at the Purdy Arms, I have made mention of the history of the lights and of Richard Turerere. As I mentioned in a letter to Paula I expressed my opinion that Richard did not "invent " the System but did independently recognize the lion's aversion to flashing lights and his deployment of some torch heads (credit to the boy). The fact is that LED flashing lighting systems to deter predators have been in commercial production since the 1980s in the USA. You cannot claim to "INVENT" an item which already exists. For reasons that escape me there seems to be an opinion held by some that Michael Mbithi and myself are making H U G E sums of money in deploying our LED Predator Deterrent System, which I might add are a far cry from four torch heads taped to a post. I personally have invested over half a million shillings of my personal funds to purchase and deploy MY version of the system, monies that are hard come by but directed to a subject that I care deeply about, LIONS. For those that wish to contribute funds for the benefit of Richard, terrific but

please allow us to continue the pursuit of our passion, SAVING LIONS FROM EXTINCTION."

According to David Mascall, Dr. Paula claimed that the system is patented by and consequently demanded payment to the said bank account. However, there is no evidence of any documentation of such patent in place. A scroll through the government of Kenya records by this research indicated there is no such patent in place. The patent issue has become very sensitive due to the fact that Paula claims it's a new invention, but other conservationists argue that a similar predator deterrent system has been in place in North America for more than a decade, to prevent livestock from bears and wolves.

"Giving credit to the boy for what he came up and devised for his family and community...these type of lights, under different names existed elsewhere...it can be patented if it has features distinctly different from other registered products...having said that, he should be recognized for his idea to Kenya and who promoted it, otherwise it would remain in his family boma...the rest can become a legal nightmare".

From the above statement, it is apparent that the conservationists opposing the patents must have had other interests. These include the concern that the lengthy legal and bureaucratic process of patenting would hinder the installation of the lion lights, while human wildlife conflict continues and lions get killed. Other stakeholders went as far as implying that Paula was more interested in the money made from the patents of the invention, than actual conservation, as can be read from the following comments made by Monic Rijkhoff,

"I hope we can all keep focus on conservation and this is not going to be about money only...David has done tremendous work and I think that should be acknowledged. Same time I think the invention is a great one. let's focus on what this can do for Kenyan wildlife."

Another area of tension was raised by one of the local grassroots community leaders interviewed, who claimed that a lot of money was raised by FONNAP for the initiative but only 10 bomas (households) got the lights installed. Moreover, other reports indicated that Richard Turere's father and his family did not receive any money regarding the invention or the patents from Paula Kahumbu. For this reason, and a few other issues, community members in the Kitengela area have a negative perception of the conservation organizations like FONNAP and particularly a former FoNNaP chairperson.

Effectiveness of Led Lights in Predator Attacks (Human Wildlife Conflicts)

According to the contractors installing the lights, so far, in the LED lights system has proved effective in keeping predators away from even the worst built bomas. However, poorly built bomas and fences can minimize this effect because predators are constantly learning. The unit's usefulness comes in the low cost, speedy installation and ability to create awareness among livestock owners that predation can be mitigated without killing the predator. However, it is up to the livestock owners to put together resources and construct the *bomas*. The opinion of the initiative among community members varies with the experience. Those who have

achieved success with the initiative see it as a viable option while those whose systems have failed are more skeptical.

Box 21: Summary of effectiveness of the LED Lion Lights

EFFECTIVENESS AND INITIAL SCOPE

The Turere LED predator deterrent has shown promising results this far. We have noted from the 34 units installed in Machakos, Kitengela and Laikipia, that:

- Although the system keeps predators away from even the worst built bomas this effect could be short lived with bad bomas as predators are constantly learning. The units' usefulness here comes in its low cost, speedy installation and to generate faith among stock owners that predation can be mitigated without killing the predator. This buys time to study and advice on better bomas, and for the stock owner to put together resources and construct the bomas.
- The system is an effective deterrent against lions stampeding livestock even out of the highest best built bomas (e.g. the OL Pejeta Portable Predator Proof Bomas - Laikipia, Kenya). The livestock exhibit evidence of being more secure by being significantly less skittish. The lions do not have the opportunity to get close enough to the boma to stampede the livestock. We have noted that lions will not venture less than 50 meters to the boma with the lights on and that this is always behind some cover and with the evidence of a lot of hesitation and indecision.
- It is proving to be very effective against leopard predation and lions that have learnt to climb fences, since no height of fence will stop climbing predators.
- We are confident that with a combined - predator deterrent and home lighting system, this innovation will deal with two significant issues affecting rural communities and especially pastoralists: predation and a source of energy at hand for lighting and charging phones.

Source 147: As Compiled by Michael Mbithi, One of the Contractors of the Lion Lights System

One of the installing contractors, David Mascall, installs the lights only around the fence of the household or and *boma* and not inside the house. He argues that installing the LED lights inside the house leads to tampering with the system, which leads to their breakdown, therefore having the impact of some people losing trust with the LED system. On the other hand, the other contractor Michael Mbithi installs both inside the houses and around the fence of the household. According to David, installing inside the house results in people tampering with the system, leading to a quick break down. David claims that many of Michael Mbithi's systems have failed due to such tampering and a few other issues. David Mascall believes Michael Mbithi failed installed systems have had the impact of people losing trust in the LED lights. Nevertheless, the lion lights have proved to be effective where they are properly installed. David Mascall continues to install the lights in other rural parts of Kenya, particularly for communities living in rangelands near protected areas. Many pastoralists in East Africa have since gained from the initiative by protecting their livestock. The initiative has been beneficial to other stakeholders all over Africa, including southern Africa where it is being taken up by conservationists who see the

initiative as a major milestone in conserving lions and eliminating human wildlife conflict.

Consolation (Compensation) Programme

Origin and Objectives of the Consolation Initiative

The aim of the scheme was to prevent land owners from eliminating wildlife from their lands as well as make them more tolerant to it. The compensation programme was initially run by the government of Kenya under a national policy from the colonial times till 1989 in the mid post-colonial period. The government paid for crop damage, livestock loss, human injury and loss of human life. However, the scheme was abandoned¹⁷³ in 1989 for being ineffective and corrupted. According to (Thouless 1993), there was 'widespread cheating on claims, high administration costs and lack of disburseable funds'.

In 2003, the programme was re-introduced but only by conservation NGOs, the Friends of Nairobi National Park (FONNAP) and The Wildlife Foundation (TWF) and renamed as a 'Consolation Programme' Unlike the early governments compensation scheme, the NGOs only compensated livestock loss due to predator attacks. Thus, under the conservation NGOs, the programme entailed paying some consolation amount to mostly only maasai livestock owners (pastoralists) who are victims and not agriculturalists. The aim was to prevent human wildlife conflict and prevent retaliatory attacks on the predators by the victims of livestock loss.

Strategies Used to Implement the Consolation Initiative

The main strategy used to achieve the objective was cash payments to victims of livestock lost through predation- kshs 2,500/- (25 euros) per sheep or goat worth 8,000/ (80 euros); kshs 5,000/- (50 euros) for a donkey worth kshs 20,000/- and only kshs 15,000/- (150 euros) per cow worth kshs 50,000/-80,000/- (500-800 euros). These amounts are below the market value of the livestock, thus the scheme got named consolation instead of compensation. In order to implement the initiative effectively, the lead NGO actors, particularly TWF, had to devise other strategies including employing community scouts to investigate predation cases before payments were made out. One rule that was developed right from the start to achieve the objective was: (1) the killing must be a case of predation; (2) it must be approved by a KWS officer through the scout; (3) it must be seen that the victim of livestock predation had been taking care of the livestock for instance through fencing or not taking the animals inside the park.

However, some of these rules were contested by the community and not implemented. For instance, the rule on "*proof must be shown that the victim was taking care of the livestock properly.*" Another issue that arose was that it was possible for the community to compromise the scouts. However, hiring of the community scouts

¹⁷³ Compensation for human injury and loss of life remained but has been in practice very unsatisfactory because payments fail to keep up with inflation, are almost unworkable because of the bureaucracy.

was seen as a necessary evil, in order to garner community goodwill and support for the initiative for the implementing NGOs.

Resources and Funding for the Consolation Scheme

The main source of funding for the programme came from the World Bank, Kenya Wildlife Services (KWS) and other well-wishers. The Wildlife Foundation has been the most current implementing organisation of the programme. Their roles have included receiving, documenting, investigating predation reports and paying the money to victims. In addition to assisting TWF to document and investigate predation reports, FONNAP has been involved in fundraising and pressuring the government to anchor the initiative into government policy. When the programme was started in 2003, there was no presence of a government policy to support the initiative. However, the new wildlife conservation and management act of 2013 now mandates the KWS to compensate victims for livestock predation. The implementing NGO, TWF therefore stopped the consolation programme in 2012, when the funds for the programme finished.

Opinions of Stakeholders on the Consolation programme

According to members of the community interviewed, the objectives of the initiative and the ideas that were promoted were good. This was because they helped people to get back some of what they lost through predation and consequently reduce human wildlife conflict. However, the beneficiaries complained the compensation amount is well below the market value of their animals (half the price). Secondly, according to the implementing NGOs, the initiative was a difficult one to sustain, because it needed constant funding¹⁷⁴.

Over the course of time, the ideas and objectives of the initiative changed. For instance, in 2012, after multiple lion killing incident by Maasai community in the Kitengela Region near the park, KWS committed itself to give out kshs 2 million for the consolation programme to be administered by TWF. However, later they changed their ideas and resisted to pay out the money for compensation because they believed it is 'better to prevent than cure'. According to a TWF officer, from the kshs 2 million KWS had promised, they only paid out an initial kshs 750,000/- followed by another 250,000/- for the lion lights programme. TWF claims that KWS took them round in circles, and finally did not pay at all the rest of the money they had promised for the consolation programme. They had said they would pay the money to the Lion Entry Deterrent (LED) system (lion lights) instead, for prevention purposes, but even this they did not pay.

The idea of prevention, rather than compensation was later on promoted by other conservation stakeholders affected. Moreover, the sustainability of the programme was not feasible due to funding issues. According to TWF officer interviewed, the inability to see that the funding will be a problem was the most important failure which the initiative had to deal with. As a result, the conservation NGOs lobbied and pushed for the initiative to be anchored into policy in the new wildlife

174 According to John Solonka, Field Project Officer.

conservation and management act which was being formulated then by a number of stakeholders. Eventually, the initiative was anchored into policy and KWS has since taken over the responsibility of compensation since 2014 when the act was enacted.

Effects of The Consolation Initiative

Social, Economic and Biodiversity Effects

According to an official of TWF, the livestock consolation initiative has had several positive effects, particularly on biodiversity and specifically an increase in the number of carnivores in the park. The increase is attributed to the reduced tendencies of killing the predators in retaliatory attacks by the Maasai community. He cites the comparison of lions in the park, which were only between 9-15 in the year 2003 but increased to 36 lions by 2009, after introduction of the program in 2003. The number has been maintained to date at approximately 35. Other positive effects include social effects, specifically education awareness among members of the community who started seeing the importance of wildlife. Additionally, the community benefited economically in the sense that they don't experience 100% loss of income from the livestock killed by predators. According to them, the money they are compensated is below the market value of their animals but it is 'better than nothing at all.'

Policy Effects

According to the conservation NGOs, the most important success of the initiative is the formulation of a policy for compensation and anchoring it into law. The new wildlife conservation and management act of 2014 mandates KWS to compensate the community for livestock lost to predation. This is particularly good news for the conservationists (and possibly the community) because KWS had been resisting the pressure from conservation NGOs to contribute to the initiative even when they had promised to do so, as they argued that it is 'better to prevent than to cure'. Case in point was after the incident of the multiple lion killings in 2012, after which KWS promised to put up a compensation fund of 2 million to be administered by TWF¹⁷⁵. According to TWF, KWS never disbursed the KShs 2 million for compensation that they had promised for the victims of livestock **loss in the community**.

Issues arising with the Implementation of The new compensation Policy

Bureaucratic Hurdles: Slow, Inefficient and Ineffective

Since the law came into effect and KWS took over the compensation initiative in 2014, the compensation process has been very slow and bureaucratic (Fieldwork, 2014 and 2015). For a start, the regulations on compensation (section 18 of the WMCA of 2014) requires that each county establishes a County Wildlife Conservation and Compensation Committee, (CWCCC) comprising of 10 persons,

¹⁷⁵ By then, the law by then did not give a provision for KWS to compensate for livestock loss and that is why they had to give the funds to an NGO to administer. It is only with the new WMCA of 2014 that KWS could start compensating victims for livestock loss.

four of whom are not public officers. The question of how these four persons should be selected had not been determined or specified, two years after the act had been enacted. Meanwhile, the community was experiencing loss of livestock due to predation incidents with no compensation. Amongst many other roles, the committee is supposed to review and recommend claims resulting from loss or damage caused by wildlife for payment for compensation. The committees' functions are too many and combined with other roles not directly related to compensation, which means that they will need to attend to many or several things at once, after the efficiency of compensation. In addition, there are already too many bureaucratic related hurdles being experienced by the community in claiming compensation. This is because of many regulations on documents required for processing claim payments, the permissible period for reporting loss or damage, eligibility for compensation and method of calculation for compensation. Therefore, the community members feel that they will never be compensated with all the red tape. Infact, many of them give up before they even start the process, because they believe it will go nowhere. As a result, Human wildlife conflict and Retaliatory killing of lions has resurfaced and increased, as seen in the following cases of reported incidents, as discussed in the following subsection. Some of these lion killings by the Maasai community have made headlines in international news and caused a stir on social media.

Killing and burying lions secretly

As recently as December 2014, it emerged that the pastoralist communities in Kitengela have been killing the lions secretly and burying them to avoid getting arrested. A report posted on the Kenyans for Wildlife face book page on 24th December 2014 and by active stakeholders in wildlife conservation appealed to the perpetrators of the crime to stop and be open to dialogue about how to better handle the human wildlife conflict situation.

Box 22 Announcement on Kenyans for Wildlife Facebook Forum on Lion Killings¹⁷⁶

Michael Mbithi¹⁷⁷ to Kenyans for Wildlife

We are appealing to all community members from Munjiriri and Sholinke area Kitengela to desist from killing lions and burying the carcasses. We can all get together and mitigate whatever conflict that exists as responsible Kenyans. These lions are our heritage and do not belong to the government but to us. All preyed on stock will be compensated how is it possible? and as we speak the county wildlife conservation and compensation committees have been constituted. There is no secret in pillaging your heritage. This conflict can be mitigated if we all sit together and put our minds to it. More so we may even solve other communal issues if we work together. My brothers we humbly request you.

Michael Mbithi with John Solonka, Nickson Parmisa, Moses Parmisa, Omondi Omondi, Trish Heather-Hayes, Jack Marubu, Joseph Tuleto, Irinah P. K. Wandera, David Mascall, David Matiko,

176 Dated 24th December 2014

177 He is very active stakeholder in the wildlife conservation matters. He is the director of Lisa ranch in Konza, Machakos County bordering Nairobi National Park.

Source 148: Kenyans for Wildlife Forum, Facebook

The secret burying of lions after killing them secretly is a new coping strategy that the Pastoralist Communities in Kitengela area are using to deal with the human wildlife conflict. It is illegal to kill wildlife and they can be arrested. Even though there is now a new wildlife act recently enacted in January 2014 that mandates KWS to compensate for predation, the Pastoralist Communities know they will not be compensated because the process is very bureaucratic, political and tedious. So, they prefer to kill the lions. The issue of burying lions secretly so that the authorities do not find out highlights the complexity of the issue of killing lions.

Summary on Compensation Programmes

Several scholars (Hoare 2000); (Naughton, Rose and Treves 1999); (Thouless 1993) have criticized the compensation programme because of deficiencies such as: (1) Only addressing the symptoms and not the cause of the problem; (2) Being cumbersome, expensive and slow to administer because of the need to cover large areas, have stringent financial controls, train assessors among other requirements to make it work; (3) Failure to address unquantifiable social opportunity costs borne by people who are affected by the threat of the problem; (4) Being open to considerable abuse or blatant corruption through inflated claims among others; (5) Usually never having sufficient funds to cover all compensation claims; (6) Making payments to only some victims thereby causing disputes, conflicts and social problems; and (7) Inability to keep pace with the changing social economic circumstances like inflation or changes in social policy especially where compensation claims are promulgated by law. It will be interesting therefore to see how the new policy on compensation programme works out, atleast 5 to 10 years from now or when it was re-introduced and anchored into government policy in 2014. This can be an area for future research which I hope to carry out if no else does.

Nanapa Community Conservancy Proposal¹⁷⁸

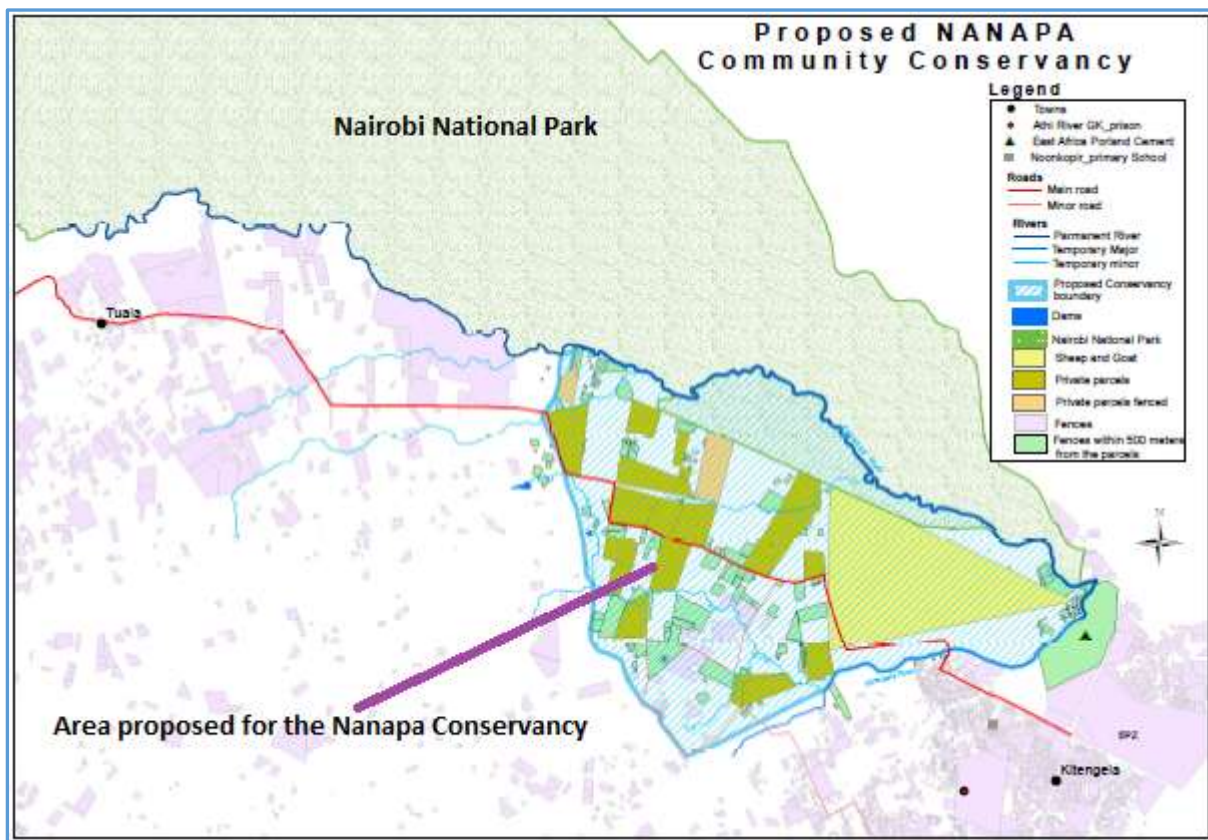
Origin and Context of Initiative

The word 'Conservancy' originally referred to an organization that is in charge of protecting an area of land, wildlife or wildlife habitats. In Africa, Conservancies originated from the concept of wildlife ranching and the privatization of wildlife on Private land in the late 1960s and 1970s in Southern Africa (South Africa, Namibia and Zimbabwe in particular) (Kenya Wildlife Conservancies Association 2015). Later, Community Based Natural Resource Management programs (CBNRM) developed in these countries in the 1980s. Community based conservation or natural resource management models differ across Africa as does the level of devolution of wildlife user-rights to Land-owners depending on national legislation. Conservancies in Africa are mostly supported by local and international NGOs.

178 Information in this sections was provided by (The Wildlife Foundation 2015) Concept Paper on Community- Wildlife- Tourism Conservancy in Kitengela

They seek to promote and integrate wildlife production and tourism development into the welfare and livelihoods of communal area residents (Kenya Wildlife Conservancies Association 2015).

Figure 55: Proposed Community Conservancy in the Southern Border of NNP



Source 149 (The Wildlife Foundation 2015)

According to the new Kenyan Wildlife Conservation and Management Act of 2013, wildlife conservation is now a form of land use and therefore, individual landowners, body corporate, group of owners or a community can set aside their land for purposes of wildlife conservation (Wildlife Act 2013). In Kenya, the term 'Conservancy' refers to institutions for the governance and management of wildlife, as well geographic areas identified for wildlife management on Private and Communal land. Early on the terms Wildlife Sanctuary or Community Wildlife Association were used, and it was not until the enactment of the Wildlife Conservation and Management Act 2013 that Conservancies were defined; 'an area of land set aside by an individual Land-owner, body corporate, group of owners or a Community for the purposes of wildlife conservation'. Prior to 2013 there was no specific legislation for Conservancies and as a result Conservancies have evolved over the past 20 years resulting in several different models. Today (2015) there are over 140 Private and Community Conservancies covering 7.5 million acres (30,300 km²) of land, located in 24 Counties.

Since 2014, the local NGO known as the wildlife foundation has been in the process of creating a community conservancy together with the community land owners

living in the immediate south of Nairobi national park. It is envisioned that setting land aside for wildlife conservation will be beneficial in the long run, for the livelihoods and lifestyles of the local land owners. The specific region of establishment of the conservancy will be Empakasi Area, in Kitengela, within the Nairobi national park dispersal area. This area borders NNP on its southern boundary, stretching for about 10-15 kilometres along the park boundary and covering approximately 1214 hectares of land. This land is owned by about 50 land owners, but so far, only 50 had committed by January 2015 (The Wildlife Foundation 2015).

The “NaNaPa Community Conservancy” shall be the first conservancy established in this area and in close proximity to Nairobi National Park. The conservancy will be a partnership for investment in tourism between local land owners and perceived preferred partners to the Maasai community. These include organizations with a long proven record of responsibility, sustainability and transparency in relation to the local community. According to TWF, the local tourism business model is the main sustainable financial driver of the conservancy. At this stage the local Maasai community and its landowners and The Wildlife Foundation are the main enterprise development partners. Participating land owners will enter into long term land lease agreements with the investors that translate into powerful tangible financial, social development and economic empowerment benefits. Local land ownership will be maintained through land lease systems for conservation and development purposes (The Wildlife Foundation 2015).

Objectives of the Community Conservancy

Thus, the two main objectives of the initiative are: (1) to maintain space for wildlife and livestock - save wildlife habitats (Solonka 2015) and (2) to maintain, strengthen and further develop the existing world renowned values of NNP (The Wildlife Foundation 2015). According to TWF, the “NaNaPa Community Conservancy” is a decision by the community. The establishment of “NaNaPa Community Conservancy” is aimed at providing an opportunity for the local community members to have an option of retaining private ownership to land by becoming primary investors and shareholders in the conservancy. The initiative was bought up as a result of a need to address threats that pose a great risk to the survival of the greater NNP ecosystem and the local Maasai community. These entail a number of social, economic and environmental issues, particularly those related to loss of habitat for wildlife and livestock and incompatible land uses. Selling of private land which for many years has been available for wildlife use is on the rise and in the absence of proper planning and management systems, more land sales will be witnessed in the coming years.

Table 41: Objectives of the Community Stakeholders creating Nanapa Conservancy

| |
|---|
| <ol style="list-style-type: none"> 1. To realize alternative sustainable livelihood that will address the negative impacts of climate change on traditional livelihood systems 2. To attain competitive sustainable land use to counter the negative impacts of |
|---|

changing land uses that are incompatible with traditional pastoral lifestyle and wildlife/conservation.

3. To achieve the creation of local jobs and diversification of livelihoods
4. To attain a clearly defined benefits sharing system from tourism revenues.

Source: (The Wildlife Foundation 2015)

Land sales in the Kitengela in the past decade have resulted in uncontrolled development and changing land uses that have led to negative impacts on wildlife conservation by obstruction of wildlife movement. In turn, this leads to increased vulnerability of both wildlife and human beings as increased human-wildlife conflicts are witnessed, poaching and snaring activities which are likely to have a negative impact on Nairobi National Park, deprivation of wildlife tourism, reduced land value, reduced ecosystem integrity and rapidly growing landless generation eventually creating a spiraling effect of increased poverty. Thus, the conservancy is part of the search for a more sustainable approach to conservation and community development.

Stakeholders in the creation of Nanapa Conservancy

The “NaNaPa Community Conservancy” is proposed to be a partnership between private local Maasai landowners with business investors, conservation and development organizations. Currently, the key stakeholders are the local conservation NGO, The Wildlife Foundation (TWF) and the local Maasai community members who own land in the region. Key strategic partners that have been identified include the Kenya Wildlife Service, the Kenya Wildlife Conservancies Association, The Nature Conservancy and the Kenya Wildlife Services. These stakeholders were identified based on various roles they would play including technical, legal and financial. Other organisations that aim to address sustainable development through reconciliation of community needs, conservation ideals and socio-economic development are recognized as crucial partners in making the “NaNaPa Community Conservancy” approach viable. These include private and public foundations, private investors, philanthropists, NGOs, institutions and governments. The perceived preferred partners to the Maasai community, in relation to the conservancy model, are organizations with a long proven record of responsibility, sustainability and transparency in relation to the local community. The local tourism business model is perceived as being the main sustainable financial driver of the conservancy once it has been established.

Photo 46: Maasai Landowners Being Briefed On the Conservancy Concept



Source 150: (The Wildlife Foundation 2015)

Proposed Funding for the Nanapa Conservancy

The total estimated investment cost of the transition period between, until the conservancy is fully developed and operational, is approximately KES 20 Million, distributed between initial land lease fees and in education, training, community preparation and social and environmental investments. From the year 2017, the established business enterprise will be expected to supply 100% of the land lease fees and all other operations. During the first year development and mobilization phase TWF expects that the ability of the business model to provide land lease fees would increase in relation to the number local tourists utilizing the enterprise facility established. The proposed business model is expected to provide for: (A) A gliding transition to full financial land lease responsibility over a 1-year period by the business partner(s) and (B) A gliding transition to full community involvement in conservancy management, ranger and guide activities as well as the establishment of social service infrastructure such as health, education etc (The Wildlife Foundation 2015). So far, TWF has been carrying out some fundraising activities to raise money for the conservancy, since 2014. This have included gala dinners at five star hotels as well as cycling mini-marathons in community land, in the dispersal area in kitengela.

Photo 47: Posters announcing fundraising Mini-Marathons for the conservancy



Source 151: Compiled from (The Wildlife Foundation 2015) Photos on their Facebook Page.

Strategies to Achieve Conservancy Objectives

The conservancy is still in the process of being established, and has not been completely finalised as yet. The process of establishment started in 2014, with a number of key strategic activities being carried to date. In 2014, a few starting point activities were carried out. These included holding initial meetings with the community, identification of strategic partners, site visits to undertake feasibility studies and initial mapping exercise to map of the proposed conservancy and guide the zoning process.

In 2015, more strategic planning activities were carried out. They included: (1) holding key meetings with the community members in order to get approval from and support from them, for the formation of the community conservancy; (2) educating and creating awareness among community members by organization excursions to other areas in the country with successful conservancies¹⁷⁹; (3) holding key stakeholder meetings with strategic partners mentioned above and future business partners; (4) carrying out of feasibility studies including the development of a geographical information systems platform for land-use assessment and planning purposes; (5) production of thematic maps to be used for community information, training and strategic planning, e.g. Zoning of the conservancy, location of community service centres, wildlife corridors; (6) development of the conservancy business model and marketing strategy; (7) direct negotiations, signing of legally binding documents regarding land lease agreements, formation of a land holding company and registration of a trust depending on the legal structure agreed upon by the community members.

179 This has included a trip to the group ranches and conservancies in Amboseli, which I attended as an observer.

Photo 48: Kitengela Community Members Being Advised by the Manager of Eselenkie Conservancy during an Excursion to Group Ranches in Amboseli¹⁸⁰



Source 152: (The Wildlife Foundation 2015)

Expected Outcomes

The expected outcomes, once the conservancy is fully established include: (1) Community participation and maintenance of local ownership through land lease systems for conservation and development purposes (conservancies); (2) formation of a locally owned conservancy that provides opportunity for the community to remain in control of its natural resources as well as generate benefits in form of financial resources (lease fees) and job creation (tourism); (3) Attraction of both local and international tourism businesses as well as social and environmental investments¹⁸¹; (4) Creation of more space for wildlife by expanding the Nairobi National Park by about 3000 acres; and (5) Arresting uncontrolled land development, discouragement of subdivisions and removal of fences, hence leaving the area open for wildlife.

According to TWF, the “Conservancy” model provides for equitable profit sharing through land lease agreements where the local investors earn financial returns in

180 Please See: I am part of the group as a participant observer. I am wearing a white top and cut off blue jeans, standing next to the tall man dressed in blue.

181 However, according to TWF, this will depend on good governance and commitment by the land owners to long term lease agreements.

direct relation to the size of land leased to the landholding company provided proper management structures that maintain and improve land conservation value is put in place. TWF note that a successful conservancy model in the area will be instrumental in setting precedence for the establishment of a series of connecting conservancies that will open up migratory routes that have now been blocked by developments. Rehabilitation of rangelands is also expected to be realized with the establishment of this conservancy and subsequent connecting conservancies.

Criticisms of Community Wildlife Conservancies

Though communities in Kenya have devoted substantial portions of their land to the wildlife conservation they have been getting minimal gain from such ventures. According to the Kenya Wildlife Conservancies Association (KWCA), there are currently over 140 private and community conservancies, conserving over 7.5 million acres of land in Located in 22 counties. Several studies have established that in the majority of the cases, communities get negligible benefits, if any, from the partnerships with investors who run the conservancies of the community lands (Mburu and Birner 2007); (N. Kabiri 2011); (Muthiani, et al. 2011); (Butt 2016).

Writing on community conservancies, (Butt 2016) observes that “the concurrent shift from communal to individual land tenure has attracted the attention of investors who seek to create private conservation spaces (i.e. conservancies) outside neighbouring state management protected areas. These investors invoke neoliberal tenets where privatization and market exchange are presumed to hold the key to the sustainability of people, wildlife, and livestock in a fragile ecosystem”. Drawing on a recent empirical study from a case in southern Kenya (Butt 2016) notes that conservancy initiatives dispossess people by ‘relying on coercive tactics on land leasing’ and ‘discounting the geographies of indigenous resource use, access, and control’. In particular, he ‘highlights how the resource managers fail to adequately consider the varied spatiality and temporality of local livelihood production systems and how the land leasing process is fraught with difficulties’. He concludes that ‘dispossession leads to the further displacement and marginalization of local people, and hampers the sustainability of people, livestock, and wildlife in dry lands’ (Butt 2016).

One of the earlier studies as reported and prepared by Taiko Lemayan and Donald Mombo of the Kenya Community Based Ecotourism (KECOBAT) in 2007, noted that many communities who have entered into agreements for wildlife conservancies for their lands are enmeshed in exploitative partnerships with various private investors. The report highlighted the reality of the over glorified popular perception among stakeholders of wildlife conservation NGOs replayed in the media, travel literature and in international conferences that ecotourism concerns in Kenya and elsewhere are a win-win solution that is both beneficial to poor land owners and supportive of the conservation of wildlife and the environment (Mbaria 2007).

Citing the aforementioned report, (Mbaria 2007) notes that communities get minimal returns from the investor, whom they have handed huge chunk of land for the “exclusive use of wildlife and ecotourism, without the investor paying a cent, particularly in many of the cases where investors purport to operate their tourism outfits as not-for-profit businesses. Further, the report cited notes that “lease fee per hectare was far below market rates [and too little to spur] any conservation or socio-economic sustainability.” The exploitative relationships by the investors against the land owners is worsened by the fact that ‘most of the agreements between communities and investors are drawn up by lawyers, who do not have a clear-cut criterion on how to share revenues between investors and local landowners’ (Mbaria 2007). Moreover, in some agreements, the communities are not given the chance to value their land or to engage in bio-audits to determine the real value of the land and the wildlife in the “pristine’ ecosystem” under their ownership.

The KECOBAT report sampled the operations of six conservancies, that is, Il Ngwesi (in Laikipia), Tassia, (Samburu), Shompole (Kajiado), Selenkay (outside Amboseli National Park), Lumo and Mwaluganje (both in Coast region) and noted that the tourism facilities built on the conservancies (tents, lodges or camps) are wholly owned by the investors, as well as other movable assets like vehicles and brand names. In cases where conservancies were run exclusively by private investors, the reported noted that the investors only offer minimal activities which translates into minimal benefits for local communities.

When it comes to employment, (Mbaria 2007) cites the KECOBAT report noting very little if any meaningful employment is created for local communities within majority of the conservancies. It gives the example the six sampled facilities by KECOBAT study where only 0.2 % to 7.3 % of populations in the various group ranches were employed in the conservancies. Moreover, most of the employees were untrained, performing tasks such as providing security to animals and tourists or menial tasks around the camps. The report indicated that investors do not bother to train the local people in the actual tourism business, thereby defeating the original objective of “empowering” communities through helping them acquire skills in the management, hospitality and marketing.

The Case of Selenkei Conservancy

In the case of Selenkay conservation area, members of the Eselenkei Group Ranch have set aside 5,000 hectares for the “exclusive use” of a company associated with the chairman of the Kenya Tourist Board, Jake Grieves-Cook. Selenkay Conservancy is located a few kilometers north of Amboseli National Park and serves as a key wildlife dispersal area for animals migrating from the latter park. It forms part of the so-called Nyiri Desert, an area plagued by unreliable rainfall and scanty vegetation whose growth is retarded by overgrazing and harsh physical and climatic conditions. The Conservancy was established in 1997 after members of the 74,794-hectare Eselenkei group ranch agreed to set up Porini Ecotourism Project together with Mr Grieves-Cook. An interesting allegation in the report is that the lease agreement does not cover the 5,000-hectare conservancy exclusively set aside for the use of the Amboseli Porini Camp run by Mr Grieves-Cook, but only the 16 hectares actually occupied by the camp. Contacted by *The East African*, Mr Grieves-Cook conceded that the land leased to his company was not tendered for. “At the time that we initially discussed the project with community leaders, there was no question of tendering, as there was no other company interested in leasing the land.” But he says the project is “genuinely beneficial” to the community and the environment. Were this not the case, “I would not still be there over eight years later.” He insisted that he does pay for the exclusive use of the 5,000-hectare conservancy, but gave no details. To him, the partnership is “a model” of how communities in arid areas can earn an income from conservation. Oddly enough, though he told *The East African* that a two-night stay at Amboseli Porini Camp is sold at a price of between \$300 and \$395 per night, information posted on his company’s website show that it costs between \$670 and \$865 for a two-night stay depending on the “season.” Other reports show that Mr Grieves-Cook has been paying the community \$5,300 each year for the lease of 16 hectares of the land on which the camp is located, and an additional \$500 and \$1,200 against the entire amount of gate fees and bed charges paid by tourists annually. The lease agreement runs for 15 years.

Source 153: (Mbaria 2007)

Further alluding to the report, (Mbaria 2007) raises questions on whether the demand for ecotourism is driven by the need to genuinely alter the socio-economic circumstances of communities or by the desire of the global environmental movement – NGOs, UN bodies, environmental charities and private environmentalists – to halt the degeneration of key ecosystems in Kenya and elsewhere. He cites the KECOBAT report which suggests this debates by noting that the setting up of six ecotourism areas and associated businesses was brokered by conservation NGOs such as Eden Trust, African Wildlife Foundation and the Kenya Wildlife Service (KWS). Even with such brokerage, communities hardly get the best legal deals (Mbaria 2007). The report gives the example of Il Ngwesi, where the legal agreement did not specify how liabilities ought to be shared out between the community and owners of Lewa Downs Ranch. It links this to subsequent disagreements on who ought to shoulder the compensation paid to a British tourist injured by an elephant whereby the matter was in court. Finally, the KECOBAT report records that legal agreements for community ecotourism conservancies are fashioned in such a way as to make it almost impossible for communities to

disengage from them even when the deal goes sour. It cites the cases of Mwaluganje and Lumo where the communities “have been complaining” that the private investors do not “sufficiently” market the conservancies, but remain entangled in partnerships that “they cannot disengage from.”

SUMMARY OF CHAPTER

This chapter was about the conservation interventions by non-state actors in the management and conservation of Nairobi National Park. In order to understand the background under which the conservation interventions are taking place, the chapter started with a presentation of the physical/environmental, social, economic and historical-political context of Nairobi National Park (NNP). I proceeded by highlighting the parks national and international importance, stating that NNP is the largest green space in the Nairobi and the only wilderness park or game reserve in the world, located in a capital city. It has rich natural biodiversity consisting of savannah grasslands and wild game like lions, zebras and wildebeest. I add that the park is a major tourist attraction and foreign exchange earner from safari tourism.

In addition to the natural heritage, I mentioned the fact that the park has a number of cultural recreational facilities, especially the animal orphanage and the Nairobi safari walk, which are popular among the majority of the Kenyan citizens who cannot afford to go for game drives in the park, unlike the affluent, upper middle classes and international tourists. These cultural recreational attractions which are not really part of the wilderness park provide an opportunity for low income citizens to see wild animals, albeit in a zoo setting.

The sub-section after is a presentation of the socio-economic profiles of the three main communities bordering the urban national park. These are the urban community; to the northern and western borders of the park, the peri-urban community; to the south-east and south west of the park and the rural community; to the south of the park. I highlight the fact that the northern eastern and western section of the park are fenced while the south is left open into the rural community land. As reiterated in the section on challenges facing the park, the openness of the park to the rural south continues to pose several threats and challenges in the conservation of the parks ecosystem.

The uses and importance of NNP are then presented, where I demonstrate that two main uses of the urban national park can be observed. These are the conceived (legally allowed) uses which include wildlife photography and tourism, camping, picnics and other leisure activities like bush dinners and weddings. I mention that the main park users are international tourists from western Europe and USA, followed by expatriates, affluent and upper middle class Kenyan citizens, who are mostly white and Indo-Asian Kenyans. The second category of uses are the perceived (illegal) uses which include grazing/herding in the park and collection of firewood (deadwood) and medicinal products. In the eyes of conservationists, the state and tour operators, the latter uses are incompatible with tourism and cannot be allowed.

The social-political history of NNP is then presented. It begins with a discussion of the pre-colonial era, where I reiterate that abundant wildlife species and large open range lands in the Athi-Kapiti Plains where NNP is located, before the colonialists arrived. Here, I emphasized how the native *Maasai* who inhabited these lands, co-existed with the wildlife in the savannah. Moreover, I highlight the fact that the traditional communities did not separate themselves from nature and yet they used and managed wildlife resources through traditional regulations and norms.

This is followed by a presentation of the colonial era history, beginning 1870-1963. Here, I highlight the fact that the open rangelands were very attractive for European adventurers. Therefore, soon after the Europeans started arriving, the savannah plains became a White Hunters Paradise. Therefore, a lot of wildlife was decimated in the early colonial period prompting the colonial administration to develop rules and regulations to control the hunting activity as well as generate revenues from trophy hunting. Moreover, I add the fact that in order to ensure enough game for future hunting and revenue generation, the colonial government created large game reserves by displacing native communities from their land. This explains why and how game reserves were eventually created, including the first national park in the country, the Nairobi National Park. I also discuss how wildlife photography and tourism as opposed to game hunting later on came to be popular. I emphasize that wildlife tourism set the precedent for further dispossession and alienation of native communities from their lands and national parks, to create spaces for commercial tourism and European recreation.

In the Post- Colonial period, I discuss how national parks and games reserves become a major foreigner exchange earner from tourism revenues. However, I highlight the fact that the tourism industry continued to be dominated by white tour operators and European tourists, with very few black Africans consuming the tourism products or playing a part in the tourism economy, apart from being subordinates of the White tourist entrepreneurs.

Section 6.2 presents and evaluates the legal legislations and framework for the management of wildlife habitats in Kenya. I reiterate here that the traditional communities peacefully co-existed with wildlife on their lands and that man and nature were not separated. I then present some facts on the colonial conservation efforts, which basically entailed creation of large swathes of game reserves by displacing native communities from their land. Moreover, I highlight the oppressiveness of the discriminatory colonial policies and legislations that were developed and enforced, adding that they resulted to denying people use and access rights to land and wildlife resources. A major outcome of the oppression is highlighted as apathy towards wildlife conservation by communities so oppressed.

In the early post-colonial era, I mention that reproduction of the colonial injustices continued, using the same policies and legislations as the colonists as well as autocratic practices. Moreover, communities hosting wildlife on their land suffered more from human wildlife conflicts, yet they did not partake in sharing the revenue

from tourism earnings, despite sacrificing a lot to conserve the wildlife on their lands.

In the mid post-colonial era, I mention the fact that there have been some efforts to address spatial injustice by encouraging apathetic communities living with wildlife on their land to support wildlife conservation by participating in wildlife conservation, in other words, dedicating their land to wildlife conservation. In the last part of section 6.2, I mention that there has been a new policy enacted in 2014, that aims to address some of the issues that have caused apathy towards wildlife conservation among communities living outside protected areas. However, based on recent reviews of the new policy by scholars in conservation

In section 6.3, I presented the conservation and management challenges and threats Facing the larger NNP ecosystem. These I summarize as infrastructure development, fragmentation and subdivision of animal habitats and human wildlife conflicts and fencing of land in the dispersal areas.

The main thrust of the case study comes in section 6.4, where I present and analyse the various conservation interventions initiated by NGOs to increase the viability of NNP. Being a biodiversity hot spot that is increasingly under threat from urbanization processes, the park has attracted the attention of international wildlife conservation organisations as well as major global institutions that fund conservation programs. The interventions by the powerful non-state actors or NGOs are focused on either human wildlife conflict prevention or habitat loss mitigation. The habitat focused interventions have mainly been the: (1) Wildlife Conservation Lease (WCL) Program; (2) Land Use Master Plan (LUMP) for Kitengela; (3) Resistance against Infrastructure Development around Nairobi National Park; (4) Nanapa Community Conservancy Proposal. The human wildlife conflicts prevention initiatives are the Lion Entry Deterrent (LED) Lights and the Consolation (Compensation) Programme.

Based on the findings of the outcomes of these interventions by the NGO's, I conclude that none of the conservation initiatives have addressed the rights of the community living with and hosting wildlife on their land, to use and access the park. Moreover, I argue that the reason these conservation interventions have not addressed the communities' needs is because they have been imposed by powerful NGO's, who do not genuinely or adequately consult the community, nor involve them in decision making. Just like the colonial and the post-colonial state, these NGOs reproduce exclusions and disenfranchisement created by colonial government in more nuanced ways, by assuming an expert role and believing they can provide the solutions the community needs. In addition, these NGOs impose global wildlife conservation and management standards, which serve to further marginalise the community.

CONCLUSION

The sale, subdivision and fencing of land in the dispersal areas in the larger ecosystem of NNP continues rapidly, despite the many efforts which have been tried by the NGOs to halt the loss of habitat. The study found out a number of reasons why the conservation interventions were not working. For the Maasai pastoralists land owners who don't want to sell and subdivide their land, fencing continues because, the wildlife from the park does not benefit them at all, yet it competes with their livestock for pasture and water, predated on their livestock, destroys their crops (for the agro-pastoralists) and brings in diseases to their livestock. So they don't see the reason to keep their lands open for the sake of wildlife, which does more harm than good for them. Secondly, most of the land owners who have land near the major roads where there is urban development and in the immediate southern border of the park find it more profitable to sell their land, rather than continue with their pastoral way of life, which is filled with hardship especially during the dry season. Besides, the land values are very high near the road and one can sell land and get enough money to last them a lifetime if they use it properly. Thirdly, some of the conservation interventions like the wildlife conservation lease programme which had very good intentions and work plan were unsustainable from the beginning, which indicates that the idea was imposed and the community was not involved in decision making.

All the interventions which have been implemented have failed considerably because no one (both the conservation NGOs and the government KWS) is really listening to the community or involving them in decision making. The community does not gain any benefits from the wildlife from the park, yet they are expected to host the animals on their land, which compete for resources with their animals or kill their livestock. Secondly, the community is not allowed to go into the park with their livestock even during the dry season, despite having hosted the animals from the parks in the other season, which finish grass pastures for their animals.

Moreover, despite being the only indigenous community that co-exists with wildlife in this modern era, the Maasai pastoralist's community are perceived as threats to conservation by elitist conservationists. Specifically, the Maasai Community are accused of being the worst enemies of lions and are perceived as being greedy due to their culture of keeping large herds of cattle, which are seen as reducing pasture resources available for wildlife and causing environmental degradation.

Finally, unlike Kenya Forest Service (KFS) which has made efforts through genuine change in policy to involve the community living near the nature reserves to participate in the management and conservation of the state forests, it evident that the Kenya wildlife service (KWS) is not ready to engage the community living near the protected areas in the co-management of the parks. Thus, the community living near NNP are not listened to, nor have any voice in decision making, as far as the use, management and conservation of the park is concerned. A co-management arrangement for future management of the park and its environs, which balances the needs of the pastoralist community with the need for protection and management of

the park seems to be the only feasible solution. This involves an integrated spatial planning and management model for community land in the dispersal areas and land belonging to NNP. The co-management arrangement should address the needs of the community (accessing pasture in the park) in order to balance the issues of resource sharing with wildlife from the park and reduce tensions between the parks management and the community. In the process, the community will share the benefits from costs related to living next to the park and have some power in decision making in matters related to the management of the park. As mentioned earlier, the community has indicated that they want to be able to access pasture lands in the park, especially during the dry season when there is no grass in the community land. This is understandable given that the community hosts wildlife from the park in the other seasons. Indeed, based on interviews with community land owners, what they mostly want is to be directly involved in the co-management of the park, using the principles of both benefit and power sharing (where they stated that they want a model similar to KFS- Community Forest Associations (CFA's). These will give them incentives to continue hosting wildlife on their land and stop the selling, fencing and subdivision of the privately owned wildlife habitats.

WATCHDOGS, LAND GRABBERS AND KNIGHTS WITH SHINING ARMOURS: CIVIL SOCIETY RESISTANCE AGAINST PRIVATE APPROPRIATION OF CITY PARK FOREST, NAIROBI

INTRODUCTION

This chapter is about participation through resistance by civil society actors in the management and conservation of City Park Forest, in Nairobi, Kenya. Interventions in the protection of urban parkland forest by citizens began in 1996, with the Friends of City Park (FoCP), a local Civil Society Group (CSO) that was concerned about the irregular allocations of the public park to private developers, which had begun in the mid-1980's, under the eras corrupt regime. The Friends of City Park intervened through specific lobbying and advocacy actions to stop the land grabbing of the forest in the mid-1990s. At that time, the democratic space for public participation in management of urban green spaces was non-existent. The city government then did not have any framework or formal process guiding public participation. Moreover, the regime was authoritarian and the city authority lacked transparency and accountability towards the public, over the decisions it made regarding the parks land use, management and conservation. The formation of FoCP by members of the public then was therefore quite a bold step, considering the political climate of the era. Indeed, FoCP was probably one of only three existing civil society groups then, formed by citizens, to deal with the issue of land grabbing of public spaces in the city. The stealing of land meant for public use had become widespread from the mid-1980s and throughout the 1990s. Unfortunately, by the time of the formation of FoCP in 1996, several acres of City Park Forest had been lost to land grabbers.

Nevertheless, this chapter investigates the role and contribution of the FoCP over the years since 1996, in the management and conservation of the remaining areas of City Park Forest, Nairobi. The study found out that the formation of FoCP has been instrumental in raising awareness on corruption related to land grabbing of the park as well and stopping further alienation of the public land since to the present day. At the time of its creation, the association grew organically, out of the need to address the issue of land grabbing, hence creating a space for citizens to engage with the government authorities in the management of public spaces in the city, at a time when the concept of citizen participation was unimaginable.

Over the years since their formation, FoCP have continued to engage in the protection of the urban parkland by taking legal actions against attempted subsequent illegal excisions of the forest. In partnership with other environmental NGOS, they have continually carried out biodiversity research and documented the parks rich ecosystem in renowned Nature Kenya publications. Whenever possible, they have supported the city governments efforts of park maintenance by organising community clean up exercises and environmental awareness talks. More recently, FoCP have engaged the Nairobi City County (NCC) government vehemently, through resistance against its plan to outsource the rehabilitation and management of the public park to the Aga Khan Trust for Culture (AKTC). The county

government interest is to have a world class recreation centre. Given the challenges it faces in the maintenance of public parks due to fiscal constraints, the already signed Memorandum of Understanding (MoU) for a Rehabilitation, Funding and Technical Agreement (RAFTA) between NCC and AKTC is a welcome move for city authority's image.

While they are not against the funding for the rehabilitation of the park, the FoCP have raised their concerns against the proposals. One of their main arguments is that the proposed rehabilitation plans will make the currently open public park, exclusive to only upper social classes. While this concerns are valid and genuine, the civil society group wants something to be done about the poor maintenance and insecurity of the park. This chapter therefore investigation in-depth into the overt/covert interests, activities, contributions and outcomes of the interventions of FoCP.

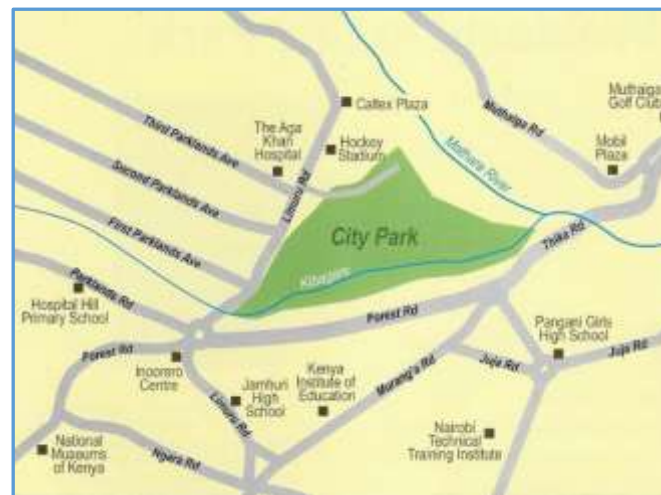
PHYSICAL, SOCIAL AND ECONOMIC CONTEXT OF CITY PARK FOREST

Physical Environmental Context

Location and Area

City Park Forest is a 60 hamostly natural forest Parkland located three kilometres from the heart of the Nairobi Central Business District. Originally, the park measured 120 ha when it was created in 1923. The parkland forest is located in the heart of a large and dense middle class Asian residential suburb, better known as Parklands, towards the north-west regions of Nairobi.

Figure 56: Nairobi City Park Forest¹⁸²



Source 154: Friends of City Park Guide Book, 2012

The most visible neighbour adjacent to the Park in the west is the high cost Asian run private hospital, the Aga Khan University Hospital. To the north, the park is

¹⁸² See map of green spaces in nairobi, chapter 4, to see the location and area of city park.

bordered by Muthaiga, an affluent residential suburb where most of the richest people in Kenya and Nairobi live. Other adjacent neighbours of the park include upper class shopping malls and commercial centres, high cost private schools and education institutions like Premier Academy and Aga Khan Academy, some Indian temple and mosques. Apart from the Premier Academy and the Indian temple which are right inside the south-eastern part of the park, the parkland forest is demarcated from its neighbours by major roads, including a highway that link the city to the large Nairobi Metropolitan area and rural country side. Other nearby significant neighbours include Kenyan-Asian dominated public educational institutions like Jamhuri Boys School, Parklands Arya Girls, City Park Forest Primary School, and relatively big hospitals like Avenue Hospital, MP Shah and Guru Nanak.

The park was created in 1923 by the colonial government, carved out from a part of the Kikuyu highland montane (dry upland forest ecosystem) that thrives at an altitude of between 1,600 and 1,800 m (5,250–5,900 ft) above sea level. It was part of Karura Forest, before the colonialists fragmented it. Together with Karura, Ngong Road and Ololua Forests, City Park Forest is one of the only four remaining Montane forest in Nairobi City area. These remaining scattered forest patches give a glimpse into the composition of the natural vegetation that covered much of the highland areas of Nairobi area over a hundred years ago. For this reason, some have described City Park Forest as a living museum.

The forest park is mostly a natural greenspace composed of areas with a wide variety of indigenous trees and plants. It has a substantial portion of semi-natural greenspace area, which has a combination of recreational and sports facilities, buildings and graveyards. The main land use of the site is recreational and protection of the remnant indigenous forest. The nearest public green spaces to City Park Forest include Karura urban forest reserve in the north-west and just 3 kilometres from City Park Forest. Separated from Karura during the clearance for development of housing areas for the white settler community in the city, the park acts as a physical barrier, separating the former European reserved areas from the colonial African areas to the east. The other nearby public greenspaces include a number of sports grounds and golf clubs belonging to private and public institutions like schools and private members only sports clubs like the cricket grounds adjacent to City Park Forest. There is the rehabilitated riparian area, now known as Michuki Park, along the Nairobi River on globe cinema roundabout

Biodiversity of City Park Forest

Vegetation

NCPF has a wide variety of threatened indigenous trees including *croton megalocarpus* or Croton tree (common name: *mukinduri*¹⁸³), which grows often over 25 metres tall; *giant diospyros* or *Diospyros abyssinica* (common name: *muiruthi*) which may tower 20 metres or higher; *brachylaena huillensis* also known as 'silver oak' or (*muhugu*). This species is listed as near threatened by IUCN; *markhamia lutea* or (*muu*);

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craibia browni or (*mukubu*); *cassipourea malosana* also known as (*muthaithi*) or 'Pillar wood'. This species happens to be one of the trees on view. Others include 'strangler fig' or *ficus thonningii*; *warburgia ugandensis* or *muthiga*; *elaodendron buchananii* or (*mutanga*); *drypetesgerrardii* or (*munyenye*); *rawsonia lucida* or (*mutendera*), a small tree which grows about 12 metres.

Other widely occurring species of tree include 'cape ash' or *ekebergia capensis* or (*mununga*); *schrebra alata* (*mutoma*) or 'wing leaved wooden pear'; *vangueria* which is the tropical Africa genus of 'wild medlars'; *olea europaea ssp. Africana* 'the african olive' (*muamaiyu*) and *chrysophyllum viridifolium* (*murundu*). Many small trees that are typical of dry forests around Nairobi include *vepris* or 'teclea' of *simplicifolia* and *tricocarpa* species (*munderendu*); *strychnos* species known as *muteta* and *mutiani* in kikuyu; *acokanthera* or 'arrow poison trees' (*Muricu*); *rothmannia urcelliformis* (*mukombokombo*). A very well represented tree in the forest is the *ficus* with its various species including *ficus thonningii* 'strangler fig' or (*mugumo*) including other African 'wild figs' - (*F. Sur*, *f. Natalensis*, *f. Lutea* and *f. Diversifoli*). These make some of the most popular foods for monkeys and other resident animals and birds like the silvery cheeked horn bills.

Photo 49: Indigenous and Exotic Biodiversity in The Park



Source 155: Fieldwork 2014

There are a number of exotic trees species (140 out of 390 existing tree species in the forest. The exotic species include *grevillea (g.robusta)*, 'Blue gum' - eucalyptus from Australia and *Jacaranda (j.mimosifolia)* and *Bombax (chorisia specios)* from Brazil; exotic fruit trees like the guavas (*psidium guajava*) and flowering bushes *bougainvillea* native to Brazil and the 'pyramid Tree' *lagunaria patersonii* from Australasia; the sapling *ginko biloba* from China. The exotic fruit trees are believed to have been introduced by birds. A number of Wild flowers bloom in the Park Forest at different times of the year including *gloriosa superba* 'flame lilly' which appears after the rains; *scadoxus multiflorus* or 'fireball lilly'; *ipomoea* creepers representing the

'morning glory family, *convolvulaceae*.

Animals, Insects and Birds

The most visible and numerous animals in the park are the monkeys, especially the Sykes and Vervet monkeys which are many and can be found all over. These make the forest park a great attraction for visitors, who go to play with and feed the monkeys despite the parks prohibitions against feeding of wild animals. Other small mammals include bush babies, squirrels, giant pouched rat, fruit bats and mongoose. Reptiles and amphibians include lizards, chameleons, skinks, frogs, toads and geckos. Birds include hornbills, pigeons, trogons, cuckoos, hawks, fly catchers, woodpeckers, tropical boubous, wagtails, ibis, kingfisher, herons, weaver birds, bee eaters, buzzards, eagles, sun birds, finches and wax bills.

Insects include dragon flies, bees, beetle, lady birds, ants, termites, crickets, caterpillars, grasshoppers, praying mantids, butterflies. City Park Forest is said to be one of the best places in Nairobi for watching butterflies. Several species of butterflies exist and there is even a man-made pollinator garden for breeding butterflies in the park. Most of these insects make food for the monkeys, birds and other small mammals.

Social-cultural Features in the City Park Forest

The Murumbi Memorial Gardens

City Park Forest Forest is culturally significant for being the final resting place for Kenya's second vice president from Joseph Murumbi, who is buried on a section of the park. The grave site of Joseph Murumbi lies outside the old cemetery at City Park Forest because his last death bed wish was to be buried as near as possible to Pio Gama Pinto, a "socialist and freedom fighter" who was his close friend and political mentor. Pinto was a victim of the country's first political assassination in 1965. Since the cemetery where Pinto is buried was full, Murumbi was buried as close as possible to Pinto but in a different space, on the outer edge of the main cemetery.

Photo 50: The Murumbi Heritage Site



Source 156: Fieldwork 2014

In the year 1990 when Murumbi passed on, the then President Moi (who had taken over from Murumbi, as the third Vice-President in 1966) granted Murumbi's wishes, and his body was interred at City Park Forest, near Pio Gama Pinto. When Murumbi's wife died a decade later, she was buried in the park next to her husband. Murumbi was an avid art collector. He collected art and craft pieces from all over the world. These include a rare manuscript from David Livingston and vast collections of more than 6000 books published before the 1900s. His Pan African stamp collections are said to be second only to the Queen of England's collection. He bequeathed his collection to the state. Most of his art collections can thus be found at the National Museums of Kenya and the Kenya National Archives. Some major pieces of his art sculptures have been installed in the grave yard site where he is buried by the Murumbi Memorial Trust and the African Heritage Trust. The memorial garden at City Park Forest was established by the Murumbi Trust, which displays panels illustrating some of Joseph Murumbi's life, and his major art pieces, mainly sculptures that he loved, or made in his memory. The Murumbi Memorial Gardens are popular among visitors who want to learn something about the history of Kenya. The garden is maintained by the Nairobi City County parks department, who trim the bushes and grass. The National Museums of Kenya maintain the sculptures and exhibits in the site. Both departments provide security to the sculptures.

Photo 51: Local Youth Tourists Visiting the Murumbi Heritage Site



Source 157: Fieldwork, 2014

The World War cemeteries and graves

The park is also historically significant because it is the area where freedom fighter Pio Gama Pinto was buried. His tragic assassination in 1965 is seen to have left an indelible stain on early independent Kenya political development. It is also a grave site for World War I and II victims, who were buried there in different sections

according to their faith. There is a section for Catholics, Anglicans and Jews. There is also a larger burial site for commonwealth veterans of the First and Second World Wars.

Photo 52: One of The Grave Yards in The Park



Source 158: Field Work 2014

The Bandstand and recreational grounds

The parks central lawn has a bandstand which has been the setting for numerous historic outdoor events, diplomatic receptions and weddings.

