Claims and Practices of Legitimacy in Urban East Africa

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African cities are transforming rapidly, with high rates of urbanisation changing urban compositions, new infrastructure facilitating domestic and regional mobility, and global networks opening up communicative and financial flows (UN Habitat 2014). This is certainly the case for Kenya; not only for the capital city, Nairobi, but also for mid-sized cities such as Nakuru, Eldoret or Kisumu. The changes affecting Kenyan cities are compounded by the constitutional reform of 2010, which introduced far-reaching devolution, granting provinces and municipalities new powers and authority. Up to the new constitution, Kenya was a highly centralised state, with both formal and patrimonial powers concentrated in Nairobi. Many of the constitutional reforms are still in the process of being negotiated, with uneven knowledge and consensus on the details of implementation on a provincial and local level (Cheeseman et al. 2016, Chitere and Ngundo 2017). This juddering process is not surprising, given the fundamental shift in political culture that underpins it. In addition, the complexity of translating constitutional provisions into institutional, procedural and legal reality on a provincial and by-law level is daunting. Arguably, there is not only an institutional disjunction, but also a normative and cultural one — a disjunction, however, that simultaneously opens up new spaces of political claim-making and practices of legitimacy.

A decade ago Kisumu was mainly a town of informal settlements and slums, busy jumbles of corrugated iron, small stalls, and people; and, on the other side of the spectrum, a few middle-to upper class neighbourhoods, with leafy streets laid out in an orderly fashion, semi-detached or detached houses nestling in well-tended gardens, and hardly a person in sight. But today it is a rapidly growing city of lower- to middle-class estates with modern apartment buildings that are changing not only the face, but also the social body of Kisumu, for the material transformations are demarcating changing social, economic and political relations. In particular, the Kenyan constitutional reform of 2013 has opened up dramatically new relations between central government and the newly devolved authorities, with far-reaching fiscal, legal and administrative powers shifted to the county and municipal level. Not surprisingly, given the fundamental change in political culture and the huge complexity of adjusting the legal, institutional and administrative realities, this process of devolution is far from complete.

But whereas devolution may be the most obvious force re-structuring relations between social actors, it is but one dimension of the re-articulation of practices and discourses of urban citizens. As will be argued in this paper, the transformations in the urbanity of Kisumu are subtler than the large-scale structural changes; a more fine-grained, ethnographic approach reveals the nuanced transformations of political spaces, and the articulation of specific forms of urbanity. It is these less obvious processes which may allow for a more insightful understanding into the emergence of a specifically urban citizenship; processes that are

methodologically more accessible in the less overwhelming sensory context of a mid-sized, secondary city such as Kisumu (Koechlin and Förster 2018).

A recent survey shows that urban dwellers in Kisumu were very clear in what they hoped and expected from their county government; namely the provision of electricity, better infrastructure and services, the creation of employment, and improved education (Chitere and Ngundo 2017: 142). For Kisumu, this is particularly salient, as it is the centre of a province that has been the seat of the ethnic and political opposition since independence, with the ensuing 'calculated violence of neglect' (Chabal 2009: 153) by successive governmental regimes leaving deep emotional and developmental scars. It is no surprise that the Luo, the ethnic group linked to this region, were outstandingly in favour of devolution, unlike the Kikuyu, the ethnic group close to the ruling coalition.[1] The survey quotes a citizen of Kisumu in this very sense: 'Initially [this province] was an opposition zone and most development activities never reached here. Now things are devolved and we are seeing change. The national government has been forced to distribute resources to counties' (Chitere and Ngundo 2017: 142). Another respondent underlined that 'Leaders are near [...] They will listen to your *shida* [problem]' (Chitere and Ngundo 2017: 142).

However, devolution has been a juddering and imperfect process at best. Partly this is due to the overwhelming complexity of a fundamental transformation in the institutional, legal, and political framework of a country.[2] Whereas the constitution defined the overarching principles, the nuts and bolts of devolution still needed to be spelled out on a local, regional and national level. Institutions had to be abolished and created, laws and by-laws written and passed, new fiscal and political procedures established, to name but a few challenges. To add to the difficulties, the whole political culture of a country was turned on its head; from citizens to technocrats to politicians, everyone had to adapt to the newly decentralised system, of which they frequently had uneven understanding and divergent expectations and interests (Cheeseman et al. 2016, D'Arcy and Cornell 2016, Steeves 2016).[3] Lastly, but certainly not least, recent research suggests that a less idealistic intention than democratic empowerment underpinned a powerful momentum for devolution, namely the intention 'to increase rent-seeking opportunities for losing elites and patronage opportunities for traditionally marginalized groups' (D'Arcy and Cornell 2016: 256). Indeed, D'Arcy and Cornell conclude that '[d]ecentralization has not changed the way in which politics is practiced in Kenya, but rather the levels on which it operates, bringing it closer to ordinary people. In most counties it seems to have entrenched at the local level the practices that have been so problematic at the national level: rent seeking by politicians and ethnic patronage politics' (D'Arcy and Cornell

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[1] Nic Cheeseman and his colleagues undertook an analysis of the impact of party politics on attitudes to devolution in Kenya; according to the results of their survey, 'while 85% of Kikuyu rejected the idea of [devolution] following the lead of their co-ethnic Uhuru Kenyatta [the current president of Kenya], 72% of Luo respondents backed the proposal' (Cheeseman et al. 2016: 31).