Photo 53: The Band stand at City Park



Source 159: City Park Guide Book

Photo 54: The Manicured Sections of the Grounds Facing the Band Stand



Source 160: Field Work 2014

Photo 55: Youth Event Inside a Section of the Park



Source 161: Field Work, 2014

Photo 56: Youth Participants at an Awareness Event in City Park¹⁸⁴



Source 162: Fieldwork, 2014

Photo 57: Asian School Children from the neighbourhood at City Park

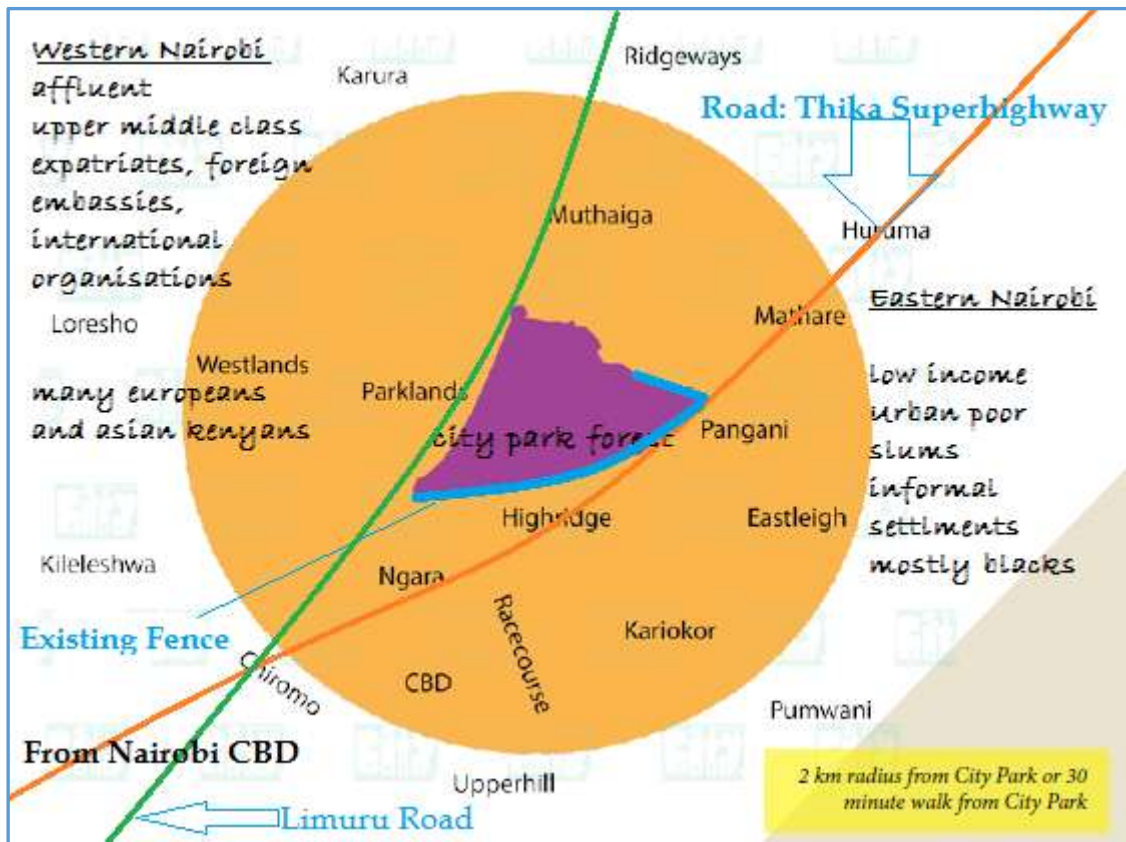


source 163: City Park Guide Book

184 Note the public toilet facility in the background.

SOCIO-ECONOMIC PROFILE OF PARK ADJACENT COMMUNITIES

Figure 57: Social- Economic Profile of Park Adjacent Communities



Source 164: Modified by author. Circle and Triangle Image from Friends of City Park, 2016.

Upper Middle Class Area -Parklands/High ridge

Parklands/High ridge Ward commonly referred to as just Parklands, is an upper middle class Asian dominated neighbourhood in the west-lands sub county in Nairobi. During Kenya's colonial days, the British government had originally demarcated the area for white civil servants. Despite being a white people's area, the area was later largely inhabited by upper middle class Asians. The reason why the Asians lived in an area for the whites despite attempts to institute segregation between the two races, at least between 1915-1923, has been explained by (Murunga 2012) who writes on early segregationist town planning in Nairobi and notes,

"attempts to institute segregation in Nairobi faltered because the process of urban land allocation, use and exchange and the legislation supporting this process did not support segregation."

Since the Asians had been in the country longer than the new incoming Europeans, they were already established financially and were able to afford property in the area. Moreover, as (Murunga, 2012) observes,

"the business inclined (white) settlers demanded a system of town planning that was class based rather than race based" and "In 1923, the colonial state conceded that segregation

between Europeans and Asiatics is not absolutely essential for the preservation of the health of the community."

From this account, it is clear that Parkland's was a mixed residential area for whites and upper middle class Asians. Later however, the 1948 colonial master plan for Nairobi officially declared Parklands as the area for only the Asian Race, as it became increasingly congested by the Asian population compared to Europeans and also the European residents insisted on being separated from the non-Europeans (Thornton-White, Silberman and Anderson 1948). Thus, from the 1950's, the area was increasingly dominated by the Asians, as the whites moved to the more appealing areas reserved for them like the nearby Muthaiga. To date, Parkland's is dominated by upper-middle class Asians. Most of these Asians are Indians (Hindus) and Pakistanis. Several organisations, sports clubs or women groups in the area focus on the intra-community relations of the Indo-Pakistani communities. Muslim associations which represent different Indo-Asian Kenyan Muslim groups form the core of the community life of the Indo-Pakistanis. Because they can afford, many Indo-Asian Kenyans frequent various private luxury sports clubs in the area, such as Parklands Sports club, used by all races, or strictly Indo-Asian ones like the Aga Khan sports club or the gymkhana sports club. Presently, Parklands has grown to become a mixed commercial/residential neighbourhood. The relative availability and comparatively reasonably priced land in the area attracted business and residential real estate development, away from the relative lack and exorbitant pricing of real estate in Nairobi's central business district, to the south of Parklands.

Lower Middle class -Ngara and Pangani

Ngara and Pangani neighbourhoods are located largely fall in the immediate north-eastern outer fringes of Nairobi Central Business District. Administratively, they are known as Ngara Ward and Pangani Ward, located in Starehe Sub-county, where the Nairobi CBD falls in. Ngara and Pangani Wards are separated from City Park Forest by Forest Road, a major dual carriage highway in the parks south and south eastern border. This dual carriage is the main entry point to the city from the upcountry regions in the north and east of the Nairobi City County. Three main formal social-economic functions can be observed in the region. They include: (1) Education with main public schools such as Murang'a Road Primary School, Park Road Primary, Ngara River Bank Primary School, Pangani Girls High School, Muslim Girls Ngara Girls High School and Jamhuri Boys High School; (2) Residential with old council housing such as Old Ngara Estate, new Ngara Estate, Pangani Estate and private hostels and (3) commercial with public spaces such as Nyayo Market, Ngara Market or shops for hardware, groceries, clothing and light manufacturing industries. The commercial built up environment has high rise commercial offices, single story industries. The open areas consist of road networks, solid waste dumpsites, open air garages and car wash bays, small scale urban agriculture farms along the Ngara river banks, a railway yard and makeshift road side hotels. The population density of Ngara and Pangani is high, with over 12, 000 persons per square kilometre (Kenya Population and Housing Census 2009). The Socio-Economic Profile of the area is middle-low income and upper low income. Many of the commercial activities area

based on the informal economy, such as hawking, mobile street vending, food kiosks, car wash and repairs.

Some of the first formal housing in the area was built by the colonial government, which included approximately 314 units of 1 and 2 bedroom flats between 1945 and 1958 in Ngara and 48 units of 3 bedroom maisonettes, all middle income persons (Shihembetsa 1995). The racial based segregation policies in the colonial era reserved Ngara and Pangani areas for the Indo-Asian people (Olima, 2001). As such, the population of this racial group is still high in the area, with many of the Indo-Asian families still owning the major buildings and businesses in the area. Nevertheless, Ngara and Pangani are today quite multi-cultural today compared with the past. There are many from different ethnic backgrounds in the country and east African region. The area is popular with many immigrants from the Kenyan countryside as well as people neighbouring east African countries. This is particularly the case with the Cushites or afro-asiatics like the Somalis, Eriterians and Ethiopians, who seem to like living, atleast temporarily, in the low income hostels and flats in the area (Field observations). The hostels are located along the main road networks making them convenient and popular among youth, such as university and college students studying in the city. The residential housing flats in the area are mostly occupied by middle to low income people. Most of these consist of council housing, with small pockets of slums. The region is popular among street families, particular around the public open spaces, like the globe cinema roundabout and around the riparian reserves, where the homeless wash and air their clothes using the Nairobi river waters. Many of the residents of Ngara and Pangani Neighbourhood use the City Park for their recreation and leisure needs, including the homeless people, who can be found sleeping in the open spaces of City Park during the day (Field interviews, 2013). The neighbourhoods are a very short walking distance to the park.

Slum Poor and Low Income-Mathare Valley and Huruma

Mathare Valley is a slum settlement while Huruma is a low income urban conurbation, consisting of several informal settlement, low-cost public formal housing and private commercial housing, mainly in form of tenements. The neighbourhoods are located on the north-eastern part and outer fringes of Nairobi's CBD, approximately three kilometres from the city's central business district and 1.5 kilometres from City Park Forest. The settlements are bordered to the west by City Park Forest. However, the area is separated from the upper- middle class residential areas and the Forest by a superhighway, known as Thika road. In other words, City Park Forest serves as a buffer zone between the slums and the affluent and upper middle class neighbourhoods of Muthaiga and Parklands. Because of the highway, the park is not easily accessible to the inhabitants of these settlements despite being only 1.5 kilometres away.

Apart from a bit of the Huruma area, the region was unplanned and mostly serviced by the colonial government, and left as African native reserves (Shihembetsa 1995). The settlements started growing in the 1950s when African and Indian migrant labourers settled in the area the population exploded after independence when

movement controls of Africans into the city were lifted (Kabagambe and Moughtin 1983); (Coquery-Vidrovitch, *The Process of Urbanization in Africa (From origins to the beginning of independence)* 1991). The Mathare slums are located along the Mathare river valley, and therefore a flood plain and riparian reserve of the Nairobi River. Averaging at 177,316 persons per square kilometre (Thorn, Thorntorn and Helfgott 2015), the population density of the area is very high compared to the rest of the slums in the city. Housing in the area predominantly consists of row/terrace shack housing; (Huchzermeyer 2007). The average densities of the shacks average at 153 dwellings per acre, with a population density of about 460 persons per acre.

Photo 58: Living Conditions in Mathare Slums near City Park forest



Source 165: Photo courtesy of (Cheseto 2013)

The main economic activities are small scale and home based micro enterprises, selling food, second hand clothing and furniture, providing beauty and recreation services, welding workshops, vending from mini-groceries stores or kiosks (Kigochie 2001); (Cheseto 2013). Other socio-economic activities include small scale urban agriculture and keeping of small livestock like chicken, goats, sheep and pigs (Kigochie 2001); (Thorn, Thorntorn and Helfgott 2015). Most of the infrastructure and utilities like electricity, water and sanitation, public spaces are either lacking, poor or very inadequate (Ngau and May 1994); (Mitullah 2004) (Otiso 2003) (Pamoja Trust 2008) (Cheseto 2013). Due to the poor socio economic and environmental status, the area experiences many social, economic and environmental challenges, such as crime, outbreak of diseases, violence and other social ills, fires and flooding (Pamoja Trust 2008); (Andvig and Barasa 2014); (Thorn, Thorntorn and Helfgott 2015).

The inhabitants of these slum depend on City Park Forest for firewood and medicinal plants (Boy and Martins 2012). However, it is illegal to collect these products from the recreational forest. Based on Field Observations and mini-surveys

for this research done between 2012-2014, it is evident that many of the residents of Huruma and Mathare pass through the park in the morning and evening, on their way to and from work in the upper middle class residential areas. Additionally, the study noted that the jobless youth and adults come to City Park frequently to park to pass time. Many of them can be found sleeping or relaxing on the parks lawns during the day, on both weekends and weekdays. After spending most of the day in the park, they go back home in the evening.

SOCIAL-POLITICAL HISTORY OF CITY PARK FOREST

Pre-Colonial Era

The area where City Park Forest lies was part of a sacred forest on virgin land, specifically the Karura Forest in traditional Kikuyu land before the appropriation of the land by the colonists (see chapter 5). As mentioned before, city park is part of the Kikuyu highland montane (dry upland forest ecosystem) that thrives at an altitude of between 1,600 and 1,800 m (5,250–5,900 ft) above sea level. Ownership of forestland in pre-colonial kikuyu custom was communal, owned by the sub-clan level, *mbari* (Muriuki 1974). It was against the Kikuyu ancestral culture and traditions to clear a sacred forest (Kenyatta, 1962; Castro 1988 and 1990).

“Among forest patches that were preserved by the Kikuyu by means of definite curses before 1900, and which are still at least partly virgin forest today, may be mentioned the Karura Forest Reserve lying between Nairobi and Kiambu, and the Nairobi City Park Forest. The former was made a reserve by four landowners jointly, their names being Tharuga, Gacii, Wang’endo and Hinga. The City Park Forest was originally preserved by a man whose name was Kirongo, and who, by his own wish, was buried there when he died.”

Colonial Era¹⁸⁵

The origins of City Park Forest can thus be traced back to the early colonial days of Nairobi in the 1920’s just as a township was beginning to form. In the early colonial era, Kirongo, the original caretaker of the forest in kikuyu custom, unwillingly surrendered the forest to the European colonizers on condition that it remains as forest land (Boy and Martins 2012).

New residential areas were being carved out from the virgin forests of Nairobi back in 1903 as European settlers began to stream into the town. Parkland’s residential suburb was then carved out as an area for the European residential area of which a smaller section was for the towns’ high class Asians. As the area was being cleared for the towns’ incoming settler population, an area of virgin forest spanning 221 acres was left off limits even to the European settlers. Even though this was uncomfortable for the European settlers, the colonial government decided to leave the place intact, and converted it to a recreational area calling it the Nairobi Forest Reserve.

As the town expanded, it changed its status to be a municipality therefore the Nairobi Forest Reserve became the Municipal Forest Reserve. Eventually, the forest

185 Most of the information here is based on City Park Guide Book, authored by (Boy and Martins 2012)

got isolated from the greater Karura forest which it was a part of, as more areas of the forest were encroached upon. Homesteads for the colonial settlers were built in a newer suburb called Muthaiga. This newer suburb split the larger forest into two, creating an isolated City Park Forest towards the east and Karura in the Northwest.

Just like the colonially reserved Nairobi National Park, the City Park Forest was a popular sports hunting ground among the white settlers who used to shoot animals for fun (Boy and Martins 2012). According to Waltour Ridour, the then municipal engineer, at one time in 1915, 108 antelopes of various kinds were shot by an Australian settler known as Leslie Tarlton along with his friend, Sydney Cuthbert and two others. In other occasions, Tarlton again shot three leopards. During the World War I and II, the British government ordered the killing of game for bush meat for the troops (Boy and Martins 2012).

In 1919, a new municipal committee chairman, H.R. Tate suggested the creation of a bandstand in the cleared central section of the forest, but this was not achieved immediately. In 1921, proposals for creating the forest as a zoological garden were made. However, these suggestions were cancelled the same year. In 1923, a new colonial governor revisited the issue of creation of a small private zoo to be relocated from the government zoo which was then in place. Enthusiastic residents started donating various animals and birds in their possession. The municipal committee purchased the necessary cages to hold the animals, including lion cages. However, other parkland's residents were totally against the idea. Sixty-eight of them protested against the zoo creation complaining that the lions would keep them awake at night when roaring. Eventually, the zoo project was stopped and the lions were eventually shipped off to London, together with other beasts in the menageries of the government house.

In 1923, the first concerted efforts to open up parts of the forest for public recreational use were made. This included the creation of a Pavilion, which was built in the same clearing for the bandstand. Walkways were established and picnic benches were laid as some of the recreational facilities. The forest park was also given a new name 'City Park Forest' which became the official name, even though Nairobi had not yet gained city status. As (Makworo and Mireri, Public Open Spaces in Nairobi City, Kenya 2011) observe, the park was to serve the recreational needs of the Parklands neighbourhood. According to (Murunga 2012) by then, Parklands was a European neighbourhood.

A lavish launch ceremony was then held to re-brand the park, presided over by the governor. By 1926, City Park Forest was a magnet for outdoor leisure for the European and Indian residents of Nairobi (Africans were not allowed into the city by that time). The bowling green restaurant was created. The swamp lined river was canalized and several sections of the forest park were modified from being completely wild.

The bandstand was finally built in 1929, becoming an iconic feature for hosting public events and functions for the European and Asian elites, in the 1940's and 1950's. Slightly after World War 2, in 1947, Lord Henry Powell (Peter Greensmith)

become the parks superintendent, with his official residence located in the park. He lived and worked there for 18 years until his retirement in 1965. During his time there, he developed the luxurious gardens which won the park a global acclaim. The nurseries in the wall enclosure in the park have some of the plant collections which Greensmith left. Some of the prominent visitors who visited City Park Forest from around the world include her Majesty Queen Elizabeth in 1959, the great Indian philosopher and later statesman and orator, Sir Sarvepalli Radhakrishnan, the then first vice president of India.

Post-Colonial Era

After independence, Parkland's became predominantly a settlement for the upper middle class Asian community in Kenya (Obudho, Nairobi: National Capital and Regional Hub 1997); (Olima, The Dynamics and Implications of Sustaining Urban Spatial Segregation in Kenya 2001); (K'Akumu and Olima, The Dynamics and Implications of spatial segregation in Nairobi 2007); (Owuor and Mbatia, Nairobi 2011); (Murunga 2012). Initially, immediately after independence, it is mostly only the Asians who used the forest park for recreation, after the Europeans colonists left the country.

Photo 59: Asian Community at the fish pond in City Park in 1959¹⁸⁶



Source 166: Friends of City Park Archives, Facebook, May 2015

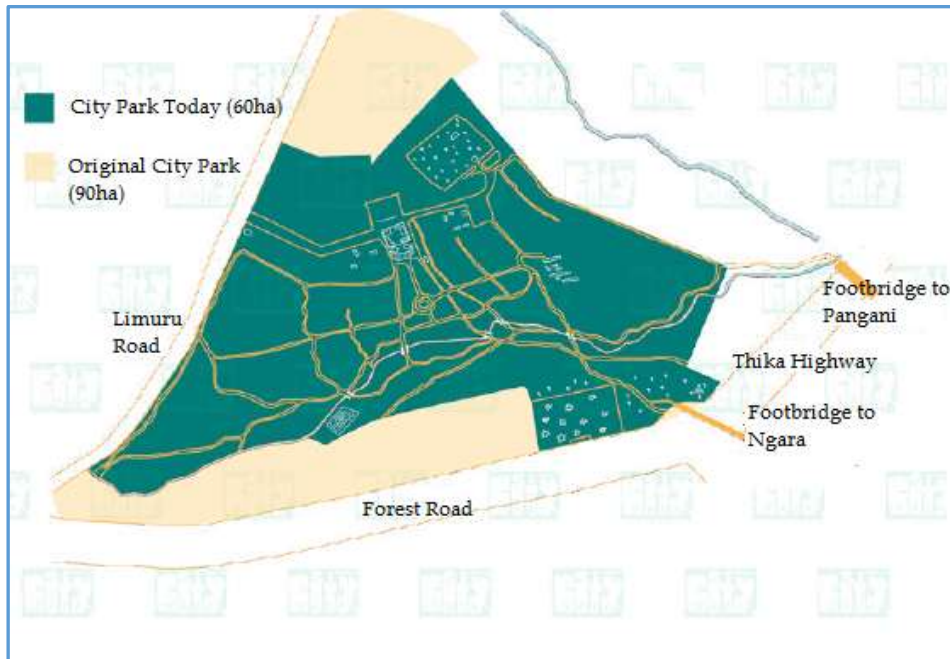
186 Garba Dancers at City Park fishpond February 1959 during the visit by Her Majesty Queen Elizabeth at the Royal tour of the park.

This is because the park is located in the residential area that was reserved for the Asians. However, several of the very wealthy Indo-Asians moved to the former European residential areas like Muthaiga after independence, because they had a higher socio-economic status due to their privileged status compared to black Africans in the colonial days. Eventually, as time passed, more and the African population started using the park. As more and more Nairobiian's started using the park, including people from the slums and low income areas to the east, the park started being associated with miscreants, homeless people and crime. Since the park is now accessible by all, including the homeless people, the Asian residents have stopped using it because they believe it is unsafe, and that something needs to be done about it, before the "miscreants" take over. However, to date, Parklands remains almost exclusively inhabited by the Asians because they still do not like mixing with other races. Therefore, the Park is most accessible to the residents of the area, who sometimes feel responsible or obliged to do something about the crime and unkemptness of the park and return its glory to its good old days. Like Karura forest, City Park Forest has had a long history here where it has been subjected to numerous land grabs in the late 1980s and during the 1990's. Large sections of City Park Forest were lost during that decade to corrupt property developers. The first irregular allocation of the park happened in the late-1980s when a plot of land was declassified to allow the construction of a Hindu temple and monument, for the Indo-Asian community in the area. Shortly thereafter, another section was hived off for the construction of a private high cost school known as Premier Academy (apparently on a declassified plot). Majority of the children in that school are affluent Indo-Asian Kenyans and European children. The African children from upper middle classes are there but very few.

As mentioned earlier in chapters four and five, in the 1990s, land appropriation of public nature reserves and open spaces was used as a tool to appease the middle class and political elite (Njeru 2008, 2010 and 2013); (Klopp, 2000, 2012) and (Manji, 2012). The allocations of the park for the temple and school in the late 1980's marked the beginning of unscrupulous trends of illegally allocating the park, to political elites and private developers, particularly the Indo-Asian elite, interested in increasing their already substantial real estate holdings (Interviews with Friends of City Park); (Lee-Smith and Lamba 2000); (Makworo and Mireri 2011). Since then, City Park Forest has lost 150 acres from the original 221 acres (Interviews with FoCP Chairperson, C. Ngaruchu, 2013); (Boy and Martins 2012); (Makworo and Mireri, Public Open Spaces in Nairobi City, Kenya 2011). Since 1996, friends of city park have engaged the government in legal battles to try and stop the grabbing of city park, as well as ensure the illegal allocations are revoked (details on this are discussed in the subsequent sections). A lot of their initial support and inspiration came from the late Nobel Peace Prize Laureate, Professor Wangari Maathai as well as Mazingira Institute (an environmental research NGO).¹⁸⁷

187 Founded by Diana Lee-Smith and Davinder Lamba in the early 1990's.

Figure 58: Remaining Areas of City Park Forest Today



Source 167: Friends of City Park, 2016. Inside Text modified by author

POLICIES AND LEGISLATIONS IN THE MANAGEMENT OF CITY PARK

Colonial to Mid Post-Colonial Era

Local Government Act Chapter 265 (Revised Edition 2010)

This policy (now repealed) was inherited from the colonial government, with few revisions, the first one in 1998 and the second one in 2010. This act gave excess power to local authorities to decide what to do with public space and land, without consultation of citizens, as revealed by Part IX – certain powers duties and provisions relating to all local authorities. For instance, on acquisition of and dealings in land, section 144 Article (5) states, “A local authority may let, or grant to any person a licence to occupy, any land which it may possess – (a) with the consent of the Minister for any term; and (b) without the consent of the Minister, unless such consent is required by section 177 or by any other written law, for a term not exceeding seven years, and may, in respect thereof, charge rents, stand premium or fees.” (RoK, 1998 (Revised 2010))

Looking at the sections that were relevant for the management of forests and recreational spaces, in particular City Park, the only greenspace in this study under the management of the local government, it is apparent that the act was vague on the role of the local authorities in the management of other natural areas in the city, that is the national park and the forests which are managed by state agencies in charge of wildlife and forests. Moreover, this act did not have any provision for involvement of citizens in management of recreational spaces within the city. Section 145 on miscellaneous powers of local authorities’ states,

“A local authority may...(h) establish and maintain woodlands; (o) (i) establish and maintain recreation grounds and facilities for recreation on land belonging to, and on parks, squares and open spaces vested in it; and...(iii) establish, maintain and control in connexion with any such recreation ground or boating establishment as aforesaid, aquariums, pavilions, piers, dressing-rooms, lavatories and such other buildings and conveniences of any nature and for any purpose as the local authority may consider to be necessary or convenient; and (iv) set apart any portion of any such recreation ground as may be determined by the local authority and described in a notice set up in some conspicuous place on such recreation ground for the purpose of any particular game or recreation, and exclude the public from the portion so set apart; and (v) provide any apparatus for games or recreation in respect of any such recreation ground or ... and permit any person, club or body to provide any such apparatus on such terms as the local authority may decide; and (vi) establish, maintain and control refreshment rooms, cafes and restaurants in any such recreation ground or in connexion with any such boating establishment; and (vii) let any such recreation ground with or without any building or apparatus established or provided in connexion therewith to any person or club or other body of persons, and, by resolution of the local authority, authorise such person, club or body to make charges in connexion therewith;”

As we shall see later, it is evident that these were the sections of the law that guided the decision by the city council to decide to go into a public private partnership with the Aga Khan Trust for Culture without involving the citizens. The Local Government Act has since been replaced by the Urban Areas and Cities Act of 2011 (discussed in following sub-sections).

Physical Planning Act (Revised Edition 2009) (1996)

This Act was enacted in 1996 repealing two earlier statutes the Town Planning Act (Planning in Urban areas) and the Land Planning Act (Planning in rural areas). Specifically, the law came into effect in November 1998 as a response to the outcry relating to the excision in Karura Forest in the 1990's. According to the Kenya Law Resource Centre, the Physical Planning Act of 1996 was much more comprehensive than the earlier statutes because it provides for both physical planning and development control in both urban and rural areas.

The Act provided for three kinds of physical planning, that is: (1) regional physical development plan; (2) local physical development plan and (3) a special area physical development plan. The Purpose of preparing a regional physical development plans, according to Part IV, Section 16. Article (1) of the act is to improve, provide guidance for proper physical development and secure suitable provision of land for public purposes, utilities, facilities including recreational areas, parks, open spaces and reserves, with reference to any government, trust or private land within the area of authority of a county council (RoK 1996 (Revised 2010 and 2012)).

Part V gives powers to local authorities to, *“(b) control or prohibit the subdivision of land or existing plots into smaller areas; (c) consider and approve all development applications and grant all development permissions; (f) reserve and maintain all the land planned for open*

spaces, parks, urban forests and green belts in accordance with the approved physical development plan."

On Development permission, Part IV, Section 30, Article (1) states, *"No person shall carry out development within the area of a local authority without a development permission granted by the local authority under section 33."* The second schedule specifies matters which may be dealt with in local physical development plan as, *"(2) Classification of the plan area for residential, commercial, industrial and other purposes..., including the provision of for open spaces, public and private, and prohibiting the carrying on of any trade or manufacture, or the erection of any building, in a particular part of the area otherwise than in accordance with the provisions of the plan."*

It has been criticized for being top heavy¹⁸⁸ with no provisions for public participation. For instance, institutionally and administratively, the act places the functions of Physical Planning in the Office of the Director of Physical Planning, a senior officer in the Ministry of Lands. The functions of the Director of Physical Planning according to the act are: (1) chief advisor to government on all matters related to physical planning; (2) formulation of physical development policies; (3) preparation of physical development plans; (4) advising the Commissioner of Lands and Local authorities on the alienation of government lands and the most appropriate use of land; and (5) requiring the local authorities to ensure the proper execution of physical development control. Furthermore, the act established physical planning liaison committees at National, provincial and district levels, with the function of appealing the decisions of the Director of Physical Planning. The membership of these committees is full of government officials, comprised of senior officers such as the permanent secretary who acts as the chair of the committee and the Director of physical planning as the secretary.

Environmental Management and Coordination Act (EMCA) 1999

Part 11 on general principles, Section (1) entitles every person in Kenya to a clean and healthy environment. Section (2) states, *"The entitlement to a clean and healthy environment under subsection (1) includes the access by any person in Kenya to the various public elements or segments of the environment for recreational, educational, health, spiritual and cultural purposes."* The EMCA act provides, guidelines, was and regulations for the prevention and control of pollution, destruction and exploitation of natural resources such as forests national parks and water bodies, general degradation of the environment (EMCA, No 8 of 1999, 2000).

Part XIV, Section 147 of EMCA gives the Minister Powers to make regulations and guidelines on matters such as establishment or expansion of recreational areas in urban centres; recreational townships in mountain areas, national parks and game reserves; control Forestry related activities including Timber harvesting; Clearance of forest areas, Reforestation and afforestation; on the recommendation of the Authority and upon consultation with the relevant lead agencies.

188 <http://www.kenyalawresourcecenter.org/2011/07/statutes-dealing-with-physical-planning.html>

Contemporary Era: 2010 to Present

Urban Areas and Cities Act (UACA) No. 13 Of 2011

This act is the first of its kind in Kenya, enacted by the Parliament to, “give effect to Article 184 of the Constitution... provide for the, classification, governance and management of urban areas and cities; to provide for the criteria of establishing urban areas, to provide for the principle of governance and participation of residents and for connected purposes.”. Some of the stated objects and purpose of the act according to Section 3 include establishing a legislative framework for governance and management of urban areas and cities and participation by the residents in the governance of urban areas and cities (Republic of Kenya (RoK) 2012).

Thus, in contrast to previous legislations related to town planning and land management, the UACA of 2011 adequately captures citizen involvement in the management and governance of towns and cities. This is done by firstly introducing the concept of citizen in section 22, thus giving consideration for citizen involvement. Specifically, section 22 article one of the act states, “Subject to the Second Schedule, residents of a city, municipality or town may— (a) deliberate and make proposals to the relevant bodies or institutions on: (i) the provision of services; (ii) proposed issues for inclusion in county policies and county legislation; (iii) proposed national policies and national legislation; (iv) the proposed annual budget estimates of the county and of the national government; (v) the proposed development plans of the county and of the national government; and (vi) any other matter of concern to the citizens;”

Additionally, the act states the resident can, “(b) plan strategies for engaging the various levels and units of government on matters of concern to citizens; (c) monitor the activities of elected and appointed officials of the urban areas and cities, including members of the board of an urban area or city; and (d) receive representations, including feedback on issues raised by the county citizens, from elected and appointed officials.” Accordingly, citizens have rights and opportunities to ‘deliberate and make proposals on policies and plans for the locality, plan strategies for engaging various levels and units of government on matters of concern, monitor activities of officials and receive feedback from officials on issues raised’ as per assessment of the UACA of 2011 by the (Institute of Economic Affairs (IEA) 2012).

Additionally, boards of cities and municipalities are required to, “(2) invite petitions and representations from the Citizen Fora with regard to the administration and management of the affairs within an urban area or city under its jurisdiction (3) make recommendations on the manner in which issues raised at the Citizen Fora, if any, may be addressed and shall accordingly pass the recommendations to the manager for implementation and (4) make a report on the decision made in respect of a petition or presentation made by a citizen fora and reasons for such decision.” The latter increases the level of accountability of the city or municipal governance structures to the citizen. Further, section 35 gives citizens the power to “object to any partnership or joint venture under section 33 in accordance with the regulations made under this Act.” As (Institute of Economic Affairs (IEA) 2012) observes, ‘these are huge steps in favour of increasing citizen participation and valuing citizen voice.’

Lastly, the second schedule on rights of and participation by residents in affairs of their city or urban area specifies the rights and duties of residents and participation by residents while the third schedule on the preparation of an integrated development plan emphasizes the requirement of capturing community in line with the CoK of 2010 as well as the protection and promotion of the interests and rights of minorities and marginalized groups and communities;

Draft Physical Planning Bill, 2015

This bill as an attempt to revise the Physical Planning Act of 1996, which has been criticized by many for being inadequate. On provision of public spaces and utilities, Section 33, Article 2, 'purpose and objects' of the draft bill states,

"a regional physical development plan may be prepared for... (c) securing suitable provision for transportation, public purposes, utilities and services; (d) commercial, industrial, residential and recreational areas, including parks, open spaces and reserves; ..."

This provision is mostly only relevant for urban areas that still have open land or are still developing. However, Part IV on development control, may be more relevant in the case of green spaces in Nairobi which are already established. Section 58 states that the objectives of development control are:

"(d) to protect and conserve the environment and (e) to promote public participation in physical development decision-making." (RoK 2015)

Thus, the law can be utilised to ensure ecological integrity and proper land use. Even though it is vague on how the public will be involved, the provision for public participation is an improvement from the previous act. Thus, citizens can be involved citizens in stopping incompatible or inappropriate land uses in public spaces or re-appropriation to other uses, for instance through land grabbing or commodification by public private partnerships. Still on development control, section 59 gives planning authorities the power to safeguard public spaces on behalf of citizens, where it states,

"Subject to the provisions of this act and the Urban Areas and Cities Act, 2011, each planning authority may, in the area under the planning authority's jurisdiction... (f) Protect and preserve public land reserved for open spaces, parks, urban forests and green belts." (RoK 2015)

Draft National Urban Development Policy (NUDP) of 2012¹⁸⁹

This policy gives guidelines for both the national and county governments to create well-planned, vibrant and efficient urban centres. It chaperons the special allocation of resources and serves as a framework for governance and management of the urban areas. Moreover, it is part of the Government's efforts to implement the provisions on urban development contained in the Constitution, particularly in

189 Information contained here is cited from The Popular Version of the Draft Urban Development Policy, as prepared by Arch. Prof. Alfred Omenya, Hesborn Riaga and Stephen Murimi of Eco Build Africa for Maji na Ufanisi / Civil Society Urban Development Programme (CSUDP) © 2013, supported by the Embassy of Sweden in Nairobi.

Article 176 and 184 dealing with devolution, classification and management of urban areas and citizen participation (Omenya, Riaga and Murimi 2013). It is also in line with Kenya Vision 2030 and the Nairobi Metropolitan Growth Strategy, respectively and the country's and urban development blue print that envisage transition of the country to a middle-income country with majority of the population living in urban areas.

Generally regarding the urban environment, the policy touches on many aspects including the loss of biodiversity and diminishing urban green spaces. The policy gives guidelines to county governments on reversing this trends, through specific suggestions such as stopping the encroachment of nature pockets; identifying and conserving biodiversity resources; promoting knowledge on biodiversity conservation; promoting the creation and conservation of ample green spaces; and planting of trees, including indigenous flora.

Specifically, on urban public open spaces and other community land, the policy mandates the national and county governments to: (1) undertake an inventory of all land for public open spaces and other community land; (2) establish measures for securing such land through surveying, planning and titling; (3) institutionalize the custody of such land; and (4) establish mechanisms to ensure no unjustified change-of-user. Additionally, on public open spaces, parks and other recreational facilities, county governments and urban authorities are required by the policy to: (1) provide adequate multifunctional public open spaces and cultural facilities; (2) acquire exploited quarries and other degraded areas for rehabilitation; (3) put in place measures to secure the space allocated for such facilities; (4) develop a 'culture of maintenance' and improve budgeting processes; (5) pursue innovative and participatory/partnership approaches to the provision, ownership, operation and maintenance; (6) Tap the potential of hitherto untapped natural resources, for example, for public purposes like river banks and beaches for recreational purposes.

Finally, related to urban green spaces, the policy gives guidelines on rationalising urban environmental management mandates. Specifically, the policy requires the National government in collaboration with County governments to streamline institutional mandates on urban environmental management, which are currently primarily found in the Environmental Management and Coordination Act of 1999. For instance, in order to adapt to and mitigate the effects of Climate change, the policy requires the National and County governments to Institutionalise the development of green urban landscapes with networks of open spaces and parks;

On urban governance, the NUDP requires national and county governments to improve on the governance of urban areas and cities by legislating stakeholder representation in governance of urban areas and cities; promoting civic education and a framework for citizen participation and designing appropriate service delivery systems among others. For inclusive urban governance and management, the policy calls for stakeholder ownership, in order to achieve sustainable development. The policy suggests citizen participation to be achieved through practices such as: (1) timely access to information relevant to policy formulation and implementation; (2)

participatory policy formulation and implementation; (3) capacity building at the community level; (4) protecting and promoting the interests and rights of minorities, marginalised groups and communities; (5) ensuring reasonable balance in the roles and obligations of national and county governments; (6) promoting public-private partnerships for urban development and (7) allocating adequate budgets for participatory development. The policy gives consideration for marginalised and vulnerable groups by mandating national and county governments to review existing laws that discriminate the marginalised groups; ensure that the needs and priorities of the vulnerable and marginalised groups are mainstreamed in all strategies and programmes in urban areas and cities; ensure effective implementation of laws relating to vulnerable and marginalised groups; facilitate public participation by, and representation of, the marginalized and vulnerable groups; and promote awareness of existing urban policies to empower the marginalised groups. In summary, the NUDP supports an urban system that integrates land and environmental practices; promotes the enhancement of the quality of the urban environment; improves service delivery; improves opportunities for residents and protecting the rights of the vulnerable and marginalized groups.

CHALLENGES FACING CITY PARK FOREST

Illegal allocation and land grabbing by private developers and political elites

As mentioned earlier, just like Karura forest and other public urban nature reserves and open spaces in Nairobi, City Park Forest has been subjected to land grabbing and illegal allocations to private developers and the political elite (Lee-Smith and Lamba 2000); (Njeru, 2008; 2010 and 2013); (Klopp, 2000) and 2012); (Manji, 2012). Illegal allocations City Park began in the 1980s, under the authority of the Nairobi City Commission (NCC), which had been put in office by the ruling party Kenya African National Union (KANU). This happened after disbanding the popularly elected City Council of Nairobi (CCN). According to (Makworo and Mireri, Public Open Spaces in Nairobi City, Kenya 2011), the CCN was disbanded because it had become politically intolerant to the ruling party KANU. During this time, City Park lost 50 acres of its forest parkland to private developers and well connected elites. Initially, several acres were hived off for the construction of a Hindu temple, the Swaminarayan Temple, for the Asian community in the neighbourhood. Shortly thereafter, another section was hived off for the construction of a private high cost school known as premier academy for upper middle class Asian and European children. However today, one can find more black children from upper middle class families (Makworo and Mireri, Public Open Spaces in Nairobi City, Kenya 2011).

The allocations of the park for the temple and the mosque in the late 1980's marked the beginning of unscrupulous trends that illegally allocated the park, to political elites and private developers (Lee-Smith and Lamba 2000); (Makworo and Mireri, Public Open Spaces in Nairobi City, Kenya 2011). The other pieces of land were illegally issued to the mostly Asian community in the area for the construction of a

hockey stadium and the hawkers vegetable market for the mostly Asian clientele. Additionally, in the 1990s, more illegal alienation of city park took place. During this time, land appropriation of public open spaces was being used as a tool to appease the middle class and political elite. Large sections of City Park Forest were lost in the 1990s to corrupt property developers, particularly the Indo-Asian community and middle class elite in its neighbourhood, interested in increasing their already substantial real estate holdings. On total, City Park Forest has lost a total of 151 acres from the original 221 acres. Some of the allocations and allotted are as per the map/table below.

Inadequate Budgetary Allocation

Due to the Structural Adjustment Programmes (SAPS) policies imposed by the World Bank and the International Monetary Fund (IMF) in the 1980's, budgetary allocation to the local authorities (now county governments) for provision of social facilities and infrastructures like public open spaces was reduced. Therefore, the financing for the maintenance of green spaces under the jurisdiction of the city government has been limited to date. This led to the deterioration of the green spaces in the city. In order to address the challenge of budgetary allocation, the city government has been collaborating with the private sector, civil society and other government agencies, to reclaim, restore and rehabilitate all the public open spaces within its area of jurisdiction, since 2003. According to with (Muema and Mwangi, 2011) the council has initiated unified and synergetic approach to enhance accessibility, diversify use and provide more user friendly spaces using several approaches. These include: (1) Tree planting and beautification campaigns in an endeavour to increase vegetation cover; (2) Encouraging community groups/ resident's associations to be involved with the management of open spaces; (3) Collaboration with corporate organisations for maintain ace and landscaping; (4) Collaboration with UNHABITAT and learning institutions for technical advice for redesigning and regeneration of green spaces. Most of the money for managing City Park Forest and other open spaces comes from the central government. About kshs 50 million is currently allocated to the county government for management of open spaces in the city under its jurisdiction. Half of this money is allocated to the actual maintain ace, shared among all the county government open and green spaces in the city, a total of over xxxx greenspaces. This money is definitely not enough for full maintenance and development, hence the tendency to rely on public private partnerships.

Poor Management and Maintenance

Due to inadequate budgetary allocations from the 1990s, the park has been lacking adequate personnel and facilities assigned to it. Moreover, the assigned park personnel are under qualified, lacking the skills and knowledge on social forestry, arboriculture and landscaping. Therefore, maintenance is poor, and frequently takes place on an ad hoc basis. As a result, the park is characterised by challenges such as pollution, insecurity and crime, and overpopulation of some species, as discussed in the following sections.

Photo 60: Filth in the river running through City Park Forestland



Source 168: Friends of City Park, 2016

Pollution

Illegal dumping of waste including the disposal of raw sewage and garbage from neighbouring residential and commercial areas are a major challenge for City Park Forest. The raw sewage that enters the park through a stream in the south Western edge. The river and streams in the park are full of filth (Field Observations), with some authors describing them as 'reduced to nothing more than drains' (Boy and Martins, 2012). Pollution in the park has led to influx of invasive and alien species, destruction of wetland habitats and the larger park ecosystem. Some parts of the park have very thick and inaccessible undergrowth, further compounding the clean-up exercises. Additionally, pollution from the sewage is major vector of waterborne disease that affects humans.

Insecurity and Crime

Several negative perceptions have been surrounding City Park Forest for almost two decades now related to its management. These perceptions can be summarised with key words used such as 'neglect' (Boy and Martins, 2012), 'unkempt', 'decayed', 'declined', 'unsafe', 'insecure', 'crime infested', 'street boys', 'idlers'. These issues have been discussed by both the media and urban scholars studying Nairobi's challenges as well as the upper middle class residents of Parklands living in the parks neighbourhood. Most of the elites don't use city park because it is associated with 'crime' 'street boys', 'idlers' and other miscreants who supposedly spoil the park. In particular, many of the Asians who live in the area claim they can't visit the

park because it is too dangerous. As more and more people started using the park, particularly, those from the nearby slums in the parks east and the low income areas of Eastland's, the park started being associated with decline and decay by the elites. Since the park is now accessible by all, including the homeless people, the park has come to be viewed as decayed bad place, therefore the need to do something about it. As they become more prominent, these perceptions and narratives have slowly been shaping the future plans of the park to privatisation discourses.

Over population of Sykes Monkey

According to Friends of City Park Forest and Nature Kenya, the sykes monkeys in the park are overpopulated and 'exceed the natural carrying capacity of a closed forest ecosystem of this size' (Boy and Martins, 2012). According to these Experts, the overall ecology may suffer unless something is done to restore the balance.

Lack of a harmonised framework for management of urban public spaces

Currently, there is no comprehensive framework for the planning and management of urban greenspaces in Nairobi. The main protected areas in the city are under the authority of different bodies, governed by different pieces of legislations, and there is no harmonized act or policy to guide their conservation and management as one unit. The existing policies and legislations for green spaces in Nairobi are implemented by different government agencies, who do not like interference by other bureaucrats, whose mandates may be overlapping into their territories. For instance, the Kenya Forest Services, the state agency with the mandate of managing and conserving forests, is an uninvited guest as far as the management and conservation of trees in City Park Forest, under the management of the Nairobi City County government is concerned. According to interviews held with the Nairobi County Forests Coordinator, an official of KFS, there is lack of coordination, willingness to collaborate and conflicts of interest between the different government agencies in charge of the different greenspaces in the city. This implies for instance, that the staff of Nairobi City County in charge of City Park could be territorial in their management of the parkland forest, thus unwelcoming to collaboration or expertise from the KFS.

The lack of coordination and collaboration has been found to be problematic in the management of the parks. For instance, the monkeys in City Park Forest, are according to conservation biologists, overpopulated, considering the small the size of the park, thus compromising its ecological integrity (Boy and Martins 2012). The ecology experts have suggested that the number of monkeys should be reduced. However, any wild animals in City Park Forest or any other part of the country fall under the management of KWS, and nothing can be done about the monkeys, until the KWS themselves are called. Once they arrive, they would have to first establish scientifically the assertions that the monkeys are too many and if that's the case, they would then have to relocate the monkeys themselves, as per the WMCA of 2014. The Cultural artefacts and heritage sites in the park are also under the conservation and management of the Ministry of Culture and Heritage under the authority of the National Museums of Kenya. Thus, despite having the heritage sites in the park,

Nairobi City County has no mandate or responsibility over the conservation of cultural artifacts. Their only responsibility is mainly providing security in the park for all and tending to the landscape (trees, grass, flowers and bushes) where the heritage sites, like the Murumbi Memorial Gardens are located. In summary, the existing legislation treat City Park Forest as a county government resource, and other organisations have nothing to do with the conservation and management of the parkland.

Urbanization Infrastructure Pressure

Since the 1960s (after the attainment of political independence) there has been accelerated movement of rural population to the city. This has increased pressure on the land available for housing and infrastructure. As a result, public policy moved from supporting development containment to encouraging urban expansion to accommodate the rapid urban growth. The housing construction boom and burgeoning infrastructure requirements have led to the loss of corridors (mostly riparian woodlands) that linked City Park Forest to the larger outlying greenspaces in the city, like Karura forest. Consequently, the park has become an isolated 'island ecosystem'. This trends have had major implications for the ecology and the biodiversity of the forest parkland.

Forest Exploitation

With the advent of the SAPs in the 1980's and early 1990's, City Park Forest suffered a lot of neglect by the authorities. Consequently, large sections of the forest were degraded through 'poaching' which includes cutting down of trees, firewood (dead wood) collection, stripping of barks from trees for use in traditional medicine, collection of shrubs and plants for medicinal uses, grazing of livestock during drought periods. According to friends of City Park Forest and nature Kenya, these practices are proving hard to stop and continue to exert a heavy toll on the ground cover and forest undergrowth of the forest parkland ((Boy and Martins (eds) , 2012)

ACTORS IN THE MANAGEMENT AND CONSERVATION OF CITY PARK

State actors

Nairobi City County Government

The Nairobi City County Government is the + authority governing the management, planning and development of Nairobi city. It is the largest of the 47 county governments, in the country. Most of the functional bodies under the County government are legally constituted as outlined by the constitution of Kenya 2010 and the County Government Act 2012. The administration of the city park is under the parks sections in the Water, Energy, Forestry, Environment and Natural Resources departments. However, the county government has several departments which deal with the management and use of urban green spaces in the city, that is Lands and Physical Planning; Urban Renewal and Housing and Education, Youth and Social Services. the county government has been undergoing recent

restructuring, and as of to date, they have not yet clarified to members of the public where the parks section is falling.

National Museums of Kenya (NMK)

The National Museums of Kenya (NMK) is a state corporation established by an Act of Parliament, the Museums and Heritage Act 2006. The role of the corporation is to collect, preserve, study, document and present Kenya's past and present cultural and natural heritage for the purposes of enhancing knowledge, appreciation, respect and sustainable utilization of these resources for the present and future benefit of Kenya and the world. NMK manages several regional museums, sites and monuments of national and international importance alongside priceless collections of Kenya's living cultural and natural heritage. In Nairobi, NMK manages monuments and natural features in several greenspaces in the city specifically Nairobi Snake Park, Uhuru Gardens, Mau Mau Caves in Ololua Forest and Karura Forests, Historical Cemeteries and Monuments in City Park and Ngong Road Forests.

Other Important State Actors

Kenya Forest Service (KFS)

The Kenya Forest Service (originally forest department) is a state corporation that was established under the Forest Act, 2005. The mandates and functions of the state agency are to enhance development, conservation and management of Kenya's forest resources base in all public forests, and assist County Governments to develop and manage forest resources on community and private lands for the equitable benefit of present and future generations. From its mandate and functions, KFS is both a service provider working with partners and stakeholders for the sustainable management and utilisation of forest resources, and an enforcement agency.

Kenya Wildlife Service (KWS)

KWS is the state corporation in charge of conserving wildlife and game reserves in Kenya, on behalf of the country and the rest of the world. The activities of the government agency are currently guided by the wildlife conservation and management act of 2013

National Environment Management Authority (NEMA)

The National Environment Management Authority (NEMA), is a state agency in charge of environmental planning, management and conservation. The organisation was established under the Environmental Management and Co-ordination Act No. 8 of 1999 (EMCA) as the principal instrument of Government for the implementation of all policies relating to environment. The organisation implements over 78 sectoral laws dealing with various components of the deteriorating environment as well as increasing social and economic inequalities, the combined effect of which negatively impacted on the environment.

National Lands Commission (NLC)

The National Land Commission is an independent government commission establishment under the Constitution of Kenya 2010, National Land Commission Act, 2012 and additionally guided by National Land Policy of 2009, the Land Act 2012 and the Land Registration Act of 2012. The functions of the commission are: (1) to manage public land on behalf of the national and county governments; (2) to recommend a national land policy to the national government; (3) to advise the national government on a comprehensive programme for the registration of title in land throughout Kenya; (4) to conduct research related to land and the use of natural resources, and make recommendations to appropriate authorities; (5) to initiate investigations, on its own initiative or on a complaint, into present or historical land injustices, and recommend appropriate redress; (6) to encourage the application of traditional dispute resolution mechanisms in land conflicts; (7) to assess tax on land and premiums on immovable property in any area designated by law; and (8) to monitor and have oversight responsibilities over land use planning throughout the country.

Challenges

Non State Actors

Friends of City Park (FoCP)

Friends of City Park are the main Civil Society Organisations (CSO) who have been intervening to protect, conserve and manage city park. Most of their interventions have been in the form of resistance to various attempts to privatise the park. In their website, the Friends of City Park Forest describe themselves as 'the watch dog' of City Park Forest Nairobi. The association was formed in 1996 by a small committee of Nairobi residents consisting of a group of dedicated volunteers and individuals from various professions, living around the city. The group was initially formed to champion for the welfare of City Park Forest Nairobi at a time when the park was subject to numerous attempted land grabs. The initial major aim was to prevent any further land grabbing of the park which had become rampant and had been occurring since the late 1980's and early 1990's.

By the time the group was formed, only 60 acres was remaining from the original 221 acres. In their website, the association states that their mission is to ensure that City Park Forestland exists for future generations and that every Nairobi resident has access to the green space. In order to achieve this objective, they have been lobbying for its full legal protection and protesting time and again, against the conversion of any part of the public utility by private developers, related to the numerous attempted land grabs within its boundaries.

Apart from acting as a watchdog over the recreational forest by protesting illegal allocations of the public forest to private developers, FoCP together with Nature Kenya have been providing environmental education and awareness tours and lectures to the general public on the parks rich biodiversity. FoCP is a Nature Kenya project, and therefore the base upon which FoCP have been carrying out their

advocacy work, engaging government and civil society in nature conservation. FoCP and Nature Kenya have been promoting the conservation and use of the park, through various activities like the monthly nature walk, tree planting and clean-ups. These activities have encouraged greater use and awareness of the park among individuals, schools and visitors to the city. The activities include Nature walks or Study Tours around the park, held every first Saturday of the month. The FoCP organises the free nature walks as part of their environmental education programme to the public. For three hours, a Nature Kenya scientist specializing either in birds, insects, small mammals or plants leads a study tour on the site to members of the public. The lectures are on different themes every month. The nature walks create awareness of the biodiversity treasures of the park, as well as encourage its greater use among individuals, schools and visitors to the city. Quite a number of such activities of friends of City Park are funded by The Rufford Foundation (see Friends of City Park Final Report to the Rufford Small Grants Foundation).

Nature Kenya

Nature Kenya is a membership based organisation that derives its support from subscriptions of affiliates. It runs several Site Support Groups (SSG) on the conservation sites it works to protect. FoCP is one of the many SSG's which Nature Kenya reinforces. Nature Kenya, has been key in carrying out species research and recording information on City Park Forests' biodiversity. As such, they have produced several publications on biodiversity, which has been disseminated in a variety of scientific journals, periodicals, check-lists, conservation guides and publications.

Previously, the approach of Nature Kenya SSG's was strictly focused on protection of the site, species conservation and monitoring. However, currently, like many other environmental conservation organisations in the country, Nature Kenya site support groups have changed their approach to engaging communities as champions of conservation and involving the community in species monitoring. In Nairobi, Nature Kenya also runs a site support groups such as Friends of City Park (FoCP) and Friends of Nairobi Arboretum (FoNA), for Arboretum Forest in Kileleshwa, an upper-middle class residential area in the city. Other Nature Kenya projects include: bird, habitat restoration, herpetofauna, insect, mammal, plant, raptor, samaki, succulents and youth committees.

Park Users

As mentioned earlier, city park is located in the Asian reserved residential area, as planned during the colonial era. Thus, for a long time after independence (approximately three decades from 1963-1993) the main users of City Park continued to be the upper middle Class Indo-Asian Kenyans, who live within the vicinity of the park. Nevertheless, from the late 1970s, a few middle class Africans increasingly started using the park. However, due the colonial hangovers then, the Asians and Africans did not mix freely in the park. According to some accounts, when more and more Africans started visiting City Park in the 1980's, the Asians felt uncomfortable and an "Asian flight" was experienced. Apparently, most of the upper middle class

Asians shifted from using the public park to private members only recreation clubs like Gymkhana Sports Club or Parklands sports club. Nevertheless, the Asian flight was not full due to personal preferences among some the Asian families and the existence of caste system among themselves. Therefore, while it is rare to see the affluent and upper middle class Indo-Asian residents using the park, certain groups of middle class and lower middle class Asians continued using and still use the park.

Despite the fact that City Park is located in a predominantly Asian residential area, the park is genuinely open to the public, with no fence and excess restrictions and controls on recreational use. Therefore, unlike the other green spaces investigated in this study, City Park literally functions as the public space it is. A casual observation of the park users reveals no exclusivities and that all social groups use the park, particularly the urban poor, low income, jobless and homeless people relaxing in the park.

Photo 61: A Shelter for A Homeless Person Hidden Behind Some Trees



Source 169: Field Work, 2014

Most of the low income and poor people come from residential areas to the east of the park such as Ngara, Pangani and Park Road, as well as from the informal settlements like Mathare and Huruma, which are all not very far. According to Friends of City Park, approximately 4000 or more people per day, visit the park or pass through the park. A survey on socio-economic characteristics of park users by (Makworo and Mireri, Public Open Spaces in Nairobi City, Kenya 2011) showed that the park is mostly used by youths between the age of 21 and 30 (53%). According to their survey, most of the youth surveyed (40%) said they were unemployed, and were just relaxing in the park, because they had nothing else to do, or a place to go to during the day. Only 38% of the park users were female, compared to 62% for males.

According to (Makworo and Mireri, Public Open Spaces in Nairobi City, Kenya 2011), there are fewer women using the park due to fear of crime, particularly sexual violence. Indeed, several cases have been reported in the press of women who have been raped, killed and dumped somewhere in the park.

A point to note, already mentioned earlier is that in the 1980s, several sections of City Park were converted from public use and appropriated for the exclusive social facilities for the Asian community, specifically for the construction of a Hindu temple and of a high cost private school for children from Indo-Asian families. To date, the park continues to be under lots of threats from the private developers. Due to its location in the Asian residential area, there are many private interest's user groups from the Asian community. This includes the Aga Khan Hospital and Aga Khan academy, which are located right opposite the park. Through the Aga Khan Development Foundation (AKDN), they have expressed interest in fencing the park and rehabilitating it to a world class recreation centre. To this effect, the Aga Khan Trust for Culture (AKTC) have signed a Memorandum of Understanding (MoU) for a Public Private Partnership between with the Nairobi City County Government for the parks Rehabilitation, Funding and Technical Assistance (RFTA). Other user interest groups include the Goan Cemetery Association, The Jewish Cemetery Association, The Muslim Trust, Resident's Association of City Park, Muthaiga, Ngara, Pangani, Highridge, Parklands, Huruma and Muthaiga. Other users include university and college students, Alan Donovan of the Murumbi Memorial Trust, Vendors and Hawkers' Association, Bowling Green Restaurant and staff housing for the park maintenance staff. There are also some make shift shelters for homeless people which can be spotted in various spots of the park.

INTERVENTIONS IN THE PROTECTION OF CITY PARK FOREST

Protests against land Grabbing and illegal allocation of park to private developers

As mentioned earlier in the section on challenges facing City Park Forestland has been subject to numerous land grabs through corrupt schemes. Most of the land grabbing occurred in the 1990s, at the same time when other public spaces and nature reserves countrywide were being grabbed. In Nairobi, this included Uhuru Park and Karura Forest, which were the focus of struggles against grabbing of public land by the late Nobel Peace Laureate, Professor Wangari Maathai. According to Catherine Ngarachu, the current chairperson of the FoCP, every year from the 1990's to date, some illegal allottees and private developers appear and try to put a fence or build something in some section of City Park forestland. Friends of City Park claim that the attempted land grabs always occur during the long holiday seasons like Christmas. However, the Friends always find out and mobilize people in the community to demolish the structures put up by the private developers or illegal allottees. The following sections present the main resistance activities undertaken by Friends of City Park Forest to protect the forest parkland from corrupt land grabbers and private developers.

Whistle Blowing: Lobbying and Awareness Creation.

Figure 59: Press Release by Friends of City Park in 1996 on its Land Grabbing



DAILY NATION, SATURDAY, DECEMBER 14, 1996

What is the future of City Park?

THE PARK
City Park situated in Parklands, Nairobi is a recreational park consisting of gardens, lawns and natural indigenous forest. Many kinds of birds, butterflies, insects and hundreds of types of monkeys are found within the park. It also provides much needed green recreational space for hundreds of Nairobi residents.

THE CRISIS
The existence of this beautiful and valuable space is now more than ever under threat from land grabbing. These include indigenous forests and Africa's only maze. Most of Nairobi's open spaces are long gone and parks are therefore of greater significance to the well-being and health of city residents. Only local leaders and community organisations and support can help conserve this important natural heritage from irreversible destruction.

FRIENDS OF CITY PARK
A volunteer group, Friends of City Park was formed to support Nairobi's City Park as a place for recreation and appreciation of nature. This special project of the East Africa Natural History Society involves a cross-section of interested individuals linked to both NGOs and Government.

With the backing of the Nairobi City Council, Friends of City Park plans to upgrade visitor facilities, develop an information and education programme, and make the park a secure and pleasant place to visit.

JOIN US
The Friends of City Park invite you to join our group and become a member of the East Africa Natural History Society. For more information on how you can assist call Tel: 7499517/NA020 or Fax: 341049

15th December will be OPEN DAY at City Park. Bring your family, a picnic lunch and come enjoy a fun day at the park.



Preserving Parks, Parks 20

Source 170: www.friendsofscitypark.org

The earliest specific action against the grabbing of City Park Forest occurred in the 1990s, when an article was published in the Daily Nation newspaper Saturday 24th December, 1996 informing the public on attempted land grabbing and alleged illegal private allocations of several acres of the urban forest parkland. It included an aerial photo clearly showing the extent of the already grabbed and encroached park, and the remaining sections which had been allocated to private developers, the information on the alleged illegal allocations of the forest parkland was released by the Friends of City Park Forest (FOCP) with the help of the media. The article was the first whistle blowing action of the attempted mass land grabbing of the forest. Together, with the media, the FoCP created a lot of public awareness regarding the issue, at a time when there was a very corrupt ruling regime and land grabbing of

public land had reached an all-time high¹⁹⁰. The article woke up Nairobi citizens to the real possibility of losing their park. It called on citizens to stand up against the illegal allocation of the forest to private developers and corrupt government officials.

In 1997, the minister of lands set up a task force to look into the illegal allocations of City Park Forest and other land allocations. However, the outcomes of the task force took a very long time before any feedback was given. A new government came in place in 2003, and the following year, the new President Mwai Kibaki announced the revocation of all pieces of public land in the city that had been illegally allocated. This included City Park Forest and Karura Forests.

Advocacy for gazettement of remaining parkland as a heritage site

In order to protect the forest parkland from further land grabbing, in 2008, FoCP and Nature Kenya lobbied for a Land Survey and the gazettement of City Park Forest as a National Monument. Consequently, approximately 60 acres of City Park Forest were declared as national heritage through official gazettement as a heritage site by the National Museums of Kenya (NMK) in 2009.

Figure 60: Press Release On Gazettement of Park as A Heritage Site in 2010



Source 171: Daily Nation, Friday 16th April 2010

FoCP were key in the achievement of the heritage gazettement status, by assisting the NMK to establish the boundaries of the park, through a land survey which they commissioned in 2008. The survey was instrumental to acquiring baseline information for the proposed gazettement of the Forest as a heritage site. From this survey, a better understanding of the exact land situation was comprehended. Subsequently, the National Museums were able to gazette 60 hectares of City Park Forest as a National Monument (Legal NOTICE No. 130, Sept 2009). A gazettee notice was issued thereby protecting the park under the national museums and

¹⁹⁰It was during this time also that the Karura Forest was being grabbed and late Prof. Wangari Maathai was trying to stop the grabbing,

heritage act (cap 216 of the laws of Kenya. This was the first major win in protecting the park from further illegal allocations. A testimony of the important role of FoCP in protecting the park against land grabbers can be read in to box below, as per an article by a renowned journalist.

Box 24 City Park Forest Saved Through Public Action

“City Park Forest exists today because in the 1990s Nairobi residents took action against a grab of the park. Forming Friends of City Park Forest, they protested the conversion of public land to private land in newspapers and government offices. This public action finally led to the gazettement of City Park Forest as a National Monument in 2009, protected under the Museums and Heritage Act. Today people from the City Center, Embakasi, Kibera, and Kasarani make up the majority of the visitors to City Park Forest. They still come to be amused and amazed by the monkeys. To experience the greenery so absent from their everyday lives..... Almost 20 years ago some Nairobians stood up so that we would be able to enjoy this free public park as they did” (Article by Bettina Ngweno, 2013)

Source 172: Article posted on the FoCP website on 15th October 2013 by Catherine Ngarachu.

Lobbying for the official revocation of titles illegally allocated.

Despite getting gazetted as a national monument, some unscrupulous developers continued with encroaching activities, claiming that they legally owned the parcels of land. In March 2014, after going back and forth with the encroachers, the FOCP reported the matter to Nairobi city county government. To this effect, they issued the press release below, informing members of the public of the ongoing and new land grabbing threats.

Box 25 Urgent Call to Stop Encroachment at City Park Forest: Press Release – 28 April 2014

The Friends of City Park Forest wish to express outrage and concern about the ongoing encroachment at the City Park Forest of Nairobi, a public green space gazetted as a National Monument in 2009, under the National Museums and Heritage Act (Cap. 216 Laws of Kenya). The encroachment entails the clearing of bush in a substantial area, on the North side of the Park, behind the War Veterans Cemetery and adjacent to the Joseph Murumbi Memorial.

The matter was first reported by the Friends of City Park Forest to the Nairobi City County Government in the last week of March 2014. With great concern, we note that a month later the encroachment activities continue. This is a gross violation of a Park which is a jewel in Nairobi’s crown of public spaces. It is unique in encapsulating the type of natural forest that, until a hundred years ago, covered most of Nairobi. As such it can be considered a ‘living museum’. Wanton destruction of this habitat is destroying important biodiversity which in some cases is unique to the City Park Forest and making the site unusable by the public.

As concerned residents, we are calling for a stop of this impunity being visited on public land and urging the Nairobi City County Government and other responsible Government agencies to stop this illegal activity at City Park Forest, by what we believe is a private party.

We would also like the media to make the general public, aware of these developments.

Source 173: Source:<http://friendsofcitypark.org/urgent-call-stop-encroachment-city-park-press-release-28-april-2014/>

In 2014, shortly after the National Land Commission was formed, Friends of City Park took up the matter to the Commission, requesting the investigation into and revocation of illegal allocations of 14 parcels of land belonging to City Park Forest. Partly due to pressure from the FOCP on behalf of citizens, in July 2014, The National Land Commission announced in the Kenya Gazette Publication, the revocation of titles belonging to parcels of land that were illegally allocated.

Photo 62: Members of the Parliamentary committee on Land during a tour of the City Park in Nairobi on August 21st, 2013 investigating sections of City Park illegally allocated



Source 174: Daily Nation, 11th September 2013

The titles revoked include L.R. 209/13072, L.R. 209/13226, L.R. 209/13245, L.R. 209/13246, L.R. 209/13256, L.R. 209/13266, L.R. 209/13300, L.R. 209/13320, L.R. 209/13343, L.R. 209/13382, L.R.209/13383, L.R. 209/13384, L.R. 209/13385 and L.R. 209/13447, as published on 1st July 2014 in by the National Land Commission Act No. 5 Of 2012, under the section on Review of Grants /Dispositions of Public Land (RoK, 2014). Nevertheless, it emerged later that two of the titles revoked were contested, and the parties went to court to appeal against the decision by the National Land Commission (NLC) to revoke the titles. Currently, the case is back in court for the two parties, for claimants who are appealing against the ruling by NLC. The hearings for the case since 2014 have been few and far in between. As a result, there is still a lot of uncertainty regarding the two contested parcels.

According to the FoCP, one of the claimant parties appealing against the ruling have ignored the revocation of titles order and continue to use the land regardless. Indeed,

during one of the last site visits for this study in October 2014, I noted that one of the land parcels in the forest parkland had been completely cleared of vegetation, as if to prepare for some agricultural cultivation. Subsequent follow up interviews with some members' Friends of City Park on the latest updates revealed that the claimant party was actually cultivating on the particular piece of land. On questioning the illegal claimant¹⁹¹ as to why he was cultivating on public forest land, he informed the Friends of City Park that the piece of land was his, and nobody would take it away from him. So, with impunity, the claimant continued with the farming. Nevertheless, the Friends of City Park Forest continue to fight against any more attempted land grabbing of the natural city park forestland to date. One of their most recent press release on such matters can be found in their website on the link, <http://friendsofcitypark.org/open-letter-to-governor-protesting-the-use-and-lease-of-city-park-for-other-purposes/>.

From the above link, one can read their open letter, dated Tuesday 17th November 2015 addressed to Dr. Evans Kidero, the current Governor of Nairobi City County. In the letter, they inform the governor that they are ara against the allocation or conversion of any part of the Nairobi City Park to developers or for other uses, including: (1) Leasing of sections of the park for road access and (2) Permitting any facility that alters historic and ecological aspects of the park, and use of the park.

At each attempted land grab, FoCP rallies the public through social media forums, as well as all local and state government stakeholders, that is the Nairobi County Governor, senior officers at the National Environment and Management Authority, the National Lands commission and the National Museums, to prevent further land grabbing of City Park Forest. More recently, they have been in the process of requesting the government, through the National Lands Commission, to set the record straight on the revoked titles of the parcels of land which were illegally allocated, including those that are being appealed, in order to avoid any more attempts at grabbing or leasing of the forest by land developers and unscrupulous government bureaucrats.

Protests against Proposed Rehabilitation of City Park Forest

Origin and context of Rehabilitation initiative

Based on a Memorandum of Understanding (MOU) signed on 16th April 2012, a Rehabilitation Funding and Technical Assistance Agreement (RFTA) for a Public Private Partnership (PPP) was signed between the Government of Kenya, the Ministry of State for National Heritage and Culture represented by the National Museums of Kenya (NMK), the defunct Nairobi City Council (NCC), now Nairobi City County and the Aga Khan Trust for Culture (AKTC) to collaborate in the rehabilitation and restoration of the Nairobi City Park Forest.

¹⁹¹ According to an informal interview with FoCP, the claimant to the parcel whom they actually talked to was Jacob Juma, a prominent Kenyan businessman and Kenyan government critic. Juma was recently assassinated in his car on 5 May 2016. Opposition leader Raila Odinga claimed that Juma's murder was the work of the police, an assertion which has been dismissed by the government.

Figure 61: Artists Impression of City Park after Rehabilitation by Aga Khan Foundation



Source 175 Report on Design proposals by the Aga Khan Trust for Culture

The complete restoration and rehabilitation of the recreational forest was to be funded by the Aga Khan Development Network (AKDN) at a cost of 30 million dollars. The Signatories include His Highness the Prince Karim Hussein Aga Khan on behalf of the Aga Khan Trust for Culture, the then Town Clerk of Nairobi City Council, Mr. Philip Kisia, the former Permanent Secretary, Office of the Prime Minister and Ministry of Local Government, then Professor Karega Mutahi and then former Permanent secretary, Ministry of State for National Heritage and Culture, Dr Jacob Ole Miaron. Described as 'the Knight in a Shining Armour' by one of the stakeholders vouching for the parks rehabilitation to a 'world class recreational park', the Aga Khan Trust for Culture (AKTC) proposed to revamp City Park Forest to international standards in terms of architecture, landscape and floriculture. The rehabilitation plans, according to the AKDN include building "a new restaurant, educational facilities, a botanical garden, an exhibition ground, an open air theatre and sports facilities." (See <http://www.akdn.org>). The rehabilitation is expected 'to improve the site's amenities and public safety, as well as provide the necessary infrastructure to maintain the natural and cultural heritage of the park' (<http://www.akdn.org>).

Box 26 About Aga Khan Trust for Culture

The Aga Khan Trust for Culture, the cultural agency of the Aga Khan Development Network, undertakes a wide range of activities aimed at the preservation and promotion of the material and spiritual heritage of Muslim societies. Its programmes include the Aga Khan Historic Cities Programme, which works to revitalise historic cities in the Muslim world, both culturally and socio-economically. Over the last decade, it has been engaged in the rehabilitation of historic areas in Cairo, Kabul, Herat, Aleppo, Delhi, Zanzibar, Mostar, northern Pakistan, Timbuktu, Djenne and Mopti. The Trust also supports the Aga Khan Program for Islamic Architecture at Harvard University and the Massachusetts Institute of Technology as well as www.Archnet.org, a major online resource on Islamic architecture. Its activities encompass the preservation and promotion of traditional music, through the Aga Khan Music Initiative, and the creation of museums and exhibition devoted to Islamic art. The agencies of the AKDN are private, international, non-denominational development organisations. They work to improve the welfare and prospects of people in the developing world, particularly in Asia and Africa. While each agency pursues its own mandate, all of them work together within the overarching framework of the Network so that their different pursuits interact and reinforce one another. The AKDN works in 30 countries around the world and employs approximately 80,000 people. The AKDN's annual budget for non-profit development activities is approximately US\$ 600 million. The project companies of the Aga Khan Fund for Economic Development (AKFED) generate revenues of approximately US\$ 2.3 billion annually. All AKFED surpluses are reinvested in further development activities.

source 176: www.akdn.net

For AKTC, the agreement was part of their continued support to work with the Government of Kenya in order to support development. According to their website, AKTC invests in the rehabilitation of cultural assets in the developing world which get recognised internationally. The project of rehabilitating City Park Forest is expected to create a model urban park in Kenya as well as restore the Park Forest such that it becomes an attraction of great repute by complementing and enhancing the existing environmentally important areas. According to AKTC, the restoration, *"is an important step towards ensuring that the historical and cultural heritage, as well as the significant biodiversity of Nairobi City Park Forest, is conserved now and for the generations to come"*. Creation of new facilities, landscape architectural conservation and environmental improvements are some of the activities in the pipeline for the rehabilitation. According to AKTC, *"These activities will improve the quality of the site, making the environment safe for visitors to the City Park Forest and provide the necessary infrastructures by respecting the natural and cultural heritage of the City Park Forest and the people of Kenya"*.

Proposal Presentations by the Aga Khan Trust for Culture'

Re-Imagining City Park: Proposals for Rehabilitation to World Class Recreation Centre

On Wednesday 9 January 2013 in a Seminar Room at the National Museums of Kenya, the Aga Khan Trust for Culture (AKTC) presented their proposals for the rehabilitation of City Park Forest, Nairobi. The presentation on was done by Jurgen

Vandertas the Deputy Director of the AKTC. The planned and intended outcomes for the rehabilitation plans of the park that the trust had developed were presented using a series of impressive slides.

Jurgen emphasised that the plan is to revitalize and rehabilitate the City Park Forest to international standards. He also added that the AKTC has a lot of experience in developing Parks across the globe, and that this project would be their largest undertaking to date. The AKTC City Park Forest undertaking was announced as planned to take place over six years in three phases which are: (1) Central spine and parking area/facility; (2) Building project and facilities, and (3) Forest and its' environs. It was also announced that a non-profit service company that was still under formation, had been hired to start work in April 2013.

The presentation ended after an engrossing question and answer, with queries on the proposed plans, the level of involvement of the public and the process that was used when coming up with the plans. By the time of making the presentation, the government had already signed a 25-year agreement with the Aga Khan group for the project which commenced in November 2012. As if to appease the FoCP who felt irked by not being involved in the decision by the government to bring in outsiders to rehabilitate the park, after the question and answer session, the presenter Mr. Jurgen recognized and thanked the efforts of the Friends of City Park Forest in stopping land grabbing of large sections of the park. He then emphasised that without the involvement of the Friends, there would not have been any City Park Forest to develop. He further accentuated that the Friends of City Park Forest would have an important role in policy making and added that FoCP were an important component in the future success of the project.

Detailed Designs: Reviving City Park Forest – talk by Alia Khan, landscape designer
In order to explain to the members of the public the detailed architectural and landscape design proposals for the park, a second talk was organised by the Aga Khan Trust for Culture (AKTC) and The National Museum of Kenya (NMK). This presentation took place at the seminar rooms of NMK on Wednesday 13th November 2013, a few days after the Deputy Director of AKTC, Jurgens, had presented the proposed rehabilitation plans in a similar forum. The presenter was Ms. Alia Khan, a Masters student in Landscape architecture and environmental design who had chosen City Park Forest for her post graduate project.

Photo 63: Ms. Alia Khan Giving a Presentation On the Detailed Designs



Source 177: Photo courtesy of Friends of City Park

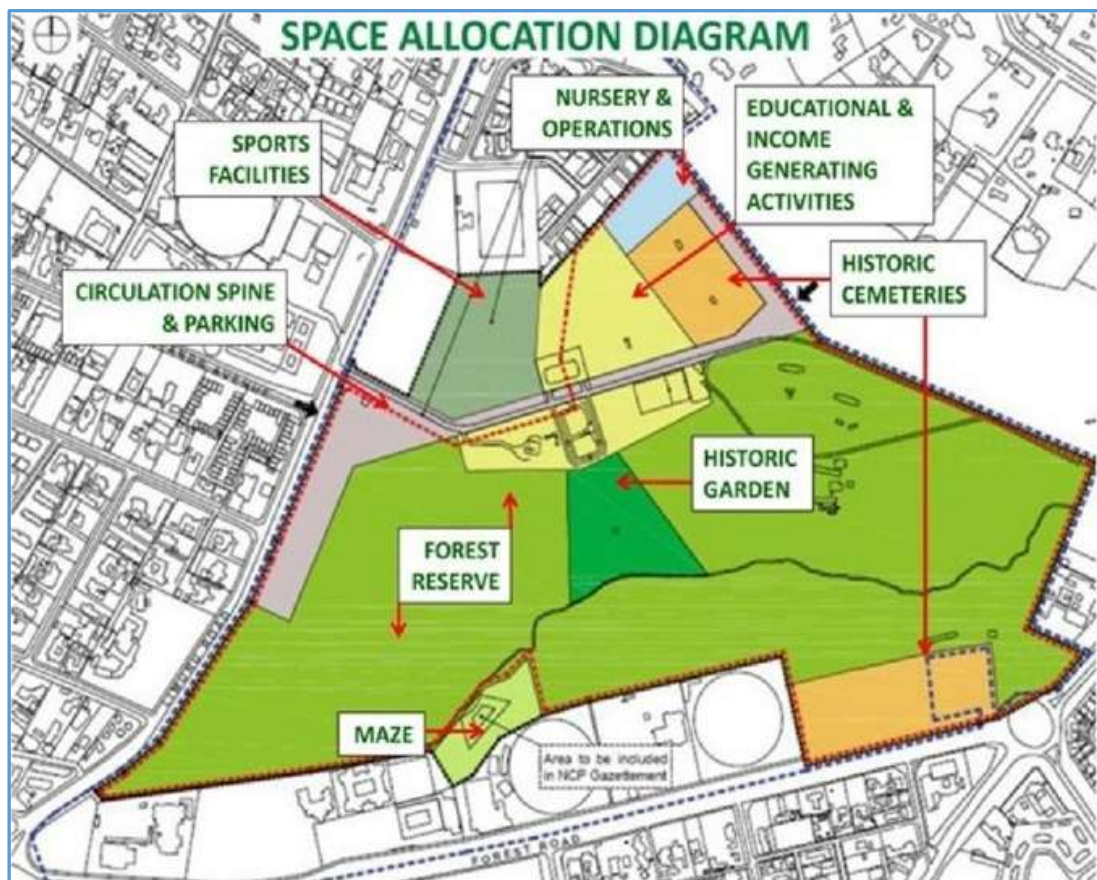
In her presentation, Alia Khan said she decided to choose City Park Forest for her Masters Project, because it was once an important public space for her parents' generation, which was in much need of rehabilitation. The overall aim of her design was to integrate City Park Forest into the urban fabric and ensure the sustainability of the Park within Nairobi. She explained the proposed architectural and landscape rehabilitation plans in detail as shown in the following figure and discussions.

The plan proposes a holistic design for rehabilitation and management, through five strategies, that is social integration, history, education, security and conservation. Additionally, the plan proposes more facilities and a structure that allows visitors to experience better many of the opportunities that the forest has to offer, while at the same time retaining most of the features of the park. a key additional facility which the plan proposed is a world class, visitor recreational centre, which would be a key component in organizing the parks management, activities and events.

Other related facilities envisioned include: (1) An exhibition workshop space; (2) Living laboratories; (3) A restaurant/café complex; (4) revival of historic facilities like the existing unkempt Maze full of nostalgia among the older generations, the run down historical bandstand, the cemeteries and Murumbi Peace Memorial and (5) Outdoor classrooms for children's educational programs on children nature.

An interesting element of the designs which Alia emphasised are the straight main paths and winding nature trails which propose the 'Monkey-See' and a 'Monkey-Do' section, in order to give a different experience to the way in which users of the park currently interact with the monkeys¹⁹². Other facilities to improve visitor experience include rope ladders, swinging bridges, nature hides and a raised tree walkway that would also serve as a vantage point for roving the parks security. Other additional features designed include circulation, at three main levels: (1) the straight main paths; (2) the winding nature trails, and (3) a raised tree walkway, all which would serve the purpose of allowing visitors to experience the park in unique ways.

Figure 62: Detailed Design Proposals -Landscape Layout



Source 178: Friends of City Park

The proposed plan was presented as considering strategies for ecological, social, and economic stability like biodiversity management entailing enhancing the flora and fauna and controlling the overpopulated Sykes monkeys as well as numbers of certain tree species which were dominating the forest. To help in cleaning the stream, the plan proposed the creation of the Kibagare Stream Wetland. The presenter

¹⁹² Currently, users of the park interact with monkeys like they would do with kittens, by playing with them and feeding them. Conservationists and the park authorities discourage the feeding of monkeys. However, feeding and playing with the monkeys is what draws people to the park. Besides, the parks management cannot be able to enforce such a rule as it is difficult to always monitor monkey feeding visitors.

concluded by reinstating her vision of City Park Forest becoming a socially inclusive, ecologically sensitive, educational and recreational gem for the people of Nairobi.

Figure 63: Proposed New Park Facilities and Buildings



Source 179: Design Report for Rehabilitation of City Park by (AKTC)

Perimeter Fence Proposal

One of the main rehabilitation proposals is to build a perimeter fence around the park to improve the security and prevent degradation of the biodiversity of the forest. In their proposals, they note, “a priority for implementation is the creation of a fence around the park”.

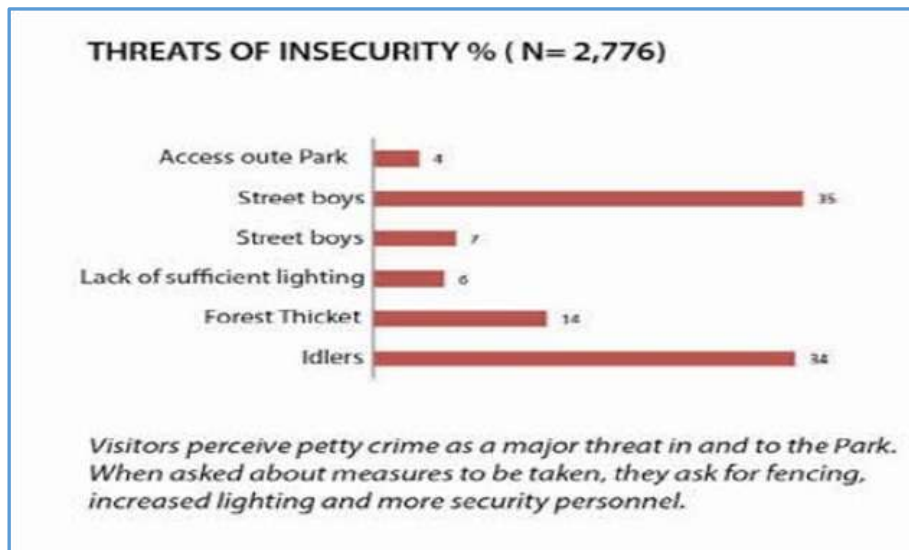
Figure 64: Proposed Perimeter Fence Around the Park



Source 180 Design Report for Rehabilitation of City Park by (AKTC)

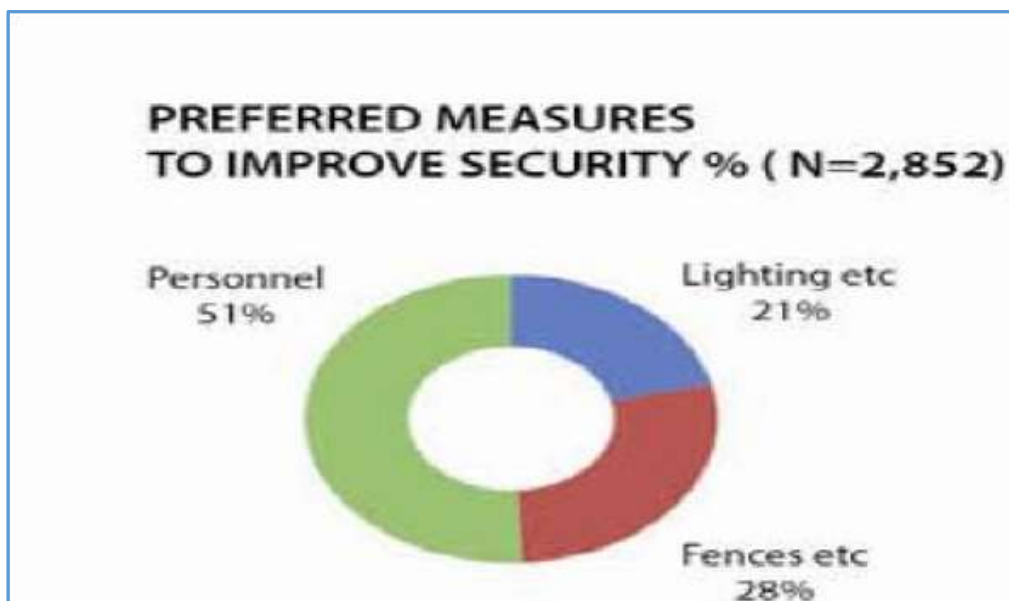
According to the AKTC, City Park Forest is faced with a number of issues which threaten its biodiversity, recreational value and affect its safety. When preparing the site rehabilitation plans, AKTC did a study in 2013 which revealed that insecurity and lack of safety was one of the biggest threat for those who live near and use the park. AKTC cited other challenges facing City Park Forest as poor maintenance, informal occupation of land, wood cutting, grazing of animals, gathering of medicinal plants and petty crime. However, they placed a lot of emphasis on improving safety and security as well as protecting the biodiversity.

Figure 65: Findings of Study by AKTC On Insecurity Threats in The Park



Source 181 Design Report for Rehabilitation of City Park by (AKTC)

Figure 66: Findings On Preferred Security Measures According to The Research by (AKTC)



Source 182: Design Report for Rehabilitation of City Park by (AKTC)

Justification for the requirement of a fence are based solely on the findings of their study. Based on the intentions and results of the survey carried out, the proposed fenced was intended to keep the street boys and idlers away. Further, their study claimed that building of the fence (28%) was one of the preferred measures to improve security in the park, according to a survey they did using a sample size of approximately 3,000 persons who live near or use the park. Other preferred measures to improve security according to their survey include employing more security personnel (51%) improving lighting (21%).

Participation by Resistance: Contests Over the Proposed Rehabilitation

Lack of Public Participation in Signing of MOU

The FoCP were irked by the proposed rehabilitation plans for the park and the lack of public participation in the process that led to the signing of the MoU in November 2012, for plans to rehabilitate and fence the forest. The civil society group contested the Rehabilitation Funding and Technical Assistance Agreement (RFTA) based on the Public Private Partnership (PPP) MoU drawn up between the now defunct Nairobi City Council (now Nairobi City County) and the Aga Khan Trust for Culture (AKTC) to rehabilitate City Park Forest. Uncertainty regarding future use of the park and public participation in the future management of City Park Forest and its openness to the public are some of the main issues that were raised by the FoCP.

The FoCP feel that they were completely side-lined in the process that led to the signing up of the PPP- MoU between the city authority in-charge of the park and the AKTC. This is because they have been the only present and active civil society group that has been supporting the city government in their mandate of taking care of the park. As mentioned earlier, since 1996, FoCP have been lobbying and protecting the park from frequent attempts at land grabbing through public protests and campaigns, supporting its conservation activities and generally acting as a watch dog. Understandably, they objected when they found out that city authority did not involve them in their plans to rehabilitate the forest. Instead, the City Government went ahead without consultation and signed an MOU with what the friends describe as “an outsider”, the AKTC, who have never been present for the last 20 years when the FOCP were fighting off land grabbers and struggling to maintain the park (interview with FoCP Chairperson, 2014). According to the FoCP, the whole process that led to the signing of the MoU lacked public participation and was shrouded in secrecy. This was worsened by the fact that since the MoU was signed in November 2012, its details remained undisclosed for long, and efforts to get a copy of the document by the FoCP were met with obstacles.

Complaints on proposed fence: privatisation and exclusion

According to Catherine Ngarachu, the chairperson of FoCP, a main component of the rehabilitation plan involves major fencing of the public park through installation of a high perimeter wall, as well as charging of entry fees to anyone who wishes to use the park (Interview, 2013). The other rehabilitation plans, which are high maintenance and questionable in meeting the recreational needs of the poor,

according to (Interview with Catherine Ngarachu, the Chairperson of FoCP in July 2014). According to her, the proposed new buildings for recreational facilities like the new restaurant, exhibition grounds, open air theatre and sports facilities which have to be charged are for the affluent and upper middle classes.

While the FoCP acknowledges that the park could do with some rehabilitation, a sustainable management programme and further protection from land grabbers, they are among other things, against the idea of fencing the park and charging the public entry fees to use the park. As such, these rehabilitation proposals plus the fence have been opposed by the friends of City Park Forest who complain that the park will be made exclusive and lock out the poor. In their opinion, despite the poor funding and limited personnel, the NCC together with the FoCP have managed fairly well in maintaining the park without a fence or charging entry fees. The major problem facing the parks management, according to the FoCP chairperson, are the threats of land grabbing from well-connected individuals, who are still trying to claim portions of the park to date.

Interviews held with the chairperson of the FoCP, revealed that one of their main concerns is that charging people to enter the park will lead to the exclusion of certain members of the public, who will no longer be able to use the park because they will not afford the entry fees. This will be unfortunate because City Park Forest is the only greenspace in the area that is available for the common *mwanainchi*, because it is free to enter and anyone can enjoy it, especially the low income people who use it for recreation (interview with FoCP Chairperson, 2014). Field work on socio-economic profile of users of City Park Forest carried by third year urban geography students from the University of Nairobi confirmed the socio-economic status of the users of the park as lower income and urban poor citizens. Unlike Karura forest reserve (only 4 kilometres away from City Park Forest, fenced and people are charged to enter), City Park Forest is unfenced and free for all making it accessible for many urban poor. Based on my personal experience visiting the park from the 1990's to the present, members of the public have never paid to use the park, and this has been the case since it was created in 1932*.

According to Catherine, Chairperson of FoCP, fencing the park and charging people to use it will be tantamount to commercialization and/or privatisation of the park, and it will make it exclusive like Karura Forest¹⁹³. In her opinion, this will keep out the low income and urban poor people who use the park. At the same time however, she acknowledged that fencing could be a good idea to keep off land grabbers from taking any more sections of the forest.

The process of trying to get meetings with the concerned government departments

193 Karura Urban Forest reserve is a public government owned forest, co- managed by a civil society organisation who have now fenced the urban forest reserve and charge people to enter, making it exclusive and only used by the upper middle classes. Besides, the Karura is not well served by public transport and the entry gate for recreational visitors has been located such that one needs a car to enter the place. The largest group of Kenyan middle classes using the Karura forest are Kenyan Asians from parkland's, which is very near the forest.

by FoCP to raise their issues, discuss and reach a consensus was full of obstacles. According to the FoCP chair person, was difficult to assemble gatherings with the concerned stakeholders, and whenever they got together, the meetings took long and no agreements were reached. However, after a series of lobbying activities by FoCP to get the full details of the MoU, based on the argument that it was a matter affecting the public and it is the right of citizens to be privy to its details, the FoCP were finally able to obtain the detailed document in June 2013. They therefore critically reviewed the document, and started writing letters, calling for meetings with the County Governor, the National Museum of Kenya and the National Land Commissioners, to review the rehabilitation plan in the interest of the public.

The issues raised by the FoCP for review include: (1) the proposed fence and entry fee charges; (2) the day to day management of the park; (3) the involvement of FoCP in the PPP rehabilitation and management plan (since they are the main civil society group that has been advocating for and protecting the park since 1996); (4) incorporating measures that safeguard the land (to protect it from further land grabbing); (5) protecting the environmental and historical integrity of the park, its values, and (6) protecting the user rights (of the parks users, particularly the low income, the urban poor residents and the homeless users who form the largest share of users of the park).

Despite the obstacles in trying to get heard, eventually, it looks like the efforts of the FoCP were starting to bear fruit. At a public forum held on 4th October 2013 in the City Park Forest Forest, the Nairobi County Government acknowledged that the government stakeholders were in the process of discussing a revision of the Rehabilitation plan with more public consultation.

Despite this acknowledgement, no consensus has been reached and the FoCP fear that the county government could just have been paying lip service. As it is now, FoCP continue to encounter major obstacles in trying to assemble people together to discuss the amendment of the rehabilitation plan and reach a consensus. Despite the obstacles, the FoCP continued to pressure for more public participation in the rehabilitation plan. In a press statement posted on their website on 11th December, 2013, the FOCP noted, "A stakeholder review of the RFTA, informed by on-the-ground, technical, and local knowledge, is needed to provide the space for public consultation that is guaranteed in the national constitution for governmental and public oversight. It will also enhance the prospects for donor funding for the Park and help to ensure the sustainability of its rehabilitation and conservation."

In addition to the sentiments expressed by the FoCP, a survey with the actual daily users of City Park Forest on site indicated that the park users (who are currently mostly the low income and urban poor people) preferred increasing more security personnel in the park rather than fencing the park, to improve security issues. Despite the feedback from the current park users on this issue, the AKTC has still decided to go ahead and fence the park. This will be more in line the wishes of the upper and middle class residents who live near the park. The residents from the surrounding UMC areas had indicated that the park is insecure and unsafe, and

their suggested measures for improving the security is fencing the public park. According to the revised proposal for AKTC, the fence will be see through, open and will only be a fence as opposed to a wall. For AKTC, this is a compromise between what the park users suggested and what the Indo-Kenyan Asian UMC residents in the area want. However, despite how ones looks at it, as a compromise between the two needs, it is still obvious that the real intention of the fence will be to keep out the so called 'idlers' and 'street boys' who are 'spoiling the park'.

Outcomes of resistance against fencing and park rehabilitation

Intra-group conflicts (divisions among members of FoCP)

The complaint by FOCP against lack of public participation seemed to have borne some fruits, because the rehabilitation plans were initially eventually subjected to a public hearing of stakeholders and survey of users and nearby residents. However, the public hearings and survey were limited. The public hearing took place on only one day, and the survey only concentrated to the onsite users and nearby residents, meaning the sample size was limited and not representative of the city with its diversity. Even then, the users of the park according to the survey results preferred other measures to increase surveillance of the park without the need to build a fence around the park. Still, the AKTC in its proposals emphasised the need to build the fence and indicated in their report, that they will build it, despite getting contrary feedback from the public. In other words, the decision to fence the park seems to have been made regardless of public opinion or needs. While some members of FoCP were against the idea of the fence, their voices seem to have been overwhelmed by the stronger voices in the coalition which favour the building of the fence.

Within the FoCP, it emerged that members are divided on the way forward. One camp of FoCP members support the rehabilitation of the park on the PPP arrangement spearheaded by the AKTC, while the other camp believes that AKTC will be privatising and more or less grabbing the park. This group would like the rehabilitation to be community driven and spearheaded by the FoCP. This group also believes that the fencing of the park and charging entry fees will breed exclusive use of the park like in the case of Karura Forest. these concerns were raised during the presentations on the proposed rehabilitations by the Aga Khan Trust for Culture, discussed above.

One of the questions raised by the FoCP team opposing the rehabilitation was the issue of homeless people. In response to the question from the audience, the Ms. Alia Khan suggested that they could approach homeless people to become part of the rehabilitation of the park through courses and training. This could later enable them to get jobs such as park wardens. Other Members of the audience proposed that rehabilitation could also focus on art, physical fitness and group activities for team building. Other ideas discussed included the development of incoming generating activities (which the homeless people living in the park could benefit) like farm forestry resulting in the sale of products such as wood, gum, raisin, medicinal products, beekeeping for the sale of honey, and butterfly pupae to raise funds for

maintaining City Park Forest.

An interview was held with one member of FoCP who is on the side that supports the rehabilitation plan by AKTC. An elderly Kenyan Asian¹⁹⁴ man in his mid to late 70's he grew up in the area, playing in the park during his childhood. According to him, the park was very well maintained in those days, managed by the city authority. He emphasised that the park is under the mandate of the City Government and therefore they have authority on what should be done to maintain it. Additionally, he states that since the NCC had been unable to effectively take care of the park, and 'a knight in a shining armour' had come to their rescue, and it is only sensible that the 'knight' (AKTC) is allowed to do the rehabilitation of the park.

Photo 64: Members of the public listening to proposal by Alia Khan¹⁹⁵



Source 183: photo courtesy of Friends of City Park

For Akbar and his “brothers in the supporting camp”, the proposed rehabilitation by AKTC was a good thing, unless someone else had a better plan for the rehabilitation

¹⁹⁴He is a member of The Ismaili Muslims, generally known as the Ismailis, who belong to the Shia branch of Islam. The spiritual leader of the Shia Imami Muslims is the Aga Khan. He is a Kenyan of Indian descent and he grew up here in Kenya. He is currently an active member of the Asian African settlement in Africa that have been recording the history of the African Asians in Kenya and East Africa at the National Museums of Kenya. At the time of this interview, he was part of the leadership team at NMK that has been building a permanent exhibit of the Asian African heritage in Africa.

¹⁹⁵ Note the mostly Asian population who live near the park in attendance

of the park. According to him, contrary to some of the propaganda's that were being spread, AKTC was not planning to grab City Park Forest. He supported AKTC adding that they are a non-profit organisation with many philanthropic projects all over the world. In addition, he cited many similar public park rehabilitation projects all over the world which had been funded by the AKDN, with the support of the concerned governments in the countries and without any scandals. He mentioned a lengthy list of these park projects which the Aga Khan Foundation had worked on Africa, Middle East, South-East Asia and even Canada. A transcribed account of a section of the interview held with him is as presented below:

"...it is the responsibility of the county of Nairobi now... It is their property. The property belongs to the county of Nairobi...they should do it...whatever has to be done should be done by the county of Nairobi...but there is 'a knight in a shining arMoUr' who has come....he wants to come and do it and, the knight is the aga khan trust for culture... He wants to come and do it...but ...there is somebody trying to find some faults with that...in the other countries...if you look at the history of the Aga Khan...i think it is worldwide... It works out fine. It is a non-profit making organisation... Universities, hospitals, all the institutions which they run, for the social services in the divisions in east Africa, Congo, Rwanda, Tajikistan and Afghanistan, in India...they are all non-profit making institutions...so I don't think you should worry about, anyone like the Aga Khan Trust For Culture doing it because they have done quite a few parks in Africa...they have done one in Mali, the Bagi; they have restored the Forodhani in Zanzibar; they have done one in New Delhi, which is the...one in Kabul in Afghanistan, one has been finished in bu shang bay in Tajikistan, a park, public park,...and now he is doing one, a big museum in Toronto with a park, together with another park in Calvary in Canada. So in all these activities the Aga khan trust for culture has all the experience, and they have the support from all these governments, so I don't see why...and I think they also have the support of the Kenya Government...and I dont see why we should hesitate and not carry on with them....you understand? If somebody else has an idea, to do that, a better idea, let them do it, you understand? If somebody else is interested in doing it, am sure the AKTC will not mind. Because AKTC does not want to do it for business, it is more for social activity...to rehabilitate ...and AKTC, AKDN has a huge connection, with East Africa and Africa...if you go back in history, you will understand... So whatever you hear, people tell you, or I tell you, you should not take it as the gospel truth...you should make your own research, ... Independently, so I think you should take opinions from other institutions, besides very small groups which have self-interests...ok...if somebody tells you, that Aga Khan Trust for Culture is grabbing City Park Forest, don't believe it...it is not gonna happen. Because the Aga khan, doesn't do anything which is questionable in its history. If you heard about...have you heard about anything questionable about the Aga Khan Activities, schools, hospitals, and institutions?" (Interview with Akbar196),

196As second generation Kenyan Asian who lives in Parkland's and a member of the Ismaili Muslim sect whose Imam (spiritual leader) is the Aga Khan, it is understandable why Akbar supports the proposed rehabilitation by AKTC. Besides, he is approximately the same age as his highness prince Karim Aga Khan, the 49th hereditary Imam of the Shia Imami Ismaili Muslims, who was born in Geneva, but grew up as a child in Nairobi, Kenya before going to high School in Switzerland and later Harvard university, he succeeds his grandfather Sir Sultan Mahomed Shah Aga Khan on 11 July 1957 at the age of 20.

Compromise, consensus and withdrawal

Despite the internal conflicts among the members of FoCP, by December 2013, it was evident that the opposing camp was starting to compromise their stand, arriving at a consensus that would eventually support the proposed rehabilitation plans by AKTC. This can be confirmed from a press statement, posted on the FoCP website on 11th December 2013 where they wrote,

“The Friends of City Park Forest, Nature Kenya, a Nairobi residents group, champion Nairobi City Park Forest..... The Friends mission is to ensure that City Park Forest exists for future generations, and is a vibrant, free, biodiverse, historical, secure park.... We therefore welcome all efforts to preserve and rehabilitate this precious asset...The RFTA offers an opportunity for resources to improve this public green space, and we are pushing for a framework which integrates community involvement and explicitly protects the unique heritage of this park. A better arrangement will ensure that this County treasure receives the stewardship it requires to make it a successful park.”

Besides, in statements on their website, FoCP chairperson appreciated the studies already undertaken of the site by the masters’ student and the AKTC but emphasized the need to get the community involved noting,

“Further to the studies already undertaken, the Friends welcome every opportunity to work together with all stakeholders to undertake additional research and surveys to guide the decisions for the rehabilitation of this park.”

This can be interpreted as the first statement that gave indication of their compromise with the powerful forces of government and private sector to rehabilitate and privatise the park. Nevertheless, the opposing camp of FoCP had its own terms and conditions, as participating members of the public, which they insisted must be adhered to by the Aga Khan Trust for Culture before any rehabilitation plans could take place. These included getting enjoined in the rehabilitation team, transparency in sharing of information, conditions on price controls to ensure use and access of the park by the poor people, sharing of revenues and management responsibilities of the park.

However, in 2014, the AKTC decided to pull out of the rehabilitation plans. This was despite the fact that FoCP had compromised some of their terms and the teams involved had arrived at an amicable consensus. Initially, AKTC stated they would return to rehabilitate only when the issue of the illegal allocations of land had been resolved. Nevertheless, in October 2015, the AKTC decided to withdraw from their plans to rehabilitate the park completely. According to interviews with the chairperson of the FoCP, AKTC decided to withdraw from their plans because they did not want to adhere to the terms and conditions (discussed earlier) set by Friends of City Park, on behalf of the members of the public.

First City Park Wide Stakeholder Forum for Rehabilitation by The ‘People’

Origin and Context of the Forum

Shortly after the AKTC pulled out of the City Park rehabilitation plans, in November 2015, Friends of City Park decided to take the matter into their own hands, by

organising a wide stakeholder forum to start plans for rehabilitation of the park by the common people. In the concept note for the forum, FoCP state that five main purposes, that is: (1) bring together all stakeholders to discuss rehabilitation and management vision for the park; (2) create a road map for the rehabilitation; (3) use combined power to resolve conflict issues and (3) raise awareness and vibrancy of the park.” The stakeholder forum is scheduled for 7th September 2016. It will be a one-day forum that will convene government actors, international organisations, local conservation groups, park users, residents and communities living near the park, professional bodies, academic s and donors. The forum will have six key themes for discussion, that is: (1) securing the park for future generations; (2) safety and security within the park; (3) cleanliness of the park; (4) accessibility of the park for all Nairobi residents; (5) preserving and enhancing the parks biodiversity and (6) sustainable management.

Table 42: Questions to Be Raised by FoCP at The Wide Stakeholder Forum

| Workshop Theme | Questions Discussed |
|--|---|
| Accessibility and vibrancy | Should the park be accessible to all without a fee? Currently, there are 4000+ users and daily commuters using the park daily. If a fee necessary, will current users be able to access the park? |
| Securing the park for future generations | How can the park be kept safe from further land grabbing and illegal allocations to private developers? Should a fence be built to secure boundaries and protect the park from such corruption? |
| Safety and security | Currently the park is open and free to all. How can safety and security be increased? Should more security guards be employed or should a fence be built? |
| Biodiversity and history | How can the parks biodiversity be preserved and enhanced? Who will rehabilitate the landscaped gardens? How will the existing historical features get preserved and rehabilitated? How will the issue of excess Sykes monkey population be dealt with? |
| Sustainable management and financing | Where will funds for the management and rehabilitation of the park come from? How can income be generated and revenues raised? What are the current budget allocations and uses? Who will be in charge of day to day management and how will they be identified or appointed? |
| Waste management and cleanliness | What are the cleanliness options? How can users be more involved in keeping the park clean? Who will provide waste management services and environmental awareness education? |

Source 184: Draft Workshop Programme and Flyer Prepared by The Friends of City Park

Identified stakeholders

Table 43: Stakeholders Identified to Be Invited for The Wide Stakeholder Forum

| Stakeholder Category | Role/Contribution | Actors |
|-----------------------------|--------------------------|---------------|
| | | |

| | | |
|--|---|---|
| Government stakeholders | Policy formulation and implementation, budget allocations, daily management and maintenance, staffing | NCC, KWS, NMK, KEFRI, KFS, NLC, NEMA, Nairobi Senate, Administration Police, Ward Representatives for Parklands, High Ridge, Ngara, Huruma, Pangani |
| International conservation organisations | Funding, technical and policy advice of biodiversity conservation and management | UNEP; UNHABITAT; ICRAF, IUCN, EAWLS; AWF, AKDN, AFEW, EAWLS, Birdlife International, The Refford Foundation, Prince Benhart Nature Foundation, ACF, National Geographic, Institute of Primate Research |
| Park users and nearby residents | Park use, safety, security, management, accessibility, protection | Hawkers Association, Goan Cemetery Association, Murumbi Heritage, Jewish Cemetery, Kenya Association of Resident's Association, Muslim Trust, Resident's Associations of City Park Estate, Parklands, Muthaiga, Ngara, Pangani, Highridge, Westlands, Huruma, |
| Local conservation advocacy groups | Park protection through lobbying and advocacy | FoCP, Nature Kenya, African Youth Initiative of Climate Change, Friends of Conservation, Wangari Maathai Foundation |
| CSR business and adjoining communities | Funding rehabilitation and maintenance | Aga khan hospital, Asian foundation, Chandaria Group, I&M bank, KCB Foundation, Hindu Council, Premier Academy and Club, Simba Union, Swaminarayan Temple, Petrol Stations and Restaurants in the area |
| Professional Associations and Universities | Technical Advice and Research | Architectural Association of Kenya, Kenya Institute of Planners, University of Nairobi, Landscape Planners, Water Management Specialists |

Source 185: Draft Workshop Programme and Flyer Prepared by The Friends of City Park

Workshop Day

The City Park Wide Stakeholder Engagement Forum went on as scheduled on 7th September 2016 at Louis Leakey seminar hall at the national museums of Kenya headquarters in Nairobi. The welcome was given by the chairperson of the Friends of City Park, Catherine Ngarachu. The forum was graced with the presence of senior government officials, international conservation organisations, professionals, academics and important members of the business community. For instance, the two main keynote addresses were given by Prof Judi Wakhungu, Cabinet Secretary for Environment, Water & Natural Resources (afternoon session) and Dr Manu

Chandaria, OBE, EBS of the Chandaria Foundation (morning sessions)- who happens to be an Indo-Asian kenyan one of the richest men in the country.

Photo 65: Senior persons arriving at the City Park Wide Stakeholder Engagement Forum



source 186: Friends of City Park Facebook Page

Other senior persons who gave key note speeches included Dr. Purity Kiura, Acting Director Sites & Monuments, National Museums of Kenya Mr. Patrick Analo, Assistant Director of Urban Design & Landscape from the Nairobi County Government, Prof Bettina Ngweno, from the Aga Khan University and a member of Friends of City Park, who specifically gave an overview and concept of the different mini-workshops for day. The workshop facilitators included Mr. Henry Ndede of UNEP - theme on Uniqueness; Mr. Kuria Waithaka of Nairobi Securities Exchange session on Inclusivity; Ms. Mukami Wangai of Strathmore Business School who handled the Permanence theme. In the afternoon session, again, Mr. Kuria Waithaka of the Nairobi Securities Exchange facilitated the session on Safety, Ms. Anja Oussoren of Revive Consultants dealt with the Cleanliness, Ms. Mukami Wangai of Strathmore Business School facilitated the Sustainability theme. The Plenary was Facilitated by Prof Suki Mwendwa of the Technical University of Kenya. Entertainment included a Live Performance by Dalmas Otieno an Internationally acclaimed dancer and sportsman and poem recited by Children of Celeta Primary School. The workshop ended with a Plenary Action Plan and formation of a committed stakeholders base (see workshop programme and materials in the appendices).

In my opinion, even though the facilitators of the workshop sessions were all non-state actors, in essence, the workshop was top heavy, full of elitist persons in one way or another. The poor people who use city park for recreation were not well represented nor given a facilitation role, for any of the workshop sessions. Thus, it is evident that any interventions made based on decisions made during the forum will be the starting point for creating exclusivities of some nature, which is ironical since so far, FoCP have been fighting any form of privatisation of the park. It is also clear that apart from fighting the public-private partnership between AKTC and NCC, for the possibility of making the park exclusive, the FoCP had their own hidden interests, which are starting to emerge. However, until the final action plan from the forum is ready, it will be inconclusive for these research to say for sure that the park will be made exclusive by the new arrangements.

SUMMARY OF CHAPTER

This chapter has presented the historical and contemporary facts, narratives and events about city park forest in Nairobi. The chapter started with a discussion of the location and area of the park, where it was revealed that just like Karura and Nairobi National Park, City Park Forest is located in the former European reserved residential areas, as planned by the colonial Authorities. The neighbourhood was later increasingly occupied by the Indo-Asian Kenyans, forcing the whites to flee and the government to reserve the area for Asians, and the whites in Muthaiga, as conceived in the 1948 Master Plan for A Colonial Capital. As mentioned in chapter 4, the racialized residential segregation patterns are still persistent even today, over 50 years after independence. The fact that the park is located in the upper middle class Asian residential area hints to the possibility that the park is mostly easily accessible to them.

Section **Erreur ! Source du renvoi introuvable.** presented the bio-cultural heritage of the park. Here, it was revealed that the forest parkland is one of the few remaining natural indigenous montane forests in the Nairobi region. Moreover, it was stated that the forest parkland has a rich biodiversity, made up of both indigenous and exotic vegetation and animals. Many of the indigenous trees are threatened with extinction. Indeed, as Nature Kenya states, City Park Forest is one of the only remaining woodlands in the country that still has some of the tree species which have become extinct. Thus, the need to conserve and protect the forest for present and future generations is important now more than ever.

Section **Erreur ! Source du renvoi introuvable.** highlighted the importance of Nairobi City Park Forest as a cultural heritage site. Here, we saw some of the man-made historical features and monuments dating back from the early 1900s which are in the site. These include the commonwealth grave for the world war I veterans, the Jewish cemetery for the Hebrew congregation, the Goan cemetery for the catholic missionaries and the Murumbi Memorial Grounds, which act as a resting place for Kenya's first vice president after independence. This cultural features are important for understanding some aspects of the country's history. As such, it is important to preserve the parks historical elements, for future generations.

The social spatial profile of the resident communities living the park was discussed in section **Erreur ! Source du renvoi introuvable.** where it was revealed that the park was planned by the colonial authorities to serve Parklands, the Asian reserved residential area, which is currently an upper middle class and Asian dominated neighbourhood. However, other nearby low income residential areas like Pangani, Ngara, Huruma and Mathare can easily access the park on foot, and many of the residents from the low income areas use the park, since it is open and free to all.

Chronologically, the social political history of the park was presented in section **Erreur ! Source du renvoi introuvable.** revealing several interesting facts about its creation. These include information that in the pre-colonial times, City Park forest was part of the kikuyu ancestral lands, specifically, part of the sacred Karura forest. As per the kikuyu traditional regulations and customs, the forestland was owned communally by a kikuyu sub-clan known as *mbari ya kihara*, who managed it on behalf of the community. When the colonists came, they took over most of kikuyu land. in the case of city park, the main historical narrative is that the clan chief of the *mbari ya kihara* that owned and managed the forestland surrendered the forest to the colonial administration, on condition that it remains as public land. Section **Erreur ! Source du renvoi introuvable.**, presents the parks colonial history, beginning with history of how the park came to be reserved. Here, we learn that the settlers were initially opposed to the colonial governments plan to create a public space, because they were using the place for hunting game. Moreover, they wanted as much as land as possible for expanding their settlements. When the park was finally created, we learn that park was exclusively reserved for the recreational needs of the European residents. Once the upper middle class Asians moved into the area and started using the park, the park experienced white flight, because the Europeans did not want to mix with the whites. During the colonial times, the black people in the city never got an opportunity to use the park, as they were prohibited from staying or visiting the Asian and European areas, unless if it is for work.

After independence, sometime in the 1970' more and more Africans started using the park. Due to the colonial hangovers characterised by inbuilt racial prejudices and bias, many members of the Asian community stopped frequenting the park. in the 1980s, the illegal allocations of the park for the development of social facilities, exclusive for the Asian community started taking place. As mentioned earlier, these irregular allocations include dishing out the parkland for the development of a Hindu temple, a private school for Asian children, a vegetable hawkers market and a hockey stadium. All these facilities privatised large portions of city park forest for the Asian residents in the area. These irregular allocations continued well into the early 1990s and started to raise public concerns.

Interventions against the irregular allocations of City Park Forest started with a local Civil Society Group (CSO) known as the Friends of City Park. This group intervened through specific lobbying and advocating actions to stop the land grabbing of the forest in the mid-1990s. At that time, the democratic space for public participation in management of urban green spaces was non-existent, as the regime was authoritarian. The formation of FoCP by members of the public then was quite a

brave step then, considering the political climate then. Moreover, it was the only civil society group existing formed by citizens to directly deal with the issue of land grabbing of the public forest in the city, which had become rampant under the corrupt regime. The defunct Nairobi City Commission and Nairobi City Council in the 1980's to 2010 which had been in charge of City Park Forest were some of the most unaccountable and corrupt government institutions that facilitated the grabbing of the public land under its jurisdiction. The grabbed land was appropriated for the exclusive use of the Asian Elites, under the guise of social facilities for the Asian community.

Unfortunately, by the time of the formation of FoCP in 1996, several acres of City Park Forest had been lost to land grabbers. Nevertheless, as we see in section **Erreur ! Source du renvoi introuvable.** the formation of the FoCP was instrumental in raising awareness on the corruption and stopping further alienation of the public land in the late 1990s and the 2000s. Since the association grew organically, out of the need to address the issue of Land grabbing at the time of its creation, FoCP created a space for citizens to engage with the government authorities in the management and conservation of public spaces in the city. According to (Cornwall, Spaces for Transformation? Reflections on issues of Power and Difference in Participation and Development 2004) created or claimed spaces are,

“spaces which emerge out of sets of common concerns or identifications, and may come into being as a result of popular mobilization, such as around identity or issue based concerns; or may consist of spaces in which like-minded people join together in common pursuits”.

In 2009, the FoCP successfully lobbied and advocated for the gazettement of City Park Forest to a National Monument and Heritage Site, in order to improve its protection status. In 2014, successfully FoCP lobbied for the revocation of the titles illegally allocated to private developers. In 2012, the defunct Nairobi City Council (now Nairobi County Government) and the Aga Khan Trust for Culture signed an MoU for a PPP partnership for the rehabilitation of the park. According to the FoCP, the city authority did not do any public consultations, and deliberately side-lined them when coming up with a decision to privatise the management and rehabilitation of the park. FoCP have always been involved in the protection and management of City Park Forest from 1996, therefore they protested on grounds that the due process for public participation was not followed.

A point to note is that the MoU for PPP was signed in 2012, the 2010 Constitution of Kenya, which requires public participation in the management of public resources and the environment was already being implemented. On obligations in respect of the environment and its assets, part 2 article 69. (1) of the constitution states, *“the state shall encourage public participation in the management, protection and conservation of the environment”*. The FoCP see themselves as having the right to shape the future of City Park Forest, rather than simply as beneficiaries of interventions from outsiders (international parties, in this case the Aga Kkan Development Network), no matter how benevolent they might be. As such, disregarding the participation of members

of the public irked the FoCP. Moreover, with the new constitution and change in policies in the recent one decade, lack of public consultation amounts to abuse of the citizens right to participate. In law, this was an infringement of civil rights and liberties, when the concept of participation is viewed as a right. According to (Gaventa 2004),

“Participation as a right can be seen as a positive freedom which enables citizens to realize their social rights”. Lister (1998) cited by (Gaventa 2004) notes that *“the rights of participation in decision making in social, economic, cultural and political life should be included in the nexus of basic human rights... Citizenship as rights enables people to act as agents”.*

Even though their presence has been acknowledged by the city authorities and other agreement agencies involved in the management and conservation of the park, the FoCP complain that the city authorities are not transparent with them and make a lot of decisions regarding the park behind closed doors. This explains why the FoCP spoke with a lot of emotion, when recounting the rehabilitation plans of the park without their consultation. Evidently, despite having policies in place that encourage public participation by civil society, the city government did not have any framework or formal process guiding public participation. This means that the city authority had more power and say than civil society groups over the decisions regarding the management and maintenance of the forest.

Given that: (1) the main interest of the city government is to promote investment, rehabilitate and fence the public park to world class international standards and (2) there is a lot of pressure and criticism from the elitist citizens to do something about the park, it was highly unlikely the fence and high class rehabilitation ideas were going to be dropped by the city government, for the sake of public participation and openness of the park, to all and sundry. As we saw in section **Erreur ! Source du renvoi introuvable.** towards the end of the negotiations, FoCP bowed down to the powerful forces and eventually accepted the rehabilitation of the park and construction of a perimeter fence, to be done by AKTC, so long as their terms and conditions are met, specifically being enjoined in the deal. According to FoCP, one of their main interests is protecting the park against land grabbers.

Thus, in as much as construction of a fence would make the park exclusive, the fencing idea was eventually attractive to the opposing camp among members of FoCP, because they saw it as the only fool proof way to secure the boundaries of the park. Secondly, for the sake of proper management and maintenance of the park, and given that the city government has been poorly resourced, understaffed and ineffective, the FoCP accepted the funding and rehabilitation plans by AKTC, but on condition that they were enjoined in the new management and rehabilitations of the park. Once it became clear that FoCP have been enjoined in the rehabilitation plans, one of the question raised by the study was that to what extent were the needs of the poor going to be met, once the powerful coalition of government, civil society association and private investors came together to fence and rehabilitate the park?

Rightfully, the FoCP have more or less successfully claimed the space they had created earlier on for public participation and thus the right for the public to be listened to or influence decisions on the rehabilitation plans. However, since most members of the FoCP belong to the middle and upper classes, the main concern raised by this research was that the needs of the poor were going to be excluded once again, beating the purpose for the initial reasons of the resistance activities. It is evident that the coalition would mostly reflect the needs of the upper and middle class residents of parklands, government and private sector investment, against those of the present majority users of the park who are low income and urban poor residents of the city.

CONCLUSION

It is evident that the history of the formation of City Park Forest is now coming back to affect the future openness of the park to the public once it is rehabilitated. Just like in the past when the park was created by displacing indigenous African population by the British colonial government to create a recreational ground for the European settler community living in the parkland's area, a similar displacement is planned today with the proposed rehabilitation plans, which are intent on keeping out the poor people by fencing the park and charging entry fees. The action of reserving a park for recreation only in the European residential area of the city, where Africans were not supposed to be seen except when working as servants, shows that the 'public park' was designed to exclusively meet the needs of the privileged city inhabitants. This shows that the park was never really public from the beginning, as only one homogeneous group of Nairobi residents could access.

Other issues from the past evidently threatening the future openness of the park to the public is the high maintenance nature of the management of the park during the colonial times. Several sections of the natural forest were highly tamed in order to make the forest appropriate as a neighbourhood recreational space for the elite Europeans living in the area. Therefore, while some sections of the forest park were left natural with little disturbance such as the creation of a network of paths, stairs, footsteps and bridges, other sections were highly modified for recreation, with several impressive buildings and facilities such as the bandstand, the pavilion, the maze, restaurant and a fish-pond.

Narratives by the elites about the parks mismanagement, unkemptness, decline and decay have driven the desire to rehabilitate the park to a high class standard which will require high maintenance and management to prevent future decrement. The new rehabilitation plans by AKTC reveal a desire to go back to the exclusive and highly maintained park for a few well to do persons. The bad reputation of City Park as insecure, unsafe and crime infested region is one of the main justifications given for the decision to build a fence. The argument is to keep the place safe and secure but it is evident that the hidden and genuine intention is to keep off the miscreants, that is the 'street boys', 'idlers'; the homeless people who 'spoil the park', in other words, the poor people from the slums use and pass through the park every day. The AKDN rehabilitation proposals reveal attempts to tame the park for "appropriate

recreation”, create a picturesque landscape and taming the ecology through high quality landscape architecture which will require high quality management and maintenance by building a world class centre by building additional buildings like the proposed cafeteria and restaurant, swimming pool and sports club. These additional recreational facilities to be built on international global world class standards will require elite customers and high class private investors to keep them running. This means that poor people who currently use the park will be pushed out because they will not be able to afford these high quality recreational facilities. Thus, the park will go back to being exclusive as it was during the colonial times when only certain groups were allowed to use the park. The proposed stakeholder forum for rehabilitation of the park in early September 2016 is supposed to bring all stakeholders from different social groups and professions. Given that it is being steered by FoCP and Nature Kenya who are still elites, it will be interesting to see what the outcomes of the stakeholder forum will be, and if the new proposals will end up excluding the marginalised and vulnerable groups from using the park, in a similar manner to what the AKTC was going to do.

The need to protect city park from land grabbers has been given as a justification to put up the fence, to the extent of compromising the position of the FoCP members who were against the idea of fencing. Land grabbing of the park over the years especially in the late 1980's and early 1990s by a few selfish individuals is a living ghost that continues to haunt the present and future of the park. Friends of City Park Forest have constantly been battling with private developers who come to the park year after year to try and develop sections of the park which they claim belong to them. This is a real threat from the past that all the stakeholders feel is necessary to deal with, and one of the reasons that the main stakeholder against building of the fence has eventually agreed to the idea of the fence. While it is true that the forest is still under threat from land grabbers, the fence cannot act as a protection from land grabbers. The land grabbing is an institutional and corruption problem and the forest can still be grabbed even when it is fenced by using the same institutions, loopholes and the system of corrupt government officers, who facilitated or continue to be involved in illegal allocation of the public forest.