[2] For a discussion of similarly fundamental regime changes in Albania, see Prato (2018a and 2018b).

[3] These practical and cultural difficulties were underlined in personal communications with informants working in civil society, administration as well as the business sector in Kisumu, Kenya, in June 2014.

2016: 273). This '"mirroring effect" in personal accumulation' (Steeves 2016: 494) on a county level resonates with frequently uttered sentiments on the street, where people will exclaim 'the only thing that has been devolved is corruption'.[4]

Corruption, however, is a many-headed creature; it can both serve to *include* actors in redistributive networks through patronage and clientelism, as well as *exclude* actors who do not have the right connections, identities or means (Koechlin 2015, 2013). Within the discourse of political tribalism, the inclusion of ethnic leaders in government coupled with the decentralisation of public resources promised political emancipation as well as immediate material benefits. Perhaps not surprisingly, therefore, respondents in Kisumu complained most about the lack of political and economic spaces that devolution had failed to open up. Asked to name the main problems of their county governments, 'corruption (23.1%), selfish and inaccessible leaders (17.2%), inadequate health and sanitation services (7.8%), tribalism and nepotism in employment and award of tenders (7.8%), empty promises/incomplete projects (6.2%) [...] and lack of involvement in people in planning (6.2%) were mentioned' by residents of Kisumu (Chitere and Ngundo 2017: 143). These findings are in line with the findings on a broader level discussed above: political practices on a national level, characterised by corruption and patronage, have been 'localised' through devolution. Disenchantment and disillusionment with the — now local — political élite is, at least partly, a result of the 'wrong' kind of corruption. Devolution had carried the hope of including formerly excluded citizens; indeed, making them full citizens where 'formal aspects of citizenship, such as political rights, must coincide and be seen to coincide with economic and civil rights and the right to justice' (Pardo and Prato 2010: 10).[5] This has not occurred to the extent that citizens had hoped for, as the following quotes from Kisumu respondents illustrate: '[The county government] has not helped me. [...] I have not been helped', or 'County *haisaidi kitu chochote* [county does not help in any way]... It is the cause of our problems... [There is] corruption which makes everything hard... has made it difficult for jobs to be got. You have to bribe to get a job' (Chitere and Ngundo 2017: 142).

Summing up, devolution has dashed the hopes of many people in Kisumu and elsewhere with regard to greater political, economic and legal citizenship — although, as the responses by urban dwellers indicate, it would merit a separate discussion on specific meanings attached to 'citizenship' by local actors, and the transformations that these meanings are undergoing.[6] With regard to the structural effects of devolution, it is early days yet, and findings are very much illustrative of a process, rather than a product. And yet it is safe to say that evidence from the ground points to the localisation of national practices of exclusion. Whereas before devolution whole ethnic groups and regions were excluded from enjoying the fruits of citizenship, now localised, more specific forms of differentiation have

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[4] Most recently heard in several conversations during a field visit to Nairobi and Kisumu in January and February 2017.

[5] See also Pardo (2000), Pardo and Prato (2018), Pardo (2018a and 2018b) and Prato (2018a and 2018b).

[6] For an interesting case-study of changing practices of citizenship, see Atalay (2018a and 2018b,); and of seemingly conflicting forms of citizenship, see Mollica (2018a and 2018b).

taken hold on a county level. However, I would like to suggest that this is but one dimension of novel political and social formations. Especially in mid-sized urban areas such as Kisumu (see Koechlin and Förster 2017), new spaces are emerging that are both being shaped by as well as shape the practices, imaginations and aspirations of urban citizens.

The aim of the full discussion (Koechlin 2018) is to explore these changing relations, material as well as social spaces, and provide a better understanding of their structuring both by and of urban actors, practices and broader articulations of citizenship. What repertoires and regimes do urban actors draw on seeking to establish normative and moral dominance? Who is included, who is excluded on which grounds? Of particular interest are the diverging meanings given to 'legitimacy', and the ways in which established claims and practices of legitimacy and connected meanings and practices of urban citizenship may be changing. In the first section, a brief synthesis of the background to devolution and its effects on the political and administrative landscape on a county level in Kisumu is provided, paying special attention to hopes and aspirations of citizens of Kisumu. In the second section, I take a closer look at novel urban spaces, and the ways in which urban actors make and shape new spaces of social and political agency, which I discuss in more general terms in the third section. Lastly, I conclude with some conceptual reflections on urban futures and more specifically possible meanings of legitimacy and urban citizenship that can be gleaned from the shores of Lake Victoria.

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