PART 3: SYNTHESIS AND CONCLUSIONS

SUMMARY OF FINDINGS AND DISCUSSIONS

INTRODUCTION

This chapter is a synthesis of the findings and discussions on the historical and contemporary social and political processes that have led to the (re)production and (re)construction of spatial injustice in the consumption of socially valued public urban greenspaces in Nairobi. Using an urban political ecology framework, the study, investigated the structuring forces and actors that shape the use and access of urban protected areas in Nairobi. The central research question is, what are the past and present social, political and economic processes that shape patterns of uses and access of urban greenspaces for different social-economic groups in Nairobi? The study was guided by three main objectives which were: (1) To investigate the historical social, political and economic processes that produced and constructed urban greenspaces in Nairobi; (2) To investigate the evolution of policies and legislations guiding the use, management and conservation of the urban protected areas and the social, political and economic outcomes of these legislations for different social groups and (3) To examine the social outcomes of non-state actor's interventions in the conservation and management of urban protected areas, on use and access of public urban green spaces among heterogeneous socio-economic/cultural user groups.

The first argument the thesis makes is that social-spatial inequalities in opportunities to use and access urban green spaces in Nairobi are grounded on the city's colonial urban history, founded by the British and developed using institutionalised racial segregation as the main strategy for urban planning and management. Based on a critical review and analysis of policies and legislations in the post-colonial period, I make the second argument that the early and middle post-independent governments, continued to reproduce unjust urban greenspaces by failing to address the oppression and autocracy built in the structuring forces and institutions inherited from the colonial government. Therefore, for a long time after independence, further disenfranchisement of vulnerable and marginalised social groups from equitably using accessing socially valued natural resources continued.

Nevertheless, in the past one decade or so, the contemporary post-independent governments have changed their policies and reviewed institutions, by opening up to non-state actors to participate in the management and conservation of the greenspaces, as part of the as part of the efforts to enhance equitable access to opportunities to sustainably use and benefit from the nature reserves. These changes in policy are part of the wider shifts away from the state-centric government towards local empowerment and devolution in line with the recently promulgated Constitution of Kenya (CoK) 2010.

The contemporary discourse is that opening up to non-state actors will increase opportunities for the marginalised and vulnerable social groups to be empowered in

making decisions on sustainable resource use and management. It is believed that this will enable communities to sustainably use and access natural resources, reduce poverty, improve livelihoods, service delivery and enhance sustainable conservation and management. The main thrust of the thesis comes here, where I question these assertions, particularly investigating the extent to which these interventions by non-state actors have enhanced spatial justice or increased opportunities for use and access of the urban greenspaces for different social groups.

The study focused on examples of interventions by non-state actors through various forms of formal and informal coalitions with the state, for public participation in the management and conservation of three urban greenspaces/protected areas in Nairobi, where proposed or implemented initiatives by non-state actors have been considered prime examples of inclusionary public space at work, by authorities.

In the first case, the study investigated the contributions and outcomes of interventions in the rehabilitation of Karura Forest Reserve in the north-west regions of Nairobi, by the elite Friends of Karura-Community Forest Association (a registered conglomerate of neighbourhood associations living near the urban woodland), based on a formalised co-management partnership with the state agency, Kenya forest service, as anchored in the Forest Act of 2005, provisions for public participation.

The second case entailed analysing an array of habitat and wildlife conservation interventions by Non-Governmental Organisations, through informal and occasional formal coalitions with the state agency, Kenya Wildlife Service (KWS) in the management and protection of the greater ecosystem of Nairobi National Park, specifically outside the protected area.

The third and final case focused on investigating the interventions through resistance by the Friends of City Park (FoCP) a Civil Society Organization (CSO) made up of a variety of professionals and residents interested in the welfare of City Park Forest, a public parkland in the heart of Nairobi, under the jurisdiction of a local government, the Nairobi City County. Since their formation in the mid-1990's, the FoCP have protested against illegal/irregular allocations of sections of the public forest to private developers and are currently protesting its proposed rehabilitation to a world class recreation centre, based on a Public-Private Partnership (PPP) between the local authority in charge, the Nairobi City County and Aga Khan Trust for Culture (AKTC).

Given that the three greenspaces in the city are under different government agencies, the study further set out to explore how the notion of spatial justice or inclusion, as set forth by the Constitution of Kenya, other official policy documents and discourses, is 'spatially practiced' in the governance strategies of the three different authorities, as anchored in their policies and legislations

The study collected and analysed qualitative data. This entailed collection of both primary and secondary sources of data. The primary sources of data were gathered through interviews, focus group discussions, social-media discussions and interviews, video and photo footages. The secondary sources of data involved document analysis of all kinds of records, including government and non-government archives, websites, newspaper articles, blogs, opinion pieces, policy documents and items on TV or radio. The information was analysed using a power analysis approach of urban political economy theories and growing field of urban political ecology, to mount the discussions.

The thesis argues that under the guise of community participation, civil society actors have perpetuated social-spatial inequalities in the form of excluding vulnerable and marginalised populations from using and accessing nature reserves in the city. Specifically, non-state actors, who are mostly composed of certain types of elites (NGOs, academics, business community and privileged social-cultural groups) have used participatory policies to advance their own interests, at the expense of socially vulnerable groups, whom they claim to represent.

Moreover, the powerful non-state actors have formed informal and/or formal coalitions with the state, which serve to deepen the exclusionary practices. These practices are traced to the historically unjust social, political and economic forces involved in the production of urban space and nature reserves in Nairobi. I argue that in the contemporary era, these unjust processes have been reproduced and reconstructed in more nuanced ways, evident in subtle discrimination and prejudiced practices that deny local differences in use and access rights on the basis of race, social class and gender. This is worsened by fashionable global environmental management discourses that encourage uniform rules and standards for environmental management and natural resource use. These has exacerbated local challenges by solidifying fortress conservation models, encouraging privatization and commodification of public nature reserves.

Outline of chapter

The chapter starts with this introduction, which recapitulates the main research question, the objectives of the study objectives and how they were addressed. In so doing, it leads us to understanding how the main thesis arguments were arrived at and the extent to which the objectives have been met. Section 8.2 presents the summary of findings of the three study sites, highlighting the similarities and differences and discussed in relation to the research objectives, assumptions made and methods used to gather evidence. Section 8.3 develops a discussion, based on contrasting and comparing the similarities and differences of the findings. The chapter ends with section 8.4, the summary and conclusions which highlights and recaps the main and surprising findings, in light of policy and practices and policies discovered by the study including a personal reflection.

SUMMARY OF FINDINGS

Racialized Urban Greenspaces

As stated in chapter one, the first sub-objective of the study was *“to investigate the historical structuring forces and actors (social, political and economic processes) that have produced and constructed spatial injustice in use and access of urban greenspaces (protected areas) in Nairobi.”* The assumption made was that current opportunities to use and access urban greenspaces in Nairobi are determined by historical structuring forces and actors that configured unjust socio-spatial patterns. The major question this objective sought to answer was, ‘what are the social, historic-political and economic processes that have shaped the contemporary trends and patterns in opportunities to use and access socially valued urban nature reserves in Nairobi?’. In order to achieve this objective, qualitative methods were used to collect data. A historical review (document and literature analysis) on: (1) how the urban nature reserves were created and (2) how urban growth and development took place in Nairobi formed the first set of data collected for this objective. The specific information sought included: (1) allocative structures (the ways in which the material resources, particularly land, were divided and distributed); (2) authoritative structures (formal and informal rules, regulations and norms) and (3) the ideologies or discourses (which informed what is considered to be the appropriate methods of managing and conserving the urban nature reserves). To understand how the past, shapes the contemporary pattern of use and access the urban greenspaces, a continuous iteration between document review and analysis, participant observation, interviews and mini surveys with relevant user groups was done. Data collected on the use and non-use of the greenspaces by different social groups; the management and conservation aspects by state and non-state actors was compared against the historical trends and patterns on use, access and management of the urban greenspaces.

Chapter 4 explains the residential segregation patterns in Nairobi, based on race and social class, as created by the British colonial government using apartheid policies and practices for urban planning and management. As mentioned chapter 4, sub-section on the history of Nairobi, all the existing urban protected areas or natural greenspaces in Nairobi were created by the colonial government and reserved only in the European residential areas. The city was designed such that European settlers lived in separate neighbourhoods from the African and the Asian areas. The European areas (described as upper Nairobi in chapter four) were located on the best parts of the city, and on the most convenient spots, particularly near water bodies or higher up. These were mostly the Kikuyu ancestral lands in the Nairobi area, that is the upland regions which were higher in altitude full of many rivulets with a cool pleasant climate. Given that the European settlers lived in separate neighbourhoods from the Africans and the Asians, it is only the white settlers who could use and access the urban greenspaces which had been preserved. Today, the European residential areas, currently inhabited by upper

middle class citizens, many of whom are still white people, who consist of a combination of the descendants of the colonial settlers and many expatriates working for international organizations living in the city. In addition, upper middle class Indo-Asian Kenyans as well as wealthy black African Kenyans, like the former President Mwai Kibaki, live in these affluent suburbs where all the major urban greenspaces are located. The document review and analysis presented in previous chapters of this thesis in addition to a closer look at the map of areas in which the nature reserves are located, in relation to the racialized residential segregation in the city, evidently reveal the unjust geographies inherent in reserving greenspaces in the particular localities they were created.

Figure 67: Residential Segregation Patterns in Nairobi Today: Karura and Parklands Wards



Source 187: Modified from Google Earth by Author, 2015

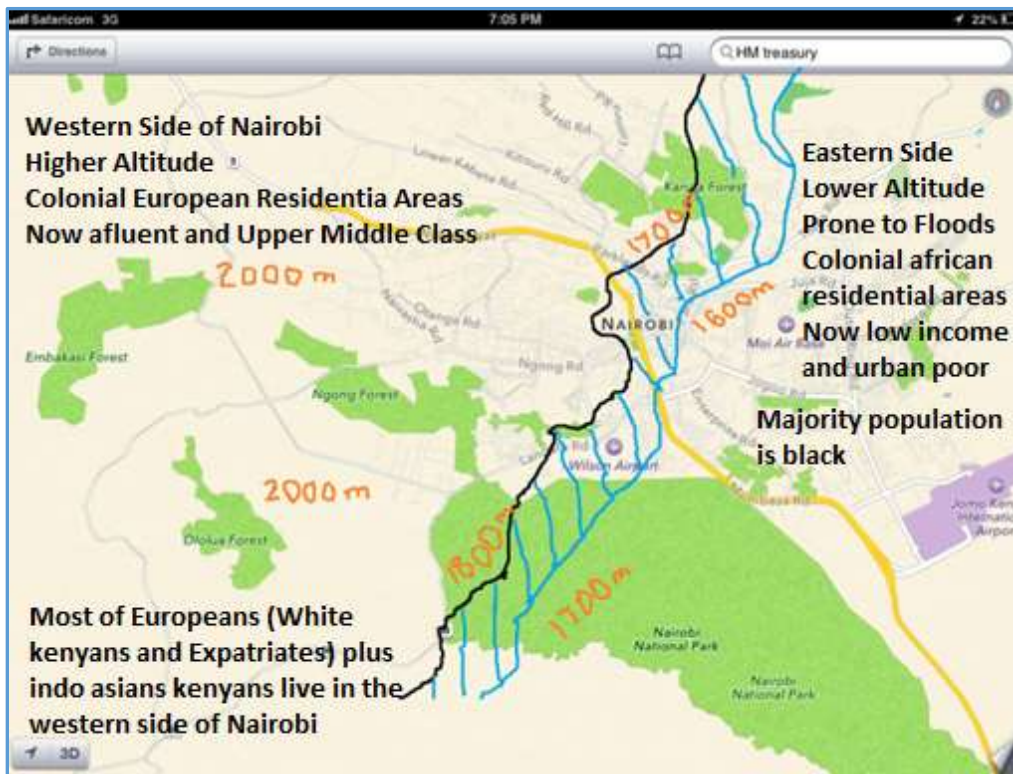
As can be seen from the figure above, the first study site, Karura Forest, is located in the present day wealthy Muthaiga neighbourhood, formerly a European reserved residential area during the colonial time. Looking at the physical structure of Nairobi, one can see that Karura acts as a buffer zone between the former European reserved residential areas - Muthaiga and the Asian reserved residential areas, specifically Parklands.

Similarly, looking at the location of the City Park Forest, which is tiny compared to Karura, one can see that it physically segregated parklands, once a European area (now an Asian neighbourhood) from the eastern marginalised areas reserved for the African and low class Asians residential during the colonial times. A point to remember here is that City Park Forest, which is located in Parklands, was initially reserved as a recreational park for the white residents, before the upper class Asians citizens were

allowed to move there during the colonial (Murunga 2012). However, when the wealthy Asians moved into parklands, the whites moved out to Muthaiga, and the forest experienced white flight, remaining almost exclusively used by the Asian population until sometime after independence (Murunga 2012).

As mentioned earlier, the colonial authorities used natural geographic features such as rivers, hills and forests to act as physical barriers that separated the European residential areas from other races (Blevin & Bouczo, 1997). When one looks at a map of Nairobi, it is also easy to see how greenspaces in the forms of parks and forests were also used to act as buffer zones to separate the racialized residential areas. Uhuru Park for instance together with Railway Golf club, central park and the university of Nairobi sports ground clearly mark a separation between Upper and lower Nairobi, where the slope runs separating the former European residential areas on higher altitude and the African reserved residential areas as well as the central business district (no man's land) on lower altitude, as can be seen in the map below.

Figure 68: How Nairobi's Geography affects our lives



Source 188: <https://panoramicdon.wordpress.com/2013/10/01/how-nairobis-geography-shapes-our-lives/>

Likewise, Nairobi National Park, which was demarcated as a large wilderness area, running from the present day Karen-Langata neighbourhoods in the south-west, to the south-east regions of the city. The park visibly separates the former colonial European

reserved areas (now affluent and middle class neighbourhoods) from the industrial area and African reserved areas in the east and south-east of Nairobi. Additionally, the park separated the newer colonial Asian residential area (that is present day South C and Nairobi West areas) to the North West and in north east of the park from the European reserved areas in the south-west and west of the park.

A point gathered from a historical analysis is that all the eight nature reserves (urban protected areas) in this study and Nairobi as a whole were created by adopting 'fortress conservation'. This is a western nature preservation model borrowed from USA that entails separation of man from nature. Consequently, Africans were evicted from inhabiting the reserved natural areas. Moreover, they were prohibited from accessing and using the natural resources in the urban protected areas. In order to create the nature reserves in Nairobi, two major communities, the Maasai and the Kikuyus were affected, by being dispossessed of their lands. For instance, according to historical accounts, Karura and City Park Forests belonged to the native kikuyu community clan called '*mbari ya kihara*' (see chapters 5 and 7). On the other hand, Nairobi National Park, which is located in *the southern rangelands*, the *Athi-Kapiti* region, part of the southern rangelands of Kenya which were inhabited by Maasai pastoral communities, before the colonialists arrived (see chapter 6). Thus, in regard to this study, the Maasai were evicted from Nairobi National Park (NNP) while the Kikuyu were evicted from Karura Forest Reserve and Nairobi City Park Forest.

The colonial governments crosscutting objective (atleast officially) for creating the nature reserves was protection and conservation of wildlife. However, other objectives varied per greenspace site. Nonetheless, everything was for the benefit of the imperial masters. For instance, Karura Forest, created and managed by the colonial Forest department functioned to ensure timber and fuelwood supply for the administrators and the while settler population, who needed the forest products for domestic and industrial needs. Other accounts claim that Karura Forest was created to conserve the remaining indigenous tree species in the region, which had diminished significantly due to heavy consumption of trees by the settlers, for building, construction and energy requirements (Lee-Smith and Lamba 2000). Additionally, the colonial Forest Department used Karura to experiment with exotic tree plantations, which were later on planted in other forests country wide (KEFRI, 1995); (A. P. Castro, *The political economy of colonial farm forestry in Kenya: the view from Kirinyaga* 1996).

Once the Karura forest was created, restrictions were imposed on entry into and use of the forest products. From the historical analysis of planning and policy documents related to forest management and conservation, it is clear that the law barred the natives from entering the forest for any purposes (see chapter 5). The white settler population on the other hand were controlled but not restricted from accessing the forest products if needed, because they had rights to request and be issued with permits

to extract forest products. On the other hand, as mentioned in chapter 5, the laws prohibited the natives from being issued with forest use permits. The argument was that the African natives would degrade the forest from their “primitive traditional ways” of using natural resources. During the fight for independence from the British, policies restricting and controlling native’s entry into the nature reserve became stricter, to avoid mau mau rebels from using them for their guerrilla activities.

Nairobi National Park was created by the colonial Games Department to maintain wildlife populations for purposes of European recreation, particularly sport hunting pursuits for settlers living in the city. During that time, the European settlers and their visitors enjoyed sport hunting in the reserved areas. On the other hand, just like in the case of forest reserves, the Africans were banned from entering game reserves to graze livestock as well as hunting game anywhere, even for food. In fact, the colonial legislations criminalised the Africans who hunted for game meat or grazed their livestock, calling them poachers and arresting or fining them heavily. Eventually, due to the large decimation of wildlife, hunting was banned from NNP, but the white residents and their visitors continued using the park for recreation (game viewing, photography and picnics). Eventually, the national park became a major tourism attraction for being the only wilderness park in the world in a city. To date, many white and Asian Kenyans continue to visit the park for recreation and photography on a daily basis. Majority of them are tour operators, who make a lot of money from bringing in international tourists, while others make a lot of money from wildlife photography and documentaries. Even to date, Nairobi National Park is still more of a “white space” than a “black space”.

Reserved by the early colonial municipal authority in 1923, the original objective of the creation of City Park Forest, was to leave some areas untouched by development as land was cleared for the settlement of increasing numbers of European settlers. The idea was to conserve biodiversity and provide a recreational space for use by the white residents in European reserved residential areas. City Park Forest, which is just a few metres from Karura forest, was divided into two parts for three main functions: (1) A large section of city park forest was conserved and maintained as pristine wilderness; (2) while two other smaller sections were carved out, developed and maintained as: (a) a memorial and cemetery park for the Asian and British soldiers who were killed fighting during the first and second world wars and (b) a recreational space, for the benefit of the Europeans. Eventually, when the Asians started using the space for recreation, the park experienced “white flight”, meaning many of the Europeans stopped going to City Park Forest for recreation and social interaction. Due to the official nature of racial segregation during that time, no black Africans used City Park Forest as a recreational space. It was only at least two decades after independence, that is, in the late 1970s, that the black African population started using city park.

From the above findings, it is clear that the creation of the greenspaces in Nairobi had little to do with the larger urban planning of the city and genuine provision of urban greenspaces to meet social recreational needs. This is evidenced by the fact that by the time the main protected areas in the city were created, there was almost no official urban planning for the city. An interesting point to note is that all the first nature reserves to be declared protected areas and gazetted in the Kenya colony were all in the Nairobi region, but all of them were created by different government agencies, to meet specific objectives of that government agency. Thus, Karura forest was created by the colonial Forest Department, Nairobi National Park by the colonial Games Department while Nairobi City Park Forest was created by the colonial municipal authority for Nairobi.

Thus, apart from the creation of City Park Forest, it is apparent from the above discussions and desk studies that the city planning authorities had little decision making power in the creation of the nature reserves, as they were created as wilderness protected areas rather than as urban social amenities. Nevertheless, even if they had any say over the creation of the greenspaces, the colonial municipal authorities based its planning and provision of basic services on apartheid policies. Moreover, as discussed in here and earlier in chapter 4, spatial segregation patterns based on race had already emerged with the establishment of a railway town (Blevin and Bouczo, Nairobi: A Century of History 1997); (Emig and Ismail, 1980) (Halliman and Morgan 1967) by the time the greenspaces were created. Thus, the greenspaces of Nairobi were conveniently and concurrently provided in the European residential areas to act as social spatial buffer zones, segregating the white people from the native African and Asian populations, as well as meet the natural resource use needs of the Europeans (e.g. ensuring a constant supply of wood products for the colonial government and the settler population provided by Karura and other forests) and the recreational needs of only the white people (as provided by City Park Forest and Nairobi National Park). To date, largely due to their locations and objectives of their creation, these greenspaces are mostly only used and accessed by the privileged social groups, particularly the affluent and middle class residents living in the area (Mbatia, Field Work Observations 2011-2015)

Institutionalized Exclusiveness

The second objective of this research was *“to investigate the how the past and current policies and legislations guiding the management and conservation of the urban protected areas have evolved over time and shaped the contemporary patterns of use and access of the urban greenspaces among different social-economic/cultural user groups”*. The assumption was that the new changes in policies regulating use and access and guiding the management and conservation of the urban greenspaces have increased opportunities for marginalised and vulnerable groups to participate in conservation and management, use and access

urban nature reserves, improve livelihoods and reduce poverty. The major question posed was, “have the new changes in policy and legislations guiding the management, governance and conservation of urban protected areas enhanced spatial justice or increased opportunities for use and access of urban greenspaces by marginalised and vulnerable social-economic/cultural user groups?”

Conservation of Urban Greenspaces in Nairobi

Conservation Apartheid: Colonial Era

As discussed earlier in chapters 5, 6 and 7, the main actors in charge of conserving and protecting greenspaces, developing and implementing laws and policies on the same during the colonial times were the Forest Department for Karura Forest Reserve, Games Department for Nairobi National Park and the Municipal Council of Nairobi (before Nairobi became a City) for City Park Forest. Immediately the nature reserves were created by the colonial administrators, policies and regulations based on the USA Fortress Conservation Model were adopted. A top down autocratic system of management and implementing of the policies was utilised by the different government departments in charge of the conserving and protecting the public spaces in the city.

As seen from the social-political historical review on each of the urban protected areas (chapters 5, 6 and 7), these policies were for the most part, oppressive and exclusionary and in particular, discriminated against the native African population. As mentioned earlier, rules and regulations were put in place to ensure that African natives do not use or enter the gazetted nature reserves and protected areas for any purposes. Heavy fines and restrictions were imposed on any Africans found to have entered the nature reserves. The Africans were criminalised and considered poachers if they collected, hunted or used anything from the newly created protected areas.

On the other hand, the white settler population had a voice in the process of the creation of the greenspaces, which could not be compared to the African and Asian population. For instance, according to (Steinhert, *Hunters and Poachers and Game Keepers: Towards a Colonial History of Hunting in Colonial Kenya* 1989) the white settler population was constantly against the creation of Nairobi National Park, which they saw as reducing the available amount of land for the agricultural expansions- at least for the ranchers in Karen area. Indeed, according to the history of the creation of Nairobi National Park, the white settler population constantly frustrated the efforts of the colonial government to create the National Park (Steinhart 1994) (Steinhert, *Hunters and Poachers and Game Keepers: Towards a Colonial History of Hunting in Colonial Kenya* 1989). It was not until Colonel Mervin Cowie, came up with a counter strategy that finally convinced the settlers to let the government create the national park. The same case applied to the creation of forests country wide, which the settler population was against.

The outcomes of the oppressive colonial era conservation policies included alienation of lands and creation of internal displacements, landlessness and squatters among the indigenous populations who were dispossessed of their lands. The needs of the indigenous populations were disregarded and the people were heavily oppressed, restricted and controlled from using and accessing forest products. In contrast, the European settlers had access and use rights to the created nature reserves, and could undertake any of the consumptive uses, provided they had a permit issued to them by the games department (for hunting) or the forest department (to access forest products). The insensitivity, oppressive and exclusionary policies and practices of the colonial government led the native population to become apathetic to the conservation and management ideals of the colonial administrators. As a result, whenever they had a chance, there was over exploitation of natural resources by the indigenous populations in some of the reserves which had been created, with the local administrators overlooking the “illegal activities”. This created tension between the colonial government, the local administrators and the indigenous people. With the advent of the freedom fighting by the *Mau Mau* rebels, the colonial government became stricter and militarized, to prevent mobilization of guerrilla activities in the forest and its “illegal exploitation” by the natives.

Tyranny, Corruption and Conservation Apartheid: Post-Colonial Era

After independence, the post-colonial government simply inherited the colonial era policies and legislations for the management of natural resources (forests and national parks) as well as urban centres or towns in the new nation. The oppressive practices on use and access of natural resource products continued. No attempts were made by the post-colonial government to remove the historical injustices related to land appropriation that were created by the colonial government. If anything, the political elite at the time acquired and redistributed land among themselves, their friends and relatives. Many people continued to be landless, while at the same time, denied access and use rights to the created nature reserves. The government appointed natural resources managers continued with the fortress conservation ideals of the colonial governments. A militant approach to environmental conservation was adopted and the post-colonial government became more oppressive exclusionary to the indigenous people. At the same time, there was a lot of corruption and mismanagement of the natural resources by the state officers. Many of them favoured their friends and family, allowing them to extract forest resources. Corruption became rampant, with the state officers taking bribes and allowing illegal natural resource consumption activities. This created conflicts and tensions between the local communities and the government officers, and the local communities continued to become apathetic to conservation. Whenever they could get a chance, they exploited the resources because they felt it was unfair for them to suffer, while others who were not from the community, benefitted more than them from the resources.

In addition to the above, there was the selfish and greedy illegal alienation of public lands for private use by the ruling political elite and corrupt government officers. The illegal alienation mostly affected the forest resources, in particular for this study, Karura forest and Nairobi City Park Forest. The unlawful alienation of Karura forest by the ruling elite was brought to the limelight by the late Nobel Peace Laurette, Professor Wangari Maathai, a environmental activist and founder of the green belt movement who passionately protested the privatization of the forest, including destruction of construction material for building which were already coming up in the forest. Despite the government's effort to stop her protests using brutal tactics, she continued protesting the grabbing of the forest. Her efforts garnered the attention of locals, as well as national and international journalists, professional associations, environmental activists and governments. Eventually, the government stopped the construction and further alienation of Karura forest land. However, it was only when the new president came into power in 2003 that the titles were revoked verbally by the new president. However, the official revocation of the titles did not take place until recently, after the formation of the National Lands Commission in 2012, who the officially gazetted the revocations in 2014.

Figure 69: History of Key Karura Forest Allocation

| Year | Size (ha)* | Allotees/reason for allocation | Percentage change in the size of the forest |
|------|------------|---|---|
| 1980 | 26.251 | Public school development | 2.5% |
| 1982 | 8.1 | Diplomats and International Center for Research on Agroforestry | 0.8% |
| 1989 | 2.668 | Former cabinet minister | 0.3% |
| 1992 | 1.838 | Private developers | 0.2% |
| 1994 | 18.41 | Private developers | 1.7% |
| 1996 | 564.1 | A group of 81 companies | 53.1% |
| 1997 | 85.0 | Private developers | 8.0% |

Source: RoK (2004: 225).
 Note: *Karura covered an area of 1,062.7 when it was gazetted as forest reserve in 1932.

Njeru, 2013, p. 69

Source 189: (Njeru, 2013)

Land Use Planning and Provision of Urban Greenspaces

Racialized Provisions: Colonial Era Urban Greenspaces

Given the manner in which the natural urban protected areas in Nairobi were created, as explained above and in previous chapters, it is evident that the creation of the greenspaces by the colonial government, had nothing to do with comprehensive land use planning for the city. As mentioned earlier, the nature reserves were created by

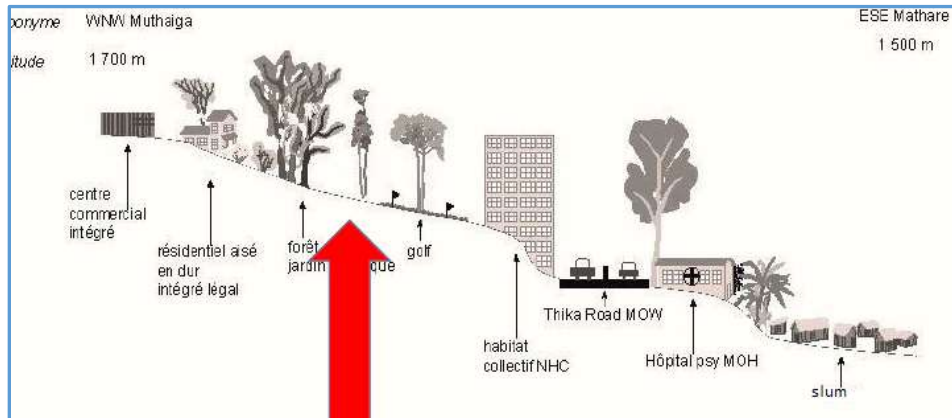
different colonial government agencies, each with their own objectives. Just to reiterate, these agencies were the Forest Department for Karura Forest Reserve, Games Department for Nairobi National Park and the Municipal Council of Nairobi for City Park Forest.

In chapter 4 (section on history of Nairobi), we saw that the most important instruments that guided land use in early colonial Nairobi were: (1) the 1927 plan for a railway town; (2) the 1927 plan for a settler capital and (3) the 1948 master plan for a colonial town. All the three plans promoted the separation of residential areas based on racial background, and later, social-economic status. The white or European reserved residential areas were located in the areas where the greenspaces had been created. The city authority based its urban development and management plans on apartheid practices and policies, which favoured the European areas. This included reserving the best locations of the city for the white settlers and providing their areas with abundant and quality social amenities and infrastructure, disproportionately to the other races.

Moreover, none of the three colonial city plans set out to specifically and comprehensively plan for greenspaces, or reserve natural areas in the non-European areas. The 1948 plan, which was the most comprehensive and modernist of the three, only mentioned the importance of providing open spaces for social and recreational use, at both city and neighbourhood levels. However, the plan was never fully implemented. Moreover, it did not specify exactly how the provision of open spaces would be implemented. Nevertheless, the 1948 master plan proposed the development of the African residential areas using the neighbourhood unit concept. This concept requires the provision of open spaces in the form of play grounds and sports areas, for each residential zone. Only a few neighbourhoods like Kaloleni and Makongeni were built using the concept. The rest of the plan was never implemented and the provision of nature reserves in the African areas became a distant dream, if not impossible.

In addition to lack of comprehensive planning for greenspaces, there is no evidence, from the historical analysis of planning/policy documents or literature review, of any collaboration and coordination between the colonial municipal planning authority and the state agencies (forest and games departments) that created and protected nature reserves in the city. Thus, due to its apartheid policies, practices and failure to comprehensively plan for greenspaces in later plans, for areas of the city which had been marginalised, the colonial government founded a spatial unjust city.

Figure 70: A Buffer Zone in the Containment Urban Planning Strategy



Source 190: (Mbatia, Calas & Owuor, 2015)

Non-Planning and Non-Provision: Post-Colonial Era Urban Greenspaces

Given that there was still a lot of undeveloped land in the city after independence, especially in the eastern and north eastern fringe of the city, one would have imagined that the post independent city planning authorities would have made attempts to reserve and plan for greenspaces in the undeveloped areas, and places which had been marginalised by the colonial government. However, as seen in chapter 4, none of the land use planning instruments created after independence have had a comprehensive strategy for greenspace provision nor emphasised it's the importance. These include: (1) The 1973 Metropolitan Growth Strategy; (2) The Nairobi We Want: Action Towards a Better Nairobi; (3) The 2008 Nairobi Metropolitan Vision and (4) The Nairobi Integrated Urban Land Use Plan (which just finished being drafted in 2013/2014). Consequently, all the areas which had not been provided with any greenspaces or nature reserves are to date without any major greenspaces, apart from a few play areas and sports grounds for children in some residential neighbourhoods (in cases where they have not been grabbed by private developers). Thus, it is evident that the post-colonial government has continued with the unjust spatial practices and policies, set up by the colonial governments, in essence reproducing unjust geographies in the post independent Nairobi.

Participatory Governance and Management of UGS: Contemporary Era

From the early 1990s, members of the civil society started advocating for legislation that would allow the government to involve citizens and other non-state actors in management and conservation of natural resources. However, the process of reviewing and changing policy was faced with many challenges, taking almost 10 years for the first participatory governance policies to be developed, approved and enacted. The objectives of participatory governance and management policies for natural resources in Kenya include improving sustainable conservation and management; reducing poverty

and improving livelihoods of natural resource dependent communities and improving public participation and local governance. The changes to participatory policies for each of the urban nature reserves under investigation in this study are discussed here below.

The Forest Act of 2005

This was the first Natural Resource Management legislation that gave provision for the public to participate or be involved in decision making in the conservation and management of nature reserves. This act also gave consumptive forest user rights to communities living near forests. However, only natural resources under the management of Kenya Forest Services, that is state forests like the Karura Forest Reserve in this study, benefitted from this policy. City park forest in Nairobi, just about 3 metres from Karura and in the same ecosystem, could not benefit from this policy, given that it is managed by the city government as an urban recreational parkland.

Nevertheless, the development of the forest act with provisions for participatory governance created an impetus for other agencies, to review their policies and create spaces for participation in management of public spaces and other natural resources. Though it has taken quite some time, these legislations have recently been developed and enacted. An example is the new policy for national parks, the Wildlife Conservation and Management Act of 2013 which was recently enacted in and is in the process of implementation by Kenya wildlife services.

The 2010 Constitution of Kenya

The management and protection of all natural reserves in Kenya are guided by the Kenyan constitution, enacted in 2010. This new constitution symbolised a major step to address people's requirements, in contrast to the colonial period and the early and mid-post-colonial eras. During the colonial times, the government had supreme control over the parks and forests which they created from 1945. The post-independent government inherited the colonial laws for management, without addressing the injustices caused by the colonial laws. The new government simply assumed ownership powers over all natural resources without specifying its conservation and management. Consequently, there was uncertainty over community rights on control and access natural resources (Mbote 2002) The 2010 constitution, (1) addresses environmental issues; (2) provides for public participation in decision making (see CoK article 2(a)-(2b)); (3) provides decentralized arrangements to better conserve natural resources including wildlife (article 186) and (4) requires that the state engages citizens in public participation in the management of the environment and natural resources (article 69(1) (d)).

With support of the 2010 constitution, communities living with or near protected areas can participate in decision making on key governmental policies and laws. However, despite having provisions for public participation in the management of natural resources, the CoK of 2010 has been criticized (see (Wamukoya 2013) on several shortcomings. First, the national government still holds the main power and functions

(see the fourth schedule, part 1 paragraph 22 (B) of the CoK 2010). This means that communities can only participate in administrative processes where decisions made will affect them, rather than actually participate in decision making. As such, the CoK-2010 fails to endow communities with powers to manage and make decisions on management of wildlife and the protected areas. Nevertheless, a milestone in the 2010 CoK is the aspect of devolution of powers and functions of national government to lower levels of government, under the newly created county governments. Devolution is supposed to enhance the participation of the people in the exercise of the powers of the State (see article 174). The fourth schedule of the CoK outlines the functions and powers of the two levels of government (see article 186). While the fourth schedule, part 1, paragraph 25 of the CoK specifies that the protection of natural resources is a function of the national government, it does not mention who has the responsibility for the management. However, the implementation of national government policies on natural resources is supposed to be done by county governments according to the fourth schedule. Therefore, communities can only act through their county governments to implement national government policies. In sum, the constitutional provisions give all the power to the state in the management of protected areas including urban greenspaces.

The Wildlife Management and Conservation Act (WCMA) of 2013

This legislation was enacted in 2014. It attempts to address some of the issues that have been quite challenging in the previous eras such as human wildlife conflict by giving compensation to victims of livestock killed by predators; wildlife user rights; wildlife crime; promoting wildlife based livelihoods; participation in wildlife management under the County Wildlife Conservation and Compensation Committees (CWCCC's) and wildlife research and training.

An interesting new provisions in the WCMA of 2013 is that upon successful registration of the applicant with the County Wildlife Conservation and Compensation Committee, land owners with wildlife on their land can undertake consumptive wildlife use such as (a) game farming; (b) game ranching; (c) live capture; (d) research involving off-take; (e) cropping and (f) culling (Part X, Article 80 No. 3), subject to approval from the county wildlife committee and permission granted by the Cabinet Secretary. This means that people can keep wildlife on their farms and land, with authorized licences from the KWS. However, these wildlife user rights can only benefit people with big pieces of land, particularly the European land owners in places like Laikipia and Naivasha (remnants of colonial settlers) who own large ranches with both livestock and wildlife. Besides, game farming and ranching are very expensive activities to undertake, beyond the reach of most of the local Pastoralist Communities populations. Nevertheless, Maasai landowners whose lands have abundant wildlife are now supported by the act to consolidate their lands and create conservancies for community based eco-tourism from the wildlife that roams on their land.

Despite the fact that communities living outside protected areas share their grazing lands with wildlife from the park, the new act put stricter penalties on pastoralists caught herding their livestock in the park, even during the dry season. It is interesting to note that the government and conservation NGOs encourages the communities to give up more of their land outside protected areas to wildlife conservation, in the form of community wildlife conservancies, yet they are not ready to allow use and access of pasture lands in national parks for marginal pastoralists even during the dry season, when there is usually abundant grass in the national parks and no grass outside the protected areas. As (N. Kabiri, *The Political Economy of Wildlife Conservation and Decline in Kenya 2010*), notes, the devolution of wildlife management can only be entertained by the state on its own terms. Indeed, this is true, especially in the case of use and access to pasture lands in national parks for marginalized communities living outside protected areas is concerned.

Some critiques see for instance (Wamukoya 2013) have already criticised the new WMCA of 2013 noting that the new act paints a rosy picture of devolution of wildlife management to communities when in actual fact, the intention is for the state to keep control over the wildlife (and its habitats). The critics emphasize that while the act has a provision for devolution of wildlife management and public participation of communities through the creation of the county wildlife conservation and compensation committees, KWS is still responsible for setting up or recruiting its members (section 8). In essence, not much will change for the communities living near protected areas in terms to use and access resources like pasture lands for pastoralists whose livelihoods are dependent on livestock keeping. If anything, the benefactors will be the rich and upper middle class settler communities who can afford to undertake consumptive wildlife uses, while the marginalised communities continue with their predicament (Field Interviews 2014). According to an interviews held with community grass roots leader in the Kitengela region, the new act does not address the needs of the pastoralist communities living in Kitengela and outside other protected areas.

Urban Areas and Cities Act (UACA) of 2012

According to (Institute of Economic Affairs (IEA) 2012), this legislation is revolutionary in providing citizens' rights and responsibilities to be involved in any decision making on urban development and management. As mentioned in chapter 7, in contrast to previous legislations related to town planning and land management, the UACA of 2011 adequately captures citizen involvement in the management and governance of towns and cities. Accordingly, citizens have rights and opportunities to 'deliberate and make proposals on policies and plans for the locality, plan strategies for engaging various levels and units of government on matters of concern, monitor activities of officials and receive feedback from officials on issues raised'.

Additionally, boards of cities and municipalities are required to, "(2) *invite petitions and*

representations from the Citizen Fora with regard to the administration and management of the affairs within an urban area or city under its jurisdiction (3) make recommendations on the manner in which issues raised at the Citizen Fora, if any, may be addressed and shall accordingly pass the recommendations to the manager for implementation and (4) make a report on the decision made in respect of a petition or presentation made by a citizen fora and reasons for such decision." These increases the level of accountability of the city or municipal governance structures to the citizen. As (Institute of Economic Affairs (IEA) 2012) observes, 'these are huge steps in favour of increasing citizen participation and valuing citizen voice.'

The Draft National Urban Development (NUDP) Of 2014

Similar to the UACA of 2012 in terms of some of its objectives, this policy emphasizes citizen engagement and good urban governance in the management and development of urban areas. Additionally, the draft NUDP of 2014 is well developed as far as the management, development and provision of natural resources, greenspaces and recreational areas is concerned, as well as the mandates and responsibilities of the state as regards urban public nature reserves. This is a big step ahead, in comparison to all the previous and current policies and laws. The NUDP policy also gives provision for citizen participation and engagement. However, it is rather vague on the mandate of the county government in the management and development of urban greenspaces, apart from requiring regional and local development plans to provide open spaces and recreational areas.

Myths/Tales of Non-State Actors Participation, Community & Empowerment.

The third objective of the study was *"to investigate the social-political outcomes of non-state actor's interventions in the conservation and management of urban protected areas, as far as the use and access of public urban greenspaces for socially disadvantaged user groups"*. The main question being addressed was *"Have non-state actor's interventions in the conservation and management of urban protected areas enhanced spatial justice or use and access of public greenspaces for marginalised and vulnerable social economic and cultural user groups? The assumption is that the interventions by non-state actors in the conservation and management of urban greenspaces has enhanced spatial justice or resulted in equitable opportunities to use and access urban greenspaces and/or protected areas, improved livelihoods, reduced poverty and increased political representation.*

The qualitative data collection methods used to collect information to answer the research question included interviews, focus group discussions held with marginalised and vulnerable greenspace user groups, participant observation of the greenspaces to assess the types of people actually using and accessing the greenspaces, mini surveys with users of greenspaces to establish the social economic background of the greenspace users; review of annual reports, newsletters, planning documents to compare what the authorities and greenspace managers' report as outcomes of the

interventions vis a vie the outcomes in the views and opinions of the marginalised user groups. As much as possible, the same methods were used for each of the case study sites. However, interviews held varied per case study. The findings per each of the greenspace sites are presented in the following sections. The main elements looked at were inclusiveness in decision making, gender and age representation, bio-cultural and social cultural identity, prejudice and discrimination, political power and representation, perception of power and accountability.

A Rich Man's Play Ground: Eco-Gentrification of Karura Forest Reserve

Expatriates Concerns

As explained in chapter 5, the rehabilitation and development of Karura Forest as a recreational space began in 2009 when the Friends of Karura Forest was founded by Ms. Alice Macaire, wife to the new British High Commissioner to Kenya, who had just moved together with her family into the affluent diplomatic suburb within the neighborhood of Karura Forest. Ms. Alice Macaire had been exploring the neighborhood and wanted to enter the forest for a leisure walk. However, she was informed by the forest guards and others in the neighborhood that she couldn't use the forest for a leisure walk or run as it was too dangerous with criminals and murderers. Concerned about the frightening reasons as to why she couldn't enjoy a walk inside the large beautiful forest right in the city, Ms. Alice Macaire visited the forest management offices in the vicinity, inquiring about poor security in the forest and if something could be done about it. She then talked to the senior forest officer in charge of Karura forest who explained to her the issues and challenges they were facing. As discussed in chapter 5, The visit culminated into a series of consecutive talks and discussions, with plans for larger action oriented interventions, particularly improving safety and security and developing recreation infrastructure and facilities, described here as 'eco-gentrification' (see Dooling, 2009) activities.

Specifically, the planned interventions involved the construction of an electric perimeter fence to improve security in the forest and prevent destruction of biodiversity; revenue collection through development of recreation activities, development of eco-tourism and recreation facilities and infrastructure like the marking and clearing of nature trails for jogging and cycling, building toilets, installing picnic benches and creation of picnic sites and rehabilitation of the forest biodiversity through tree planting and exotic species removal.

Elites Networks, Captures and Mysteries

Elite Networks: Interests, Resources, Ideologies

Given that such a plan required a wide variety of resources, such interventions could not be achieved alone and needed the involvement of community stakeholders. Therefore, Ms. Alice Macaire initially approached her networks, who included the affluent residents living in the neighborhood as well as the diplomatic community and

expatriates' resident in the area. Together, they formed an association called the Friends of Karura Forest (FKF), in order to give the necessary support required for rehabilitation of the forest. The association was first formed under the Society's Act of Kenya in 2009, and later on registered in the same year as the Community Forest Association (CFA) for Karura Forest, under the Forest Act No. 7 of 2005 requirements for public participation and participatory forest management. The newly formed association came to be known Friends of Karura Forest - Community Forest Association (FKF-CFA)¹⁹⁷. The association has its own constitution and rules which includes among others, rules regarding membership, office bearers, executive board, as highlighted in Chapter 5, sub-section on Rules and Regulations of FKF-CFA. According to information on their website (see <http://www.friendsofkarura.org>), the objectives of FKF-CFA are to,

"...protect the forest; provide access to people living around the forest and to the public at large; restore the forest to its natural state providing ecosystem services for all and provide employment people from less privileged communities neighboring the forest."

Since February 2013, Karura forest has been jointly managed by the Friends of Karura Forest (FKF) and Kenya Forest Services (KFS) based on 5-year a Forest Management Agreement (FMA) signed between the two parties. The Forest Management Agreement (FMA) was endorsed, as required by the Forest Act No. 7 of 2005. Prior to the signing of the forest management agreement, the Friends of Karura Forest had been operating as co-managers of the forest without a formalized and documented memorandum of understanding, in accordance with the help of the Karura Forest Management Plan of 2010. However, this plan had been prepared by KFS together with a few present and past members of the FKF-CFA in 2009 when FKF was formed.

The FMA regularizes the co-management partnership between KFS and the FKF-CFA. The agreement dictates the duties and responsibilities for each of the actors and sets out other guidelines and regulations. Security (electric fence, manned gates and associated infrastructure), conservation (reforestation, resource management, controlled access), and eco-friendly activities; support of conservation, education, science and recreation; as well as shared financial accountancy for all joint activities are some of the issues covered in the agreement. The co-management agreement is considered a major milestone for citizen participation as stated by FKF-CFA in their weekly newsletters on their website (www.friendsofkaruraforest.org). The Details on the objectives and purpose of the KFS-FKF forest management agreement are discussed in chapter 5.

FKF-CFA is currently run by an Executive Board comprised of volunteer professional Kenyans and residents. The Executive Board of the association is made up of a Chairman, two Vice Chairs, Treasurer, Secretary, Elected Board Members and board

¹⁹⁷ However, the registration of FKF-CFA was done even though (as explained earlier in chapter 5) there was an already existing CFA for karura forest, known as Huruma women vision self-help group made up of the slum community living adjacent to the forest.

member resident association representatives from affluent suburbs of Muthaiga, Gigiri, New Muthaiga, Runda, Peponi Gardens, Wispers Estate and two slum communities in the area, that is Huruma Vision and Karuma. All the executive and elected board members come from the affluent neighborhood, exclusive of neighborhood association representatives from the affluent neighborhoods in the area. There are only two representatives except for the slum communities in the region, that is Huruma Vision and Karuma neighborhoods. A small support staff that includes an administrative cum environmental education officer, an accountant and Forest Scouts drawn from informal settlements that surround the forest and paid from forest entrance fees. Enhance the activities of FKF's work in the forest. The patrons for the association have been Ms. Alice Macaire and former Nobel Peace Prize Laureate, the Late Prof. Wangari Maathai.

Other non-state actors are organized under FKF-CFA under a hierarchical umbrella structure as explained in chapter 5, sub-section on organizational structure of FKF-CFA. On their website FKF-CFA asserts to be "the umbrella organization for all the range of non-state actors, interested and/or involved in the use, conservation and management of the urban forest reserve." Thus, currently, any individuals or organizations wishing to be involved in management and conservation of Karura Forest are expected to work with or be members of FKF-CFA. Citizens (individuals) or organizations wishing to be involved in the forest management are required to sign up for membership to the FKF-CFA through payment of an annual subscription fee.

According to the rules and regulations of the FKF-CFA, anyone who falls in arrears for the subscription fails to be a member. This means that people who cannot afford the annual subscription fee cannot attend member's meetings nor influence decision making. The minimum annual subscription fee for an individual is 2,500/-, which is too high for residents of the slum community living adjacent to or near Karura Forest and depend on the forest for their daily needs and livelihoods. The issue of membership requirements using subscription fees presents a policy problem of the issue on non-representation of low income and urban poor groups in the day to day use and management of the forest.

The most active stakeholders well represented in FKF-CFA are the wealthy citizens in the area represented by their Resident Association representatives and themselves (**Erreur ! Source du renvoi introuvable.**). As mentioned earlier, the main interest of the affluent residents in the area are security, quality conservation and management, leisure and recreation, in a secure, serene and clean environment. This group is the one consulted during decision making by the board members and management by FKF-CFA, in all matters related to forest use, management and conservation. As mentioned in chapter 5, according to the Kenya Forest Service, only residents' associations of the affluent communities in the area expressed interest in participatory management of the forest (Kenya Forest Service 2010). During fieldwork for this research, I attended the annual general meeting of the FKF-CFA and it was evident that it was only the affluent

residents of the area, mostly elderly white and Asian Kenyans and a few upper middle class black Kenyans who were in the consultation meetings, as can be seen in the photo. The diplomatic community and expatriates living and working in the area are the second major group of affluent residents and organizations with strong membership in the FKF-CFA. As mentioned in chapter 5, many of the expatriate staff in the area spend their leisure time in the forest, taking their dogs for walks, running and jogging. Western Embassies in the area include the Belgian, Canadian, United States and Brazil embassy among others. Some of the embassies have given their support and donations in cash or kind for conservation in the forest to the FKF-CFA.

A third group of members in the FKF-CFA Corporate and non-profit organizations not necessarily resident in the area are. As presented in chapter 5, the Private Sector Corporations include multi-national and regional private business corporations like East African Breweries, Barclays Bank of Kenya, Kenya Commercial Bank and Safaricom. These organizations have provided cash donations for forest rehabilitation, development and tree planting activities. For example, money to build the electric perimeter fence provided by East African Breweries Limited Foundation; mark nature trails; install signposts; clear footpaths; sponsor paramilitary training for the forest scouts and guards; salaries and wages for the support staff. Some have provided their support in kind, such as G4S group, an international private security firm which been providing security services free of charge.

Photo 66: Barclays Bank of Kenya senior team signing a cheque of kshs 1,000,000 for Karura¹⁹⁸.



Source 191: Nation Media Group, Business Daily Edition, Monday 15th February, 2010

The non-profits represented include: (1) local, National and International Non-Governmental Organizations (NGOs); (2) Community Based Organizations (CBOs); (3) Civil Society Organizations (CSOs); (4) schools and institutions. The active local NGOs represented included Green Belt Movement (GBM); Kenya Forests Working Group (KFWG); African Foundation for Endangered Wildlife (AFEW); The Karura Forest Environmental Education Trust (KFEET) while the international organizations, which happen to be resident in the area are UNEP, UNHABITAT, ICRAF, ICIPE.

Finally, the other major group of stakeholders are the slum residents living in an informal settlement adjacent to Karura forest, that is, the Mji wa Huruma slum. For a long time, Mji wa Huruma slum residents have been depending on Karura Forest for their domestic needs and livelihoods. These include collection of firewood for cooking; timber posts for building and repairing their houses; indigenous vegetation for medicinal plants and the rivers for water. Additionally, the slum residents have, in the

198 Money was to be used for training local residents on environmental conservation, marketing and tour guiding. The cheque was handed over to the FKF-CFA senior management team on behalf of the targeted local residents (slum residents within in karura) However, the targeted beneficiaries informed this research claimed that they never got the training which the money was donated for. The added that the chairperson of FKF 'ate their money'

past and present times, directly and indirectly, contributed a lot to the maintenance and conservation of the forest, more so before the elitist FKF-CFA took over, as explained in details in chapter 5. As discussed in chapter 5, in-depth interviews with residents from Mji wa Huruma slum in particular, reveal that the slum residents were very active in management and conservation of the forest when dealing with KFS and Wangari Maathai's GBM, compared to their present dealings with the new forest managers under the elitist FKF-CFA. According to them, since the FKF-CFA took over, they no longer get frequent casual jobs nor are they involved in the forest management anymore.

Overall, the representation of the poor communities in the area in FKF-CFA is very poor. Out of the four slum communities in the area, only two were relatively well represented in the board of the FKF-CFA (see chapter 5, board members and representatives of FKF-CFA). Of these, only two out of the 12 board members are from the Mji wa Huruma Slum. These two members are only males and were in fact appointed into FKF-CFA as the slum community representatives without consulting neither the slum residents nor the slum based Community Based Organizations (CBO), the Huruma Women Vision Self-help group, yet it was the original and only CFA for Karura Forest before the elite FKF hijacked the participatory institution from the slum community (Interviews and FGD's, 2014).

In addition, based on interviews held during fieldwork, slum residents in the Karura Forest neighborhood relayed feelings and thoughts of disenfranchisement from the management and conservation of the forest being spearheaded by the FKF-CFA. When it comes to decision-making, it was evident that the slum residents are not at all involved, in all or any matters related to the use and conservation of the forest, which is just at their doorstep. This affects their use of and access to the forest, directly and indirectly, as already discussed.

For instance, when the decision to reduce the number of days allowed for firewood collection in the forest was done, the slum women who usually collect firewood were not consulted. They were surprised by the decision which had been made, informed by the forest guards one morning at the forest gates, as they entered to collect firewood. The slum women residents interviewed made it clear to this research that FKF-CFA does not view them as partners nor equals. The slum residents are treated as outsiders and forest exploiters, who are likely to degrade and spoil the forest by collecting firewood or medicinal plants. FKF-CFA treats the slum community as vermin and criminals, who will rob, harass and scare off recreational visitors if given a chance to enter the forest. The 2010 Karura Forest Management Plan, which was developed jointly by KFS and FKF, reflects these negative perceptions of the forest dwelling communities by FKF, listing them as challenges being faced in managing the forest (Kenya Forest Service 2010). These are the reasons why it was very important for the elitist FKF to

build a fence, to prevent the miscreants and criminals from the slum, and control firewood collection.

Thus, based on discussions held with the slum community, it was clear that they are out rightly excluded and disenfranchised in the new power sharing arrangement between KFS and the FKF-CFA. Interviews held with several of the women residents revealed that they felt excluded and discriminated against. Some of them mentioned that their past contributions towards forest conservation and management have been underrated and overlooked by both the KFS and FKF.

To make matters worse, FKF treats the slum community as only capable of being recipients of 'charitable acts' from their donors and sponsors, "due to the generous support and consideration of FKF". Whenever the FKF wants to show how much good they are doing, or how they use the funds in their custody, they exaggerate on how much they have done to help the neighboring poor communities, as can be seen in the excerpt below from their website:

"FKF has leveraged donor support to ...directly helping the surrounding communities, in particular the Huruma and Deep Sea informal settlements that border the forest to the north and south, by leveraging donor money to provide...employment and numerous casuals to clear invasive bush for tree re-planting, which diverts hundreds of thousands of shillings into the informal settlements; a \$100,000 water purification plant; bee-keeping equipment, training including a honey processing plant (for the women's groups); a fish-pond; two-days-a-week supervised dead wood-gathering for domestic use."

Elite Capture: Hijacking of participatory institutions from the poor

When the Forest Act, of 2005 was passed, the Kenya Forest Service had been trying to build capacity of some CBO's to effectively participate in forest management and conservation. In Nairobi, one of the targeted CBOs was the Huruma Women Vision Self-Help Group. Infact, Huruma Women group was among the first CBOs used as a pilot by the government to test the new model of community involvement in forest management, possibly because they are the nearest forest community located next to the forest department headquarters and the Kenya Forestry Research Institute and ICRAF.

Under the leadership and support of KFS, the group was mobilized and their capacity built in order to participate in the co-management of Karura Forest together with KFS. In 2007, the Kenya Forest Services registered the Huruma Women Vision Group as the first Community Forest Association (CFA) for Karura Forest. The group then consisted of 30 members (22 women and 18 men) drawn from the Huruma Village. One of their major aims was to work on forest restoration in the degraded sites of the indigenous Karura forest. This was viable because members of the group had already been participating in forest management and conservation through restoration programs, with KFS and GBM, as casual labor and/ or income generating projects since 2005.

The main role, contribution and activities of the Huruma Women's Group was forest restoration and rehabilitation. These included replanting indigenous trees on degraded forest patches and removing invasive species. The grassroots group also engaged in other income generating projects, that ensured the sustainable utilization of the forest resources, mainly bee keeping and honey harvesting, (using forest trees to hang the bee hives) and liquid soap making (using water from the rivers). The alternative sources of income they generated enabled them to reduce their pressure on forest resources from uses such as collection of dead wood, making and selling charcoal. At the same time, their quality of life improved, directly and indirectly in several ways.

However, all the achievements the slum based CBO had achieved for its members and the slum residents was annihilated when the Friends of Karura was formed in 2009, taking over the management of the forest as a CFA with the underhand help of the KFS.

Interviews with different women slum residents consistently reported that the affluent FKF group unfairly captured the participatory institution, degraded the slum resident's participation in forest management and obliterated the sustainable forest based livelihood activities from the slum residents. The statements below by the chairlady of the slum based CBO, similar to other statements given in separate interviews with other slum residents, expound on the exact underhand methods that were used to disempower the slum community.

"When 'friends' came (in 2009), we (Huruma Women Vision CFA) were told to join with the other groups (referring to other CBOs from the slums and the elite FKF) so that we become an umbrella organization- Karura Community Forest Association....However, we don't know what happened, we were thrown out. The FKF- CFA does not have any representatives from the Mji wa Huruma Slum ...now we are just an issue group...something on the side¹⁹⁹...They took two people from our group (the village) ... as they told us. They told us that they have employed one in the Friends of Karura Forest²⁰⁰...and the other...They decided on the person to represent us from the village at the FKF. We didn't choose that person, they decided and appointed the person without asking us who we want...."

"...They haven't done us good, they threw us out (of the CFA). Especially the Friends of Karura. They took even our certificate for the group. They told us that they are going to register us. We were told that the mzungu chairman²⁰¹ (who was the chairlady at the time), wanted our certificate, so that we can be registered under the umbrella...Karura Community Forest Association. The friends took our certificate...they threw us out...They said they have employed our group members in the friends of Karura forest. No report was made after our certificate was taken, and we were told we were going to be part of the KCFA. The only thing we have seen is

199 Suggesting that the group is disenfranchised.

200 Referring to one member of the group who was employed by FKF as the chief scout for Karura forest scouts.

201 The chairlady of the FKF at that time was a white European lady.

that they employed scouts from the village...to date, we have never been given back our certificate..."

Elite Politics: Contestations among Powerful Stakeholders

During fieldwork for this research, I had the opportunity to attend the ceremony for the signing of the Joint Forest Management Agreement between the Kenya Forest Services (KFS) and Friends of Karura Community Forest Association (FKF-CFA) as a participant observer. One of the things that was apparent from the event was that there was very little publicity for the event, given that the state was involved and that it was a milestone activity for devolution implementation. Particularly interesting to note was the observation that other important stakeholders from the national and county government were not in the ceremony.

In contrast, the private sector was well represented, with corporate sponsors like Barclays Bank of Kenya and East African breweries in attendance. Another interesting observation was that Wangari Maathai's Green Belt Movement (GBM) was missing, yet they were the activists behind the protest against the corrupt elites that were illegally allocating and privatizing the forest in the 1990s. Moreover, they had been the only NGO that actively continued tree planting and conservation efforts in the forest, together with the slum community and the Kenya forest services, before the GBM came in. Members of the Karura Forest Environmental Education Trust (KFEET) were also absent. Informal conversations with other stakeholder's present from the Kenya forest working group revealed that there were conflicts between the newly formed FKF-CFA with KFEET and GBM. Further discussions revealed that the two organizations were not happy with the manner in which the FKF had taken over the management of the forest. Evidently, there were conflicts of interests which led to the other two important stakeholders snubbing the event for the signing of the FMA.

Nevertheless, in my observation of how the event was organized, FKF-CFA appeared to have been avoiding much publicity, therefore the event could have deliberately been organized with the intent of having little or no publicity. My thoughts on this observation were confirmed when I noted that there were no media people who had been called to cover the event. Moreover, when I approached the vice chair of the FKF-CFA after the event for an interview, she became rather hostile and asked me why I was doing the research in the forest without her knowledge, who invited me and why she had not been informed that there was someone doing a research in the forest. After introducing myself as a research student working on Karura forest, she asked me to get a research permit from the KFS beforehand, even though I informed her I already have the official government research permit. I concluded that she was hiding something and uncomfortable with presence of researcher at that ceremony. Furthermore, I was taken back by her attitude, given that Karura is a public forest, and anyone has a right to enter the forest and do what they want, provided they do not break the rules.

During the event, I learnt from the speeches that the FMA for the Karura forest was the first one to be signed and endorsed country wide. An informal interview held during the event with a member of the Kenya Forest Working Group (KFWG) who has worked with many other Community Forest Associations informed me her observations that the Friends of Karura Forest CFA was the most successful and well organized CFA in the country²⁰². She also revealed that the reason for the success was due to the high social status of the members, who were, in her words, “different” from other Community Forest associations, referring to the elitist, affluent social status and well organized knowledgeable background of the members of the FKF-CFA.

Eco-gentrification of Karura: Interventions by the Elites

As discussed in detailed in chapter 5, the main interventions implemented by FKF-CFA were: (1) Fundraising for forest management and conservation; (2) Electric perimeter Fencing and Improvement of security; (3) Development of recreation and eco-tourism facilities and infrastructures; (4) Improving biodiversity and aesthetics of the forest.

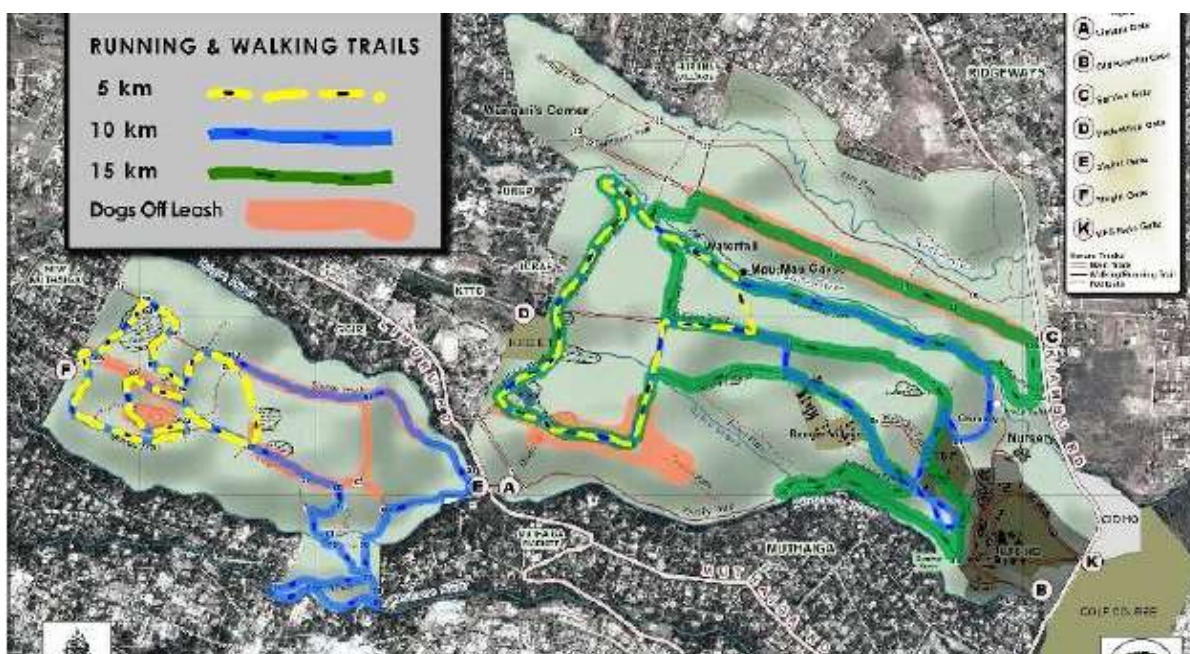
According to FKF-CFA and KFS, a lot has been achieved successfully with the interventions of FKF-CFA. Infact, the KFS officers applaud the activities and achievements of KFS and give them as the best example of the benefits of community participation. For instance, Since the signing of the management agreement, security in the forest has increased significantly, eco-tourism facilities and infrastructures have been installed, thereby promoting recreation and other leisure based revenue general activities, previously undeveloped by KFS and Huruma Women Vision Group. The latter stakeholder lacked financial and human resources to develop these activities. Moreover, before the forest at of 2005, recreation use of the forest was prohibited by the forest law.

The success and achievements claimed and reported by the Friends of Karura Forest-Community Forest Association in their various publications (annual reports), conference presentations²⁰³ and website include Increase in recreational visitors use and numbers; Increased revenue generation and collection from recreation visitors; improved biodiversity conservation; Creation of employment for the slum community and supporting the community projects.

202 Information Provided by Leah Gichuki, Projects Officer at Kenya Forest Working Group.

203 For example, given at the Wangari Maathai Institute, University of Nairobi by Prof Karanja Njoroge on xxxxx and the one at National Museums of Kenya by Ms. Alice Macaire

Figure 71: Karura Today: A Playground For The Rich (Cosmetropolitan Park)



Source 192: (Mbatia, Calas and Owuor, A Politically Correct Hijacking of a Public Space and a Profitable Class Swap 2015) original image from www.friendsofkarura.org

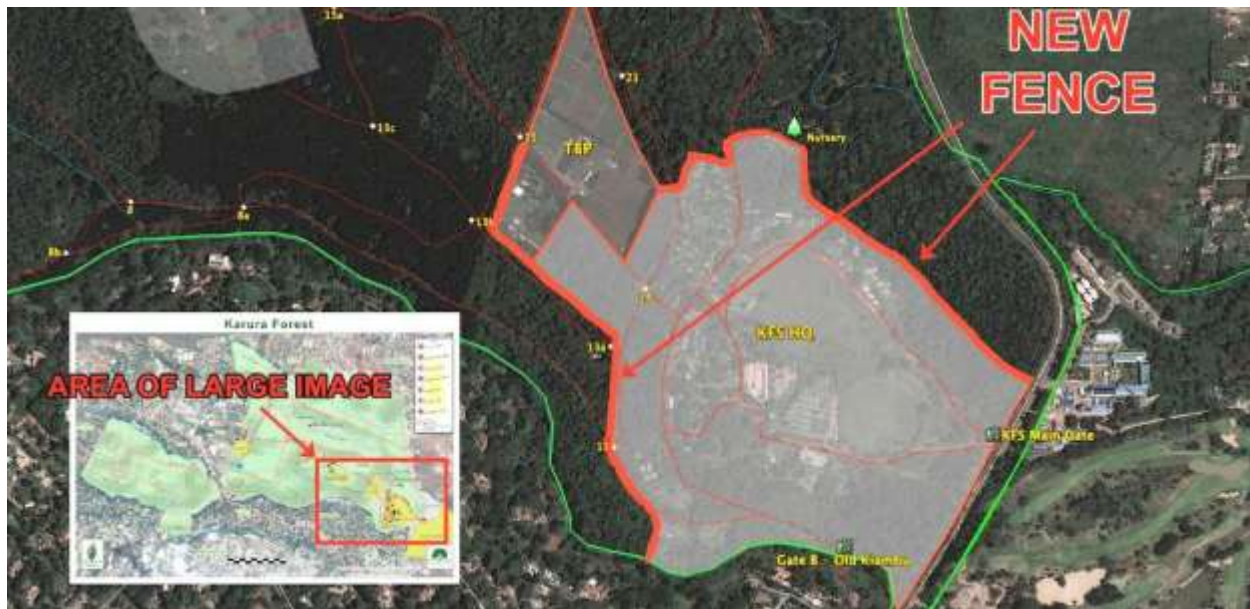
Exclusiveness and Disenfranchisement: Outcomes of Elite interventions

As John Mbaria, a conservation journalist based in Nairobi notes, Karura Forest has become a 'Playground for the rich'. Since the FKF took over the management of the forest, new high-class leisure and recreation facilities and activities have been created for privileged in the guise of community participation. Karura Forest is now a luxury playground for consumption by the affluent and expatriate community in the area, the new urban middle class and tourists. The elite FKF-CFA have aggravated social inequalities in the area, by restricting and controlling use and access of the urban forest by the slum community in the neighbourhood. Thus, the slum residents have become more marginalised and excluded.

The interventions by the elite FKF CFA have entailed the reproduction of several processes, particularly use of embedded social, political and economic privilege to further disenfranchise the urban poor, under the aura of community based forest management policies. The first step in the disenfranchisement was the elite capture of the participatory institution from the slum based CBO to FKF-CFA, which served to disempowerment the slum community from effective participation. The control and management of the greenspace by the elite in the area has resulted in the disenfranchisement of the less fortunate groups, manifested in various ways such as excessive restrictions, security and controls for using forest products and simply accessing the forest. The electric perimeter fence installed by FKF-CFA has ensured that

the slum community living at the edge of the forest are fenced out, to ensure security and safety for the recreating elites, by confining the unsightly poor to the slum. The entry to the forest by the community is designated to various access gates, which are manned by armed KFS rangers together with two or three scouts employed by the FKF-CFA.

Figure 72: Inner Fence Constructed by The FKF-CFA to Separate KFS HQS And Staffs Rangers Village From The “Recreational Forest”



Source 193: (Mbatia, Calas & Owuor, 2015)

Despite user rights for consumptive use having been mentioned in the act, the restrictions imposed heavily oppressively limit the slum communities' entry into the forest and. Such controls and restrictions include restrictions on the number of days to enter the forest to collect firewood, escort by armed forest rangers to pre-determined sites for collection of firewood and restrictions on entering forest with implements for chopping up firewood. Thirdly, the slum community has been disenfranchised through **exclusion from decision making**. The slum community is not consulted when important decisions affecting them in regard to the forest are made. As they mentioned, these included the decisions on the days, number of times, and entry hours for firewood collection.

Thirdly, the slum community has been marginalised through destruction of their livelihoods. As stated before, prior to the management by the Friends of Karura Forest, the slum community was involved in a numbers of forest based sustainable income generating enterprises. This included bee keeping, honey harvesting and tree seedling planting and selling. The bees of the slum based women group disappeared sometime

after the FKF forest took over the management and brought in researchers from ICIPE who came in with their own bee hives. The tree seedling and planting projects were taken over by the Friends of Karura Forest. While in the previous management, the slum community was paid directly by the tree sponsors for the tree planting activities, the Friends of Karura Forest managers have come in as middlemen, between the sponsors and the labourers. This has resulted in the **financial exploitation** of the slum women, who are now paid as casual labourers by the Friends of Karura Forest, on behalf of the sponsors. This has led to the financial exploitation of the slum women, who claim that they are paid much less than they used to be paid before, when the friends were in charge.

Photo 67: KFS Forester, John Orwa (l) and FKF-CFA Vice Chairperson, Cristina Boelcke-Croze (m) discuss locations of ICIPE bee hives in the forest with James Ng'ang'a of ICIPE²⁰⁴



Source 194: www.friendsofkarura.org

In summary, the outcomes of interventions by FKF-CFA on slum residents include: (1) disempowerment of the slum community through Elite Capture of the Participatory Process; (2) physical restriction to use and access of the forest through the construction on an electric perimeter fence and introduction other excessive and biased security and safety restrictions and controls; (3) use of the Conservation of Biodiversity Discourse to restrict use and access of forest products; (4) Prejudice & Discrimination: Denying older women group member's casual jobs; giving forest security jobs to only the males; (5)

204 According to the management team of FKF-CFA, the four apiaries are dedicated to bee research.

Destruction of sustainable forest based livelihoods through Obliteration of Livelihood Enhancing Forest Based Enterprises (Tree seedling selling , tree planting, Bee keeping and honey harvesting activities); (6) Financial exploitation (under payment for forest maintenance activities and controlling the money from the sponsors); (7) Restricting access to livelihood enhancing forest products (firewood collection); (8) oppression through Exclusion from Decision Making e.g. on decisions on limits and controls on firewood collection and Decision on appointment of slum representative.

Moreover, none of the projects mentioned by the Friends of Karura Forest -Community Forest Association have actually been beneficial to slum the community, according to the views and opinions of majority of the slum women residents interviewed. The residents claimed that some of the projects which FKF claim they initiated for the community, for instance the Honey Processing Plant, were infact initiatives of other stakeholders, specifically UNDP. According to the residents, the only project FKF has done for the community was the construction of a water purification plant and sanitation block, which the slum residents claim was no longer in operation because it requires constant repair and maintenance services. Moreover, the residents claim that the sanitation block was not a priority for them. They say that what is needed is a day care center for children in the slum, so that mothers can be able to leave their children somewhere and go to work. In summary, the residents expressed discontentment with FKF, and said they did not benefit in any way from the new co-management arrangement. Additionally, they said they felt oppressed and marginalised. They added that they are not interested in hand-outs or mere casual jobs, rather they would like to be directly involved in the management of the forest, either: (1) independently (where they manage the forest themselves in partnership with KFS); (2) in self-employment (where they could be allowed to sell /hawk items like souvenirs, soft drinks and snacks among others to visitors) or (3) in equal partnership with FKF.

Fortress Conservation? Viability of the larger NNP Ecosystem

Conservation Interventions and Actors in NNP ecosystem

Over 100 local, national and international NGOs are listed by KWS on their website as conservation partners, actively involved in the management and protection of Kenya's wildlife and their habitats. Many of these NGO's are known to be 'some of the strongest in Africa' (Raxter 2015). These NGOs support the activities of KWS by engaging in activities such as education and awareness raising, fundraising, patrolling areas adjacent to parks, monitoring of wildlife numbers, intelligence gathering on wildlife related crime, research and data management. In line with international trends of the past two decades, many of the NGO's engage in 'direct action, advocacy, involvement with setting government policy agendas and other political decision making' (Griffiths 2010) cited by (Raxter 2015). Increasingly, many of them are deeply involved in driving the development of community based natural resource management (CBNRM) schemes.

In chapter six, a collection of conservation interventions to increase the viability of the larger NNP ecosystem, initiated by a coalition of several Big International and National Non - Governmental Organisations (BINGO's) were presented. The initiatives executed focused on two main objectives, that is: (1) Preventing Habitat Loss, and (2) Preventing and/or resolving Human Wildlife Conflicts (HWC's)²⁰⁵. At least seven interventions, already implemented or in the process of being implemented were identified, discussed and evaluated in section 6.5. As discussed, the initiatives aimed at preventing habitat loss included: (1) Wildlife Conservation Lease (WCL) Programme; (2) Land Use Master Plan (LUMP) programme; (3) Community Wildlife Conservancy (CWC) and (4) Protests against proposed and ongoing transport infrastructure development within the vicinity of the park), while the ones For the Prevention and/or resolving of Human Wildlife Conflicts included: (1) the livestock consolation programme and (2) the Lion Entry Deterrent (LED) system or lion lights. Using the example of one of the conservation interventions, the Wildlife Conservation Lease Programme, the following sections summarizes the objectives of the initiatives, non-state actors involved, achievements and outcomes of the interventions, on opportunities to use and access Nairobi national park by marginalised user groups, specifically the Maasai marginal pastrolists living south of the park.

Questioning NGO Concerns for Community Needs: The WCL Programme

The oldest and longest intervention to save the larger ecosystem of NNP has been the Wildlife Conservation Lease (WCL) programme. As mentioned earlier, the programme was initiated in order to increase the amount of land available for wildlife and maintain seasonal dispersal areas and migration corridors on adjacent privately owned lands. The specific objectives of the wildlife conservation lease programme included: (1) Increasing conservation land; (2) Institutional strengthening and information dissemination; (3) Enhancing long-term sustainability. The intervention entailed multiyear land lease payments and contractual commitments for wildlife use, signed between TWF and private landowners.

The conservation NGOs which designed programme saw the lease payments as the only option suitable and last option for sustainably preventing the fencing, sub-division and selling of Maasai pastoral lands and converting them into incompatible land uses for wildlife dispersal and conservation (particularly conversion of land to peri-urban, urban and industrial uses). The lease payments were done thrice in a year, when the schools open, to prevent the land owners from selling their land to pay school fees for their children. As mentioned in chapter 6 section 6.5, Each land owner got 4 dollars per acre per year. Consequently, the more land one had, the more money they got.

As seen in chapter 6, the main NGOs involved in the WCL programme were The Wildlife Foundation (TWF); World Bank -Global Environment Facility (WB-GEF)

²⁰⁵ Retaliatory Killing (RK) of predators "from the park" by the neighboring Maasai community

programme; The Nature Conservancy and the Friends of Nairobi National Park (FoNNAP). Apart from FONNAP, all these NGO's are high level big international NGOs with a lot of power and influence to shape national and local policies and practices. The community was represented by the Kitengela Land Owners Association (KILA) while the government stake holders were the defunct Olkejuado County Council (now Kajiado County Government), the local government for the Kitengela region and the Kenya Wildlife Services (KWS).

As mentioned in chapter 6, Most of the funding for the WCL programme was provided by the World Bank's-Global Environmental Facility (GEF) under the Medium Sized Project (MSP) category. The first phase (2002-2008) implemented by the Friends of Nairobi National Park (FoNNaP), while second phase (2009-2014) was implemented by The Wildlife Foundation (TWF). In addition to main funding by the World Bank's- GEF, in the second phase, a big international NGO known as The Nature Conservancy (TNC) as well as the government through KWS contributed to the lease programme. The initiative was in line with the governments objective of preserving the migratory corridors and dispersal areas in community land south of the park. As mentioned earlier, these lands are under threat of rapid sub-urbanization and urbanization due to proximity to the expanding Nairobi city. The table below summarizes the stakeholders and their roles in the WCL programme.

Table 44: Stakeholders and Their Roles in The Wildlife Conservation Lease Programme

| Name of NGO | Level of Operation | Role/Contribution |
|---|---------------------------|---|
| World Bank-GEF | Global | Funding |
| The Nature Conservancy | Global | Funding |
| The Wildlife Foundation | National-Local | Community mobilization and education, Programme design and implementation |
| Friends of Nairobi National Park (FoNNaP) | Local | Community mobilization and education, Programme design and implementation |
| Kenya wildlife services | National-local | Funding |
| Kitengela Land Owner's Association (KILA) | Local-grassroots | Community mobilization, committing to not selling, fencing, sub diving and leaving land open for wildlife use |

Source 195: Compiled by Author, 2015

Despite appearing to have good intentions, the Wildlife Conservation Lease programme, the WCL programme has not been successful in stopping the sale, subdivision and fencing of land in the dispersal areas in Kitengela. As a result, the sale, subdivision and fencing of wildlife habitats continues. Moreover, WCL claims to have

addressed the problem of human wildlife conflicts, brought on by predators, but evidence gathered in this study showed that lion killings by the community continued even when the programme was running (for instance, the case of 6 lion killings in Kitengela when the programme was still running in 2012).

The Wildlife Conservation Lease programme was designed with the sole objective of increasing the dispersal area for wildlife from the park²⁰⁶, without addressing the challenge of the communities were facing, despite claiming to do so. For instance, during interviews for this study, a substantial number of the land owning pastoralists who still believe in upholding their culture indicated that they do not want to sell their land, but they have to fence because the wildlife from the park does not benefit them at all. In fact, according to the community, wildlife on their land causes them losses because they compete with their livestock for pasture, predate on their livestock, destroys their crops (for the agro-pastoralists) and some, like wildebeest, transmit diseases to their livestock. As a result, many of the land owners do not see a good reason to keep their lands open for the sake of wildlife, which does more harm than benefitting them. Consequently, many prefer to fence their land even if they are not selling or subdividing, in order to keep out disease transmission from wildlife to livestock and prevent predation. Moreover, they added that KWS never compensates them for the losses they incur from sharing their lands with wildlife, for instance the death of livestock after getting infected with MCF, transmitted from wildebeest.

Additionally, due to increasing loss of habitat all over the rangelands, the pastoralists indicated that the activity of pastoralism is currently filled with hardship especially during the dry season, as they have to travel further in order to look for pasture. Therefore, in order to avoid the hardship, they prefer to fence their lands and store grass banks for use during the dry season. However, if they could be allowed to access the park during drought, they would not need to fence their land because it would mean that there is equitable sharing of resources between the wildlife from the park and the community livestock.

Finally, it is still very attractive for the non-traditional Maasai to sell their land, especially now because land values especially for parcels near the roads in Kitengela have become very high as they are coveted for sub-urban and urban development. So, most of the land owners who have land near the major roads find it more profitable to sell their land, rather than continue with the hardships of pastoralism today in an increasing fragmented ecosystem. However, they indicated that if the hardships were resolved, many of them would not want to sell their land, and it is in fact mostly the younger generation who were into selling.

From the above discussions based on information gathered from the land owning pastoralists, it was clear from the community that the major issue that needs to be

206 As stated in their proposal for funding to World Bank GEF

addressed was the problem of resource conflicts, involving competition for water and pasture on private community land between the wildlife from the park and the Maasai livestock, increasing hardships in accessing pasture in dry season due to land fragmentation, disease conflicts and lack/poor compensation for livestock lost to wildlife transmitted diseases or predations.

It is evident that WCL did not attempt to genuinely address the concerns of the community. If the programme designers genuinely cared, they would have come up with programmes that would attempt to address the specific challenges discussed above, the pastoralist land owners who are selling, subdividing or fencing their land face. These would have included programmes that would allow equitable sharing of pasture and water resources between the wildlife and livestock, inside and outside the park or lobbying for KWS to come up with a system to allow the community to access the park for pasture especially during the dry season. This would involve designing a territorial zoning plan for the whole region, inclusive of the park, that would allow the resources to be shared fairly in the ecosystem. However, the conservation interventions implemented did not have the objectives of ensuring equitable sharing of resources between the park and the community.

The example of the WCL programme reveals the bigotry and prejudice embedded among the WINGOs and BINGOs that designed and funded the programme. The NGOs assumed that the community was just interested in money for school fees for their children, and giving them four dollars per acre per year, an amount which was way below market price, would stop them from selling, sub-dividing and fencing their lands. It is clear that the program designers, implementers and funders (both the conservation NGOs and the government KWS) did not check with the community when deciding to come up with a land lease payment system. If they had consulted the community, a more sustainable solution, that does not necessarily require money would have been found.

Because of this, the land owners continue to subdivide, fence and sell their land despite the supposedly sustainable conservation interventions. Moreover, WCL turned out to be completely unsustainable because it relied on external funding. This means that the programme stopped when the funding stopped, and evidently points to a mismatch between what the conservation experts (elites) think is the right thing to do, vis a vie solutions designed by the community (like planned park use rights) based on what the community needs. This is further evidence that community was not involved when developing and designing initiatives like the WCL. Thus, the genuineness on the part of the conservationists for the community needs was completely lacking. The conservationists are only interested in increasing wildlife habitats and numbers, at the expense of the community.

Outcomes of Interventions

Park Use and Access Rights

Based on the empirical evidence for this study, the main concern of the Maasai pastoralists living south of Nairobi national park is accessing pasture for their livestock, especially during the dry season. However, as discussed above, this problem (user and access rights to park) remains unaddressed despite the fact that the community shares the pasture and water resources on their private land with the wildlife from the park most of the year. None of the conservation interventions analysed in this study, including the Land Use Master Plan for Kitengela and the proposed Nanapa Conservancy (all discussed in chapter 5), attempt to address the issue of use and access rights in to the park, despite the fact that the community shares their land with wildlife and incurs many losses. All the conservation interventions being designed and implemented have the sole major objective of increasing wildlife habitats and leaving the rangelands open for the sake of wildlife. thus, it is evident that none of the conservation interventions being implement by any of the NGOs, genuinely care nor address the needs of the community, which is access and use rights of pasture in the park, which determines their livelihoods, and can stop them from selling, subdividing and fencing their land.

However, the community indicated that during the dry seasons of 2009 and 2002, they were allowed to take their livestock into the park at night only by the park administration. The reason they were only allowed to go in at night is so that tourists don't see them. Infact, the community narrated how a senior KWS officer told them, "the tourists don't want to see your cows. They only want to see the wildlife. so, no one should be seen here during the day".

Some of the community members indicated that some of them bribe the rangers with milk and meat, or some money, in order to be allowed to access the park. According to a TWF officer, some women went as far as giving up sex to the rangers, in order to be allowed to herd in the park.

All in all, the community lamented, during the dry season, when there is a lot of grass in the park compared to outside the protected area, they are never allowed to take their livestock inside the park, yet they share their land and pasture with the wildlife from the park. The land owners added that it is unfair for KWS to expect them to host wildlife from the park which use up their pasture resources and then prohibit, arrest or heavily fine the pastoralists caught inside the protected areas with livestock, when pasture resources in community land has been finished by wildlife from the park. As a result, the community is averse to both KWS and will continue to sell, subdivide and fence their land parcels, consequently interfering with the wildlife dispersal areas and migratory corridors.

Preservation of NNP Ecosystem

Unfortunately, despite the large amount of resources, time, money and expertise spent on designing and implementing the conservation interventions, nearly all the initiatives implemented by the NGOs have been unsuccessful. None of the conservation interventions initiated and implemented by the civil society actors in a bid to preserve the greater NNP ecosystem has been successful because none of them tried to genuinely address the need of the community living in that ecosystem. Thus, the NNP ecosystem continues to cave in to pressure from sub-urbanization, as manifested in the continual sale, sub-division and fencing of wildlife habitats in the Kitengela – Isinya and Kipeto regions. Additionally, cases of human wildlife conflict still continue, with many of the locals still apathetic to wildlife and conservation ideals of the NGOs and KWS.

The failure of the initiatives by the conservation NGOs stem from some deficiencies in the design and development of the initiatives, which point to a gap or mismatch between what the locals need or want, and what the conservationists think is the best solution for the locals. In reality, the conservationists only design programmes that are ideal for animal conservation per se, with no genuine concern for the needs of the locals, despite claiming to be doing so. The analysis of the conservation interventions by civil society actors revealed poor participatory governance mechanisms. NGOs come in with an expert mentality and outlook and decide what should be done, to save the habitat, without real consultation and involvement, of the community, their views, opinions, needs and requirements. As a result, none of the interventions by non-state actors in the NNP ecosystem has genuinely addressed the community's needs, yet they are the owners of the lands of the land in which the wildlife depends on for survival. In the process, the wildlife will continue to suffer, and The community, who are treated as enemies of conservation and wildlife, by the NGOs, KWS and other experts, have come up with their own short term survival tactics. All in all, while the ecosystem continues to suffer, the tour operators, NGOS and KWS continue to make money at the expense of the community. As John Mbaria, a conservation journalist based in Nairobi, recently wrote this on a Kenyans for Wildlife Facebook page,

“Conservation has created the greatest disparities in our society; on the one hand are those who live with animals, on the other hand, are those who live off animals. Of the two groups, the former is the majority. But then, there is another larger groups that's not involved. Most are too busy being poor or too busy trying to be rich. How do we bridge the gap, how do we get the Kenyans involved with what is linked to their survival?”

'Land Grabbers and 'A Knight with A Shining Armour': The Watchdogs' Resistance to Privatisation of City Park Forest, Nairobi

Land Grabbing of City Park Forest (1985-1999)

As discussed in chapter 7, just like Karura forest and other public urban open spaces in Nairobi, City Park Forest has been subjected to land grabbing and illegal allocations to

private developers and the political elite. In the 1990s, land appropriation of public open spaces was used as a tool to appease the middle class and political elite. Large sections of City Park Forest were lost in the late 1980s and early 1990s to corrupt property developers, particularly the Indo-Asian community and middle class elite in its neighbourhood, interested in increasing their already substantial real estate holdings. Initially, several acres were hived off for the construction of a Hindu temple for the Asian community in the neighbourhood. Shortly thereafter, another section was hived off for the construction of a private high cost school known as premier academy. The school has mostly Indo-Asian Kenyan children, several European and a few black African children from upper middle class families. The allocations of the park for the temple and the mosque in the late 1980's marked the beginning of unscrupulous trends that illegally allocated the park, to political elites and private developers (Makworo and Mireri, Public Open Spaces in Nairobi City Kenya Under Threat 2011) (Boy and Martins 2012). Since then, City Park Forest has lost 150 acres and now only 60 acres are remaining (Interviews with C. Ngarachu, FoCP 2013); (Boy and Martins 2012); (Makworo and Mireri, Public Open Spaces in Nairobi City Kenya Under Threat 2011).

Friends of City Park (FoCP) Resistance Actions

Resistance to Illegal Allocation of City Park Forestland

As discussed in chapter 7, Friends of City Park, have been the main consistent non-state actors involved in the management and conservation of City Park Forest. The CSO have been intervening mostly through resistance activities. The first set of resistance involved protests against illegal allocation (land grabbing) of the public park to the corrupt private developers and ruling elites while the second and most recent has been the resistance to the public private partnership between the city government and a philanthropic organisation for the rehabilitation and fencing of the public recreational park.

Interventions by FoCP in the protection of the Nairobi City Park Forest began as early as the 1990s, in the form of lobbying and opposition to the illegal allocation or land grabbing of City Park Forestland by the corrupt ruling elite and well connected private developers during the autocratic former Presidents Moi Regime. Specifically, FoCP undertook Whistle Blowing actions, where they created Awareness to the general public on the attempted land grabs of the forest in the print media, specifically, the Daily Nation. The article included details a map of the park and details on how much had been grabbed and what was remaining. The article awoke Nairobi citizens to the real possibility of losing their park, calling on them to stand up against the illegal allocation of the forest to private developers and corrupt government officials.

Given that the illegal allocations of City Park Forest were taking place in the late 1980's and early 1990s when other public nature resources like Karura Forest were being grabbed, FoCP partnered with other CSOs in the 1990's like Mazingira institute and the

late Professor Wangari Maathai, in 1997 to protest against the illegal allocations. Their actions forced the Minister of Lands then to set up a task force to look into the illegal allocations of City Park Forest and other land allocations. However, the outcomes of the task force took a very long time before any feedback was given. A new government came in place in 2003, and the following year, the new President Mwai Kibaki announced the revocation of all pieces of public land in the city that had been illegally allocated. This included City Park Forest and Karura Forests.

From 2008, FoCP and Nature Kenya lobbied for gazettelement of remaining parkland as a heritage site and national monument, in order to protect the forest parkland from further land grabbing. Consequently, approximately 60 acres of City Park Forest were declared a national heritage through official gazettelement as a heritage site by the National Museums of Kenya (NMK) in 2009. FoCP were key in the achievement of the heritage gazettelement status, by assisting the NMK to establish the boundaries of the park, through a land survey which they commissioned in 2008. From this survey, a better understanding of the exact amount of land remaining was established. Subsequently, the National Museums were able to gazette 60 hectares of City Park Forest as a National Monument (Legal Notice No. 130, Sept 2009). A gazette notice was issued thereby protecting the park under The National Museums and Heritage Act (Cap 216 of The Laws of Kenya). The gazettelement of the park was a major milestone in protecting the park from further illegal allocations, corruption and private developers.

However, despite the gazettelement as a national monument, there were still numerous attempts by private developers to encroach the park. The major reason for this is that the government verbally revoked the illegal allocations, without an official gazettelement of the revocations. Some unscrupulous developers therefore continued claiming that they legally owned the parcels of land. This led the FoCP to start lobbying for the official revocation of titles illegally allocated to private developers from 2009. After going back and forth with the encroachers, the FoCP took up the matter to the National Land Commission in 2012, shortly after the commission was formed.

Specifically, the FoCP requested for an investigation into and revocation of illegal allocations of 14 parcels of land belonging to City Park Forest. Partly due to pressure from the FoCP on behalf of citizens, in July 2014, The National Land Commission announced in the Kenya Gazette Publication, the revocation of titles belonging to parcels of land that were illegally allocated (see The Kenya Gazette Vol CXVI No. 86. Gazette notice no. 5022. The National Land Commission Act No. 5 of 2012, Review of Grants /Dispositions of Public Land) (RoK, 2014)²⁰⁷.

As mentioned in chapter 7, at each attempted land grab, FoCP continues to rally the public through social media forums, as well as all local and state government

207 RoK, (2014) The Kenya Gazette Vol CXVI No. 86. Gazette notice no. 5022. The National Land Commission Act No. 5 of 2012, Review of Grants /Dispositions of Public Land.

stakeholders, that is the Nairobi County Governor, senior officers at the National Environment and Management Authority, the National Lands commission and the National Museums, to prevent further land grabbing of City Park Forest. More recently, they have been in the process of requesting the government, through the National Lands Commission, to set the record straight on the revoked titles of the parcels of land which are being appealed, by the illegal allottees, in order to avoid any more attempts at grabbing or leasing of the forest by land developers and unscrupulous government bureaucrats.

Resistance to rehabilitating park to a World Class Recreation Centre

The second resistance activity by the FoCP has been the opposition to proposed rehabilitation and fencing of City Park under a public-private partnership. FoCP protested the grand plans of rehabilitating City Park to a world class recreation facility on two grounds. The first is that the then defunct Nairobi City Council (now Nairobi City County Government) did not follow due process of involving the public and civil society, when they decided to sign a Memorandum of Understanding (MoU) on a Public Private Partnership between the Nairobi City County local authority and the Aga Khan Development Network (AKDN) to redevelop the park to a world class recreation centre. Secondly, the FoCP argued that if such a plan was implemented, it would disenfranchise the low income and urban poor who currently use the park, from using and accessing City Park.

Indeed, empirical investigations by other scholars on the outcomes of AKDN park rehabilitation projects in other developing countries have revealed that implementation of AKDN park rehabilitation projects have resulted in creating exclusive spaces that push out the poor from using the urban parks, and plaza. Case in point is the al Azhar Park in Cairo, Egypt, which was renovated by AKDN, after the city government entered into a partnership with AKDN for the same. Writing on some aspects of the exclusivity of the Al-Azhar park in Cairo, (Madoeuf 2011) notes,

“the Park is a world of its own where areas of clear distinction are recreated. The standing of the establishments and their prices are a deterrent for the great majority of visitors of the park. The price of a cup of coffee or tea at the restaurant Lakeside is about eight times that of an ordinary establishment and the status of the place requires it. In the restaurant Citadel View, one observes an additional form of dissuasion: guards keep all who approach the open terrace of the establishment at a distance.”

Thus, from such empirical investigations of AKDN projects, one can conclude that the FoCP are correct to say that the proposed rehabilitation and fencing of the park City Park by AKDN will result into the creation of an exclusive space for the upper middle class and in the process, discriminate against the poorer and marginalised citizens from using and benefitting from the park.

A Public Space for All

Among the three greenspaces studied, it is only City Park Forest that is genuinely open to the public. This is because one can find all kinds of people, particularly the low income, jobless and homeless people relaxing in the park. While it is rare to see the affluent and upper middle class, certain groups of middle class and lower middle class can be seen using and enjoying the park. This includes university students, the Asian residents of the area and other citizens who come from various sub-burbs in the city, who visit the park, especially on weekends. There are also some makeshift shelters for homeless people which can be spotted in various spots of the park.

Both the proposed rehabilitation and fencing as well as privatisation of sections of the Parkland Forest by private developers would have resulted into the disenfranchisement of the poor, from using, benefiting or accessing the urban greenspace. The grand plans of rehabilitating City Park, if implemented, will disenfranchise the poorer groups from using and accessing City Park. Friends of City Park managed to stop the privatization of City Park Forest in both the land grabbing and rehabilitation scenarios where they intervened. Thus, their interventions by resistance has ensured that the park continues being open to all.

A point to note is that the Friends of City Park indicated that they are not opposed to the rehabilitation of the park, rather against lack of public participation in the signing of the MoU for the PPP and its privatisation through fencing and full control by the Aga Khan Trust for Culture under the public private partnership deal with the city government. The specific request of the FoCP was to be enjoined in the management of city park with AKTC once the rehabilitation was complete. The FOCP had their own conditions and terms for the management structure of the park, which they believed should be adhered to. This included conditions on entry fees, use and access of the park by the general public. However, the Aga Khan Trust for Culture was against being enjoined with the FoCP and eventually pulled out of rehabilitating city park all together, largely in part because they could not reach a consensus with the Friends of City Park on the rehabilitation and management proposals.

Nevertheless, FoCP are working on a new strategy for the management of the park as such, they are working on organising the first wide stakeholder engagement forum to be held on the September 2016 at the Louis Leakey auditorium at the National Museums of Kenya. The objectives of the forum will be to discuss a rehabilitation and management vision and create a road map for rehabilitation. It will be interesting to see whether the plans when implemented will result in any disenfranchisement of the poor from using and accessing the park.

DISCUSSIONS

Structuring Forces shaping the use and access urban greenspaces in Nairobi

Structural Inequalities

A number of historical and contemporary patterns of social, political and economic processes and events can be seen as having contributed to the current disenfranchisement of disadvantaged populations from using, accessing and benefiting from urban greenspaces in Nairobi. As mentioned earlier, the practices for exclusion were set up during the colonial era in line with the segregationist colonial urban planning policies on which Nairobi is based, presented in chapter 4. During that time, the European settlers were favoured disproportionately with access to land and resources while the African natives were pushed out of their lands in order to create nature reserves, which they were prohibited from using and accessing (Mwangi, 1998). In the case of Nairobi, as we saw in chapter 4 on Nairobi, land resources in the city were unfairly distributed based on race, with the white people or European reserved areas getting the bigger and best share of land in the city. The colonial government reserved greenspaces only in the European reserved areas, which were located in the fertile well drained agricultural lands in the north western and western parts of present day Nairobi.

The white settlers acquired these lands and built their homes there, with many of their descendants living in these areas even today. After independence, these regions were occupied by the wealthy Africans and Asians, as well as many white people who remained after independence. Thus, to date, when it comes to patterns of land distribution in the city, it is easy to note from a land use map of Nairobi that nearly all the greenspaces in the city are today located only in the wealthy suburbs of Nairobi or the former European reserved areas, where most white people still live because they are among the wealthiest in the country.

Additionally, and as mentioned before, adjacent to all the wealthy suburbs and their urban greenspaces are pockets of slums and informal settlements, which provide domestic labour for the affluent. In Karura ward for example we have pockets of slums like Mji wa Huruma slum side by side with extremely affluent neighbourhoods such as Muthaiga and Runda. Similarly, on the urban and peri-urban sides of Nairobi national park, side by side with the upper middle class neighbourhoods such as Karen and Langata, there exists several pockets of slums and informal settlements, dotted around the margins of the park, such as quarry slum, sandwiched between the park and Karen. Moreover, on the rural side of NNP, there is the indigenous Maasai pastoralist community who were pushed out of their lands to create nature reserves such as NNP.

Most of the marginalised social groups living at the edge of these nature reserves require or rely on the greenspaces in the city for their survival and livelihoods, with domestic needs such as fuel wood, water, medicinal plants and grazing their small

livestock. In contrast, the wealthy in the area need the greenspaces just for leisure and recreation. Moreover, on the urban and peri-urban sides of the greenspaces, the marginalised communities such as the slum residents of Mji wa Huruma service the wealthy in Karura ward, providing them with housekeeping, cleaning, gardening, babysitting, chauffeuring and security services. They earn little money and have limited money and time to use such greenspaces for recreation. These social and cultural inequalities perpetuate social spatial injustice.

The structural inequalities) created by the colonial forces continue side by side with new forms of exclusions, discrimination and disenfranchisement created by imposing and adopting global trends that create uniform standards and regulations for environmental management and conservation such as neo-liberalization of nature and international environmental discourses. These reinforced inequalities can be seen in the patterns of natural resource use, management and conservation; market control of the tourism and recreation industry, socio-economic structures, economic dependency and corruption. In other words, use and access of urban greenspaces in Nairobi is embedded in colonial history and reinforced by globalization of environmental management and neo-liberal international economic forces and relations.

Social-Cultural Identities

Participant observation for this study noted the predominance of certain racial groups who frequently and use the greenspaces for recreation and leisure. This is because in terms of racial background, most of the wealthy living in the former colonial European reserved areas where the greenspaces are located are prevalently Europeans composed of both white Kenyans (remnants of colonial inhabitants) and expatriates from Western Europe working in international organizations in the country. The other dominant racial group in the area consists of wealthy Indo-Asians Kenyans. This followed by a minority of wealthy black Kenyans. These observations are in line with several scholar's assertions that residential segregation based on race continues in post-colonial Nairobi (see K'akumu & Olima, 2007); (Olima, 2001); (Obudho,1997); (Mukoko, 1996); (Freeman, 1991) (Kimani, 1972).

Thus, other manifestations of inequalities in use and access of the urban greenspaces can be seen in the racial composition of the greenspace users. The racial composition of the recreational users is based on the urban history and contemporary analysis of Nairobi, presented in chapter 4. Evidently, the city is highly divided, in terms of both racial separation and social-economic status. Within the Karura ward, this identity is typical, classifying the wealthy versus the slum residents living within the vicinity of the urban forest. The social-cultural lifestyles of the privileged racial groups and other affluent recreational forest users and residents in the area is in large contrast and conflict with the lifestyles and needs of the slum residents living in the area, who depend on the forest for survival. Therefore, soon after the wealthy residents built a fence around Karura to secure it for recreational use the slum residents were pushed

out from using and accessing the forest, which became exclusive for recreational use of the European residents.

Based on field observations, initially when the Friends of Karura forest took over the management of the forest, the European and expatriate community in the area were the dominant recreational users of the forest. This was followed by wealthy Indo-Asians Kenyan citizens. At that time (2010-2014), there were very few black Kenyans, even among the middle class, who visited the forest for recreation, despite being the majority race. These observations were conformed with observations of the security and gate staff at the entry gates to the forest, based on my informal interviews with them. The racial composition is attributed to the fact that very few black Kenyans (apart from the few wealthy ones) live near the forest, compared to the many European Kenyans and expatriates who live near the urban forest. Apart from the poor proximity of the forest for most black Kenyans who live in Eastland's, most African Kenyans may have taken long before they started using the forest for recreation because of the bad memories of history associated with the forest, related to crime and murder. Eventually, when the black Kenyans started using the forest, it is mostly only the wealthy and the upper middle class Africans who use the forest.

The lower income groups (mostly black people), even those living near the slum like the Mji wa Huruma slum residents, hardly ever visit the forest for recreation, leisure or physical activity. Based on empirical investigations, it is evident the Karura forest is predominantly used and accessed by wealthy and certain privileged racial groups (European and Indo-Asians Kenyans). These contributes to practices of discrimination that contribute to unrestrained social hierarchies, poverty and inequality in the Karura forest neighbourhood. The urbanity of the forest makes the poor in the area to be in a worse off position, because they are expected to rely on other means of survival, rather than being forest product dependent for their livelihoods and domestic needs, unlike their counterparts in rural communities. Besides, they have to pay to enter the forest, like any other visitor, even though they can hardly afford and yet they live right next to it.

In the case of Nairobi national park, the predominant recreational users, based on my participant observations during field work are European and Asians, who are both citizens, residents and tourists. It is rare to find the African Kenyans visiting NNP just for the sake of it, as is common with the other two privileged racial groups in the city. This phenomenon is attributed to the cost of entering the park as well as the recreational preferences of the African Kenyans, who prefer to socialize differently. On the other hand, for City Park Forest, that the parkland is open to all (no fence, no entrance fees), the park is predominantly used by the majority who also happen to be low income and urban poor. However, since it is located in the Asian residential area, the park has quite a number of down to earth Indo-Asians Kenyans who use it. The racial and class segregation patterns have negative implications for achieving

sustainable development.

Gender

In poor communities, it is said that women are the fabric that ensures the survival of their households (Cornwall, Womens Empowerment: What Works and Why? 2014); (oecd, 2012). This is evident in Mji wa Huruma slum in Karura, where it was clear that most of the women were the main breadwinners and household heads, partly because many of them are single mothers while others have non-supportive husbands who have fallen into alcoholism. Before the elite FKF-CFA took over the management of the forest, it is mostly the women and youth (both male and female) who participated in forest conservation and management activities with KFS. Additionally, these women run sustainable forest based enterprises, such as tree nursery projects, through self-help groups, which generated income for members.

When the affluent FKF members took over the management of the forest, the livelihoods of the women and youth was the most significantly affected. Making matters worse, FKF only appointed male members from the slum community, to represent the poor community in the board of FKF-CFA. This is despite the fact that Huruma women vision group, a women led CBO from the slum was the initial CFA for Karura. The appointments of the men representatives were not based on any consultations with the slum residents, even the women leaders, implying that the non-appointment of the women in the board of FKF-CFA, was more of a political statement to the women, that they are not in charge anymore like before, given that they were the original CFA for Karura forest, before it was captured from them by the affluent FKF community.

Thus, the significant empowerment the Mji wa Huruma slum women had achieved for themselves through their CBO (with the support of GBM, KFS and UNDP) was taken away when the elite unfairly captured the CFA co-management. To make matters worse, when the FKF board decided to train, hire and recruit forest scouts from the slum; only male youth were employed. None of the women got the forest scout jobs, despite several of them indicating interest (interviews, 2014). These cases attest to gender bias and discrimination.

In the case of NNP, interviews revealed that some women livestock herders/ owners were subjected to giving sexual favours to the rangers in order to be allowed to herd inside the park. However, for the men, all they have to give is either money or gifts in kind like milk and meat. The women herders are more desperate in looking for pasture than the men, because unlike the men, the women cannot travel far away from their children. The fact that in the African context, women are generally considered lesser equals than men makes them to be more vulnerable to discrimination and powerlessness. Nearly all the women interviewed said that they were being suppressed by the FKF and their male representatives from the slum in the FKF board. They added that they were not gaining anything from being under the umbrella of FKF-

CFA (the co-management of the forest between the community and KFS). As it is now, the slum women do not have a voice in any decision making related to use, conservation and management of Karura forest. They have no real representation in the CFA, are not involved at all in any decision making. Many of those interviewed said they felt their human rights were being violated.

Photo 68: The male only team of Karura Forest Scouts, employed from the slum by the FKF



Source 196: www.friendsofkarura.org

Moreover, due to their social and economic status, the women, particularly the younger women have since developed a low self-esteem because their community based income generating enterprise was killed. They now feel powerless and believe there is nothing they can do, to effectively resist the suppression they are subjected to by FKF, KFS and their male representatives. They have also been intimidated and threatened occasionally, making them to resist any attempts trying to challenge the existing status quo. The women's self-perceptions and identities therefore show the prevailing and unjust political, social-economic and cultural norms.

The case of the disempowerment of the women in Mji wa Huruma slum is in contrast with the Millennium Development Goals (MDGS) which endorse empowering women and promoting gender equality as one of the global development objectives. This case study adds to the contentious and growing debates for instance (Cornwall, Womens Empowerment: What Works and Why? 2014) on how development interventions can contribute to or prohibit female empowerment.

Age

Age was found to be a major factor in participating in decision making on forest management and conservation, or benefitting from jobs associated with forest management and conservation. Firstly, within the management board of the elite FKF-CFA, there are no young people in the leadership positions. Moreover, most of the FKF-CFA members are old white Kenyans or retired expatriates, an extension of the members of the colonial Muthaiga country club, located just next to Karura forest. This are the people who make decisions and regulations on use and conservation of the forest (see photo of FKF-CFA members at an Annual General Meeting).

The issues of discrimination based on age came out as a major fact in discrimination of certain age groups of slum residents from getting opportunities to work in the forest maintenance jobs. A major complaint from the older women from the slum is that they are simply not being given forest rehabilitation and maintenance jobs anymore, since FKF-CFA took over forest maintenance from them, as coordinated by GBM and KFS. The older women asserted that only the younger women are currently given forest maintenance jobs by FKF-CFA management. According to the interviews held for this research, the older women lamented that they have more experience in forest management and maintenance activities, but FKF officials only give the younger women the jobs for tree planting and bush clearing. They added that the reason FKF preferred to hire the younger women was because they could easily exploit them financially in terms of wages. Since the younger women were newer in the business, they do not know how to negotiate their pay, and FKF takes advantage of this, exploiting them in the process.

Further, they added that FKF avoids them because they know they unfairly captured the co-management partnership with KFS from their CBO. The older women complained that it was unfair that they were not being given the jobs, yet they are the ones who provide for the whole household financially. They said that when the youth get jobs, they only care for themselves and not the household. In their opinion, in their community, it is more important and empowering for everyone to give the older women the jobs rather than the younger women. The sense of hopelessness was so much, that some of them went as far as asking me to intervene on their behalf, to get jobs from FKF-CFA for tree planting and invasive species removal, as can be seen from the statement below,

“...you know, unlike the youth, my money is for everyone (in the household). We parent use our money with everyone in the household. The youth don't share (their money). We don't expect them to share. They are just starting their lives. We will spoil their future if they have to share their money with us. How to be helped -if we can be helped?”

In the case of NNP, the youthful land owners were more likely to subdivide, fence and sell their land than the older generation, who still hold on to traditional values and cultures of not selling land.

Prejudice and Discrimination

In the case of participatory management of Karura forest, the study established that the slum community are discriminated against in other insidious ways by both KFS and FKF-CFA. The kind of prejudice levelled against the slum community first reveals itself in the Karura forest management plan, prepared by the local planning team from KFS and the elite members of Friends of Karura forest in 2009. According to this plan published by the KFS in 2010, threats and constraints to the conservation of the urban forest reserve are identified as:

“(a) adjacency of the forest to some slums, which leads some of the slum residents to over exploit the resources of the forest, leading to unsustainable deforestation, affecting the water table and the balance of flora and fauna; (b) criminals using the forest as a place of refuge and commit opportunistic attacks on visitors; (c) lack of safety reducing the number of visitors to the forest, which in turn, reduces interest in its preservation and conservation;

The statement above implied that the slum residents are the biggest threat to conservation of Karura, in the perception of the people who prepared the management plan, that is KFS and FKF. This statements in the plan reveal that biases against the community were already inbuilt. Interviews and focus group discussions with both the younger and older slum women residents revealed that they were being affected psychologically, by the manner in which the FKF-CFA, with the support of KFS, were treating them. Nearly all the women interviewed narrated their stories with a sense of dejection, as they explained their experiences of what has been happening since the fence was built and when the elite FKF took over²⁰⁸. The sense of hopelessness, despair and low self-esteem that had grown among the women since the elite FKF-CFA captured the forest management from them was apparent. Examples of the statements they made which attest to this fact include Nyambura and Wanjiru who said,

“the mzungu²⁰⁹ lady doesn’t like us...she harasses us a lot. She limits the type of kuni²¹⁰i we can pick....and doesn’t want us to pick traditional firewood. She only wants us to pick the eucalyptus firewood, which are now very rare, because they have been getting rid of the exotic species from the forest. Anajifanya kama forest ni yake...ni kama amenunua msitu...ni kama msitu imekuwa ni yake.” (swahili for ‘she acts as if the forest belongs to her’ or ‘as if the forest is her personal property’).”

Representatives of the slum women self-help group said,

“since Friends came, they only allow us to take ‘kuni ya kutoa’²¹¹....now we are only allowed to go only one place, and we are escorted by askaris²¹². Since we are now allowed only one day a week, one day they found us to be many....and there is even a time we were chased by the mzungu woman of ‘Friends’. She said we were too many. The mzungu lady hates, us...it’s like she hates us because we are black...i don’t know why...”

Based on interviews with the slum residents, it is clear that FKF-CFA does not genuinely include nor represent the slum residents when making decision related to their use and access of the forest. The slum community has been relegated to manual work as casual labourers, tending to the plants and animals in the forest, with limited access and use rights, while the wealthy community has access to decision making, as

208 Most of the times when they narrated their stories were sad and rather surprising and unanticipated.

209 Swahili for white person.

210 Swahili for firewood.

211 Swahili for green wood

212 Swahili for forest guards

well as both non-consumptive and consumptive uses if they like. From the discourses and activities of FKF-CFA it is evident that the elite FKF do not care about the welfare of the slum community, despite their claims. Their lack of concern and resistance to pro-poor change can be found in the repressive actions towards the slum community, that make it impossible for the slum residents to be genuinely involved in the decision making on the forest use, management and conservation.

A point to note is that all the Annual General Meetings (AGMS) of the FKF-CFA are held at the prestigious Muthaiga Country Club, a private member only club that belongs to the colonial elite, and still continues to be dominated by the white Kenyans, who are mostly ancestors or remnants of the colonial elites. The prestige and reputation associated with the club makes it impossible for members of the slum community to show up and participate, even if they were encouraged to come, due to the intimidating venue. Besides, most members of the slum community work as domestic servants for the affluent elite residents, so it would be impossible to bring them together as equals for such AGMs. Indeed, during one of the AGMs which i attended as a participant observer, the chairperson of FKF-CFA reassured the mostly white attendees at the Muthaiga country club, the proposed cafeteria to be built in the forest will have separate sections for them and their servants.

Perceptions of Power and Corruption

The abuse of power can be deduced from the excessive restrictions and prohibitions of the consumptive forest use rights, aimed at the slum communities residing near the forest. The restrictions are against the requirements of both the Forest Act of 2005 and the FKF-CFA management agreement. The manner in which the elite captured the participatory forest management institution from the slum based CBO, in collusion with KFS, infringed on the rights of the slum residents and is against the constitution of Kenya. As mentioned earlier in chapter 5, the certificate of registration for the slum based CBO, Huruma women vision group, as a CFA was taken by KFS under irregular circumstances and was never returned to the slum, with no explanations to date. Given that there was already an existing CFA from the slum, the registration of a new CFA from the affluent community by KFS demonstrates the abuse of power, by both KFS and FKF.

Additionally, as mentioned earlier, during interviews and focus group discussions, the slum residents made corruption allegations against the chairperson and vice chairperson of FKF-CFA, claiming that they 'ate the money' that Barclays Bank of Kenya had contributed (ksh 1million) to empower the slum community, through training for running ecotourism businesses. Indeed, based on an archival press report in the daily nation, senior officials of Barclays Bank are pictured handing over a cheque for the said amount to the FKF-CFA with a caption explaining that the money is being donated to empower the local community in the area to participate in ecotourism based enterprises in the forest. In this regard, one of the women who commented said,

“FKF-CFA are not good. They only care about their own self interests. Professor²¹³ ate 1million kshs which Barclays Bank had donated for the community. The prof. Is just eating. When the accountant in the FKF-CFA office at that time tried to follow up what happened with the money for Barclays, she was sacked. That is when they employed Lucy. None of them is good. They are all the same group. Christina, Chantal, pastor and Chege. They collude and don't care about the community. Even Chantal, she is just like Christina.”

Since the money Barclays Bank donated was not used for the purpose it was meant for, it means that there was the corruption. Another statement implicated directly, the vice chairlady of the FKF, a European woman the slum residents kept quoting, of exploitation and corruption. Another statement made by one of the older women during the FGD reads

“Christina²¹⁴ - only wants the youth to work. She eats money from the sponsors. In the past, the sponsors used to pay us kshs 52,000/-when we are 30 people for clearing a new site in the forest. However, Christina now pays us only 40,000/- and the work is now more. She tells us to clear, weed and remove compost. In the past, it was only clearing and tree planting. The work is now more and the money is less.”

Additionally, the slum women implicated their representatives in the board of FKF-CFA, who were infact appointed by FKF-CFA without consulting the slum residents, of colluding to disenfranchise and exploit them from using and benefitting from the forest resource and jobs for tree planting sponsored by donors.

In summary, all the women slum residents interviewed said they were unhappy with the new forest management as well as their representatives in the board, but there was nothing they could do, showing how powerless and oppressed they felt. Moreover, some of them were fearing to be quoted, or known to have spoken to a researcher. As such, several of them told me not to write their names, because if they are known to have talked to me, they will not be given jobs any more. The women felt double disenfranchisement given the role they played in protecting Karura forest from land grabbers in the 1990's. As mentioned earlier, were instrumental in supporting the protests against the grabbers, as per the quote of one of the older women below,

“during former President Moi's time, some land surveyors came into the area and started doing some survey. We got suspicious as we noticed that the surveys were only taking place on Saturdays, Sundays and public holidays. However, we didn't say anything. Then Wangari Maathai came. And we helped Wangari to demolish the houses which were being built inside the forest...”

“...now we have problems. They tell us we are old. We don't get jobs; they don't give us jobs. We get jobs only by luck- not all the time. They tell us we are old. We don't get the

213 Referring to the chairman of FKF-CFA

214 Referring to the vice chairperson of FKF.

government jobs. They tell us we are old. Now, they only give the youth the jobs. You know, unlike the youth, my money is for everyone (in the household)"

Actors in the use, management and Conservation of UGS's in Nairobi

Types of Actors

Table 45: Actors Involved in UGS Management in Nairobi

| Type of actors | Actor | Example |
|---------------------|--|--|
| Funders | Private corporations, NGOs, geopolitical institutions, private individuals and investors | WB-GEF, TNC, WWF, EABL; Barclays Bank; Prime Bank; German Embassy; KCB; George Drew Estate; AFEW; |
| Regulators | Policy makers: international biodiversity conservation organizations, national and county government, local institutions | KFS, KWS; NEMA; KTB; WORLD BANK, NGOSINGO's UNEP; UNHABITAT; ICRAF; ICIPE, Neighborhood Associations and CBO's |
| Producers | Developers, planners and designers | National and county government, local institutions |
| Occupiers and users | Local residents, everyday occupiers and users of the space | International and domestic visitors, KFS staff and offices; KFEET offices |

Source 197: Compiled by Author, 2014

A wide variety of non-state actors are involved in the management and conservation of urban greenspaces in Nairobi. These actors have direct and indirect influence on the use and access of the urban greenspaces for different social groups. Some of these actors have formed formal or informal coalitions, sometimes working together with government, to intervene in forest management and conservations. Some of these actors have unlimited access to development and security assistance. The human and financial resources they acquire through powerful actor networks are instrumental in shaping use and access of the urban greenspaces for different social groups. Four main types of powerful actors, based on their roles on contributions can be identified as: (1) funders; (2) regulators; (3) producers and (4) users), as summarised above. The role, contributions, profiles and contributions for each group of actors in the study is discussed here below.

Regulators

The main regulators that shape the use and access of urban protected areas or greenspaces in Nairobi are the government agencies and the international organizations that design environmental management and conservation laws, regulations and policies. Locally, the main powerful regulators are national government agencies, specifically parastatals in charge of the various protected areas in the city. As mentioned earlier, they include Kenya Forest Services (KFS) for Karura forest, Kenya Wildlife Services (KWS) for Nairobi national park (NNP) and Nairobi City County Government (NCCG) and National Museums of Kenya (NMK), both for City Park Forest, Nairobi. Other

powerful government agencies whose mandates cross cutting across the three greenspaces include the National Environmental Management Authority (NEMA); Kenya Tourist Board (KTB) and the Nairobi City County, Department of Environment and Social Services. Respectively, these organisations have laws and policies which oversee: (1) environmental planning and management, conservation and use of natural resources and wildlife - NEMA; (2) tourism planning and management regulated - KTB and (3) management of public open spaces in the city - NCC.

While most of the government actors, in theory and policy support inclusivity, the balance between pro-poor conservation and development and community participation (e.g. The Forest Act of 2005), the findings of this study show that in practice, this is not the case. As seen from the findings of this study, some of the interventions which the government actors endorsed encourage exclusivity in use and access of the urban greenspaces. For instance, in the case of proposed interventions for the rehabilitation of City Park, the Nairobi City County Government, signed a public-private partnership deal with the Aga Khan Trust for Culture (AKTC) that would have resulted into the privatization and commodification of City Park Forest. As mentioned earlier, the rehabilitation entailed building a perimeter wall around the park and constructing a world class recreation facility. This would mean the development of facilities for high class lifestyles, thus making the park exclusive and pushing out the low income and homeless people, who currently use and benefit from the park.

The main international regulators are the global agencies, specifically in this study, the World Bank - GEF, UNEP, UNHABITAT, UNDP, ICRAF and ICIPE. The policies and discourses of these international organisations have profound influence on local level policy and decision making, irrespective of local conditions. These international environmental organisations set uniform rules and standards for global environmental management which exacerbate inequalities, exclusions and dispossession. Their focus on conserving biodiversity to prevent global catastrophes like climate change and global warming impose global solutions to local problems, thus ignoring and belittling local problems.

Photo 69: A Sign Post On UN Road (Crescent) That Passes Through Karura Forest to UNEP/ UNHABITAT Headquarters in Nairobi



Source 198: Protus Onyango

The power influence of these organisations in the management and conservation of greenspaces in Nairobi is particularly felt because their regional headquarters in Africa are located in close proximity to the urban nature reserves, in the affluent areas of Nairobi. For instance, UNEP, UNHABITAT and ICRAF headquarters are located in a neighbourhood called Gigiri, adjacent to Karura forest, on former Karura forest land which was irregularly excised in the 1980s by the political elites, and sold off to these organisations (Njeru 2013, 2012, 2010, 2008); (Klopp 2012 and 2002); (Gacanja, 2003). For instance, in the case of Karura, current and former employees of the international organisations like UNEP and ICRAF are members of the FKF-CFA, since they are either permanent residents or citizens, living in the affluent Karura neighbourhood case in point is the current vice chair of FKF, who is a retired expatriate-former employee of UNEP in Nairobi, now a Kenyan citizen. Given such backgrounds, the global ideologies and discourses of these actors are deeply embedded in the case of conserving and managing Karura forest.

Moreover, an organisation like ICRAF is housed by KFS inside the forest. Together, the discourse of these powerful international organisations and government serve to further disenfranchise marginalised and vulnerable populations from using, accessing or benefiting from the urban greenspaces. For instance, the FKF-CFA made up of

members from these organisations have overlooked the needs of the Mji wa Huruma slum residents that depends on the forest for livelihoods and domestic needs, in order to practice their discourses on environmental conservation and global warming thus, the influence of these international organisations is dominant and negatively felt by for instance the slum community of Karura or the pastoralists in the NNP who are denied use and access to natural resources in the name of conservation. That the various accounts of interviewees with the resource dependent communities in this study, it is evident that the policies, practices and discourses of international non-governmental organisations have only served to repress and harm the locals and harm their livelihoods.

Funders

The main sponsors/ donors in the management and conservation of the urban greenspaces in Nairobi are both the private (for profit) corporations and the international and global non-governmental organisations. A large group of sponsors and donors consists of international, regional and national non-governmental organisations. For instance, in the case of Nairobi national park, the main funding for the conservation intervention came from the world bank-global environment facility, as well as other NGOs such as The Nature Conservancy (TNC) and Wild Wide Fund for Nature (WWF). In the case of Karura, the African Fund for Endangered Wildlife (AFEW), donated kshs 11.5 million to the FKF-CFA in 2011. Additionally, organisations like UNEP and UNHABITAT have supported the FKF activities in kind through provision of free technical advice.

For City Park Forest, the Aga Khan Development Network (AKDN), a worldwide philanthropic organisation planned to rehabilitate City Park Forest and create a world class recreation centre at its own cost on their own terms. The second largest sponsors are the corporate (for profit) organisations. In the case of Karura some multinational and regional private corporations like Barclays Bank of Kenya and East Africa Breweries have given large sums of money for forest rehabilitation. As mentioned in chapter 5, these includes sponsorship of the electric perimeter fence built around Karura forest at a cost of kshs 11.5 million, provided by east African breweries. This was in fact the first major donation given to the Friends of Karura forest, after they were approached by the founder FKF Mrs. Alice Macaire, an expatriate resident in the area.

The for-profit corporations get their legitimacy to contribute to forest conservation from their need to fulfil their corporate social responsibility goals. For instance, an organisation like Kenya commercial bank has a well-developed green social corporate responsibility programme which they implement through planting millions of trees country wide. Their initial tree planting activities took place in Karura, when their CSR programme started. Barclays Bank of Kenya have also contributed money to uplift the forest dependent community, Mji wa Huruma slum residents, to undertake ecotourism enterprises in the forest.

As explained earlier, the discourses and policies of these the sponsoring organisations directly and indirectly influence the use and access of the urban greenspaces by different social groups. Moreover, these sponsorships maintain the status quo of the existing elite actors and their networks. Thus, they have a negative effect on social-spatial justice by supporting the status quo. In sum, it is evident that corporate and non-corporate sponsors who fund the management and conservation interventions of the urban protected areas, in cash and in kind are very influential in shaping the patterns of use and access of the greenspaces by different social groups.

Occupiers

Empirical investigations showed that many of the of recreational greenspace users are mostly Europeans (white people) consisting of Kenyan citizens and international expatriates who are residents in the country. The other group of users consist of the affluent and upper middle class citizens consisting of a substantial number of Indo-Asians Kenyans and a few black African Kenyans. The Europeans, Asians and upper middle class Africans are frequent users of the forest. The socio economic profile of the users matches the profile of the powerful actors, consisting of the funders, regulators and producers. It is therefore apparent that the influential people in the public discourse regarding the use, conservation and management of Karura forest reserve are the privileged members of the society, who are well connected socially, economically and politically. They include affluent citizens, residents, technocrats and bureaucrats, most of whom work in the international organisations near Karura or reside in the affluent neighbourhood.

The interests of the expatriates' users in the conservation and management of Karura forest go beyond their jobs and they have a personal interest in their security, safety and recreation. The main occupiers of the greenspaces include commercial investors offering tourism and recreational services and facilities in the greenspaces. For Karura, these include the company running the newly opened restaurant and cafeteria located inside the forest, as well as the Sigiria fitness block, a training facility for physical exercises. Nevertheless, the main commercial investors are the FKF-CFA themselves, who have commercialized the forest and developed a number of income generating services and facilities. Other occupiers in the forest include the Kenya Forest Services, who have the national headquarters offices and housing for their staff inside the forest.

Similarly, for NNP, the Kenya Wildlife Service national headquarters offices and staff housing are located in part of the park. Additionally, there are some private investors who are running luxury safari camps for international tourists inside the park. Lastly, in the case of City Park, the offices for the overall parks superintendent for greenspaces in the city under the authority of the NCCG are located inside City Park Forest. Moreover, the park maintenance staff are housed within. Because the park is open to all, a few homeless people have built their shacks in some hidden places of the park, such as behind large tree trunks.

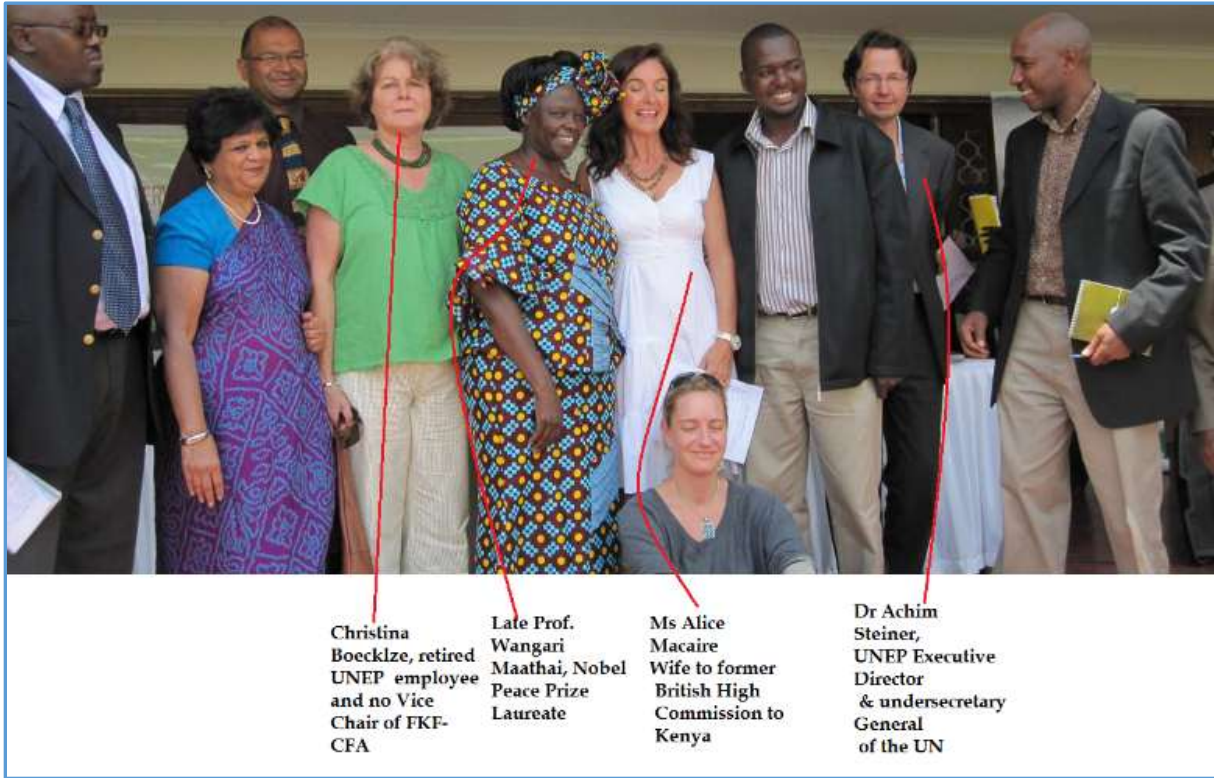
The influence of the elite FKF on political actors and institutions comes from the understanding that they can generate revenue for effective conservation and management of the forest. While this is true, the main interests of these actors is to create a safe, secure and serene recreational space in their neighbourhood, for the affluent to use. For instance, most of the sponsorships and donations were used by FKF-CFA to improve security in the forest by building a fence, recruiting and training guards, buying and installing cameras.

Sources of Power and Legitimacy

Types of Power Exercised and their Legitimacy

It is apparent that powerful non state actors consisting of elite citizens, multinational and regional private corporations, and big international and regional NGOs have a large control in the use and access of socially valued urban nature reserves in the city. These actors and institutions rely on among others, global resources and expertise that sustain their power. For instance, Friends of Nairobi national park get technical support from powerful institutions who operate at the global level, such as UNEP and world bank. The power of these international finance and /or conservation and environmental organisations promote discourses that serve the interests of upper middle class elite at the expense of the urban poor, marginalised and vulnerable groups. Three types of power based on Gaventa's identification of the main type's power can be construed as being exercised by the powerful actors in the management and conservation of greenspaces, as summarised in the following table.

Photo 70: drawing upon the global icons legacy for soft eco-gentrification and urban competitiveness by the FKF-CFA



Source 199: (Mbatia, Calas and Owuor, A Politically Correct Hijacking of a Public Space and a Profitable Class Swap 2015). Original photo from www.friendsofkarura.org

Table 46: Forms of Power Exercised by Different Actors

| Type of power | Actors | Instruments | Egs |
|---|---|---|--|
| Visible power Making & enforcing the rules formal institutions & officials. | President, legislature, courts, ministries, police, military, international organizations; private sector, multinational corporations, businesses, etc. | Policies, laws, constitutions, budgets, guidelines, management plans and agreements, conventions, | International conventions; constitution of Kenya 2010; the Forest Act 2005; WMCA of 2014; UACA of 2011 the national sectoral master plans; forest policy 2014 |
| Hidden power: Setting the agenda exclusion & de-legitimization | Often formal institutions with visible power exercise hidden power | Exclusion (of certain groups and their issues) through society's unwritten rules and the political control of dominant and vested interests; intimidation, misinformation and co-optation that makes grievances of certain groups invisible | FKF gets to decide have controlled who gets to the decision and control use and management of the forest with the support of KFS and elite residents; NGOs in NNP set the agenda |
| Invisible power: Shaping meaning, values & what's 'normal' socialization & control of information | Elite (affluent residents and NGOs) - normalise fortress conservation, recreation and security discourses at the expense of domestic and livelihood needs of the marginalized and needy groups. | Processes, practices, cultural norms, values and customs shape people's understanding of their needs, rights, roles, possibilities and actions in ways that deter effective action for change e.g. Segregation of master and servant | 'you don't expect to eat at the same table with your servants' (chairman of FKF talking to elite FKF-CFA when justifying the construction of a cafeteria and resource center in the forest). |

Source 200: Author, 2014

As can be deduced from the above analysis of types of power exercised by different actors, the de-legitimization and exclusion of the marginalised communities has occurred with the combined powers of both the state and non-state actors, using policies, legislations, discourses and norms that are easily manipulated to serve the invisible and visible interests of the elites. The table below explains and summarizes how the levels of engagement for each of the powerful actors discussed above.

Table 47: Actors and their levels of engagement in Nairobi’s UGS interventions

| Level of engagement | Type of actor | Actors in Karura |
|----------------------------|---|--|
| Global, national and local | International organizations | UNEP; UNHABITAT; ICRAF; ICIPE; embassies and high commissions, |
| National and local | National and county government; regional and national NGOs and private corporations | KFS; NEMA; KWS; KTB; NGOs like GBM, KFWG, AFEW, AWF, TWF, Barclays Bank |
| Local and community | Local committees; CBOs; community associations; resident associations; | FKF; KFEET; Huruma vision women group; resident organizations; FoNNAp; FoCP, FKF |

Source 201: Author 2014

Elite Networks and Relationships

The elite networks shaping the use and access of Karura forest are organised both formally and informally. For Karura, the network is a formalised collaboration between KFS and non-state actors participating as members of a CFA, in line with the Forest Act of 2005. The informal networks consist of people of a high social economic status, due to a combination of their privileged racial social and educational backgrounds. For instance, most of the active and board members of the Friends of Nairobi national park are mostly Kenyans of European or Indo-Asians descent. The few active blacks have an educational interest in the greenspace or have a high social economic status. Both the formal and informal elite network shape the use and access rights of the urban greenspaces through the various discourses and practices they promote in the use, management and conservation of the urban nature reserves.

These powerful actors rely on similar patronage ties, networks and alliances to cement their support. In the case of Karura, the elite networks exercise formal power given to them as the registered community forest association, as per the Forest Act of 2005. Additionally, they use their hidden power to exclude and devalue the social and economic concerns and representation of less powerful Mji wa Huruma slum community. This power was exercised from the beginning in 2009, when members of the FKF together with KFS collaborated to develop the Karura forest management plan. The slum community was excluded from the process and their needs were side-lined in the plan. As mentioned earlier, a perusal of the plan reveals that biases against the slum community were already inbuilt, where the collaborative plan stated that the slum community in the area is the biggest threat to conservation.

Non-Governmental Organisations

A large array of local, national and international NGOs are actively involved in the management and protection of urban greenspaces in Nairobi. As mentioned earlier, many of these NGO'S are known to be 'some of the strongest in Africa' (Raxter 2015). These NGOs support the state in the management and conservation of natural resources by engaging in activities such as education and awareness raising, fundraising, monitoring biodiversity, research and data management. In line with international trends of the past two decades, many of the NGO's engage in 'direct action, advocacy, involvement with setting government policy agendas and other political decision making' (Griffiths 2010) cited by (Raxter 2015). Increasingly, many of the NGOs are deeply involved in driving the development of community based natural resource management (CBNRM) schemes. In particular, geo-political and regional alliances have been crucial in supporting and reshaping the relationships among competing interests.

In Karura, the dominant civil society players include the green belt movement, Kenya forest working group and African foundation for endangered wildlife. Their influence and legitimacy arises from the different arenas they work on. GBM is an environmental restoration NGO that aims at empowering communities, particularly women, to protect the environment and promote good governance. KFWG is an influential lobby group in the cause of forest conservation in Kenya while AFEW works to protect endangered animals and plants in the region. The diversity of the civil society is rather limited because all the three organisations involved work on conserving and protecting biodiversity. However, they work in different arenas of biodiversity conservation and contribute variously, either in cash or in kind, to support the activities of the FKF

As mentioned earlier, in the case of Nairobi National Park a coalition of NGOs and white Kenyan conservationists work together through informal and informal networks. As mentioned earlier, the dominant civil society organisations include African Wildlife Foundation (AWF); International Livestock Research Institute (ILRI); The Wildlife Foundation (TWF); Kitiengala Iparakuo Land Owners Association (KILA); Friends of Nairobi National Park (FONNAP); Community Based Organizations (CBO's); African Conservation Centre (ACC) And The Isinya Task Force (Kajiado Pastoralists Forum). Finally, in City Park, there are only two main CSO'S participating in the conservation and management of the park, that is Friends of City Park and Nature Kenya.

Heavily utilizing social media, electronic media, on street educational awareness campaigns, the formal and informal networks of these CSO's highly shape public opinion and beliefs about the utilization of nature reserves in the city. Particularly in the past, these civil society actors have had strained relationships with the state government, criticising the manner in which the state manages nature resources, including the illegal excision and encroachment of forests, national parks and public open spaces, facilitated by corrupt government. For Karura and City Park Forest, most of the civil society lobby against the government began in the 1990s and went on for

several years until the illegal excisions were revoked by a new president verbally in 2003 and orally in 2012. After the Forest Act of 2005 was passed, requiring the state to collaborate with communities and civil society organisations to manage state forests, the relationship between civil society and the state has been rather amicable. However, recently from 2015, there have been confrontational relationships between the government and GBM over proposed developments in Sigiria section of Karura forest.

Donor Agencies

The power of bilateral and multilateral donor agencies which happen to be located in the vicinity of Karura forest have powerful significant effects that influence the process of democratic governance and representation. As mentioned earlier, in the 1990s, international organisations like UNEP and ICRAF were some of the beneficiaries of the illegally excised sections of Karura forest. Therefore, these donors were quiet over the appalling corruption and public protests in regard to the irregular allocations of Karura forest. Secondly, through discourses contained in the donor policies and programs of the poor communities who are resource dependent are disenfranchised by the uniform global standards for environmental management and conservation imposed by the donors.

Photo 71: A Playground for The Rich (Exclusion/Inclusion Rules)-New Uses Express the Globalisation of the Urban Nature Values



Source 202: (Mbatia, Calas and Owuor, A Politically Correct Hijacking of a Public Space and a Profitable Class Swap 2015). Original image from www.friendsofkarura.org

Table 48: Summary of Structuring Forces, Discourses and Actors

| Structuring forces | Discourses | Outcomes of the structuring forces | Actors |
|--------------------|---|---|--|
| Ideologies | Entrepreneurial discourses International ranking; competitiveness; global economy formation; neo- liberalisation of policies | Privatisation, commercialization and commodification of public spaces: attracting high income groups; capital investment; tourism; excluding low income groups from use of and managing space; slum dwellers perceived as not capable of managing recreational space. | Kenya tourism board (KTB) ²¹⁵ ; KFS ²¹⁶ ; Nairobi city county ²¹⁷ NIU plan-green city image; development partners-UNDP; GOK vision 2030 ²¹⁸ ; elites and upper middle classes; private investor; community interest groups |
| | Safety and security Electric perimeter fencing Increased surveillance Military control of space | Resource dependent communities seen as a threat to visitor security. Perceived as vermin and criminals who must be prevented from entering the forest; objective is to control, limit and prohibit entry of forest adjacent slum dwellers into forest | FKF, KFS and users of the forest consisting of affluent community in the area- rich and upper middle class- mostly white Kenyan citizens, expatriate community, a sizable proportion of asian Kenyans and a few black Kenyans; UNHABITAT-safety and security in cities programme |

215 Vision of KTB is achieving global recognition for Kenya as an outstanding tourism destination. Its mission is ‘to drive and support the effective marketing of Kenya’s tourism products professionally and transparently while enriching the lives of Kenyans and visitors alike’.

216 Proposed new laws on concession of forests in the Forest bill 2014

217 Promotes tourism in the city but no mention of Karura Forest in their site, yet it mentions other smaller tourist sites like Giraffe Centre and David Sheldrick elephant trust

218 Metropolitan Vision 2030 is for Nairobi to be a world class African metropolis, supportive of the overall national agenda articulated in Kenya Vision 2030. The four principals include a world class working; living environment and business environment as well as world class metropolitan governance

| | | | |
|----------------------------|--|--|---|
| Resources | | Increased commercialization e.g. Amani gardens, biz baz events, weddings, etc.; increased privatisation and homogenization; proposed high capital investment projects- the Karura forest educational centre, cafeteria, museum etc.; meeting the objectives of the donor to justify money donated for forest rehabilitation | Kenya tourism board ²¹⁹ ; KFS- proposed new laws (forest bill 2014) on concession of forests; development partners-UNDP; private investors International and local donors Corporate sponsors |
| Regulations and procedures | Environmental conservation Climate change and global warming mitigation international ranking Protection of biodiversity Public participation | Reinforcing the interests and power of only the affluent community and influential actors e.g. Slum dwellers perceived as degrading forest therefore criminalized for destroying biodiversity for their consumptive use of forest. Increased security and surveillance using paramilitary guards and new technologies to keep of “poachers”. | State agencies like NEMA, KFS, KWS, UNEP, UNHABITAT, ICRAF, KEFRI, KFWG, donors and conservation NGOs, elites and upper middle classes |

Source 203: Author, 2014

219 Their mandate is to Drive and support the effective marketing of Kenya’s tourism products professionally and transparently while enriching the lives of KenyaKenyans and visitors alike.

Politics and Contestations Among Stakeholders

2.1.1.1 Representation and Democratic Governance

As stated earlier, during the colonial period, the African natives had no representation or voice and political power was highly skewed in favour of the white settler population. In the contemporary context, political power is highly skewed in favour of powerful non state actors, such as upper middle class citizens, white and Asian Kenyan, big international and regional NGO's against the urban poor, marginalised populations and community based organisations. For instance, the quality of representation and democratic governance of the slum community within the board of FKF-CFA is very poor. As mentioned earlier, there are only two representatives from the four slum communities in the area, compared to 8 representatives from the affluent residential areas in the area. To make matters worse, there is no woman representative from the slum in the board of FKF-CFA. Indeed, interviewed women from the slum complained that the male representatives, do not raise the slum women concerns whenever they go for the FKF board meetings. According to the women, these males from the slum only represent their own personal interests. As seen earlier, in the case of NNP, the wildlife conservation NGOs working to save the wildlife habitats in community land south of the park are only interested in the welfare of the wildlife from the park, and not the communities' interests. As revealed, none of the conservation interventions implemented by the coalition of international NGOs and donors attempted to genuinely address the pressing community concerns, that is, use and access rights to the park for livestock grazing.

2.1.1.2 Voice

In the case of FKF-CFA, as it is now, there are no internal mechanisms that exist within KFS and the FKF-CFA to ensure that voices of all the poor members, particularly the women in the Karura slum community are heard. Despite the slum women being organized into several groups, any channels for representing their voices have been repressed. According to interviews held with them, they are frequently intimidated and threatened by their FKF-CFA appointed male representatives, whenever they express their dissent or complaints about something. The women interviewed informed me that their male representatives always block any project that will benefit the women and their children. Case in point has been the proposed establishment of a pre-school for the slum children in the slum, on a small portion of forest land given to the community by KFS, to be a playground for the slum children. According to the women interviewed, their male representatives have colluded to block any efforts for a preschool be built on the piece of land. According to the slum women, the male slum members are interested in the piece of land for their own commercial interests. Consequently, one of them, known as 'pastor', has continuously told the women to keep off the piece of land, because it belongs to him as personal property, issued to him by KFS.

The conflicts between the women from the community and their male representatives in the board of FKF-CFA, have made the situation worse for the voices of the women to be heard. Thus, the ability of the slum poor, particularly the women who represent even the youth, to express their concerns, are limited. In the past, before the FKF-CFA took over, the women voices were heard through various internal mechanisms that existed within KFS. According to interviews held with them, even the then KFS director²²⁰, used to personally come the slum, hold meetings with them and listen to their concerns. However, this channels are all now blocked, as they are required to articulate their concerns through FKF-CFA, who are least concerned about the welfare of the slum members.

In the case of NNP, the voices of the community are voiced through gate keepers, that is, influential grass roots leaders from the community, who unfortunately also, do not genuinely represent the concerns of the community. For instance, one of the grass roots leaders who is young, educated, an active member of FONNAP, a grassroots government officer and a land owning pastoralist in the region south of the park, works with all these NGOs. He mobilizes the community to endorse the NGO projects, yet he knows very well the community's genuine concerns. However, he doesn't make this concerns an issue to the NGOs, most likely because he benefits financially for the work he does on behalf of the NGOs. However, when he is with a researcher like myself, he is candid as to what the issues are and how they should be approached.

2.1.1.3 Responsiveness

In the case of Karura, the KFS appointed forester in charge is the closest state officer who is expected to respond to the voices of the community. However, based on my interviews with him, this officer is generally biased against the slum community members. During informal interviews with him, it was apparent that he had negative perceptions of the slum community, where he said that the slum community is disorganized and that their demands and requests for any of their concerns are not viable. This included requests to build a preschool on part of the playground land or relaxing firewood collection rules and regulations.

In both NNP and Karura, it is very difficult for the concerns of the community to be responded to or for the community to create another space for participation to voice their concerns. This is because of the narratives created by the powerful non state actors that the poor and marginalised communities' concerns have been addressed and well represented by the existing non state actors' participatory institutions. For instance, as mentioned earlier, in their website and other presentations and reports they have made, FKF-CFA brag on how much they are supporting the slum community by providing them with jobs in the forest, allowing them to collect firewood and supporting their bee keeping activities. So, most of the public thinks that the slum community is in good

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hands. It is difficult for others to confirm or disapprove this narrative because FKF-CFA have informed the public that any individual or organisation wishing to be involved must go through the FKF-CFA. Once they become members of the association, they tend to abide to the existing rules and regulations, without doing much to raise the concerns of the community. They therefore become part of the team that represses the slum community, consciously or subconsciously. Generally, the attitudes and behaviours by elite members of FKF-CFA, whether individuals or organizations, are negative, prejudiced and biased.

2.1.1.4 Distribution of Power

In the case of Karura forest, where the Forest Act of 2005 allows for co-management of state forest reserves with communities, a lot of the power to make the final decisions concerning the management and conservation of the forest still rests with the state agency. Each conservancy area has an established forest conservancy committee. Membership of the committee is limited to: “(a) a chairman appointed by KFS board; (b) a representative of the county administration; (c) a forest officer in charge of the area; (d) one member nominated jointly by members of the timber industry; (e) four persons knowledgeable in forestry matters nominated by forest associations including at least one woman and one youth; (d) a ministry of agriculture official and (f) a national environmental authority (NEMA) official.

The act further adds that persons who are not members of the committee may be invited to attend meetings and take part in the deliberations. Thus, other people with power, that is members of the expatriate and affluent community in the area, have been involved. According to the Nairobi county forest coordinator, there are conflicts of interests and lack of amicable collaborative working relationships between KFS and related interconnecting institutions. Moreover, this power is not plural nor balanced among the interconnecting institutions like Kenya Wildlife Services, Kenya Tourism Board or NEMA. In my opinion, such conflicts and rivalries make it easy for the related semi-autonomous government institutions to be coordinated by the powerful members of FKF-CFA, to serve their dominant interests, through patronage, ethnic or class interests. This explains why the development of some contested buildings and structures in the forest like the Amani Garden Memorial for Westgate attack victims and the Riverside Cafeteria have been implemented by the FKF-CFA, despite public concern and opposition. It is not clear how such commercial developments were allowed to take place.

2.1.1.5 Accountability

In the collaborative partnership between FKF-CFA and KFS, the main system of accountability in place is the annual general meeting and the annual report, which reports on the activities and an auditor’s financial report, certifying how the funds from donors and sponsors, and revenues generated have been utilized. The board members

organize an annual general meeting once every year to report to members the financial and other matters, including decisions made by the management regarding the use, management and conservation of the forest. The annual general meeting is well attended by affluent residents in the area, private corporate sponsors, Kenya forest service, diplomas, international organizations working in the area and members of Karura Forest Educational Trust (KFEET). However, apart from their one or two representatives, members of the slum community do not attend the Annual General Meetings. A point to note is that these meetings are held every year at the Muthaiga country club, a member only club, with colonial origins and whose members happen to be only mostly white Kenyan citizens. Clearly, holding the meetings here is a deliberate effort to exclude the slum community. Even affluent black Kenyans are generally not members of the Muthaiga country club, because of the “whiteness” associated with it.

In my analysis, the accountability practiced here is questionable, given that some parties’ right to be heard are repressed or over shadowed, in this case, the slum community. There exists the constitution and rules of FKF with rules and regulations that guide the behaviour of members and suggest disciplinary action for misdemeanour. However, the sanctions to hold accountable any office holder abusing power or violating human rights are not effective, if any. Another mechanism for accountability is the KFS-FKF management agreement which spells out joint and individual duties, responsibilities and behaviours for each of the parties. The effectiveness to which the joint management agreement, the Forest Act of 2005 and the constitution and rules of FKF-CFA address the marginalized slum community are questionable, given that they are the instruments in place, yet they are the same ones used to repress the slum community in the area.

The main civil society groups that are rather involved in holding accountable those with power in FKF-CFA are KFEET and GBM. However, they are not very effective, as they are also part of the FKF-CFA. Many times, most of the contested decisions made by FKF-CFA are still implemented despite opposition by KFEET, for instance the building of the cafeteria in the forest. The management of FKF-CFA therefore appears to be accountable to the affluent resident associations more than the organization like KFEET and the poor communities in the area.

2.1.1.6 Resistance and Activism

The best examples of participation by resistance and activism is firstly the Friends of City Park protests against land grabbing and privatisation of the park and secondly, the Friends of Nairobi national park protests against the construction of the southern by pass in the northern border of the park. The resistance of Friends of City Park was all about ensuring that the recreation forestland remains a public space for all, despite their social and economic backgrounds. On the other hand, the resistance by Friends of Nairobi national had nothing to do with improving the use and access of the park. Their

goal was to maintain the wildlife habitat, more for the interests of the conservationists and the tour operators and less to do with what the public requires.

The slum community in Karura has resisted several times against the electric fence built by FKF around Karura. At one time, they pulled down sections of the newly constructed fence. The community has demonstrated again on several other occasions because of incidents of electrocution of small children from the slum, who have been killed by the live fence.

Additionally, the slum community expressed their apathy towards FKF by destroying and vandalizing the water purification plant and sanitation block built by FKF-CFA using donor funds meant for the community. However, despite the resistance the slum community is powerless. When complaining about the oppressive mechanisms, rules and regulation utilized by FKF-CFA and KFS, most of them added the prefix, "there is nothing we can do". During interviews with the women slum residents, the sense of fear and defeat the slum women felt from the intimidation and threats which they have been subjected to, by both FKF-CFA, KFS through their representatives, was apparent.

2.1.1.7 Conflict and Contests

As mentioned earlier, some civil society organizations, specifically the green belt movement and Karura Forest Environmental Education Centre (KFEET) are not happy with the manner in which the FKF-CFA took over the management of the forest. Even though they are now members of the FKF-CFA, the two organisations are not in good terms due to conflicts of interests. This is because before the FKF was formed, GBM had a lot of power in the conservation and management of Karura forest. During that time, the organisation was representative and accountable to the slum community. During interviews held for this research with women members of Mji wa Huruma CBO, GBM supported the women's tree seedling planting and selling activities, and helped them to earn sustainable forest based livelihoods. Thus, based on interviews for this research, they were perceived positively by the slum communities, especially compared to what is happening at the moment with the FKF. Currently, the slum community views the FKF as exploiters and rich benefactors who are out to oppress them for their own selfish needs. This is in contrast with the view the community had of GBM when they were working with them before FKF took over.

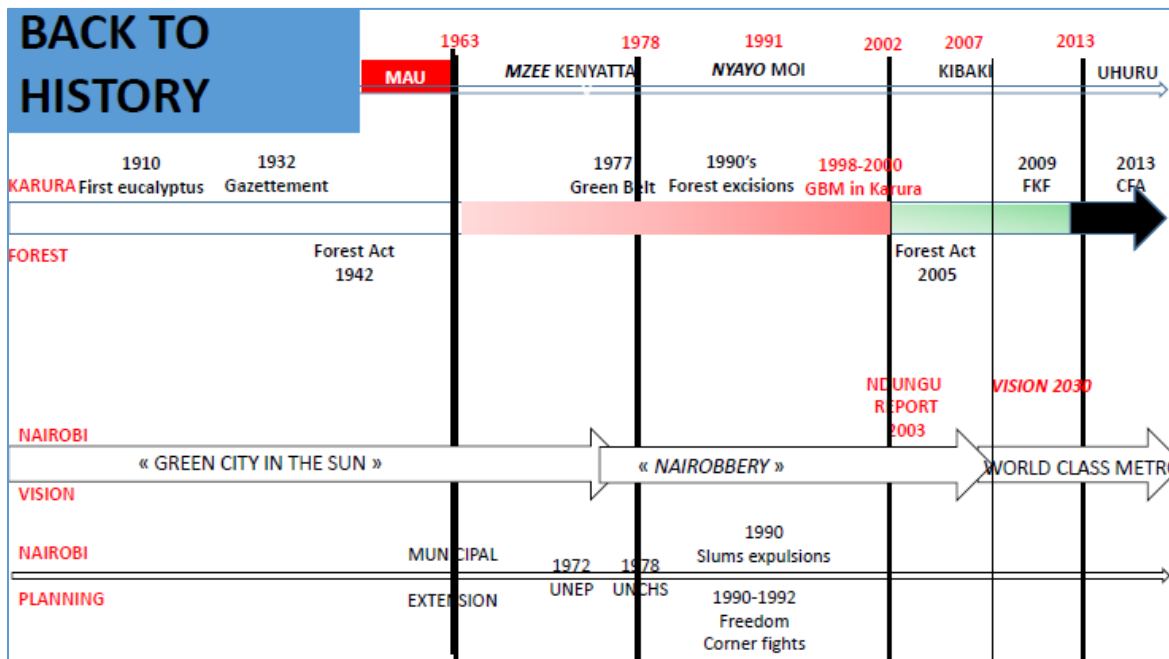
The powerful position of GBM over the management of Karura forest appears to have been heavily overshadowed by the entry of the FKF-CFA. Before then, GBM was influential with the slum based CFA. However, with FKF, GBM appears to have lost influence on both KFS and the poor community. GBM is now simply a corporate member of FKF-CFA, and can only contribute to decision making as part of FKF-CFA. The independence of GBM over the activities and actions of FKF-CFA appears to be rather limited. The chairperson of FKF-CFA is a former director of GBM, who fell out with GBM in 2009/2010 over allegations of corruption and mismanagement of GBMs

funds. The interchange of staff with alleged misconduct between civil society organisations brings into question the nature of accountability and accountability of these actors.

In the case of NNP, for various political and economic interests of the conservationists and white Kenyan, the power full non state actors continue to have a lot of conflicts and tensions with the state agency in charge of NNP, as well as with the communities living outside protected areas. The narrative is that KWS is corrupt and inefficient while the communities living with wildlife on their land are accused of being hostile to wild animals. The current rhetoric is that the white conservationists want the management of national parks to be handed over to private investors and KWS disbanded.

For City Park, conflicts between the Friends of City Park and the government continue because the NCCG and NMK continue to withhold information regarding the management of the park from the community. For instance, the office of the directorate of urban and metropolitan development issued a bid in the daily nation of June 7 2016, inviting private companies to undertake the rehabilitation of Nairobi City Park. Before this, other conflicts were related to the secrecy of the MoU partnership between the county government and the Aga Khan Trust for Culture. Moreover, the issue of revoked titles being appealed at the national land commission by the illegal allottees continues to be a major source of concern for the FoCP who don't trust the government in any capacity regarding the case, unless the issue is settled officially and made public.

Figure 73: Summary of Politics and contestations in the Management of Karura Forest Reserve



Source 204: (Mbatia, Calas & Owuor, 2015)

Table 49: Powerful Actors, Level and Mechanisms of Engagement and Outcomes

| Actors | Level and mechanism for engagement | Outcome of power |
|--|--|---|
| International & regional researchers and bureaucrats | <i>Global, national & regional:</i> Policies, conventions, agreements, guidelines on the environmental conservation and management; climate change and global warming mitigation | Principle of recognition of equality exists in law. However, dominant discourse is to protect resources. It is not specified how the two can be balanced. Slum dwellers adjacent to Karura are still perceived as degrading forest; electric perimeter fencing built to keep of forest degraders |
| National and county government | <i>National & local:</i> Sector specific policies, laws, strategic plans for forest conservation and management and security | Slum dwellers seen as a threat to conservation and recreation management- visitor security. They are perceived as vermin who must be prevented from entering the forest; objective is to control, limit and prohibit entry of forest adjacent slum dwellers into forest. Electric perimeter fencing built to keep of forest degraders |
| Local: community committees and associations | <i>Local and community:</i> Regulations, guidelines, procedures on local participation; use, access, local action plans | Principle of equality exists in the law but it is delegitimized. Slum dwellers excluded from decision making by some unwritten rules and political control of vested interests. Their issues are made invisible by misinformation and co-optation. Slum dweller forest user rights regarded as a special interest, not worthy of public action and not economically viable. |
| Resource marketers: KTB and NCC | <i>National & local:</i> National and county policies, laws and action plans for developing or supporting recreation products/ sites | Dominating discourse here is to develop tourism products. Slum dweller forest user rights regarded as a special interests and not economically viable or worthy of attention. |
| Donors | <i>National & local:</i> international and national policies, conventions, agreements, guidelines on the | Meeting the objectives of the donor in any method to justify money donated for forest rehabilitation. Dominant |

| | | |
|---|--|---|
| | environmental conservation and management; climate change and global warming mitigation | discourse is to protect resource. Principle of equality exists but it is delegitimized by the resource managers. Slum dwellers needs are ignored. |
| Corporate sponsors; Local | Corporate social responsibility programme for environment | Increased commercialization e.g. Amani gardens, biz baz events, weddings, etc.; increased privatisation and homogenization; proposed high capital investment projects- the Karura forest educational centre, cafeteria, museum etc.; |
| Private sector investors Local | Neo-liberal laws and policies | |
| National & local policy makers and politicians Local | National and local laws and policies for equality exists but cultural norms, values, practices and ideologies of neo-liberalism, consumerism, corporate capitalism, socialization/oppression belief systems including patriarchy, sexism, racism | Principle of equality exists in the law but it is delegitimized. Slum dwellers are made to believe they have no rights to use or manage the forest the forest. Information is controlled affecting their understanding of their needs, rights, roles and possibilities. Slum dwellers internalize feelings of powerlessness, shame, anger, distrust and lack of worthiness especially the women and youth |
| Non-consumptive or recreational users | Cultural norms, values, practices and ideologies like neo-liberalism, consumerism, corporate capitalism, patriarchy, sexism, racism | The affluent use and benefit for the recreational use of the forest. |
| Consumptive or non-recreational users | Socialization/oppression belief systems including patriarchy, sexism, racism | Slum dwellers are made to believe they have no rights to use or manage the forest the forest. |

Source

205:

Author,

2014

SUMMARY AND CONCLUSION OF CHAPTER

This chapter synthesized and discussed the similarities and differences of the social processes that shape opportunities for different social groups to use and access of urban greenspaces in Nairobi. The first assumption of the study is that contemporary inequities in use and access of urban greenspaces in Nairobi are embedded in the historical colonial segregationist social-spatial patterns of the distribution, provision and allocation of urban nature reserves or urban protected areas while the second assumption was that changes involvement of non-state actor's in the management and conservation of urban greenspaces, as per recent policy changes, would enhance social-spatial justice by increasing opportunities for vulnerable and marginalised groups to use and access the socially valued urban nature reserves. The chapter reiterated and summarized the social, political and economic context of the production and consumption of urban greenspaces in Nairobi. The methodological framework used was the environmental history and the social construction of nature, presented in chapter 3, research methodology. The findings of the study established that indeed, the current exclusivities observed in use and access of urban greenspaces is embedded in the colonial history that created unjust geographies. Secondly, the study found out that historically created spatial injustices are being reproduced in the contemporary era, through new forms of exclusions associated with globalisation, neo-liberalizations and neo-colonization. In other words, the study found evidence that colonially established unjust greenspaces were being reproduced and reconstructed in more repressive, albeit subtle ways. In a bid to explain the present situation, the last section of the chapter discussed the structuring forces, actors and political contestations that have shaped and continue to reshape social relationships and institutional structures (power relationships) that determine which social groups can benefit from urban greenspaces in Nairobi.

Photo 72: City Park as a Public Space? FoCP drawing upon business elites for rehabilitation



Source 206: Friends of City Park face book page

CONCLUSIONS

INTRODUCTION

This study set out to investigate the historical and contemporary social, political and economic dynamics that determine use and access of urban greenspaces in Nairobi, for different social user groups. Thus, the research sought to address three main sub-objectives, that is: (1) to investigate the history of the production and construction of urban greenspaces in Nairobi; (2) To investigate the social-political outcomes of policies and legislations guiding the use, management and conservation of the urban protected areas and (3) To examine the social outcomes of non-state actor's interventions in the conservation and management of urban protected areas, on sustainable use, control and access of public urban green spaces in the city.

Inequitable distribution, control and access public urban green spaces is a challenge in many cities in both the developed and developing countries (Wolch, Byrne and Newell, *Urban green space, public health, and environmental justice: The challenge of making cities 'just green enough'* 2014); (Byrne and Sipe, 2010); (WHO, 2006); (Heynen, Perkins and Roy, *The Political Ecology of Uneven Urban Greenspaces: The Impact of Political Economy on Race and Ethnicity in Producing Environmental Inequality in Milwaukee* 2006). In cities in developing countries, where there are large gaps between the rich and poor, different social groups have different requirements for accessing urban nature reserves. While the middle-class and affluent are interested in the leisure and recreation needs of the urban greenspaces, the poor rely on nature reserves in the city for their daily needs and survival (Personal Observations). However, there has been lack of information on how the balance between satisfying the luxury non-consumptive recreational needs of the upper middle class vis a vie meeting the consumptive resource dependent needs of the urban poor, is being achieved (Personal Observations).

Moreover, very few studies, if any, before this, had attempted to critically analyse how the historical social, economic and political processes shape the contemporary use, management and access of urban green spaces in developing country cities (Mng'ong'o 2004); (Kotze, Donaldson and Visser 2014). In some cases, due to the colonial background of most developing country cities, it has been taken for granted that the spatial injustices experienced in the use and access socially valued natural resources are the result of colonial legacies that created privilege and opportunities for some, based on race and subsequently, social economic status. (See for instance (Olaleye, Ayoade and Omisore 2013); (K'Akumu and Olima, *The Dynamics and Implications of spatial segregation in Nairobi* 2007); (Olima, *The Dynamics and Implications of Sustainining Urban Spatial Segregation in Kenya* 2001); (Owuor and Obudho, *Urban open Spaces in the City of Nairobi, Kenya* 1997). While this is largely true, there was a need to investigate the contemporary structuring forces and actors that shape the current trends and patterns in the use, control and access of the urban green space reserves. Specifically, in Nairobi, there is limited and inconclusive theoretical literature and empirical studies on the social, political and economic

forces that (re)produce and (re)construct spatial (in)justice in use and access of socially valued urban green space resources.

Moreover, in light of general trends in shifts away from the state-centric management of public spaces to citizen participation in the management and conservation of urban greenspaces, no studies have investigated the social outcomes of non-state actor's interventions in enhancing equitable use, control and access of socially valued urban nature reserves, for different social user groups in the Nairobi. **Specifically, no studies have looked at how the balance between satisfying the luxury non-consumptive urban greenspace recreational needs of the upper middle class is being satisfied, vis a vie meeting the consumptive resource dependent needs of the urban poor, is being achieved.**

Thus, the study pursued two main questions: (1) what are the past and present structuring forces and actors that shape or (re)produce and (re)construct patterns of use and access of urban nature reserves by different social user groups in Nairobi; (2) in light of new changes in policies that provide for public participation, what are the social outcomes of non-state actors interventions in the management and conservation of urban greenspaces on their use and access by marginalized and vulnerable social groups?

(RE)PRODUCTION AND (RE)CONSTRUCTION OF SPATIALLY UNJUST GREENSPACES

From the findings and discussions of this study, it is clear that the colonial government laid the foundation for the production of social -spatial inequities for the use and access of the urban greenspaces in the city. The production of unjust greenspaces in Nairobi is congruent with (Soja's, 2010) identification of 'three overlapping and interacting levels of geographical resolution in which spatial injustice is situated'. These are: (1) the exogenous (top down); (2) endogenous (bottom up) and meso-geographical or regional (conceived as the in-between spaces where the micro, the global and local converge).

The first level (exogenous or top down) is evident as being the overarching strategy used to create and recreate inequalities in use and access of urban greenspaces in Nairobi. According to (E. W. Soja 2010) '*exogenous geographies and the political organisation of space or 'the external creation of unjust geographies through boundary making'* entails '*administrative convenience, imposition of political power, cultural domination and social control over individuals, groups and the places they inhabit*'.

In the case of Nairobi, these manifests itself in the social-spatial segregation patterns, based on racial background and social economic status, which originated from the colonial period during then urban space was explicitly separated based on racial identity, as well as '*other forms of colonial control and spatial manipulation*' (Soja, 2010). Thus, to this date, residential spatial segregation in the city continues, implicitly based on racial identity and explicitly based on class or socio-economic status. As is evident, the former European neighbourhoods are occupied by the privileged social-economic groups, mostly white Kenyans and Indo-Asian Kenyans. This explains why when one visits Karura or Nairobi National Park, one is more likely to find non-

African people, majority of whom are of a lower socio-economic status and if not, they don't live in the former European neighbourhoods. To date, only very few rich wealthy non-European and non-Asians, living in the neighbourhoods where this green spaces are located.

Apart from the physical aspects in the creation of space, it is clear from this study that the elites, consisting of powerful non-state actors and both the colonial and post-colonial governments engaged in other tactics (non-spatial) to produce oppressive and unjust green spaces in the city. These tactics entailed ideologies about space that were initially imposed on the colonized sub-ordinates and now imposed on the less powerful non state actors or socially vulnerable and marginalised groups. In other words, even with change in policy in the contemporary era, these oppressive discourses inherited from the colonial days dominate much of the thinking among the powerful non-state actors or elites and state bureaucrat, who utilize them to disenfranchise the requirements of the socially vulnerable groups. the discourse includes: (1) conservation ideologies; (2) security discourses - entails militarization of space; (3) entrepreneurial discourse and (4) privatization of land.

The first ideology 'conservation discourse' or 'fortress conservation of space' entails protecting urban greenspaces as nature reserves, for their own sake and intrinsic value, without any extraction of resources for human consumption. this discourse initially targeted the African natives during the colonial times, whose lifestyles were considered degrading to the biodiversity. In order to conserve nature from the destructive natives, the colonial government disposed the natives of their lands, created nature reserves and adopted the 'Fortress Conservation Model' for their management. This meant barring people from using and accessing the nature reserves. On the other hand, the European white settlers had the rights to request and be issued hunting permits and other natural resource use rights. The natives on the other hand were completely separated from nature arrested, imprisoned or fined heavily for poaching related crimes, if caught inside the created protected areas. To date, this discourse is being used to disenfranchise the resource dependent communities, who are mostly the socially vulnerable and marginalised form using and accessing the nature reserves in the city. The only difference is that it's no longer a white versus black issue, rather an elite versus poor people matter.

Related to the above, the second discourse is the securitization of urban nature reserves, through spatial and non-spatial tactics such as 'militarization of space', surveillance, creation of the "poaching crime" and fencing to prevent "poachers" from stealing from or destroying natural resources or biodiversity. During the colonial times, the nature reserves were securitized through employing militarized game wardens and rangers armed with artillery to police the nature reserves. Their work was to arrest "poachers", that is, the African natives, for spoiling biodiversity (hunting or collecting nature resources without permits). As mentioned in chapter 6, the colonial game wardens were very tyrannical to the African natives, whom they termed as poachers if caught hunting animals for food, grazing, collecting firewood, medicinal plants, fruits and nuts. On the other hand, with or without permits, the

white settlers could hunt or collect anything from the protected area anytime they needed. In the cotemporary era, the militarized game wardens and rangers still exist. Additionally, there is increased obsession with security and surveillance, what (Davis, 1990) cited by (E. W. Soja 2010) calls '*security-obsessed urbanism*'. This manifests itself in the increased use of technologies to increase surveillance in public spaces. In karura for instance, apart from having militarized rangers, paramilitary forest scouts and a private security firm guarding the forest, the elite FKF have built an electric perimeter fence and installed hidden cameras in strategic places all over the forest. The obsession with security macro and micro technologies is a manifestation of the fear that the rich leisure users of the forest have, of potential invasion and violence, from what they perceive as the threatening "others". Thus, in order to create a safe haven for themselves or "privatopias" (Mackenzie, 1994), the rich in karura for instance, have built physical and psychological protective walls to guard themselves from the threatening slum residents living adjacent to the recreational forest. this is a manifestation of the reproduction of spatially unjust greenspace. As (Soja 2010) observes,

"these pervasive and privatizing reconfigurations of urban life is another form of spatial colonization, less overtly dominated by the state but not entirely different from the blunt institutional expressions of power associated with apartheid or more technologically advanced spatial tactics..."

The third discourse is the '**commodification**' of space, a manifestation of the 'neoliberal natures' and associated with capitalism or (D. Harvey 1989b) 'entrepreneurial urbanism' theory. For instance, beginning from the colonial times, the Nairobi National Park was commodified for European recreation, that is, hunting safaris, game viewing and photography at the expense of the Maasai communities in the area who depended of the area for grazing their livestock during the dry season. As stated previously, in the pre-colonial era, the area where NNP is located was part of the dry season grazing area. The colonialists created safari tourism practices that privileged western models of wildlife conservation, necessitating the eviction of the indigenous communities from their lands while at the same time excluding them from decision making and the economic gains of tourism (Akama, Maingi & Camargo, 2011). As several scholars observe, safari tourism practices reinforced the hegemonic economic and cultural relationships associated with cultural imperialism and economic domination. Aided by conservation related policies and actions (Neumann, Ways of Seeing Africa: Colonial Recasting of African Society and Landscape in Serengeti National Park. 1995), British colonialism fashioned particular ways of seeing and understanding the landscape, by appropriating its material and symbolic aspects. As cited by (Akama, Maingi & Camargo, 2011); (Norton's, 1996) study of tourist brochures and interpretations made by tourists in relation to the safari experience revealed tourism constructs of East Africa's nature that see man as separated from nature. Therefore, the evictions of people from their land to make space for recreation and conserve biodiversity is one of the many aspects of creating neoliberal natures, associated with cultural domination imposed on the indigenous peoples, given that the lifestyles of the

natives (work and recreation) were inseparable from and intertwined with landscapes and nature.

The fourth discourse that continues to reproduce spatially unjust greenspaces is related to private property ownership models which the colonial government imposed on its subjects. A system of '**privatization of land**' where people held titles to individual private ownership of land was introduced and imposed on the natives. In the case of public spaces, the state became the owner (albeit on behalf of the public at large). This system was in contrast to the Traditional African society system of ownership of land, where there was direct social or collective ownership of land or common spaces. For instance, Karura Forest which was a sacred forest in the pre-colonial days and therefore a common space where all members of the community had rights to it, in line with the traditional regulations and norms (with utilization, conservation and spiritual objectives) (Muriuki, 1974). However, under the western system of property rights, human rights and specific claims on rights to land and natural resources, became subordinated to the primacy of rights of property owners. In essence, the system was quite oppressive to the African population, who were openly denied use and access to the natural resources. From the moment the colonial government started planning to create the protected areas to date, tension between public space (green spaces) and private property was created even among the white settlers, who opposed the colonial government's plans to create the reserves and declare them protected areas. Since the settlers had a voice compared to the natives, their oppositions to the creation of the protected areas in the city could be interpreted as being one of the searches for spatial justice or defence of public space against state interference. Nevertheless, the settlers had rights to permits and licences to access and use natural resources, whenever they wished. On the other hand, the indigenous peoples had no attempts to grab the public spaces by private developers and political elite are always going on. The most recent cases involving land grabbing of karura have been going on since 2009 when Friends of Karura Forest put up a perimeter fence around the forest and were taken to court, together with KFS, by the alleged landowner, who is suing them for fencing in their land (Interviews with FKF, 2014). The case is still being determined in the National Lands Commission tribunal court. In January this year, fresh reports that some private developers were planning to put up a five-star hotel in Karura (The Star Newspaper 2016); (Daily Nation Newspaper 2016). Some reports claim that the developers got a concession from the KFS to put up the hotel. In the case of city park, some of the allottees whose titles were revoked by the national land commission are now back in court, appealing for the decision to be overruled. In all the cases, the threats from land grabbers are there, despite the revocation of the illegally allocated titles.

CAPITALISM AND URBAN GREENSPACES IN NAIROBI

Production of Space Theory

The findings of this study are congruent with most of the ideas proposed by (Lefebvre, 1974. (1991) theory on 'The Production of Space' As mentioned earlier, the

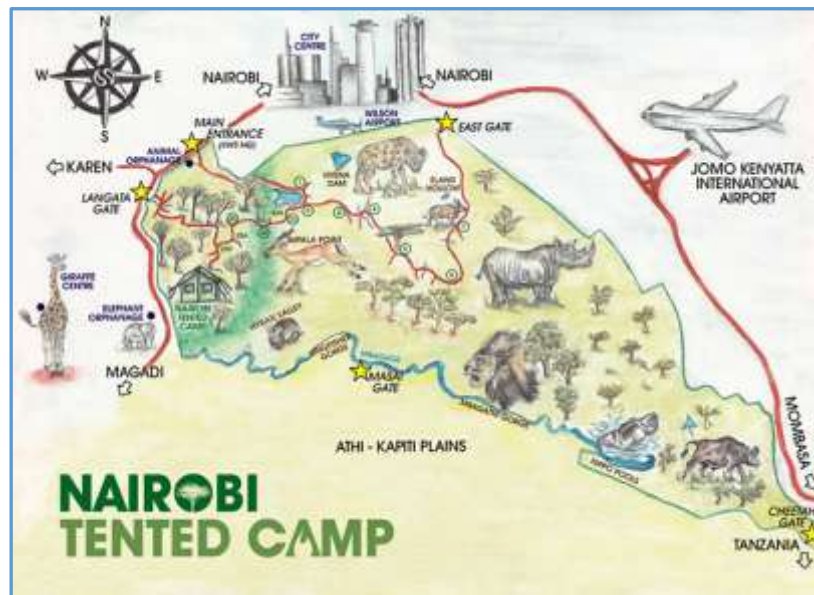
existing urban nature reserves or green spaces in Nairobi were produced under repressive historical social, political and economic relations. These entailed uneven distribution and allocation of urban green spaces based on racialized residential segregation policies by the colonial government. Additionally, the unevenness continued because no attempts were made by the post-colonial government to reserve other green spaces in the former colonial non-European reserved areas (e.g. Eastland's). Thus, the post-colonial government inherited the colonial legacies and the available urban green spaces continue to exist only in the former white areas, currently occupied by upper middle class and affluent urban citizens, most of whom are still European and Indo-Asian Kenyans.

Following Lefebvre, *the study 'uncovered the social relationships that are hidden in space'* Using a critical approach to the analysis of urban green spaces in Nairobi, the study revealed the embedded structural inequalities and social cultural identities (specifically class, race, gender and age relationships) that shape use and access patterns of green spaces for different social groups.

Another idea of Lefebvre is that urban space is not static, rather it is '*dynamic, modified from its historical underpinnings, changing and evolving, from the space of production.*' This idea is congruent with the findings of this study, where see a space like Karura Forest has undergone several changes in terms of use and access, from what it was originally conceived for by the colonial authorities a fortress forest reserve, conserved for its own sake, to an open space for recreational space, additionally conserved for social use.

The study identified three types of socially produced spaces, as proposed by Lefebvre, that is the 'conceived', 'perceived' and 'lived' spaces. Lefebvre presents a conceptual triad as the base of social and political production of space as: (1) the space in practice (the real, used space); (2) the representation of space (the planned space, bureaucratic, abstract and represented in maps); and finally, (3) the space of representation (the space produced and modified through time, through use, bearing symbols and meanings, the real and imagined space) see Elden 2002, p. 30; cited by (Laschefski and Moura-Costa 2008).

Figure 74: Example of Representational Space: Guide Map of NNP by A Tour Operator



source 207 <http://www.porinisafaricamps.com/gifs/map-nairobi-tented-camp.jpg>

The findings showed that the green spaces in Nairobi operate at all the three angles of Lefebvre's spatial triad of produced space. On one angle, we see that the green spaces in this study are 'conceived spaces', as they are, as Lefebvre would put it, 'characterized by forms of power that serve to produce 'commodified spaces which deny difference, but are resisted or contradicted by everyday use of space.' According to Lefebvre, the conceived spaces entail the prescribed uses of space, represented in maps, plans, models and layouts. They are the spaces conceptualized by planners, scientists, urbanists and governments. For instance, in both Karura Forest and NNP, the spaces are commodified for tourism and recreation, and in the process, they deny the resource dependent communities (Maasai community and slum residents near Karura) opportunities to use and access the green spaces. However, this denial of difference is resisted by the everyday clandestine use of these spaces, for instance the Maasai pastoralists who sneak in to NNP at night to graze their livestock or bribe the rangers to allow them to herd (Interviews, 2014).

Photo 73: Maasai Women Washing and Drying Clothes at Hippo Pool at NNP²²¹



Source 208: Fieldwork, 2014

In the case of City Park Forest which was created strictly as a recreational space, a visit there today reveals many other uses, many of which were unanticipated (see picture on shelter for a homeless person in city park forest). These include a clandestine home for the homeless people, a monument with art collections for the first vice president of the republic as well as a cemetery for British soldiers killed during the first world war and the Goan missionaries. Similarly, Nairobi National Park, which is planned by authorities as a game reserve and recreational space for urban safari, is additionally used by Maasai pastoralists, especially at night to graze their livestock. Moreover, as mentioned earlier, the women from the community collect firewood from the park while others do sell curios to tourists at the southern side (hippo pool) (see picture in chapter 5 on woman collecting firewood from buffer zone of NNP). The other area of congruency is with Lefebvre's ideas on appropriated, dominated and public spaces. As mentioned in chapter 2, Lefebvre defines appropriated space as: '*a natural space modified in order to serve the needs and possibilities of a group that it has been appropriated by that group*'. The dictionary definition for appropriation is, 'use of pre-existing objects or images with little or no transformations'. Appropriation of space, in this context, means the use of the same

221 Note The Curio Market Structures On the Right

space for seemingly similar purposes, but for a private group, as the public is now closed off.

Photo 74: selling curios to tourists at hippo pool bridge, southern border of NNP



Source 209: Fieldwork, 2014

Additionally, Lefebvre's notion that the appropriation of space for a certain use does not occur by accident was evident in this study because in each of the greenspaces studied, a variety of actors, processes and resources were identified as contributing to the appropriation of spaces like Karura Forest. Lefebvre views dominated (and dominant) space as, '*...space transformed, mediated by technology, by practice...usually closed, sterilized and emptied out*' (Lefebvre, 1974 (1991)). He notes that dominated space, is '*space under the control or power over others*'. He perceives domination of space as being caused by factors such as history of accumulation, separation and antagonism. According to him, the part played by armies, wars, the state and political power all contribute the domination of space. Lefebvre positions dominated spaces as constraining spaces, or repressive spaces.

Photo 75: Fence Separating the Slum Community from The Now Recreational Forest²²²



Source 210: *Fieldwork*, 2014

From this perspective, Lefebvre perceives dominated space, as that imposed by the state, intrinsically violent, though seemingly secured against any violence. Using Lefebvre's view, it is evident that the greenspaces of Nairobi are inherently dominated spaces because they were created by the colonial government through the imposition of military and political power. In the early post-independent era, the post-colonial government continued with the military model to secure the space, in the process repressing marginalised resource dependent communities. Currently, these spaces continue to be dominated by both the state and powerful non-state actors using military tactics and increased surveillance using technology such as electric perimeter fencing, drones and hidden camera. Writing on contemporary public space, Lefebvre observes that public space is not public any more. He laments, '*Public space ought to be an opening outwards*'. *What we see today is just the opposite*'. He adds that what is supposed to be public space is now closed and fenced up and made private (literally).

The findings of this study are also congruent with Lefebvre's ideas on the lack of public space. Both Karura and NNP are fenced off. Thus, conceived by authorities as public spaces, urban protected areas like Karura forest and NNP are really,

²²² Note the forest ranger's office for guarding (green pen at the right). This is the only entry gate which the slum residents are allowed to enter for free once a week to collect firewood.

appropriated spaces for high class consumption and recreation. They are used exclusively by people who can afford them in terms of both the time and money. They are dominated by the state who manage them with armed security guards. In this sense, they are not public spaces at all because only individuals of a certain social class or race can afford to visit them or be comfortable in them. In other words, they are appropriated by the elites for their exclusive recreational use without genuine consideration (if any) for the marginalised and poor social groups. Lefebvre theorises that public space is today, dominated as well as appropriated. He suggests that public space, which has been closed or fenced off, is really both a 'dominated space', as well as an 'appropriated space', which has been privatized. Lefebvre implies that an appropriated public space is public space set aside for private use.

Henri Lefebvre's theory is relevant to contemporary urban research in post-colonial African cities, as it contributes to debates on the right to the city. It has shed light on what public space in Nairobi means. Additionally, it has deepened the understanding of urban social processes in post-colonial African cities, as well as analyse race and racial identities. Using Lefebvre's theory, the production of racialized geographies post-colonial African cities has been illuminated, proving that the production of urban green spaces in post-colonial African cities is fundamentally related to representations of racial identities (Demissie, 2007) (King 2009). The study concludes that green spaces in Nairobi are the epitome of Lefebvrian concept of 'commodified space', as represented by elite social groups, who facilitate the exercise of state power and the free flow of capital. UPAs in Nairobi are 'rich men playgrounds', dominated by more economically and socially privileged white and Indo-Asian upper middle class'.

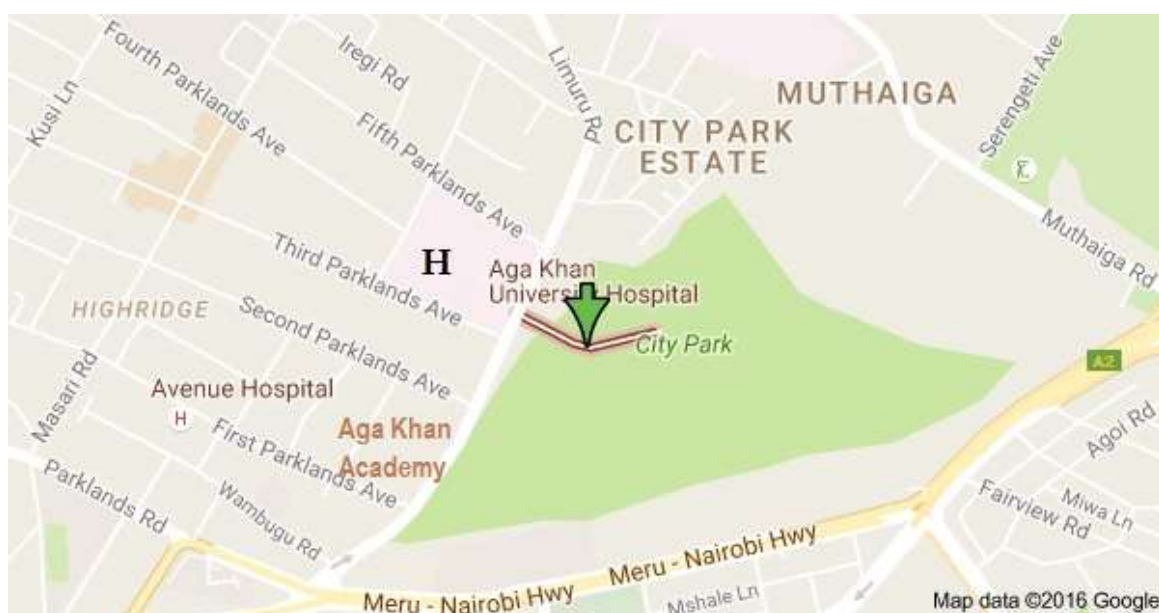
Entrepreneurialism Governance Theory

In his publication, *From Managerialism to Entrepreneurialism: The Transformation in Urban Governance in Late Capitalism*, (Harvey, 1989b) observes and writes about disadvantages of the shift from 'managerial approaches', in advanced capitalist societies to 'initiator' and 'entrepreneurial' forms of urban governance. Some of the encouraged entrepreneurial practices include public private partnerships.

Harvey blames widespread economic and fiscal problems for the shift from managerial to entrepreneurial forms of urban governance (Harvey, 1989b). This is congruent with the findings of this study, where, as noted earlier, one of the challenges the city government in Nairobi faces in its management of parks and green spaces under its jurisdiction is inadequate budgetary allocation for parks maintenance. Thus, their policy is to partner with others who can make up for the budget deficit. In this case of City Park, the county government entered a PPP with Aga Khan Foundation for more than its maintenance, as they proposed to rehabilitate it to a world class recreation centre. These entailed fencing the park and putting up luxury recreation facilities. In essence, this would have ensured that the park is not open any more to the people who currently use it, like the homeless people. As Harvey observes the negative effects of the shift from managerialism to entrepreneurialism are increased social spatial inequalities.

The findings on proposed City Park Forest and implemented Karura Forest rehabilitations are congruent with Harvey's observations that when the local state supports PPP, it increases its role as facilitator for the strategic interests of capitalist development, instead of being a stabilizer of the capitalist society. The proposed rehabilitation of city park forest for instance, under a PPP would only have addressed challenges in a public park, in an upper middle class residential area, yet there are many other worse off parks under the county government in the marginalised sections of the city in need which were being ignored. This is congruent with Harvey's observation that entrepreneurialism projects only address local conditions within a particular jurisdiction and that such partnerships projects only have localized impacts that fall short of any metropolitan wide influence.

Figure 75: Location of City Park in relation to Aga Khan Institutions



Source 211: Google Maps, 2016

Moreover, as Harvey notes, public-private partnerships end up with the public sector taking and assuming all the risks, while the private sector takes all or majority of the benefits. For instance, in the case of city park rehabilitation, there was plan to build a high quality restaurant and cafeteria, which means use of city land for private development was going to be inevitable, as they would not need to pay any leases on the park which they have rehabilitated under a PPP to the government. Many outside observers and the Friends of City Park who were resisting the PPP noted that the rehabilitation of the park by AKTC was simply one way of privatising public land for the use and extension of the Aga Khan University Hospital which is just opposite the park. The philanthropic organisation intended to extend their territory in the area, which already full with other Aga Khan institutions.

Finally, Harvey argues such place-specific projects are overrated, receiving public and political attention that diverts 'concern and even resources from the broader problems that may beset the region or territory as a whole'. This was evident in this

study in two of the green spaces under this study. For instance, even before being implemented, the proposed rehabilitation of City Park by AKTC was already being made a big issue by the county government. Reports about the MoU and proposed rehabilitation being an exemplary case successful urban governance for public space was all over the media. Additionally, the rehabilitation of Karura Forest by FKF has been overhyped by both the Kenya Forest Service and the FKF-CFA, at the expense of the marginalised slum community in the area.

In line with Harvey observation, the study notes that the advantage of democratic potential of shared governance is over ridden by the rise of entrepreneurial growth coalitions, wielding disproportionate power to make market based urban environmental decisions. The example of Karura Forest rehabilitation by elite non-state actors has demonstrated how co-management partnerships in the management of urban green spaces produce injustice and exclusivity in their use and access. Thus the governable green spaces have come with an increase in 'communities of self-interest' (Harvey, 1989b) arising around governable green spaces, thus increasing spatial injustice

In conclusion, just like (Cybriwsky & August, 1999) the findings of this study indicate that the redevelopment of the public spaces under entrepreneurialism strategies leads to: (1) increasing control by private interests and (2) more surveillance of public spaces and their access to improve security. Moreover, similar to (Dannestam, 2004) that the examples of non-state actors' interventions in City Park and Karura Forest showed that entrepreneurial urbanism projects focus their commitment to residential areas considered fashionable, resting on the notion of trickle down. The study proved was congruent with Harvey's notion that civil servants working for state agencies show more interest in economic development issues than welfare, treat it as something that will come in the future.

The Urban Question: Consumption and Lifestyles

As mentioned earlier, Manuel Castells used the ideas of Karl Marx to emphasized on the need to focus attention to consumption patterns and trends, instead of merely focusing on the way things are produced and manufactured. These included focusing on the way in which people lived in the city, their patterns of housing, their consumption habits and lifestyles, and the emergence of new dominant and urban middle class. Using Castells ideas, a critical analysis of the consumption of urban greenspaces like Karura Forest and NNP revealed that segregation patterns on which the city was founded are latent in the luxurious consumption patterns of their use by the affluent and upper middle class citizens.

Photo 76: The Luxurious Porini Tented Camp at Nairobi National Park



Source 212: <http://www.porinisafaricamps.com/Nairobi-Tented-Camp.html>

Photo 77: the luxurious river café inside Karura forest



source 213: <https://eatout.co.ke/nairobi/river-cafe>

Apart from the physical segregation (eco-gentrification of the surrounding communities), the study found that the redevelopment and rehabilitation interventions by elite non-state actors reconstruct the leisure and consumption practices of the old colonial social structures, founded on race and possibly the new urban middle class. For instance, in the case of Karura forest rehabilitation, it is evident that the elite community has used its “spatial privileges” to make claims on public space based on their high standing within race and class hierarchies, reproduce their own social advantages and exclude others. Case in point is the private establishment which the elite FKF invited from their networks to run a high class restaurant in the forest called the River Café. The establishment runs a chain of

high class restaurants in the wealthy suburbs of Nairobi, serving exotic cuisines and catering for privileged consumers. Indeed, they advertises themselves as,

“An Al-Fresco restaurant, known for its all day brunch & weekly specials.... unique as it is refreshing - a definite must for friends and family, surrounded by exotic birds and beautiful plant life overlooking a lily pond from which Malachite King Fishers and Epytian Geese enjoy their fresh fish!”

Apart from encouraging privileged forms of consumption, the restaurant encourages a passive forms of leisure that open up multiple arenas for other forms of luxury consumption. Moreover, the luxury establishments affirm the elites individual existing cultural capital and anchor the continued eco-gentrification of the slum community in the area, as well as the subtle discrimination of non-European and/or non-wealthy people, as can be seen from the restaurant reviews of river café on <https://eatout.co.ke/nairobi> by non-European customers, as can be deduced from the user reviews, presented in box below. As can be seen from the comments in the box, it is evident that the forest management by the Friends of Karura Forest encourages privileged consumption and subtly excludes non-whites and non-wealthy people.

Box 27: User Reviews on River Café Restaurant in Karura Forest

“Out for fresh air and a leisure stroll on a Saturday afternoon, took us to Karura Forest. I had heard of the restaurant but as with everything, you need to try it for yourself. Thinking it was a cafe, didn't think we had to make reservations (Plus, we were two). We were surprised to find out that was not the case. We were asked if we had a reservation and informed them that we did not but would be grateful if they made arrangements. The hostess stepped away, at which point we looked around and noticed that they had a good number of tables vacant (a number of which had the reserved sign). After not one, not two but three hostesses came to greet us, the last one came back and informed us that she had made arrangements for our seating and ushered us to our seats located on the lower balcony. I was a bit caught off guard by the number of tables that were vacant/reserved but I chose to reserve my opinions until the end of the experience. We did eventually get moved to another table in the same area by our waiter. However, there were reserved tables on the upper deck, that were left vacant for long periods of time. With concern (as a patron who needed a table and wondering about its applicability from a business perspective,) I inquired about the situation and their waiting period for reservations. I was informed it is 15minutes. There were quite a number of tables that were left vacant for more than 30 minutes, which did raise a lot of questions. The location...in the middle of the forest, with the beautiful scenery and the fresh air. These made the ambience. I admit that I did not pay that much attention to other details of the ambience. However, from what I saw, the restaurant leans towards rustic decor that plays off the natural surroundings. Sitting and enjoying your meal, It's impossible not to be in awe of how beautiful the forest is. As a Kenyan, I found myself proudly reflecting on the heritage it represents...”

Makena Imungi, Nairobi, March 2016

“The staff at the door looked startled to see us (ordinary black local guys) and they quickly asked us "have you booked a reservation?" and i asked "no, do we need to book one?"..then after a loong stare from head to toe they reluctantly replied, "no". am not saying they are

racist, but treat everyone coming through your doors the same, despite their race, colour or status. the waiters were better as they really assisted us in all manner and were efficient, but the experience at the door was a turn off. great tasty food though." Anonymous User, November 2015

"Service was extremely poor, for the first time in eternity, my boyfriend and I did not give a tip to the waiter. ... I was really disappointed by the neglected kind of service- I tend to think its because of our colour? I sure hope not.. All in all, kudos to the chef."
Mumbi Ngure, Nairobi, August 2013

Source 214: <https://eatout.co.ke/nairobi/river-cafe>

ELITES AND MANIFESTATIONS OF THEIR SOCIAL POLITICAL POWER

Growth Machine Theory

The findings of this study are congruent with Molotch's (1976) theory, the city as a growth machine, presented in chapter 2. As mentioned earlier, growth machine theorists focus on issues of community power by examining the actions and interrelationships of human agents that produce urban change. Beginning with (Molotch 1976), these theorists suggest that urban elites have a common interest in maximizing exchange values of land in the city, and that the futures of land use in the city are linked to the well-being of land owners, and/or persons with interest in or prospective uses of a given piece of land (see also (Logan 1976); and (Logan and Molotch 2007). As (Molotch 1976) puts it,

'A city and, more generally, any locality, is conceived as the areal expression of the interests of some land-based elite. Such elite is seen to profit through the increasing intensification of the land use of the area in which its members hold a common interest'.

According to his hypothesis, members of a community with common interest's form coalitions to 'maximise profit' or benefit from growth, despite any other differences they may have. In an effort to have growth-inducing resources invested within their own area, growth machine theorists observe that elites compete with other land-based elites. Thus, communities strive to enhance the land use potential of land parcels with which they are associated with, at the expense of other communities. In the case of interventions in the rehabilitation of Karura Forest by the non-state actors, it is evident that Karura has been commodified in what Molotch calls 'growth machines', by the elitist political, social economic and cultural actors.

Adopting the neo-liberal economic doctrine, the elite FKF under the guise of community participation, have acted in ways that structure more growth. They have created a luxury playground for the affluent community in Karura, consisting of mostly European and Asian Kenyans, international expatriates from Europe and USA (temporary residents) living in the area, the new upcoming urban middle class from the rest of the city and international tourists. The elite Friends of Karura Forest have aggravated social inequalities in the area by restricting and controlling use and access of the urban forest by the poor residents. Thus, the slum resident community has become more disenfranchised.

Urban Regime Theory

According to (Stone, 1989) an urban regime is, '*the informal arrangements by which public bodies and private interests function together, in order to be able to make and carry out governing decisions*'. In other words, regimes are built through interactions between people. When forming coalitions, people and actors look for others who possess necessary resources and skills, ranging from the more tangible (e.g. money), to the less tangible (e.g. charisma, organizational capacity or technical expertise) (Stone 1993); (Ostaaijen 2013).

Stone ideas are congruent with the findings of this study, as can be seen by how the non-state actors have organised themselves, through collaborations to mobilise resources and achieve certain objectives, as part of their interventions in the management of urban green spaces in Nairobi. The Friends of Karura Forest CFA for instance, is a perfect example of an urban governing coalition which Stone calls an 'urban regime'. It is composed of a community coalition, made up of resident associations from the affluent Karura neighbourhood, who have partnered with the state, to come together to achieve common objectives of managing and securing an urban forest reserve. The relationship is collaborative, such that, as Stone would put it, none of the actors has 'power over others'. However, in the case of the community in Karura, this statement is valid only for the affluent community, who are at par with the KFS in terms of power. As we saw earlier, the slum community has no power, and are in fact controlled by both the elite FKF-CFA and the KFS.

(Mossberger and Stoker 2001) argue that, '*urban regimes are some sort of urban political coalition formations based on informal relations and networks as well as formal ones*'. Thus in this sense, the array of NGO's, mentioned in chapter 4 as working together to increase the viability of the larger NNP ecosystem are another example of an urban regime in this study. These NGO's have formed formal and informal coalitions among themselves, the state and multi-lateral donor agencies, to mobilise resources in order to accomplish the biodiversity and habitat conservation interventions.

In addition to identifying characteristics of urban regimes, (Stone, 1989) classifies four main types of regimes, that is: (1) caretaker regimes - concerned with provision of routine services; (2) activist regimes - has a broader agenda and includes topics such as redevelopment; (3) Maintenance regimes - focused on preservation rather than change and (4) Development regimes - aimed at change, mainly of land use.

The non-state actors working in the management of urban green spaces in this study are found to fall in one or more of the urban regime categories. The Friends of City Park are an activist regime because they participate mostly through resistance. However, they are also a maintenance regime because they are intent on safeguarding city park in its original state but with good maintenance. On the other hand, the Friends of Karura Forest are strictly a caretaker regime. They concentrate on the day to day maintenance and management of the urban forest, to enhance recreation services. The coalition of NGOs working in the NNP ecosystem are both maintenance and activist regimes. Some of these stakeholders like FoNNaP focus on resistance to governments interference of the park (proposed and ongoing

infrastructure development), while the other actors focus on maintaining the rangeland ecosystem for animal preservation. Lastly, the coalition between the Aga Khan Trust for Culture and the Nairobi City County Government is a perfect example of a development regime, which fortunately never worked because the public, coordinated by Friends of City Park, was not passive to the proposed privatisation of the park.

By working together, some of the regimes, like Friends of Karura Forest, were able to achieve their objectives with access to investment from the business elite. Most of the results of cooperation between the regime partners for the greenspaces investigated in this study are presented in chapter 5, 6 and 7. The study deduced that these regimes are becoming popular, backed by the growing upper middle class populations and several important changes in government policies, which encourage public participation in management of socially valued natural resources.

Pluralism Perspectives

According to (Dahl, *Who Governs? Democracy and Power in an American City* 1961) and (Dahl 1984) cited by (Judge, Stoker & Wolman, 1995) pluralism is an 'empirical descriptive' tool of analysis of decision making. It seeks to explain how things really are and how decisions are really made. It argues that no minority group is permanently excluded from the political arena. (Judge, Stoker and Wolman 1995) note that the main empirical questions that urban pluralists investigate pertain to 'who governs?' and 'how does a democratic system work amid inequality of resources?' The answers to the questions are provided by describing: 1) who was (is) involved in decision making? and 2) how were they involved in decision making? (Polsby 1980) cited by (Judge, Stoker & Wolman, 1995) has designed questions to elicit the indices of power actors that included: 1) who participates; 2) who gains; 3) who loses and 4) who prevails?

Being an empirical descriptive theory, this study used the pluralism theory to investigate the outcomes of non-state actor's interventions in the management of urban green spaces in Nairobi. The study found out that both elites and non-elites participated in the management and conservation of the urban green spaces, specifically in the case of Karura Forest and Nairobi National Park. However, the elites had more influence on decision making, and their interests ultimately got addressed, in contrast to the interests of the non-elites in the governing coalitions.

Thus, even though there was the involvement of both elite and non-elite actors, it is evident that the less powerful actors did not gain anything from the participatory coalitions. As mentioned earlier, apart from the interventions by friends of city park, none of the other non-state actor's interventions in the other two green spaces addressed the pressing concerns of the less powerful groups in the plural coalitions.

Thus, the findings of the study were congruent with another pluralist's scholar's idea that 'society as fractured into categories of small special interest groups' (Polsby 1980) cited by (Judge, Stoker & Wolman, 1995), and that groups which are active and organized permeate in the political system which is open to them to get their issues

addressed (Dahl 1986); cited by (Judge, Stoker & Wolman, 1995). In the case FKF-CFA, it was evident that the elite members of the community forest association were more organised and had more resources and bargaining power to influence decisions.

Stratified Pluralists like (Dahl, 1986); (Judge, 1995) note that individuals of low income have fewer political resources than individuals of higher income and consequently, not all political groups are equal, with virtually all political systems being characterized by inequalities of influence. This is evident in this study given the proof in this study that the marginalised and urban poor population voices or concerns were not represented, despite assertions by the management board by FKF-CFA that the slum community is part of the participatory coalitions, that their needs are being fulfilled and their voices are well represented.

The study confirmed (Dahl, 1961) theory that, '*a political resource is only a potential resource...what is important is the process of bargaining, negotiation, salesmanship and brokerage, leadership in mobilizing the resources*'. The findings of the study further prove that policy depends on the capacity for anticipating the organized interests (Judge, Stoker and Wolman 1995).

Hegemonic Perspectives

Antonio Gramsci theorised about the consolidation of class power as dependent on the degree to which an expanded set of relationships emerges between juridico-political institutions and civil-societal institutions normally considered outside the state apparatus. Gramsci noted that relationships between the political society and civil society are not equal in all states. The findings of this study revealed that there is a close relationship between the state and civil society. NGOs working to save the NNP ecosystem have similar ideals as the Kenya wildlife service, which is to prevent any "invasions" of the park by herders from the community. Similarly, in Karura forest, the civil society actors enjoined in the FKF have similar ideals with the state agency, KFS, that is, preventing destruction of the forest by the slum community living adjacent to the forest.

In other words, the state uses or works with civil society actors to instil common-sense into the ruling class. Gramsci's ideas help to explain why the NGOs working in the ecosystem of NNP are not genuinely addressing the community needs. Even though they may criticize the government, their intentions are to help the government achieve its objectives of increasing the biodiversity and habitats of wildlife, as opposed to meeting community concerns in the process. As Gramsci noted, common sense is necessarily heterogeneous and often contradictory (Crehan, 2002); (Perkins, 2013).

Just like (Perkins, 2011) the findings of his study show that the civil society sector is expanded as a pedagogical actor by government. In the case of Karura forest, under the joint management partnership. The state has given a lot of flexibility to the civil society actors such as FKF-CFA in their management of the urban public nature reserves. The state has liberalized forest management and conservation in order to

generate revenue for its maintenance. Thus, neo-liberal market hegemony by civil society organizations has been implemented, in Karura and proposed in City Park forest and expanded in Nairobi National Park. In the case of Karura, this has led to limiting the participation of the slum community living adjacent to the urban forest. In conclusion, this study found out that shared governance arrangements for green space rehabilitation produce exclusive green spaces for some, while producing spatial injustices for others.

SURPRISING FINDINGS ABOUT THE PRACTICES AND POLICIES

In the case of Karura forest and Nairobi National Park, one of the surprising findings in my opinion, was despite the fact that some of the vulnerable and marginalized social groups live right next to these socially valued natural resources and are resource dependent, and in one of the cases, policies are in place to enable use and access rights, the authorities and elites continue to either completely restrict or heavily limited their use and access rights, which is not even a subject for consideration, like in the case of Nairobi National Park. **Secondly**, most stories of lack of access to green spaces are because the green spaces are located far and therefore proximity becomes an issue. However, in the case of greenspaces in Nairobi, there are poor and marginalised social groups of people who live very near this green spaces, yet they cannot access and use this green spaces due to heavy restrictions imposed on them, justified by the three discourses presented earlier as conservation, entrepreneurial and security discourses. **Thirdly**, it was surprising to learn that 50 years after independence, we still have conservation apartheid, founded on the racialized geographies created by the colonial government. Conservation is still a white mans or elite persons' expertise. **Fourth**, it was disappointing to learn that the change in policies to enable community participation in resource management and conservation was having no positive outcomes on the poor and marginalised social groups that these policies were targeting. If anything, these new policies were being used by the elites, under the guise of community participation, to advance their own elitist interests, as well as oppress and take advantage of the vulnerable communities. To make matters worse, the elites who dominate participatory governance institutions claim to represent the interests of such communities. It was eye opening to learn from empirical investigations that these elites and NGOs do not genuinely care about the vulnerable and marginalised communities. **Lastly**, it was surprising to learn that government actors can actually go out of their way to collude with elite communities, NGOs or private sectors and make decisions that will further disenfranchise vulnerable social groups, using policies or discourses on participatory governance. In the case of Karura forest, this happened when KFS colluded with FKF to snatch the participatory institution from Huruma Women Vision Group, the original CFA for Karura forest. for city park forest, this happened when the city authority signed an MoU with Aga Khan foundation, to rehabilitate and fence the public park without genuinely consulting the users of the park.

IMPLICATIONS FOR POLICY AND PRACTICE AND RESEARCH

Firstly, it was evident that the **concept of community, as defined in policy and practice, is ambiguous**. Using the example of FKF-CFA, we saw that communities are not homogenous. On the one hand, we had the slum poor resource dependent community living adjacent to the forest with their consumptive forest use needs competing against the needs of the affluent recreation dependent community. Thus there is need to be more explicit in policy and practice when defining community. A question for researchers is, what do we mean by community?

Secondly, there is **need to question what we mean by participation and how effective it is, who is able to participate, when, how and why**. Sometimes, poor people don't have the resources and the time to effectively participate, especially when the participation is initiated by people who are more powerful than them, and decide the times and days for meetings taking place. This puts the less powerful groups in a precarious position and can subject them to being taken advantage by the people with the time and resources to participate any time they choose to.

Third, in relation to the former, there is **need to recognise different members of communities have different needs and interests**. When discussing issue of empowerment, questions on types of empowerment and target groups should be addressed. Different communities may need different types of empowerment. Questions on who is getting empowered, why or why not should be at the forefront of discussions to do with enabling marginalised people or communities in urban greenspace management and conservation. Therefore, policies should strike a balance between the differences in communities. Moreover, there should be a reasonable balance between capitalist interests and welfare.

Lastly, policy should be designed to ensure that the states acts as a mediator, in order to ensure inequalities and exclusivities are not reproduced. The **state should not collude with the elites and capitalist's interests to meet their objectives**. There is need for more research in this area, and academics could investigate on how policy can balance the interests of the state, the private sector and the public, in the face of crisis and challenges, which force or tempt the state to allow the elite non-state actors to take over, against the interests of the poor.

CONCLUSION

This study engaged with the growing field of urban political ecology, founded on urban political economy concepts. According to urban political ecologists, greenspace in cities are not simply social goods, but socially constructed natures with potentially uneven effects on differing populations. These unjust effects are based on the deeply conditioned and sometimes seemingly invisible relationships (Robbins 2004). These scholars encourage paying attention to *"the political processes through which particular social-environmental urban conditions are made and remade..."*

The urban political economy framework was used because it helps with a better understanding of, and responds to the social processes that produce urban nature and unjust geographies. Thus, throughout the study, a critical social and political

analysis of the production and reproduction of urban green spaces in Nairobi was carried out. Using a political economy approach, this study supported theory on the growing field of urban political ecology, that gives insight as to how political economy and other social processes produce and reproduce urban ecologies, that often tend to favor the elite at the expense of marginalized individuals (J. Njeru 2010). Urban Political Economy theorists argue that power is reproduced by the interaction of structures and norms, different actors and social-political contestations.

The study findings were congruent with Urban Political Economy theories. The first finding was that a number of historical structuring forces and actors produced and constructed social-spatial injustices by limiting opportunities for certain social groups in the city to benefit from socially valued urban nature reserves. In the colonial era these social spatial injustices manifested themselves in the prejudiced discriminatory policies that excluded the African natives from benefiting from the urban nature reserves. These was enhanced by the racialized segregation patterns, uneven allocation of greenspace resources and autocratic rules and regulations for their management and conservation. These meant that only the white people in the city could benefit from the public green spaces. In early post-colonial era, these injustices were perpetuated through inheritance of the autocratic and discriminatory policies

The second main finding is that in the contemporary post-colonial era, powerful non-state actors involved in the management and conservation of the public urban greenspaces, have under the guise of citizen participation, reproduced and reconstructed colonially created spatial injustices, in more insidious and nuanced ways. Thus, though it is more democratic, the shift away from a state centric management has only resulted in creating more exclusivities and inequities as far as opportunities to the use and access urban nature reserves by vulnerable and marginalised social groups is concerned.

As can be deduced from the findings, analysis of findings and discussions of this study, it is evident that several power dynamics are at play that serve to repress and exclude certain social groups from using, benefitting and accessing urban green spaces in Nairobi. Specifically, the vulnerable and marginalised groups in this study included the slum residents living adjacent to Karura Forest, the homeless people and low income users of City Park and the marginal Maasai pastoralists living south of the park. The study empirically demonstrated the argument of the thesis that urban greenspaces in Nairobi are social constructions, created by the interaction of social, political and economic powers that historically produced and continue to reproduce spatial injustice, in the use and access of the socially valued greenspaces in the city.

The study has contributed to the understanding of processes that continue to reproduce and reconstruct spatial injustice or disenfranchisement of certain social groups in urban and peri-urban societies, from using and benefiting from the socially valued natural use and access of urban nature reserves. The relationship

between the historical forces in the creation, conservation and management of the urban greenspaces with contemporary trends and patterns of their use, control and access is one of the major contributions of this study. The analysis of the conceived (allowed and legal) vis a vie the perceived (illegal) uses of the urban nature reserves contributed to understanding who the beneficiaries of the public urban green spaces are, why they are benefiting and how, vis a vie the disenfranchised. The research has policy implications, and is relevant to formulation of legislations that can enhance equity in use, control and access of urban greenspace resources for different social groups.

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APPENDIX FOR CHAPTER 1.

Summary of Green Space Planning Models (Compiled by author from various sources cited in the text).

| Model Name | Description | Features/Objectives/Origin | Examples | Advantages /Limitations/Comments |
|-------------------------------|--|---|--|--|
| Demand Approach Models | | | | |
| Opportunistic models | Green spaces a result of opportunities that pop up rather than a systematic planning process. | Parks donated by wealthy families | Parks in London, Paris and other European cities donated by the king and other noble families in the 19th century (Schenker, 1995) | Are spontaneous as opposed to a systematic outcome, therefore they do not provide appropriate protection of natural resources. In many cases, they tend to be small, irregular and inaccessible for recreation use for the majority of the population |
| | | Parks created after demolition of slums etc by planners | Boulevards in Paris(Schenker,1995) | |
| | | Parks created after rehabilitation of brown fields etc | Al-Azhar Park in Cairo and Central Park in New York | |
| | | Space left over after planning (SLOPE) | Pieces of land that are left after allocating land for all other uses in residential areas | |
| Space standards model | Quantitatively matches green spaces and respective user population's i.e. minimal size of open space for a respective user population | Expressed in terms of land units per person, Used in majority of the public agency planned residential housing projects | Older Public Housing estates e.g. Kaloleni, Makongeni ,Madaraka estate, Buru Buru,Kariobangi etc. | Popular among urban planners because it relies on quantitative data only. Insufficient in meeting needs of populations because it ignores the ecological and social aspects |
| Garden city Model | regards open spaces as an integral part of development and relates their spatial array to the configuration of developed zones (Marauni & Amit-Cohen, 2007; Aalen, 1992) Urban decentralization; the establishment of cities limited in size; use of a surrounding greenbelt to help limit size, and to serve as an agricultural recreational area; cooperative landholding to insure that the community rather than private individuals benefitted from the appreciation of land values; and the economic and social advantages of large scale planning (Lubove,1967): Garden suburbs of Letchworth, | | | |

| | | | | |
|------------------------|---|---|---|---|
| | Hampstead and Bourneville in England; Contributes to: socioeconomic reform (land, cooperativism and self-containment); environmental reform (e.g. creating buffers between residential zones and pollution sources) and structural reform (a radial structure with open spaces, central parks, as green fingers between neighbourhoods and peripheral greenbelts) (Ward,1992; Girling & Helphand,1994; Alexander,1992; Tibbets,1998; Lubove,1967) | | | |
| Shape related models | Open spaces defined by their shape. The shape is related to the spatial arrangement of the adjacent built up area or of elements within it (Marauni & Amit-Cohen, 2007). | Green belt: originated in attempts to preserve and conserve areas of countryside for farming and recreational purposes, restrict the erection of houses and other buildings into peripheral rural areas and preserve the special character of historical and architecturally important towns (Waugh, 2002). | | Do not prevent urban growth but are useful for conserving nearby open space. Criticized because they are usually mismanaged or managed in an unimaginative way. They do not necessarily result in serving the recreational needs of urban populations (Guinness & Nagle, 2002). |
| | | Green hearts: open spaces that are encircled by built up areas. | Raandstadt in the Netherlands. Four cities, Amsterdam, Hague, Rotterdam and Utrecht encircle a large rural and agricultural area. | Popular because of the ability to increase accessibility to open space from the inner core of the city. Does not ensure satisfactory response for population needs except if combined with quantitative models (Marauni & Cohen, 2007). |
| | | Green Fingers (Green Wedges): radial strips of open space that penetrates up the built-up areas. | Charles Eliot's 1901 Boston Plan; Copenhagen's five finger plan initiated in 1947. | |
| | | Greenways: open spaces of a linear nature based on existing linear corridors that are natural (e.g. streams and ridges) or man-made (roads or railways). | The Adirondack Park in New York State founded in 1892. | Greenways coinciding with natural elements offer a better response than the other shape related models to natural resource conservation possibilities e.g. as ecological corridors. |
| Supply Approach Models | | | | |

| | | | | |
|------------------------------|--|--|---|---|
| Landscape related models | A stretch of country as seen from a single point (Meinig, 1979). Visual landscape values are the basis of planning (Zube,1995) | Objective is to conserve highly valued landscapes, especially topographical (mountains and ridges) and hydrological (streams and rivers) elements (Marauni & Cohen, 2007). | The Genius Loci Concept used in Washington DC in the 1970's; the Connecticut River Valley Plan (Mcharg, 1969). | Rural-agricultural landscapes, usually under threat of sprawling development from the city regions are now perceived as landscapes worthy of conservation for their natural, heritage and visual values (Robinson, 2005; Yahner et.al, 1995). |
| Ecological Determinism Model | Open space planning is determined by the natural characteristics of the land. | Planning is based on site analysis, data collection, and suitability analysis of the physiographic and hydrological features; water bodies, drainage basins and flood plains etc (Marauni & Cohen, 2007). | Plan for the twin valleys in the metropolitan area of Baltimore prepared by a team of planners led by Ian McHarg in 1963. | Model is very useful but rarely used because it requires collecting, processing and evaluating large amounts of ecological data. Profound ecological skills and understanding are essential but lack making implementation more expensive and complicated. |
| Protected Landscapes models | Involves protecting landscapes by legal measures usually for conservation of outstanding, unique or endangered landscapes, nature or heritage on a national scale. | The International Union for the Conservation of Nature (IUCN) defines eight categories of protected landscapes differing from each other in the level of their conservation, from strict nature conservation to multifunctional areas where some human related land use and intervention are allowed by law (Lucas, 1992). | Yellow Stone National Park in USA (Runte,1987) Nairobi National Park | This model has a means of securing the landscape from future development. The process and procedure of changing the legal status of a given protected area is quite complicated. These characteristic has made it widely accepted around the world as a means for conserving natural resources especially in undeveloped areas where natural resources are relatively undamaged (Marauni & Amit-Cohen, 2007). |

| | | | | |
|---------------------------|--|---|---|---|
| <p>Biosphere reserves</p> | <p>Structured around three concentric zones: (1) the core area -a protected space designated for maximum conservation; (2) a buffer zone-around the core-includes natural and agricultural areas and (3) a peripheral transitional zone-has various land uses including small settlements and farms.</p> | <p>Originated from the man and biosphere (MAB) project introduced by United Nations Education, Science and Cultural Centre (UNESCO) in the 1970's. Objectives were; keep unnecessary intervention out of the protected biological and genetic resources in the core; conserve cultures, heritage and traditional cultivation methods; efficiently use existing resources for the improvement of local economic conditions; eliminate negative effects of human activities on the protected resources in the core (Ashkenazi, 1996).</p> | <p>Carmel National Park in Israel declared in 1996 (Marauni & Cohen, 2007).</p> | <p>Implementation of the model has been limited, and where implemented, some problems have been encountered (Ashkenazi, 1996). Other problems are lack of agreement and collaboration from local inhabitants due to their apprehension of potential restrictions that may follow the biosphere reserve declaration (Marauni & Cohen, 2007).</p> |
|---------------------------|--|---|---|---|

APPENDICES FOR CHAPTER 3.

Questions On Green Space Planning, Governance & Management

Section 1: Basic Information about Interviewee

Please give some general information about yourself

| |
|--|
| 1) City/green space name: |
| 2) Contact (name and email): |
| 3) Position: |
| 4) Department: |
| 6) Period in department/ organisation: |
| 7) Academic qualifications: |
| 8) Areas of Experience: |
| 9) Expertise: |

Section 2: Green Space Planning, Policy Making & Governance

Please answer for us a few questions on green space planning and development in your area of jurisdiction. According to this research, green spaces include both natural and artificial parks, forests, agricultural land, wetlands, rivers, lakes, brownfields and gardens while green space planning refers to conservation, development, and enhancement of urban green space for recreation, biodiversity protection and the protection of the natural environment. Please give your best estimates where applicable.

| |
|--|
| 1) What is the quantity of the urban green space(s) under your jurisdiction? <i>Please provide maps or any data that is available.</i> |
| 2) How has the quantity of urban green space in your jurisdiction changed during the last 10 years? |
| 3) How green space in your jurisdiction distributed? Why? |
| 4) Where are majority of the green spaces located? Why? |
| 5) Are there any efforts to redistribute green spaces or ensure their access and use to all city inhabitants or urban residents in your jurisdiction? <i>Please explain the efforts</i> |
| 6) What is the quality of urban green spaces in Nairobi? Please explain. |
| 7) Has the quality of urban green spaces in your jurisdiction for recreation (e.g., maintenance, signage, amenities) changed during the last 10 years? If yes, please explain how. |
| 8) Has the quality of urban green space in your jurisdiction as a habitat for plants and animals changed during the last 10 years? If yes, please explain how. |
| 9) How much emphasis does your city/urban region administration put on the following tasks? Please explain |
| i. Conserving green space and natural areas |
| ii. Restoration of green space and natural areas |
| iii. Creating new green space or habitat |
| 6) Please list the greatest achievements in green space planning in your jurisdiction during the last 10 years? <i>Give examples of concrete initiatives (e.g. tree planting programs and explain why you chose each example).</i> |
| 7) Please list and explain the biggest challenges in terms of green space planning and management in your jurisdiction. |
| 8) Please give any additional comments you have on green space planning and policies for Nairobi. |

Section 3: Urban Residents Participation in the Governance of Urban Green Spaces

The role of non-state actors in the management of natural resources including urban green spaces has become increasingly important, as evidenced in the new trends and policies that emphasize a general shift away from

state-centric government. This study is particularly interested in understanding who is doing what and for whom? In other words, the study aims to understand which actors are involved (individuals, communities, non-governmental organisations etc.) in green space planning, management and development, what they are doing (their roles, contributions), why they are doing it and who benefits / loses from the actions and initiatives of the participatory governance arrangements.

| |
|---|
| 1) Who is currently involved in the planning and management of urban green spaces in your city/ region? |
| 2) Who should be involved and to what intensity in the future? Why? |
| 3) To what extent does your city/region rely on non-governmental actors in the planning, design and management of the urban green space(s)? |
| 4) Which type of non-governmental actors involved and what are their roles/ contributions? |
| 5) To what extent are the non-governmental actors involved in the maintenance of urban green spaces? Are they helpful? Please explain your answers. |
| 6) To what extent are the governmental actors involved in the planning, design and management of urban green spaces? Are they helpful? Please explain your answers. |
| 7) In your opinion, how crucial is it to have the participation of non-governmental actors? Which kind of non- governmental actors? Please explain your answers. |
| 8) What major factors contribute to the participation of non-governmental actors in the management, planning and design of green spaces? |
| 9) What factors contribute to the non-participation of non-governmental actors? |
| 10) Has the interest of non-governmental actors to participate in planning and policy making the last ten years improved the use and management of the urban green space(s)? if yes, please explain why and in what ways? |
| 11) Please list any additional comments on the participation in the governance of urban green spaces. |

Section 4: Conservation, Planning and Management Interventions

I would like to learn about the role of non-governmental actors in the planning, design, management and/or maintenance of the urban green space. This section will focus on understanding the various interventions in greenspace planning and management by different actors.

- 1) Please list at least three conservations, planning and management initiatives with the highest degree of non-governmental actor involvement in your jurisdiction. Briefly state the focus and objectives of these interventions.

| Intervention | Objective | Lead NGO Actor |
|--------------|-----------|----------------|
| i. | | |
| ii. | | |
| iii. | | |
| iv. | | |
| v. | | |

- 2) Please list the non-governmental stakeholders that were/are involved in the interventions identified and indicate what their roles/activities/ contribution were.

Intervention 1

| Name of Stake Holder | Role /Activities/Contributions |
|----------------------|--------------------------------|
| | |
| | |
| | |
| | |

Intervention 2

| Name of Stake Holder | Role /Activities/Contributions |
|----------------------|--------------------------------|
| | |

| | |
|--|--|
| | |
| | |
| | |
| | |
| | |

Intervention 3

| Name of Stakeholder | Role /Activities/Contributions |
|---------------------|--------------------------------|
| | |
| | |
| | |
| | |
| | |

Intervention 3

| Name of Stake Holder | Role /Activities/Contributions |
|----------------------|--------------------------------|
| | |
| | |
| | |
| | |
| | |

Intervention 4

| Name of Stake Holder | Role /Activities/Contributions |
|----------------------|--------------------------------|
| | |
| | |
| | |
| | |
| | |

3) What was the city/governments role (if any) in these initiatives?

| Name of Intervention | Role of Government/ City Agent |
|----------------------|--------------------------------|
| i. | |
| ii. | |
| iii. | |
| iv. | |

4) Please give any other additional comments you may have regarding interventions in the conservation, planning and management of green spaces, the actors and their roles.

| |
|--|
| |
|--|

Section 5: Implementation of Plans and Policies Related to Urban Green Spaces

Please state facts where applicable or your personal views and opinions regarding the following aspects of implementation of plans and policies related to urban spaces(s).

| |
|---|
| 1) Implementation oriented action agendas and programmes (e.g. tree planting). |
| 2) Funding (e.g. adequate budgets, obtaining grants etc) |
| 3) Monitoring and evaluation (research on effects of intervention and progress reports) |

| |
|--|
| 4) What important factors support the implementation of green space plans and policies in the area of your jurisdiction? |
| 5) What important factors hinder the implementation of green space related plans and policies in your city or region, |
| 6) Please give any additional comments related to the implementation of urban green spaces plans and policies. |

Section 6: Planning Processes and Policies for Green Spaces

Please give facts where applicable or your personal view or opinions regarding the following aspects of plan-making processes and principles which may be considered.

| |
|--|
| 1) To what extent are green space plans in your city or area of jurisdiction based on any long range or strategic plans? |
| 2) Do green space plans in your area of jurisdiction share a common objective or adjusted to one another? |
| 3) Do green space plans in your area of jurisdiction consider multiple functions and benefits of urban green spaces? |
| 4) Are green spaces in your jurisdiction considered independently or as part of a larger network or green habitats/corridors/network? |
| 5) To what extent are the benefits of urban green space (water infiltration, climate cooling and health) for the public considered when planning the city? |
| 6) Please give any additional comments regarding the planning processes and principles for urban green spaces within your jurisdiction. |

Section 7: Responsibilities & Cooperation among Different Administrative Levels

- 1) Which department(s) deal with green space planning and to which political decision making body does the topic belong?

| Name of Department | Political Decision Making Body |
|---------------------------|---------------------------------------|
| i. | |
| ii. | |
| iii. | |
| iv. | |
| v. | |

- 2) Are there any regional level organisations that have produced plans and policies which include green space planning as a significant element?

| Name of Organisation | Type of Organisation | | |
|-----------------------------|-----------------------------|--------------------|--------------|
| | Authority | Association | Other |
| i. | | | |
| ii. | | | |
| iii. | | | |
| iv. | | | |

- 3) Are there any plans or policies on the regional level that have considerably influenced likely to influence green space planning?

| Title of Plan/Policy | Legal Status | | |
|-----------------------------|------------------------|---|--------------|
| | Statutory/Legal | Non Statutory (Vision/Plan/Strategy) | Other |
| i. | | | |

| | | | |
|------|--|--|--|
| ii. | | | |
| iii. | | | |
| iv. | | | |
| v. | | | |

4) To what extent have plans from the regional level considerably influenced green space planning in the city or in the area of your jurisdiction?

| Name of regional Plan/policy | Extent of influence on green space in local jurisdiction |
|------------------------------|--|
| i. | |
| ii. | |
| iii. | |
| iv. | |

5) To what extent does green space planning in your city or area of jurisdiction reflect the vision, goals and requirements of plans and policies at the regional level?

| Name of Local/City Level Green Space Plan/Policy | Extent of reflecting vision, goals and requirements of plans and policies at regional level. |
|--|--|
| i. | |
| ii. | |
| iii. | |
| iv. | |

6) To what extent does green space planning at the site level reflect the vision, goal and requirements of plans and policies at the city level?

| Name of Green Space Site | Extent of Reflecting Vision, Goals And Requirements Of Plans And Policies At Regional Level. |
|--------------------------|--|
| i. | |
| ii. | |
| iii. | |
| iv. | |

Additional Comments

Questions On Urban Green Space and Biocultural Diversity

A good example of the links between biological diversity and cultural diversity in an urban setting are the ways in which distinct cultural groups have specific uses of urban green spaces. This section has questions that explore how biological and cultural diversity become manifest in Nairobi, and they may contribute to sustainable city planning and governance.

Section 1: Biodiversity Views

| |
|--|
| 1) Do you think biodiversity conservation should incorporate both native and non-native species? Please explain your answer. |
| 2) Do you think it is important to involve local citizens in decision making on the plant species that should be grown |
| 3) As far as biodiversity is concerned, what areas do the policies of urban green space focus on? |
| 4) What types of plants species have been chosen for your parks and green spaces over the past decade? Have you noted any changes in the kind of species grown? What were the changes and why? |
| 5) What kind of factors determine the number and types of species selected for the green space? |

Section 2: Bio-Cultural Diversity Policy and Approaches

- | |
|--|
| 1) Which policies are applied explicitly recognize and accommodate the uses, needs and values of different cultural groups in the planning and management of the urban green space in your jurisdiction? |
| 2) What other methods do you utilize to take into account cultural diversity and differences in the planning, management and use of the green space? |

Section 3: Urban Green Spaces and Cultural Practices

- | |
|---|
| 1) What is the main uses of the green space? Please explain your answer. |
| 2) What are the main attractions and activities of the main users? |
| 3) Who are the different users of the green space and what are their needs? Are there difference among needs, interests and cultural backgrounds? |
| 4) What is the predominant social group that uses the green space? For what purpose? |
| 5) To what extent is the green space under your jurisdiction equally available for all people? |
| 6) What efforts are in place to ensure that all social groups obtain equal access to green spaces? |
| 7) Do you have any thoughts or opinions on how you can achieve equal access to the green spaces for all social groups? |

Section 4: Problems and Opportunities in Achieving Bio-Cultural Diversity.

- | |
|--|
| 1) What kinds of weaknesses and threats do you face in achieving bio-cultural diversity? |
| 2) What are some of the strengths and opportunities you face? |

Questions On Discourses Related to Urban Green Space

Section 1: Concepts and Ideas Guiding Urban Green Space Management

- | |
|---|
| 1) Which important ideas/concepts/discourses are considered when planning, managing or making policy for the urban green space(s) in your jurisdiction? |
| 2) What are the three most important discourses related utilized in planning, managing and using the urban green space in your jurisdiction? |

| Discourse | Plan/Policy | Legal Status | | |
|-----------|-------------|--------------|---------------|-------|
| | | Statutory | Non-Statutory | Other |
| | | | | |
| | | | | |
| | | | | |

- | |
|--|
| 3) What are some of the relevant discourses for planning/managing green spaces in your area of jurisdiction that do not have plans/policies yet? |
|--|

- 4) Are there proposed plans or policies for these discourses? If yes, please list them.

| Discourse | Proposed Plan/Policy | Proposed amendment to existing plan/policy | | |
|-----------|----------------------|--|---------------|-------|
| | | Statutory | Non-Statutory | Other |
| | | | | |
| | | | | |

| | | | | |
|--|--|--|--|--|
| | | | | |
| | | | | |

Section 2: Consideration of themes in green space plans and/or policies

- 5) To what extent are other plans/policies/visions utilized or considered in planning and managing green space in the area of your jurisdiction?

| Level of Policy | Name of Policy(S) | Influential Discourses |
|--------------------|-------------------|------------------------|
| International | | |
| Regional | | |
| National | | |
| County | | |
| Media | | |
| Public/Residents | | |
| NGOs | | |
| Business Community | | |

- 6) To what extent are the following plans or themes considered when planning, managing and using green spaces in the areas of your jurisdiction?

| Discourse | Extent of familiarity/consideration | Relevant Plan/Policy |
|------------------------------|-------------------------------------|----------------------|
| Biodiversity | | |
| Adaptation to Climate Change | | |
| Ecosystem Services | | |
| Health | | |
| Green Economy | | |
| Social Cohesion | | |
| Urban Green Infrastructure | | |

- 7) Additional comments

THE END

Publications and photos on project and initiatives

- 1) Persons to contact for Projects/ interventions for the green space of your jurisdiction.

| Name of project | Contact person | Contact tel. No or email |
|-----------------|----------------|--------------------------|
| | | |

- 2) Please provide any relevant publications, photos, and links to websites for these projects.

Questions for Maasai Land Owners and Pastrolists in Kitengela

| Bio-data |
|--|
| 1) Name 2) Age 3) Gender 4) Marital Status 5) No. of children 6) No of extra dependants |

Socio-Economic Status

- 1) Highest Education Level
- 2) Area of specialization
- 3) Main income occupation
- 4) Annual income earned
- 5) Subsidiary occupation
- 6) Annual Income earned
- 7) Hobbies and interests

Pastoral activities

- 1) Number of sheep owned
- 2) Number of goats
- 3) Number of cows
- 4) Income earned from livestock per annum
- 5) Amount of private land owned
- 6) Personal Incidents of wildlife attacks on their livestock
- 7) Personal incidents of wildlife attacks on family members/
- 8) Personal incidents of wildlife attacks on herdsman
- 9) Grazing places
- 10) Herding places during drought
- 11) Interest in herding inside NNP
- 12) Experience in herding inside NNP

Views and opinions on Interventions by NGO's and KWS by Maasai Community

- 13) What are views on wildlife conservation?
- 14) Benefits from wildlife and conservation?
- 15) What are your views of NNP and its management by KWS?
- 16) Knowledge of Community programmes by KWS or other NGOs in kitengela?
- 17) What are the benefits, if any, you have gained from any of the programmes?
- 18) Which laws and regulations related to wildlife and the park are you aware of?
- 19) Are you aware of any new rules and regulations related to the use of the park and relationship of the community with the wildlife?
- 20) If yes, which laws are you aware of?
- 21) What are your opinions of the New laws, especially with regard to your life as a pastoralist?
- 22) Where you consulted or did you in anyway participate in the formulation of the new laws and regulations related to the park and the wildlife?
- 23) Do you participate in any way in formulation of wildlife conservation and management programmes with NGOs or KWS for the management of community land?
- 24) Are you aware of the Wildlife Conservation Lease (WCL) programme which TWF has been carrying out?
- 25) Are you a beneficiary of WCL programme?
- 26) What are your views on the WCL programme?
- 27) Have you or any members of your family or friends been a beneficiary of the consolation program to pay for livestock loss after predation?
- 28) What are your views on the consolation programme?
- 29) What other benefits have you gained from KWS and NGO initiatives in the area?
- 30) Choose between consolation programme and being allowed to herd in the park?
- 31) Are you a member of FONNAP? Or Have you heard of FONNAP?
- 32) How did you hear about FoNNAP? Why did you choose to be a member?

- 33) What are your roles, contributions or interests as a member of FoNNAP? What is your level of influence?
- 34) How has your membership in FONNAP contributed to the community interests?
- 35) What are your views of FONNAP? Benefits from FONNAP if any?
- 36) What any other thing would you like to say or add about the wildlife, the park and the Kenya wildlife services

Questions for Mji Wa Huruma Village Residents

Bio-data

- 1) Name
- 2) Age
- 3) Gender
- 4) Marital Status
- 5) No. of children
- 6) No of extra dependants

Personal Interests and Involvement in Management and Conservation of the Forest.

- 1) What interests do you have regarding karura forest?
- 2) Are you involved in the conservation and management or user group of karura forest?
- 3) Under which organisation/group?
- 4) How are you involved?
- 5) What were your activities, roles/contributions, impacts/benefits?

Socio-Economic Data, Uses of Forest, Access and Use Rights

- 1) Highest Education Level?
- 2) Area of specialization?
- 3) Main income occupation?
- 4) Annual income earned?
- 5) Subsidiary occupation?
- 6) Annual Income earned?
- 7) Hobbies and interests?
- 8) Do you use karura forest in any way?
- 9) What uses? (firewood collection/recreation/medicinal plants)
- 10) When (times of day/week/month do you use karura forest?
- 11) Are there any uses of the forest which are prohibited?
- 12) What do you feel or think about these prohibitions? Why?
- 13) Which prohibitions should be removed?
- 14) What are your experiences when using the forest?
- 15) Are there any significant positive or negative experiences of using karura forest?
- 16) What are the most important benefits gained from karura forest?
- 17) What do you think about the fence built by FKF? What about others in the community?
- 18) What can you say about the people who visit karura forest?
- 19) Do you use karura forest for recreation?

Personal Interests and Involvement in Management and Conservation of the Forest.

- 1) What interests do you have regarding karura forest?
- 2) Are you involved in the conservation and management or user group of karura forest?
- 3) Under which organisation/group?
- 4) How are you involved?
- 5) What were your activities, roles/contributions, impacts/benefits?

On Participation of slum residents and Management of Karura Forest by FKF-CFA

- 1) What are your views of FKF-CFA?
- 2) Do you get any benefits from FKF-CFA?
- 3) What are your views of community programmes by FKF-CFA in Huruma?
- 4) What are your views of forest management by KFS versus FKF-CFA?
- 5) What are your views of activities and community programmes by KFS in Huruma?
- 6) Are things better with the FKF-CFA? Is the forest better managed by now?
- 7) With the presence of FKF-CFA, do you now have more access rights to use the forest?
- 8) What is your level of involvement in the management and conservation of the Karura forest?
- 9) Do you participate in decision making in matters related to forest use, conservation and management? What is your contribution to forest management and conservation?
- 10) Are you a member of FKF-CFA? Why did you join? What are your roles /contribution?
- 11) Do you have any decision making responsibilities in FKF-CFA? To what extent? What is your level of influence? Impacts?
- 12) Benefits from being a member? How your membership has contributed to the community/individual interests?
- 13) For non-members, what are the benefits from FKF-CFA?
- 14) Please give any other comments

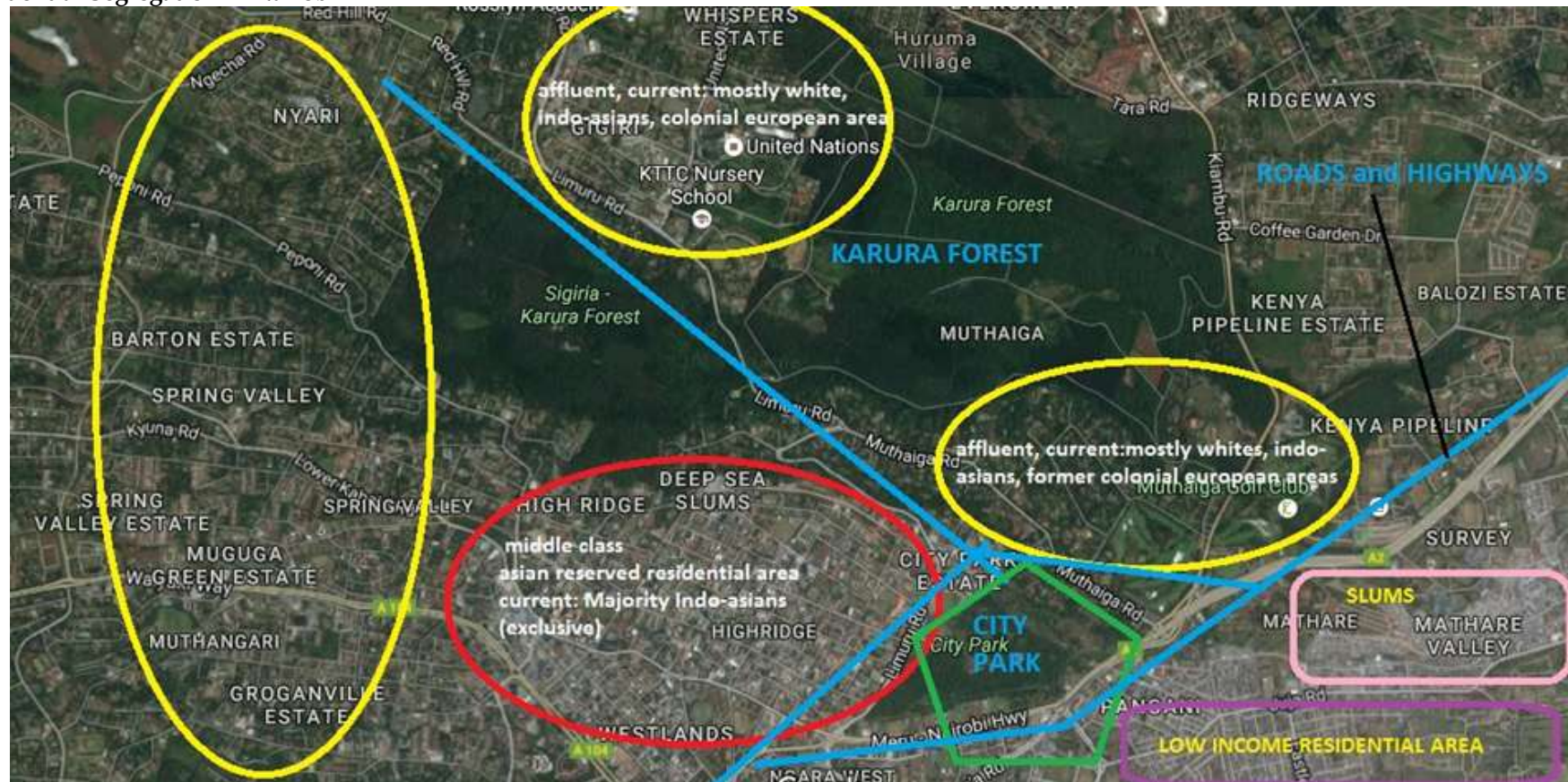
Questions on User Profiles, Activities, Experiences and Interests

| |
|---|
| i. Name of green space site: |
| ii. Name and Contact of Interviewer |
| iii. Name and Contact of Greenspace Visitor or User |
| iv. Age: |
| v. Gender: |
| vi. Area of residence: |
| vii. Highest level of education attained: |
| viii. Occupation/Profession: |
| ix. Approximate social-economic status: |
| x. Status of citizenship or residence: |
| xi. Race/ Ethnic Group: |
| xii. Reason for visiting the greenspace or being on the site |
| Visitor/ Eco tourist/ excursionist / Resident inside park/Worker or |

| |
|---|
| employee/Businessman/woman /Firewood collector /Other |
| xiii. How did you learn about the Park/ forest? When did you learn about the forest? |
| xiv. Frequency of visiting. How often do you come to the Park/ forest? Which days of the week, month or year which you prefer to come to the Park/forest? What times of the day do you frequent the urban park/ forest? |
| xv. Reason/Motivation for Visiting the Park/ Forest |
| xvi. Means of transport to the forest. Did you walk, cycle, or use a public or a private car when coming here? Do you consider it difficult or easy to access the forest? Please explain your answer. |
| xvii. Activities undertaken when visiting the forest. What activities of you undertake when you visit the forest? |
| xviii. Nature of experiences. What are some of the best experiences you have when visiting the forest? Have You ever had any bad experiences when visiting or on your way to the forest? |
| xix. Participation in managing and conserving the greenspace Do you participate in the management, development and conservation activities of the greenspace? How do you participate? Are you a member of any green space protection and management association? What are your views, suggestions and opinions of the green space, the changes that have taken place here and any planned changes you may be aware of? |
| xx. Any additional comments |

APPENDIX FOR CHAPTER 4

Residential Segregation in Nairobi



source 215: Modified from Google Earth by Author, 2016

Community Involvement in Forest Management (CIFM)

Community Involvement in Forest Management (CIFM) arose from the recognition that halting or reversing continued loss of forests or their degradation by the central government alone, without the involvement of the local community, is a no win situation. Two main paradigms of CIFM exist. These are: (1) the benefit-sharing paradigm and (2) the power-sharing paradigm.

Benefit Sharing Paradigm

This approach is less forest centred, more product centred, dominated by the use one resource only (usually wildlife in most cases). In this arrangement, communities are involved largely as legalised local users and/or as beneficiaries of a share of the forest revenue, often generated by externally operated commercial users. Sometimes, jobs are provided or buffer zone developments are launched, to lessen forest dependence by communities.

This approach is less concerned with altering the management practice and more focused on securing the local co-operation to management. It does this by trading access, benefits or investments into the area. Often, the only role community's play is to assist protection and report intruders. Sometimes, the community may be required to pay for their access rights by keeping the perimeter boundaries clear.

Benefit sharing approaches tend to be founded on a view that forest-local citizens are only interested in forest products. Accordingly, local participation is framed within a user and product centred framework. Benefit sharing only alters little the actual mode of forest management costs through supervision and monitoring requirements.

Power sharing paradigm

The main objective of this approach is to localize the management of the forest into the hands of group of society considered as having the strongest and most sustained stake in the forests future. This approach involves local communities as managers. How the forest is used is a secondary matter, proceeding only from the repositioning of this authority.

Various methods are used to implement the power-sharing approach. This includes: (1) uneven sharing of authority; (2) co-management and (3) ownership of a resource recognised as belonging to the community. This occurs usually with the condition that the forest area remains dedicated to the purposes of forestry.

The right to influence, and even control how the forest is used is recognised by power sharing approaches as being the more important vested interest of local communities, driven by customary custodianship over a resource, which is integral to the local socio-economic environment. As compared to the benefit sharing paradigm, the extent to which forest -local people make management decisions and are able to enforce them (in the power-sharing approach) is the main indicator and measure of community involvement in forest management. These can range from insignificant to significant capacities, in direct correlation with the extent to which the community is involved as a user, or manager, beneficiary or actor.

Livelihood Concerns in both Paradigms

Livelihood concerns are central to both approaches, but they are met in different ways, depending on the paradigm. The benefit sharing paradigm focuses on delivering certain immediate livelihoods needs while the power sharing paradigm aims at relocating livelihood interests in a longer term frame and within a context in which the community itself may control and gain.

The power sharing approach has been found to be more powerful, than benefit sharing. Benefit (revenue) sharing arrangements have been found to be unsustainable, vulnerable to the instability of largely external market forces and to states will to maintain local access rights, which centres the relationship. A tug of war over the share of access granted may underlie and undermine the

relations. In addition, product centred (benefit sharing) developments tend to be self-limiting, especially in areas of medium to high extractive potential, areas unsuited to close forest use for reasons of catchments or biodiversity, or degraded areas (Wily and Mbaya 2001).

Architectural Design Competition Award Ceremony

Event Name: Architectural design competition award for the winning firm selected to building a cafeteria and education resource centre in Karura forest

Location/venue: Karura forest environmental education trust offices (formerly the Shell and BP sports club)

Time & day: 2.00 pm on Friday afternoon.

Arrangements for security: Normally security arrangements offered by Karura forest scouts employed by FKF-CFA and normal guards offered by Kenya forest scouts. KFS rangers have guns.

Event information: This event was not advertised to the public. I got to learn about it by chance earlier in the week when the KFEET environmental education officer mentioned it to me by chance during one of our conversations.

Agenda: Announcing the architectural firm that has been selected by the jury to design the proposed buildings in the forest that includes a cafeteria and resource centre. Awarding tokens to all the competitors including the second, third and fourth runners up.

Main speakers: Chairperson of FKF, chair of the jury members, an architect²²³by profession; some guest speakers including a representative from Vivo energy (now Shell and BP Sports Club), a representative from UNEP and the architect representative from the winning architectural design firm, the representative from the contracting firm.

In attendance/recipients: Only two officials of the FKF-CFA, two support staff of KFEET/ FKF-CFA; the jury members (5); guest speakers mentioned above; 5 school girl child volunteers from the nearby Starehe Girls' School who were helping put up the posters exhibits by the participating design firms; at-least one representative each from each of the participating architectural design firms²²⁴. Interestingly, there were very few people in attendance, considering FKF claims that the design competition was launched by the first lady and sponsored by UNEP. Moreover, no single KFS official was present, therefore the whole thing seemed suspicious, like it was not endorsed by the authorities. Additionally, none of the KFEET trust members were present, yet the grounds for the proposed buildings were to be built on the KFEET facility. However, the new CEO of Vivo energy who is new to the KFEET trust was present. Other important people missing were the officials of FKF-CFA namely the vice-chair, the treasurer, the secretary, elected board members and their events manager were missing.

Topics discussed/emphasised: The aim and objectives of the proposed educational resource centre and recreational facility²²⁵; the criteria used in selection of the winning design and architectural firm²²⁶; the jury members, their background and composition. Importance of proposed educational resource centre²²⁷ winning design and why it qualified²²⁸

223 See pictures of speakers in chapter 5

224 See pictures of persons in attendance in chapter 5 and comment on the small numbers of attendants and highlight the fact of missing persons.

225 To insert the design brief by the FKF

226 Insert appendix/notes on winning design firm

227 Notes on objectives from the design brief.

228 Notes and pictures of winning design and why it qualified.

The winning design: Boogertman and Partners, a south African based firm which won the Competition to Design a Cafeteria and Educational Centre in Kenya's Karura Forest ²²⁹ <http://www.archdaily.com/496854/boogertman-partners-win-competition-to-design-educational-centre-in-kenya-s-Karura-forest/>)

My thoughts on the winning design: The winning design looked fancy and complicated and not suitable for a natural habitat like Karura in my opinion. Firstly, it went against the general guidelines provided by the KFEET in their design brief. The architects of the winning design proposed to use materials like metal; build up on the swampy area therefore encroaching on one of the sensitive natural habitats. Secondly, it did not seem to blend at all with the surrounding natural environment and did not propose to use the other existing buildings at the KFEET centre. Thirdly, it proposed to have a rather large section of the natural habitat built up. This was therefore going to spoil the scenic beauty of the area. I was shocked that the jury could choose such a design for such an area. I was equally shocked the chair of the FKF-CFA did not seem to find anything wrong with the winning design. He in fact dwelt on praising and promoting the obviously inappropriate winning design long after the guests had gone. When I informed him what I thought wrong about the design, including spoiling the scenic area and use of the wrong material, he stubbornly stuck to the belief that this was the best design and could not take in my points of view.

Description of the none winning designs: In my opinion, the firm that got the second place award had the design that answered most of the requirements in the design brief given to the competing firms. The second place design proposed to use the existing buildings, eco-friendly materials and did not propose to interfere much with the natural environment if at all. It was also pocket friendly and had many other aspects, which made it ideal for such a project in such a place. It is not clear why the jury did not choose this obviously ideal design, yet it fitted all the requirements in the design brief. I got a chance to speak to design representative of the firm that got second place; she had come all the way from Sweden to represent her architectural firm in the award ceremony. She was very disappointed that their firm did not win. She looked rather surprised as if she was wondering what the jury was looking for. She told me her company had spent a lot of time and money working on the design. They had employed extra people and more labour hours to work on the design. They had also spent the equivalent of over 50,000 Euros working on the design. In my opinion, it was strange that the Swedish firm did not win because it was the most environmentally friendly design, with minimum environmental impact and buildings in the forest. This design was ideal because rather than proposing to build more new buildings in the forest, they proposed small extensions, alterations and connections of the existing buildings. As an environmentalist, I did not understand why these firms did not win. It was therefore not clear what the jury members were looking for. The last two designs were not impressive and they looked like they were done in a rush and not well thought out. In fact, one of these firms did not send any of its representatives.

Side event: Viewing of the poster exhibits²³⁰, and discussing the advantages and disadvantages of each before sitting down for the award ceremony. After the ceremony, there was another round of viewing and discussing the winning design for appreciation. The architect representative from the winning firm explained his design a bit more to those interested. High tea was served and there was some time for socialising where the guests got to know each other and discuss the winning and losing designs.

Other points noted: There were very few people present²³¹, considering the magnitude and importance of such a project in the forest. There were no representatives from KFS, which was weird

229 <http://archdeaconry/496854/boogertman-partners-win-competition-to-design-educational-centre-in-kenya-s-Karura-forest/> insert this web page in full as an appendix in the notes.

230 Insert pictures of people viewing and discussing the posters

231 Insert pictures of the small tent and empty seats, and pictures in the KFEET podium where the ceremony was held. Inside with one of the inside support staff later revealed that the KFEET trust members opposed the project.

considering both parties are jointly obliged to “supervise the tendering process for the maintenance of the fence, gates, offices and the building of other necessary infrastructure”, according to article 13 (a) on joint obligations of the parties in the KFS-FKF management agreement. There were no representatives from the resident associations in the ceremony as well as no representatives from members of KFEET trust, a major stakeholder in the environmental education activities in the forest. It was also strange that a south African firm won the design competition, yet there are many other Kenyan firms, which were equally capable of winning.

Analysis: It was obvious that many people were not involved in the decision to build a cafeteria and resource centre in the forest. Important stakeholders were missing including representatives from KFEET trust, who have 5-year lease ownership of the 16 ha piece of land in the forest where the proposed buildings were to be put up. On enquiring if the KFS was involved in the selection of the winning design, I was informed that the procurement and tendering process for the KFS would take too long, therefore, they were not involved in selecting the winning architectural firm. This is contrary to the management agreement article 12 (g & h) on the obligations of the association which states, “The association shall in consultation with the Kenya forest service carry out tendering processes for the maintenance of fence, gates, offices and the building of other infrastructure in the forest” as well as “contract and supervise the maintenance of the fence, gates, offices and building of other necessary infrastructure”.

Conclusion: This event was not announced to the public. In fact, I just stumbled on the information about the award ceremony for the winning architectural design by chance one day when I happened to be in the forest early in the week. I met one of the administrative staff employed by both KFEET and FKF, who then casually mentioned to me about the scheduled event later in the week. I then decided to attend the ceremony. The fact that there were many important stakeholders missing in the event, for a project of such big magnitude, it means there were deliberate attempts to ensure other important stakeholders do not attend the event and also not to make the event public. I asked the chair of FKF if the procurement process was followed based on the joint management agreement with the FKF, and he said no, because apparently it would take very long if KFS was involved with all its bureaucratic procedures.

Source 216: Fieldwork, 2014²³²

Recent news updates on land grabbing attempts of Karura Forest

PRIVATE DEVELOPER WANTS TO GRAB KARURA - KFS.

Mar. 14, 2016, 3:00 pm *By Julius Otieno, Star Newspaper, Radio Africa Group*

Karura Forest, one of the last remaining icons of Kenya's forest conservation efforts, is under threat from a private developer. The KFS said a private investor it engaged in developing a recreational facility attempted to interfere with documents with the intention of grabbing land. Kenya Forest Service engaged the developer in 2009, through private and public partnership, to develop a training facility to enhance eco-tourism, said director general Emilio Mugo. Mugo said the service has been developing recreational facilities like hotels and paths for jogging, running and walking, even with pets. "That process is about seven years old. But it appeared the developer interfered with documentation and revised the discussion of 2009," he said. The director noted that there are about 200 potential sites in the eco-tourism master plan that will be developed across the country to boost eco-tourism. He spoke at KFS headquarters in Karura along Kiambu road on Monday, when newly appointed chairman Peter Kinyua took over from Peter Kirigua. Mugo said the forest, which was gazetted in 1932, sits on a 1050-acre piece of land that has been fenced to stop faceless developers and illegal settlers from encroaching on it. "Encroachments and illegal settlement in forests are issues the KFS has been handling for quite some time. The law is clear on how to maintain forest boundaries," he said. He said the service has collaborated with the National Land Commission to cancel the title deeds for 300 acres held by private individuals. The Green Belt Movement, a conservation group founded in 1977 by the late Nobel laureate Wangari Maathai had raised concerns of a plan to develop 25 acres of Sigiria Block in the forest, to build a six-star hotel. The incoming chairman said his intention is to place more than half of the vast dry and fallow land in North-eastern region forest cover. "I know it is not going to be easy but as we know, Israel is drier than Northeastern but most of it is now under forest cover," Kinyua said.

http://www.the-star.co.ke/news/2016/03/14/private-developer-wants-to-grab-karura-kfs_c1312991

DON'T STEAL KARURA LAND - GREEN BELT MOVEMENT

Feb. 24, 2016, 5:00 am, by Gilbert Koech, Star Newspaper, Radio Africa Group

THE public should come out and protect the Karura Forest from being grabbed by private developers, the Green Belt Movement has said. In a statement yesterday, it said there are proposals to hive off 25 acres in the forest for a proposed six-star hotel. "A company by the name Ibis Hospitality Ltd is alleged to have proposed to build a six-star hotel in the forest against public interest, GBM said. "The proposed development will include a world-class spa and a horse-riding school." GBM said Ibis has no authority to develop any part of Karura Forest. "If no concerted action is taken, one of the largest urban gazetted forests in the world could disappear," the lobby said.

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http://www.the-star.co.ke/news/2016/02/24/dont-steal-karura-land-green-belt_c1300542

KARURA FOREST FACES FRESH GRABBING THREATS

*Sunday February 21 2016 By Vincent Achuka,
Daily Nation Newspaper, Nation Media Group*

A fresh attempt to grab a huge chunk of Karura forest by faceless individuals has sparked controversy and brought to life memories of the 90's when the late Nobel laureate Wangari Maathai fought the Kanu regime to save Nairobi's largest gazetted forest. On Saturday, the Kenya Forest Service was at pains to explain how 25 acres of the forest's Sigiria block have been hived off with plans to construct a six-star hotel under way. The said block is right opposite the Belgium Embassy on the recently renamed Wangari Maathai road, which was previously known as Limuru Road. It is unclear whether the said parcel of land that runs right into the middle of the forest is still gazetted or when it changed ownership but the Cabinet Secretary Environment and Natural Resources Judy Wakhungu said she does not know who its new owners are. "The numerous attempts to claim land ownership within Karura Forest are known. I have not approved any development plans within Sigiria Block," she said. In court, a battle continues between York Worldwide Holdings, a company registered in the British Virgin Islands and the Kenya Forest Service (KFS) over the irregular disposition of 4.5 acres of the forest by a company associated with former President Moi aide just before he retired in 2002. Sian Enterprises Ltd, where Joshua Kulei is a director, teamed up with Maasai Villas Ltd and Star Prime Ltd in, 2002 and sold the said piece of land to the company which also planned to construct a hotel. However, the Kenya Forest Service (KFS) obtained an interim court injunction stopping any construction on grounds that the parcel claimed by the investor was part of the gazetted area. Further in 2005, the Ndung'u Land Commission, which inquired into illegal and irregular allocation of public land, recommended the revocation of certificate of title obtained by York Worldwide Holdings. <http://www.nation.co.ke/news/Karura-Forest-faces-fresh-grabbing-threats/1056-3086212-3ismwl/index.html>

GREENBELT MOVEMENT

Press Statement on Karura Forest, FEBRUARY 23, 2016

Say No to Land Grabbing of Karura Forest

Thank you for your continued interest in the integrity and preservation of Karura Forest. The Green Belt Movement (GBM) is concerned about proposed development of the Sigiria Block of Karura Forest. Ibis Hospitality Ltd has proposed to develop 25 acres of the Sigiria block for commercial use, which violates the 2016-2020 strategic forest management plan developed jointly by the Kenya Forest Service and Friends of Karura Forest. This plan is currently awaiting signature by the Kenya Forest Service. The unsigned draft is available on the GBM website. Under the 2016-2020 plan, Ibis has no authority to develop any part of Karura forest and should be prevented from taking any further steps to encroach upon the forest. Before any further action is taken, the Kenya Forest Service must account to the Kenyan people. GBM demands that they provide all details, including licensing, tender documents, and any other agreements, if they exist, that relate to the Sigiria Block. We are only asking for that to which we are entitled: Article 35 of the Constitution of Kenya 2010 demands citizens the right to access to information and compels the Kenya Forest Service to provide it. In its statement regarding Ibis's encroachment, the Kenya Forest Service referred to an unrelated case about encroachment of the Karura Forest, York World Wide Holdings Ltd vs. Kenya Forest Service & another. This case, as well as, Kenya Anti-corruption Commission vs. Gigiri Court Limited, and Ruhangi vs. Kenya Forest Service show that the Karura Forest is constantly under threat, but none of them relate to the Sigiria Block. The resolution of these cases will not resolve Ibis's attempted land grabbing. We are demanding information, but we need your help. Public land is the people's land, and we all have the right to know how it will be used. Please add your voice in support of the Karura Forest by signing our petition. <http://www.greenbeltmovement.org/node/775>

A journalist's account of the socio-economic profile of users of karura

Mantalk: The Chatter in Karura Forest

Saturday April 9 2016

By Jackson Biko, Daily Nation Newspaper, Nation Media Group

At dawn the middle-class converge at Karura Forest in Nairobi to outrace lifestyle diseases, but end up being caught up by vanity. I say vanity because exercise is fueled greatly by vanity. Everybody wants to look good and hopefully also feel good. So every Saturday morning, you will see them in their new sports apparel, getting out of their vehicles, hauling out bicycles from the boot or from The roof, checking their Fitbits, tinkering with their running apps on their phones strapped on their arms. Some walk dogs – well-tended hounds that when you make eye contact with look away snobbishly, as if you are unfit to exchange stares with them. Those dogs that are so pampered you hear the owners say, (insert a foreign accent of your choice here, but try British) “Pimbi has been feeling rather blue lately, he seems troubled and withdrawn and it’s beginning to perturb me greatly.” Oh dear! Well, first, with a name like Pimbi, I would also be withdrawn if I was a dog. The runners and the walkers’ faces glow with determination as their midsections – and it’s always the midsection that is a problem – tell an unpleasant testimony of past hedonism that went and settled there, bulging and not budging.

There are the old ones, the wealthy-looking ones with expensive matching brand new gear and spotless shoes, probably purchased during their last Europe visit, who walk in pairs to keep the weight down and the diabetes managed because Doctor Wachira keeps going on and on about exercise and good dieting. There are the athletes, the showy types, lithe, muscular and agile. They run like spring antelopes and they never pant. They are thin; a blur of knees and elbows. Then there are the lovers, one who is always bigger, walking at the same pace because couples should support each other, right? Plus it’s romantic, quality time and whatnot. They walk and talk. There are the social media crazies who are on Facebook, Instagram and now this animal called Snapchat that everybody seems to be on except you and I. They stop and they take numerous videos and pictures and they load them up with hashtags to show that they have struck the right balance in life; a balance of work, play and exercise. My favourite are the ladies who walk in pairs and talk incessantly. I love it when I pass them, mostly going in the opposite direction, and I snatch snippets of their conversations. As a pastime I try to piece together their conversation, a bit like filling in the missing links kind of thing. Most are middle-aged, most likely parents. So I will pass some and hear ... Coming up from the bend will be another duo and as I whiz past, I catch Some conversations that I catch are about children and school, or about...about...

<http://www.nation.co.ke/lifestyle/saturday/The-chatter-in-Karura-Forest/1216-3152176-obh54l/index.html>

Fees Charged for Recreational Use of Karura

| Forest entrance fees | | |
|---------------------------------------|-------------------|-------|
| Daily Entry Fees | Adult | Child |
| Kenya/EAC citizen | 100 | 40 |
| Residents | 200 | 100 |
| Non-residents | 600 | 300 |
| Parking fees (at some selected sites) | | |
| Vehicle Type | Rate | |
| Car and 4*4 -5 door | 100/- | |
| Minivan - 12 seater | 200/- | |
| Bus (more than 12 seater) | 500/- | |
| Guides and guards | | |
| Accompanying FKF scout guide | 300/- per 2 hours | |
| Accompanying KFS rangers | 600/- per 2 hours | |
| Picnics | | |

| | | |
|---|---|---------------|
| Adult | 250/- | |
| Child (under 12) | 150/- | |
| Events | | |
| Hire of grounds for corporate functions, weddings, charities, commercial and promotional events, regular fixtures for sports and training and exhibitions | Charges vary depending on number of participants (maximum 1000 persons) and the amount of catering and support infrastructure required. Minimum charge for a small group is 50,000/-. Median charge per event is 150,000/-. | |
| School parties for over 10 children | | |
| Private schools | 100/- per child | |
| Parking for school bus | 500/- per vehicle | |
| Public school's children | 50/- per child | |
| Parking for government school bus | 200/- per vehicle | |
| Annual Passes | | |
| <i>Description of person</i> | <i>Individual</i> | <i>Family</i> |
| FKF member | 5,000/- | 10,000/- |
| FKF life member | 4,000/- | 7,000/- |
| Parking at Amani gardens | 5,000/- | 5,000/- |
| Non-members | | |

source 217: www.friendsofkarura.org

Focus Group Interview with Older Slum Residents

Bio-data: Age between 55+ and 60+, Have several children and grandchildren, have lived in the slum village since the 1970's.

Benefits of the forest

"The benefits we derive from the forest include casual jobs for planting trees, clearing the forest and firewood collection. We started living in here in Karura a long time ago since the 1970's when the city council brought us here, from Cheleta"

Working with Wangari Maathai:

"During former President Moi's time, some land surveyors came into the area and started doing some survey. We got suspicious as we noticed that the surveys were only taking place on Saturdays, Sundays and public holidays. However, we didn't say anything. Then Wangari Maathai came. And we helped Wangari to demolish the houses which were being built inside the forest. We even carried the building materials and brought them here to the village. We carried Wangari on our shoulders across the river. We helped her with the protests, together with the students of the university. We fought the police together with her. When things settled we started to plant trees together with Wangari and KFS. They used to pay us, to help plant trees in Karura" ...

"Now we have problems. They tell us we are old. We don't get jobs; they don't give us jobs. We get jobs only by luck- not all the time. They tell us we are old. We don't get the government jobs. They tell us we are old. Now, they only give the youth the jobs. You know, unlike the youth, my money is for everyone (in the household). We as parents use our money with everyone in the household. The youth don't share (their money). We don't expect them to share. They are just starting their lives. We will spoil their future if they have to share their money with us. How to be helped -if we can be helped."

"Christina²³³ - only wants the youth to work. She eats money from the sponsors. In the past, the sponsors used to pay us 52,000/²³⁴ when we are 30 people for clearing a new site in the forest. However, Christina now pays us only 40,000/- and the work is now more. She tells us to clear, weed and remove compost. In the past, it was only clearing and tree planting. The work is now more and the money is less."

233 Referring to the vice chairperson of FKF

234 This figures differed depending on who I was talking to. The head of the women's group says the figure was 80,000/- for 30 people in the group.

“Wangari Maathai was very well organised and strategic. She was much better than the Mzungu lady. KFS used to pay us money from private sponsors like KCB, Asian companies and others, (to plant trees, clear invasive species and conserve the forest). The corporate sponsors used to also sponsor some children to school, and donate blankets and maize meal flour. These have now stopped. Wangari was tough but reasonable. She used to tell us we can plant trees and get paid later. It doesn't have to be immediately. But she never exploited us. Sometimes, Wangari used to tell us that we don't have to be paid to plant the trees. She taught us we should learn to do it for volunteer sometimes. But she did not exploit us.”

Slum residents Representation and Voice in FKF-CFA

“KFS gave us a piece of land adjacent to the forest and near the church in our village, to do anything we want with it for the community. We decided we want a nursery school for the children of the village. We told them we want our children to first learn basic schooling before computers. There is a lady teacher, a woman who came, and she looked for small kids to start the nursery school. She has started pre-unit 1, 2 and 3.”

“So we wrote a letter to KFS through pastor²³⁵, but it seems the letter has not been sat on by the pastor (the communities' representative at FKF- CFA). Now, the permission to start the school has not been given. The children are now learning under very poor conditions. Yet, the teacher, who runs the charity school here, gives them a good education, food, uniform and they are better learned than older children from the government primary school in the area.”

“It seems that there is something between pastor²³⁶ and the chief scout²³⁷. These two seem to be the main barriers to the school. We requested for a container to be put in the place, to start acting as a classroom for the kids. However, pastor said no, the land is for him²³⁸, and he refused the container to be put in the land given to the community by the forest department. Then there are some computers which were donated to the community by the mzungu lady. Now he wants to start a computer school instead of the nursery school for our children He also closed the toilets which were built for the community and he said they are for his church. Currently, he is putting up a building in the garbage dump site. He plans to start a commercial computer school there for the youth using the computers donated to the community. It's for himself, not us.”

Interview with Head of Huruma Vision Women's Group

“I and other women decided to form a group in order to help with the forest activities, back in 2005, in the days when Prof. Wangari Maathai was here and with her GBM. The group is called Huruma vision women's group, and it was the first group in the area.”

“When 'friends'²³⁹ came (in 2009), we were told to join with the other three groups and become an umbrella organisation ²⁴⁰...However, we don't know what happened, we were thrown out. The FKF- CFA does not have any representation from the Mji Wa Huruma Slum village members. We are now just an issue group...something on the side-lines²⁴¹.”

235 In this and other interviews held with the slum residents, the interviewees told me that their representative, pastor, was not elected by them, and that he was appointed by FKF management, who simply picked him without consulting the community.

236 It emerged that the Pastor wants to start a computer school instead. It was clear that their representative to the CFA by FKF did not have the community interests at all.

237 The chief scout is the brother (a sibling) of Pastor. Both representatives picked by the FKF- CFA office bearers to represent the slum community in the FKF- CFA.

238 The land given to the community by the KFS has now been claimed by the community representative as belonging to him.

239 Referring to the Friends of Karura Forest group, made up of the affluent communities in the neighbourhood

240 The umbrella organisation was once called Karura Community Forest Association, which is different from the FKF-CFA.

241 Suggesting that the group is disenfranchised

"They took two people from our group (the village), as they told us. They told us that they have employed one in the Friends of Karura Forest²⁴²...and the other...They decided on the person to represent us from the village at the FKF. We didn't choose that person, they decided and appointed the person without asking us who we want."

"They haven't done us good, they threw us out (of the CFA). Especially the Friends of Karura. They took even our certificate for the group. They told us that they are going to register us. We were told that the mzungu, wanted or certificate, so that we can be registered under the Karura Community Forest Association. The friends took our certificate...they threw us out...They said they have employed our group members in the friends of Karura forest. No report was made after our certificate was taken, and we were told we were going to be part of the KCFA. The only thing we have seen is that they employed scouts from the village..."

"The management by KFS was much better. They used to come to us directly. The director used to come to us. We used to talk to the director himself. Now, we are not involved in any decision making. For example, the decision to harvest firewood only once a week and on Wednesday's was not decided by us. We used to be allowed to collect firewood three times then it became two times when the 'friends' initially took over the management. Now it is only one time a week...they didn't tell us when they changed the firewood collection rule. They communicated this change through the forest scouts and rangers at the gate. One day we just went to the gate and we were told that we can now only collect firewood once a week and only on Wednesdays, in the morning, before 8.30 am."

"Since friends came, they only allow us to take 'kuni ya kutoa'. We are now only allowed to go only one place, and we are escorted by askaris. Since we are now allowed only one day a week, one day they found us to be many....and there is even a time we were chased by the mzungu woman of 'friends'. She said we were too many. The mzungu lady hates, Africans."

"The chairman of the Friends of Karura forest talks to us nicely, but you cannot know what he wants. We don't understand him. He is not straightforward person. He talks but he doesn't act. He told us to select the person who we want to represent us at the CFA (confirm when). He told us to choose a chairman, secretary and treasurer. He was to come we give him our representative, but he has never come. There is a lady from the village we used to send to 'friends' and KFS to take our grievances, but she has never given us feedback."

"The fence put up by the Friends of Karura forest is good because it prevents the theft of forest resources and increases security in the area. Before the fence was put, anyone could walk in and out of the area"

"Despite some good effects of the fence, our challenges started when the fence was built. Since then, we are not allowed to enter with pangas, which makes it difficult for us to collect firewood. They tell us to break the firewood with our hands. This is very difficult and it dehumanizes us. They tell us we should not enter with pangas because we are going to cut down trees and degrade the forest collecting firewood. This is not true. This is because we only collect the traditional firewood, which usually consists of twigs and branches which have fallen off from the tree and dried on the ground. Surely, you cannot use greenwood for firewood. They should tell us the real reason they don't want us to enter with the pangas, because common sense knows we can't cut down green (mbichi) wood for firewood."

"Some of the benefits we have had from the forest include bee hive keeping, which became better a bit better since the fence was built, and our bee-hives were not stolen. It is supposed to be a good income generating project. We have had bee hives in the forest for the last six years but nothing much has been earned yet. Because now the bees have disappeared...we don't know what happened to the bees."

"Basically, we don't have much benefit. Not the capital nor the resources. We should be paid, at least some of the revenue generated from the forest."

"Sometimes we get paid to do clearing of the forest. In the past, the work used to come to us through Wangari Maathai, who used to pay us 80,000/- per acre per group of 30 women. The company that was sponsoring the forest management used to pay us directly. Now the company doesn't come to us directly. There is a broker- the friends of Karura forest. They pay us kshs 30,000/- only for one hectare. With the intervention of friends, all the benefits for the community have gone down. We don't have much benefit now."

242 Referring to one member of the group who was employed by FKF as the Chief Scout for Karura Forest Scouts.

Interview with Younger Women Slum Residents

Bio-data: Wanjiruaged 34, Female, single mother of 2

Socio-Economic Data: *"I reached standard 4 and I do work as is casual labourer" 'kufyeka nyasi'*

Uses and user rights: *"I use Karura forest for firewood collection and Muthiga a medicinal plant and occasional timber posts for building house. I only collect firewood on Wednesdays, because it is the designated day...."*

"these prohibitions are unfair because ...we were just told the decision was from the above by the forest guards. I am unhappy with the new rules but there is nothing we can do because, "It's the rules".

"The fence is good idea. It has improved security for us. But also, now we cannot enter the forest any more when we want to collect firewood. They are using the fence to control us too much. We were told they don't want to see us there in the forest....I don't use Karura forest for recreation. It's too expensive."

Personal interests and involvement in management and conservation of the forest.

"We would like to get the job for the management of the forest. My group, vision group was the one that wrote the first proposal to the KFS regarding this. We wanted to be taking care of the forest and collecting gate entry fees. However, our idea was hijacked by the mzungu and her group, the friends of Karura forest."

"Sometimes they give us the jobs of removing lantana camara, planting trees, weeding or trimming the bushes and grasses. That is the only way we are involved. Through casual jobs."

"We are involved under the women groups. I am in vision self-help group. However, the last time they gave vision any job was 9 months ago. They don't like our group because they know they stole our proposal to KFS for management of the forest. Also the mzungu lady says that vision group members ask for a lot of money. You know, before FKK came, there were some organisations which used to sponsor tree planting in the forest (even now). For every one hectare, they used to pay us kshs 80,000/- per group for tree planting activity. So, since we are 20 women in the group, each person could get 4,000/- for a week's work and 800/- for a day's work. This was good money. However, since FKK took over, they have taken the job, and they don't like to pay us well, like the KFS used to. The mzungu lady only pays us 20,000/- or 30,000/-for the whole group. That translates to 1,500/- per week and 300/- per person per 4 day. That is very little money and it is unfair. Also, she harasses us a lot. She make us do repeat jobs. She makes us do extra work which we had not agreed upon, for instance, 'anatuambia tubebe majani...na hiyo si majani, ni mbolea tu...alafu hataki kutulipa' translated 'she tells us to carry leaves yet they are not leaves, they are compost...and doesn't want to add the money... she doesn't pay us for the extra work."

"We don't want Christina to give us the jobs. We want the people who sponsor the tree planting or bush clearing activity to pay us themselves, to give us the job and pay us. ...if not that, the management of the forest should go back to KFS. KFS used to pay us well. Besides, they never used to delay our money...they used to pay us immediately, in cash individually or by cheque to the group. Now days, the money rarely comes on time, it is much less than we used to get..."

"The mzungu woman doesn't like us...she harasses us a lot. She limits the type of kuni (firewood) we can pick. She doesn't want us to pick traditional firewood. She only wants us to pick the eucalyptus firewood, which is now very rare, because they have been getting rid of the exotic species from the forest. Anajifanya kama forest ni yake...ni kama amenunua msitu...ni kama msitu imekuwa ni yake."

"Our representative from the community is the pastor, whom we have told our grievances many times, but nothing is done about it. Pastor is not good. He doesn't represent us. He represents his own self interests. For example, we wanted a nursery school for our children to be built on part of that open space that was given to the community by the Kenya forest services, when the fence was being built. However, our own representatives at the CFA are against the idea. There was a woman who wanted to sponsor us with a computer school right here for our children. However, we told her we want a nursery school for the children, as that is the most important priority. Later, when the children are old enough, they can learn computers. Currently, there is no nursery school or day care centre here. That is what we want and need on the open space donated by the forest

department. However, when we told the sponsor what we want, she agreed to sponsor the school. The problem was now approval to build the kindergarten in part of the open space which KFS has allocated as a children's playground. We requested pastor, our representative, to go and ask the KFS, approval for us to be built for the nursery school by the sponsor, on part of the open space, left for children in the community. Pastor said he would take the letter from the community to KFS, on the matter. However, up to now (it's now been over a year) we haven't gotten any feedback. "

"The bee keeping business had become worthwhile since the fence by FKK was put. This is because we were not afraid of our bee hives being stolen. Therefore, we were selling honey and making good money. We could get 10kgs of honey from one harvest and sell it 350/- per kilo. However, we don't know where the bees went, they just disappeared."

"We have been having bee-keeping activities in the forest since the fence was put. The bee-keeping business had been doing well for some time. However, the bees have disappeared. We don't know where the bees went."

I asked them if the bee hives were stolen and they answered, "no, the bees weren't stolen, because the hives are still here, meaning it's just the bees which disappeared we don't know how or why".

Another respondent in the group answered,

"Kulifanyika hivii... Kuna hawa watu wa ICIPE walileta bees zao wakaziweka kwa msitu pia. Sasa, kutoka hiyo wakati, bee's zetu zilipotea.

Translated

« this is what happened ...some people from ICIPE brought their bees here to the forest. Now since that time, our bees just disappeared ».

On participation and management by KWS, NGOs, FKF and others

"FKF-CFA are not good. They only care about their own self interests. The Professor²⁴³ ate 7 million kshs which Barclays bank had donated for the community. The prof. (chairman of FKF) is just eating. When the accountant in the FKF-CFA office at that time tried to follow up the money, she was sacked. That is when they employed Lucy. None of them is good. They are all the same group. Christina, Chant al, Pastor and Chege. They collude and don't care about the community. Even Chantal, she is just like Christina."

"We do not get much benefit from FKF-CFA. Sometimes they give us jobs, but not as much as before. The last time they gave vision group a job was in January. They don't like us members of vision group. They like people who accept little money."

"These people favour their own people. The scouts favour their friends and family. Only some people benefit from the timber posts and jobs."

"We used to meet the KFS County Coordinator of forest during the bee-keeping meetings. However, we don't see him anymore. If we could meet him, we could tell him all our grievances."

"The head conservator of forests, is a good person. But she is not here anymore. Her office is now in Ngong Road Forest. She was transferred there. So we don't see her anymore. We wish she was here. We would tell her all our problems. She used to come here to the slum sometimes."

"We used to be taken by the scouts to be shown where to collect the timber. However, nowadays, the forest rangers are the one who take us to pick the posts. Because it was alleged that some of the scouts, especially the chief scout used to favour his own people. So, in order to prevent any such more incidences from happening (favouritism) they decided that the forest rangers are the ones who should be taking us....In fact, there is someone who was caught stealing timber posts. He said he stole because the scouts used to favour their own people to get timber posts. He had requested many times and he was denied, so he decided to steal (There were conflicting opinions on whether this was true or not. One of the lady's said she knows someone who actually paid money (bribe) to the chief forest scout to be allowed to collect timber posts. After he collected the posts, he told other people what had happened, that he had paid a bribe). I have personally asked for timber posts to

243 Referring to the chairman of FKF-CFA

rebuild my house for a long time, for the falling roof, but up-to now, they haven't given me."

"Our kids used to play inside. We want our kids to be allowed to play inside the forest."

"Scout ndio walituuza...Mostly women who are suffering from these new arrangements. The men are getting jobs as scout. Us we don't get casual jobs any more, and then we can't even collect firewood to sell. So the women are the ones suffering more, even though everyone is affected by these arrangements."

Source 219: Fieldwork, 2014

Socio-Economic Profiles of Selected Slum Residents

As mentioned earlier (see the section on socio-economic profile of slum adjacent communities), most of the residents interviewed at *Mji wa Huruma* slum are of very low income status, illiterate or semi-illiterate with low levels of education. The only jobs the majority of them can get, when lucky to get any, are casual jobs of the manual kind. Usually, such jobs pay very little (as the government has not implemented the rules on minimum pay). In some places, such jobs pay as little as 100/- kshs per day to a maximum of 400/- kshs per day, both for full day of hard labour. Moreover, such jobs are not required on a regular basis. These include domestic house help jobs, gardening, cleaning and laundry services. The socio-economic statuses of some of the individual residents interviewed are presented in the below.

Eunice, aged 35, has lived in the village for 15 years. She has 4 children. Her level of education is lower primary school standard 5. She does any casual jobs for survival, mostly domestic work like cleaning, laundry and outdoor manual labour in the neighbouring affluent residences. Sometimes she gets casual jobs from the management of the FKF-CFA. Such jobs entail clearance of invasive species, particularly *lantana camara* and planting of tree seedlings. She gets paid kshs 400/- per day (or 4 euros) for such jobs.

Wanjiru, aged 34, is a single mother of two children with lower primary level standard four level of education. She also works as a casual labourer doing manual jobs like weeding and gardening. In the past, she used to get a lot of casual jobs of tree planting for the same from the Kenya Forest Service. She indicated that the casual jobs are now very few and far in between especially in the past two years since the FKF took over. Similar to Eunice mentioned above, these jobs include removing *lantana camara*, planting trees, weeding or trimming the bushes and grasses.

Two women (wished to remain anonymous), ages of 25 and 30 randomly interviewed revealed that they had both lived in the village for between 10 to 15 years. Both were married with children with about 2 or 3 children each. Their levels of education were both lower primary Standard 4 and 8 respectively.

For livelihoods, both of them do any casual job that came their way, ranging from domestic house help to weeding, gardening and planting trees. In addition, one of them added that she occasionally collected firewood for sale to her neighbours, on the days she did not get any casual jobs. This, according to her, was a good alternative source of income, because her family cannot sleep hungry if she could manage to collect and sell at least one bunch of firewood with a sale value of about kshs 150/- (approximately 2 Euros), especially for the days she is not lucky to get a casual job.

When asked if they visited the forest for recreation, both of them answered no, and explained that the fee was too high for them. For them, the entry fee was too high considering the equivalent is the only money they would be paid as a casual labourer for a day's work. Also, they added that the fee was out of their reach considering they would need to visit the forest as a family, take the children with them and pay entrance for all yet they just live next to it. Speaking on the children, they mentioned that since the fence was installed, their children have nowhere to play. Before the fence, their children used to play in the forest and it was good for them because the slum is congested and has no space for children. Currently, their children can't enter the forest to play, unless they pay some entrance fees. For the adults however, they also mentioned it was not a big deal, as they were not interested in visiting the forest. They added that most of them were born there or have lived in the slum for very

long. Therefore, they were familiar with the forest inside out, and it was not worthwhile nor intriguing for them to pay such high fees to see the forest.

A focus group discussion with three elderly women in their 50's and 60's revealed they had lived in the village for a long time, from the 1970's when the village was first created. All of them had several children and grandchildren, with most of their now mature children still living with them in the village. Just like the younger women, these older women engaged in casual jobs like planting trees, clearing the forest and firewood collection. According to them, in the past, they used to get a lot of casual jobs from the KFS and Wangari Maathais' Green Belt Movement, before FKF-CFA came into the picture. They added that when the urban forest was managed only by KFS, they used to benefit more. Their main complaint was that since the management of the forest was taken over by the FKF, they no longer get any casual forest jobs for tree planting and other activities. They added that FKF was insensitive to the plight of the older women in the slum, and they are discriminated against them when it comes to giving those jobs, based on their age (ageism). On recreation, the women said that they never visited the forest for recreation, and it was not even a question for discussion, because it was too expensive and out of their means, as they had bigger problems to worry about, like putting food on the table for their families.

Source 220: Fieldwork, 2014

APPENDICES FOR CHAPTER 6

Price list for tented accommodation and safari package in NNP

| Dates from | Dates to | Per Person Per Night, Sharing Twin / Double Tent | Single Tent Supplement, Per Night | Per Child (3-12 Years) Per Night, Sharing with 2 Adults |
|------------|-----------|--|-----------------------------------|---|
| 1-Jul-14 | 30-Sep-14 | 120 USD | 58 USD | 60 USD |
| 1-Oct-14 | 31-Dec-14 | 100 USD | 48 USD | 50 USD |
| 1-Jan-15 | 30-Jun-15 | 105 USD | 48 USD | 55 USD |
| 1-Jul-15 | 30-Sep-15 | 130 USD | 63 USD | 65 USD |
| 1-Oct-15 | 31-Dec-15 | 105 USD | 48 USD | 55 USD |

Prices are subject to currency fluctuations and may change.

Above Per Night Rates include:

Bed & breakfast accommodation

Soft drinks

All Kenya Government taxes, including 16% VAT.

Above Rates Exclude:

Meals other than breakfast (see rates below)

Game drives and excursions (see rates below)

Park entry fees (see below)

Airport transfers (see below)

All items of personal nature, Laundry services, Tips and gratuities.

Christmas & New Year supplement on 24, 25, 26, 31 Dec 2014 & 01 Jan 2015 is \$40 per person per night inclusive of 16% VAT

Child sharing rates applicable if child is sharing with 2 adults in a tent

SUPPLEMENTS TO ADD LUNCH & DINNER TO ABOVE B&B RATES

Pre-Booked Dinner: \$35 Per Person

Pre-Booked Lunch: \$30 Per Person

MANDATORY PARK ENTRANCE FEES

Nairobi National Park Entrance & Camping Fees US\$ 85 Per Adult Per Day & US\$ 45 Per Child Per Day

source 221: <http://www.porinisafaricamps.com/nairobi-tented-camp.html>

Summary of conservation interventions

Combined for All²⁴⁴

| Intervention | Challenge being addressed |
|---|--|
| Wildlife Conservation Lease (WCL) Programme | Sub-division, fencing and selling of land for incompatible land uses; HWC |
| Formulation of a Land Use Master Plan for Kitengela | Sub-division, fencing and selling of land for incompatible land uses; HWC |
| Conservancy Concept | Sub-division, fencing and selling of land for incompatible land uses; Changing lifestyles; |
| Civil society protests and court actions | Infrastructure and Housing projects |
| Lion Lights Programme | Human wildlife conflicts (predator) |
| Consolation "compensation" programme | Human wildlife conflicts (predator) |

Wildlife Conservation Lease Programme

| Item | Description |
|----------------------------------|---|
| Type of Programme | A Payment for ecosystem (PES) services program |
| Year of Origin | 2000: Run from 2002-2008 and 2009-2012 |
| Main Objective | To maintain an open range land ecosystem for the dispersal and migration of wildlife in the south of NNP and the athi-kapiti plains |
| Strategies to achieve objectives | Paying Maasai landowners money (lease payment benefits) to keep their lands open from subdivision, fencing and or selling. Land owners paid USD4 per acre per year. Av. Participating households earned 400-800 USD per year. |
| Main/lead stakeholder | The Wildlife Foundation (2009-2012) and FoNNAP (2002-2008) |
| Other stakeholders | World Bank; Kenya Wildlife Services, The Nature Conservancy; FoNNAP |
| Source of Funding | World Bank- Global Environment Facility (GEF) and |

Land Use Master Plan (LUMP) for wildlife dispersal areas

| Item | description |
|----------------------------------|---|
| Type of intervention | Land use Policy intervention |
| Year of origin | Launched in 2008 |
| Main objective | To control land use change; prevent the sub-division, fencing and selling of open rangeland ecosystem into incompatible land uses for wildlife t and from NNP |
| Strategies to achieve objectives | Awareness creation on the importance of land use planning inform of zoning |
| Main/lead stakeholder | African Wildlife foundation |
| Other stakeholders | AWF, ILRI, TWF, KILA, FoNNAP, defunct olkejuado county council; community CBO's and land owners |
| Sources of funding | ILRI and AWF |

244 This summary is analysed by author and picked from her presentation at the Resilience in east African Landscapes Conservation Workshop in March 2016 (Mbatia, 2016)

Consolation (Livestock Compensation) Programme

| Item | Description |
|-------------------------------|---|
| Type of intervention | Compensation for loss of livestock to predating carnivores |
| Year of origin | 1980s by government; stopped. Initiated in 2000 by FoNNaP |
| Main objective | Reduce human wildlife conflict- prevent lion killings in revenge attacks |
| Strategy to achieve objective | by paying victims of livestock loss ; Sheep and goats (sheeps)- 25 Euros each; Cattle-150 euros; Donkey- 50 euros |
| Lead stakeholder | TWF |
| Other stakeholders | FoNNAP and KWS |
| Source of funding | WB (GEF) ; other funds raised by TWF |

Lion Entry Deterrent (LED) Lights Programme

| Item | description |
|-------------------------------|--|
| Type of programme | Installation of solar powered flashing lights around maasai bomas (cattle shed perimeter fences) to scare away lions |
| Year of origin | devised by Richard Turere a 13 year old Maasai boy to prevent night attacks by lions on his family's herd, which is located on the unfenced south side of NNP. (see Ted X video) |
| Main objective | To reduce predation and human wildlife conflict |
| Strategy to achieve objective | Awareness creation; fund raising and cost sharing |
| Lead stakeholders | FoNNAP and TWF, WWF |
| Other stakeholders | Individuals installing lion lights-David Mascal, Michael Mbithi |
| Source of funding | Fundraising by FoNNAP and WWF various other donations from Wildlife conservation NGOs like the WWF |

Conservancy initiatives

Olerai conservancy started and failed due to politics

Required relocation of people. One person refused to move unless compensated by KWS because he had already built a permanent house and nobody-KWS nor conservation organisations were willing to compensate the value of the house

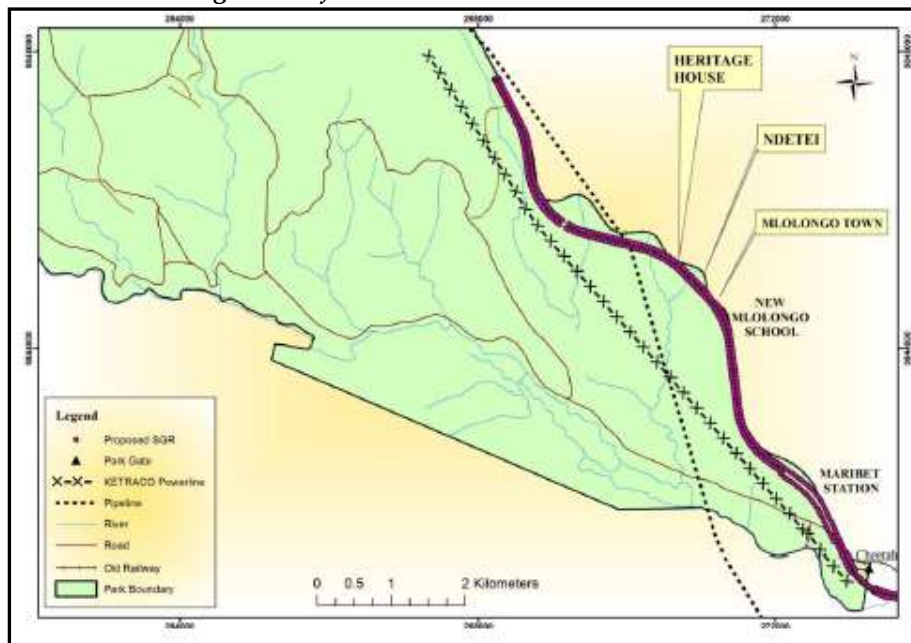
Currently Plans underway to establish another one, the Nanapa conservancy, by TWF. Proving difficult- a lot of land already sold

Standard Gauge Railway (SGR) Interventions

Conservationists Actions against Governments Construction of a SGR 2 Through NNP

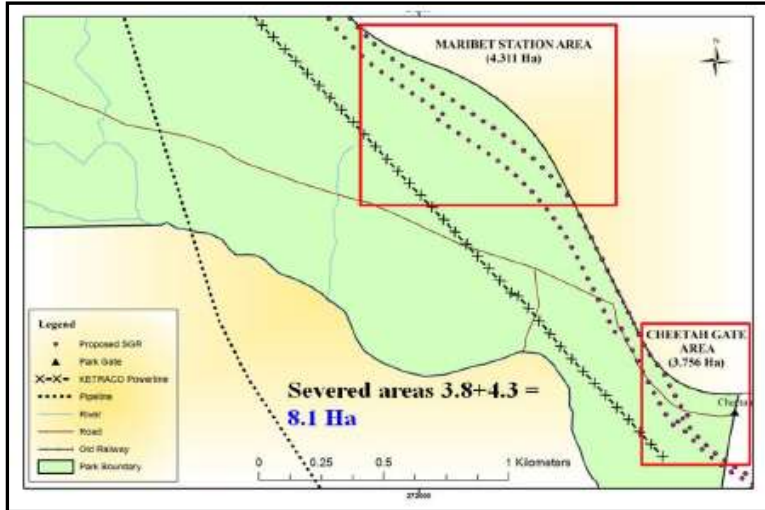


Government realignment of the SGR with the Nairobi National Park

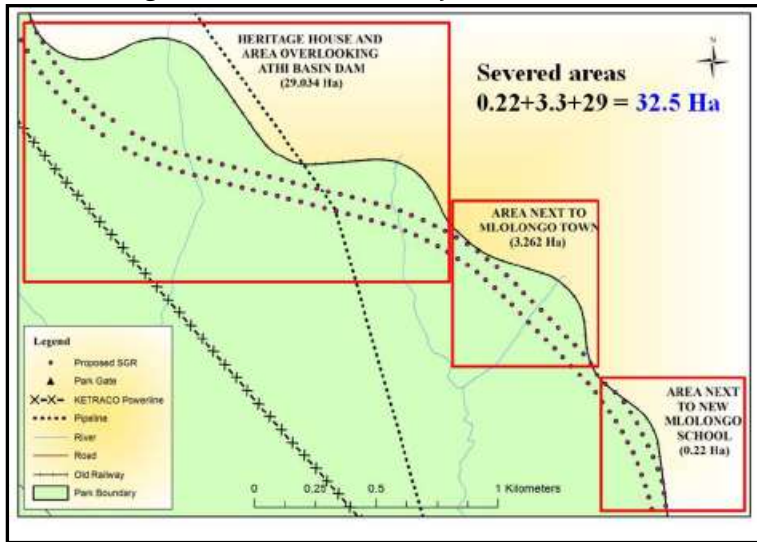


Source 222: *Invalid source specified.*

Detailed alignment and habitat loss: Part 1



Detailed alignment and habitat loss part ii



APPENDICES FOR CHAPTER 7

Friends of City Park Final Report to the Rufford Small Grants Foundation

| Grant Recipient Details | |
|-------------------------|--|
| Your name | Catherine Ngarachu |
| Project title | City Park - bringing nature to Nairobi's residents |
| RSG reference | 12061-1 |
| Reporting period | 1st December 2012-1st December 2013 |
| Amount of grant | £6000 |
| Your email address | catherine.Ngarachu@gmail.com |
| Date of this report | 6th December 2013 |

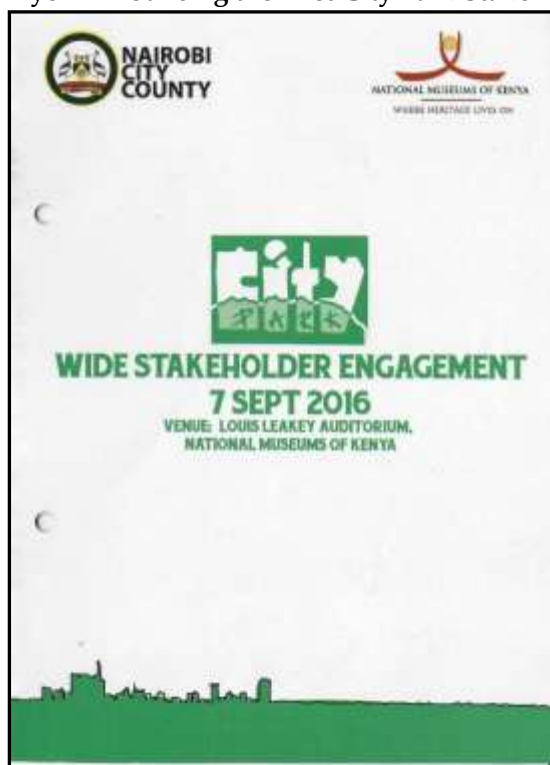
Level of achievement of the project's original objectives

| Objective | Not achieved | Partially achieved | Fully achieved | Comments |
|--|--------------|--------------------|----------------|--|
| Strengthen the communication network of those engaged with the park | | | Fully achieved | The main tool to strengthen outreach was the setting up of a website and blog. http://friendsofcitypark.org/ was designed, built and has been online since May 2013. With a growing body of content, it is now a place for Nairobi residents to find information on nature at City Park, find ways they can get involved, and support the efforts to conserve and protect the park. The website functions with search facilities, a sitemap, and a simple and uncluttered structure to facilitate usability while making the website search engine friendly. |
| Increase the number of supporters and people who make use of the Park | | Partially achieved | | There has been much more interest generated about City Park with the activities achieved so far but it is difficult to say if this has directly resulted in a greater number of supporters visiting the park. The production of the flyer, which is pending, will include a poll and encourage feedback. There is also still a great deal of work to be done in generally increasing supporters, who subscribe to our e-news mailing that I've set up 'MailChimp', and which since set up 4 months ago has 40 subscribers. |
| Create a new park attraction - a butterfly and pollinator garden | | | Fully achieved | The pollinator garden has been set-up in an area of City Park, called the Boscowen. Running about 1 m wide and 15 m long, a diversity of pollinator-friendly local flowering plants were planted, and is already attracting bees, flies, wasps, and butterflies. Also housed in the same protected space is a small netted walk-in butterfly space, of about 75 m ² . We've been able to showcase butterflies for educational purposes to coincide with other related activities. The breeding of butterflies has been started, with the aim of having a continuous supply at for the butterfly house. Information display boards have been placed at the garden, and more are being developed. |
| Enhance the perceived value of the park as a natural resource, as a further protective measure | | Partially achieved | | The website has helped us build a community following, who have turned to Facebook https://www.facebook.com/CityParkFriends as the place for conversation and engagement. However, the posters to help highlight the special features of the park have yet to be printed and put-up. |

Budget of FoCP in 2013: Budgeted versus actual expenditure (figures in £ sterling).

| Item @ KES 136.50-£1 | Budgeted Amount | Actual Amount | Difference |
|--|-----------------|-----------------|-----------------|
| Website and awareness driving costs | | | |
| Email newsletter service | 120.00 | 0.00 | 120.00 |
| Website design fee | 300.00 | 300.00 | 0.00 |
| Set up costs including initial search engine marketing | 300.00 | 297.37 | 2.63 |
| City Park Flyer (10,000 copies) | 450.00 | | 450.00 |
| Butterfly exhibit and pollinator garden | | | |
| Canvas holding and setup | 600.00 | 419.30 | 180.70 |
| Setting up of trees seedlings and flowers | 420.00 | 351.87 | 68.13 |
| Displays of pupae, caterpillars' lifecycles | 180.00 | 148.31 | 31.69 |
| Posters and Markers | | | |
| 10 Wildlife and history Posters | 500.00 | 49.89 | 450.11 |
| 10 Place markers to hold posters | 350.00 | 24.83 | 325.17 |
| Volunteer costs: stipends, equipment | | | |
| Activity leaders honoraria @ £ 115 /month x 12 months | 1,360.00 | 799.88 | 560.12 |
| Basic gardening implements | 350.00 | 28.92 | 321.08 |
| Light refreshments | 150.00 | 11.18 | 138.82 |
| Administration and overheads | | | |
| Communication and Transport | 540.00 | 392.31 | 147.69 |
| Other administration (accounts, auditing, misc. office expenses) | 380.00 | 380.00 | 0.00 |
| TOTAL | 6,000.00 | 3,203.86 | 2,796.14 |

Flyer Announcing the First City Park Stakeholder Engagement



Workshop programme for the First City Park Stakeholder Engagement

| PROGRAM - CITY PARK WIDE STAKEHOLDER ENGAGEMENT FORUM | |
|---|--|
| 7TH SEPTEMBER 2016, LOUIS LESLEY HALL | |
| 7:00am - 8:00am | Registration and Morning Tea |
| 8:00 am - 9:30 am | <p>Welcome by Friends of City Park, Catherine Agerachi, Chair</p> <p>Video showing overview of City Park</p> <p>Morning Keynote: Dr Akino Omosoko, OBE, FBE, Chendiella Foundation</p> <p>Address by National Museums of Kenya: Dr. Purity Aluro, AG Director Sites & Monuments</p> <p>Address by Nairobi County Govt: AM. Patrick Awako, Assistant Director of Urban Design & Landscape</p> <p>Overview of Concept Paper and Different Workshops, Prof Bettina Agwaga, Friends of City Park</p> |
| 9:00am - 9:15 am | Tea / Move to each workshop |
| 9:15am - 11:15am | <p>Workshop 1. <u>Wildlife</u>: Invertebrate Lab facilitated by Mr. Henry Njideke, UNEP</p> <p>Workshop 2. <u>Invertebrates</u>: Louis Lesley Hall facilitated by Mr. Kuria Wainaina, Nairobi Securities Exchange</p> <p>Workshop 3. <u>Permanents</u>: Ford Hall facilitated by Ms. Mukami Wengai, Stothmore Business School</p> |
| 11:15 - 11:30 am | Move to Louis Lesley |
| 11:30am - 12:00pm | Roundup of Morning Workshops: Louis Lesley Hall |
| 12:00pm - 12:45 pm | Lunch - Courtyard behind Louis Lesley Hall |
| 12:45pm - 1:15 pm | <p>Live Performance by Darius Odiro, internationally acclaimed dancer and sportsman</p> <p>Afternoon Keynote: Prof Just Wachungu, CI Environment, Water & Natural Resources</p> |
| 1:15pm - 2:45pm | <p>Workshop 4. <u>Cells</u>: Ford Hall facilitated by Mr. Kuria Wainaina, Nairobi Securities Exchange</p> <p>Workshop 5. <u>Clean</u>: Invertebrate Lab facilitated by Ms. Anja Ousonen, Revive Consultants</p> <p>Workshop 6. <u>Disturbance</u>: Louis Lesley Hall by Ms. Mukami Wengai, Stothmore Business School</p> |
| 2:45pm - 3:00pm | Afternoon tea/ Move to Primary at Louis Lesley Hall |
| 3:00pm - 4:15pm | <p>Primary facilitated by Prof Said Mwendwa, Technical University of Kenya</p> <p>Citation by Children of Geeta Primary School</p> <p>Summary of Afternoon Workshops</p> <p>Primary Action Plan</p> <p>Forming committed stakeholders base</p> |

APPENDICES FOR CHAPTER 8

Summary of the Social-Political Similarities and Differences Between The 3 green spaces ²⁴⁵

| THEME | SIMILARITIES | DIFFERENCES |
|---------------------------------|--|---|
| SOCIAL POLITICAL HISTORY | <ul style="list-style-type: none"> created by colonial government Natives displaced to create the greenspace created in the European residential neighbourhoods Discourse used -fortress conservation (except for city park for recreational uses Recreational uses not allowed Natives denied user rights Natives criminalised if caught in the spaces Land grabbing a lot for Karura and city park | <ul style="list-style-type: none"> Recreational uses allowed in city park -but only for Europeans, and later Asians NNP for game (safari) tourism, mostly European recreation NNP and city park-hunting grounds NNP not threatened or affected directly by land grabbing but excisions due to pressure for infrastructure |

245 Compiled by Author of the thesis

| | | |
|-----------------------------|--|---|
| <p>POLICIES</p> | <ul style="list-style-type: none"> • Fortress conservation • Exclusionary • Oppressive • Discriminatory • Outdated • New polices • In the case of Karura, and NNP more economic and social injustices re-created. • Too early to tell what will happen for city park with new policy, the UACA of 2011 | <ul style="list-style-type: none"> • Change in policy towards a more participatory approach for Karura with forest act of 2005 • City Park: provision for citizen participation now included in the urban areas and cities act of 2011 and the draft and the draft urban development policy of 2014. The draft physical planning bill of 2014 alludes to it. • Surprising fact: city park currently only managed by the state, never changed its policies yet the most inclusive in terms of users • NNP provides for citizen participation in the new WMCA -for compensation programme- still inadequate in genuinely involving citizens. Already been criticized by grassroots leaders. |
| <p>INTERVENTIONS</p> | <ul style="list-style-type: none"> • Focus on securitization, fortress conservation, commodification and privatization and entrepreneurialism for City Park and Karura. • NNP already commoditized | <ul style="list-style-type: none"> • city park: Interventions focused on preventing land grabbing and privatization of park and exclusion of poor people. Commodification plans thwarted by FoCP |

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| | <ul style="list-style-type: none"> • other interventions like the conservancy have a business model • for NNP and Karura • No genuine inclusion of common people • Interventions led by elite conservationists and ngos who do not rally listen to the common man | <ul style="list-style-type: none"> • Friends of City Park has new strategy for a wider stakeholder engagement, rehabilitation and management of the park. • Focp interventions intend to engage all stakeholders (Vincent, project coordinator) |
| <p>ACTORS STAKE HOLDERS</p> | <ul style="list-style-type: none"> • Coalitions • Formal: Karura • Informal: Focp • Formal and informal: NNP • Relevant stakeholders not genuinely involved especially in Karura and NNP | <ul style="list-style-type: none"> • Closed space: NNP • Invited space: Karura • Claimed space; focp |

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| USERS AND USES | <ul style="list-style-type: none"> • A rich man's play ground in NNP and Karura • Poor excluded in NNP and Karura • Consumptive uses prohibited in all • A clash of civilizations? Fortress conservation model clashes with traditional African way of utilizing landscapes and resources • No poor hawkers and vendors allowed for Karura and NNP | <ul style="list-style-type: none"> • City park open to all users but not consumptive uses • Proposed rehabilitation plans may put a stop to the openness if implemented |
| Beneficiaries | <ul style="list-style-type: none"> • Government - in Karura, using the aura of community participation • The affluent, white, Asians and an increasing number of upper middle class black Kenyans • They benefit from physical, social, economic, political | <ul style="list-style-type: none"> • In city park, all poor and rich; young and old; black or white use and can use city park whenever they want • Benefit from recreation use of park, physical, social, economic (the vendors or hawkers). |
| losers | <ul style="list-style-type: none"> • In both NNP and Karura, the marginalised communities (pastoralists and sum residents lose out) | <ul style="list-style-type: none"> • In city park, the poor don't lose everything |

