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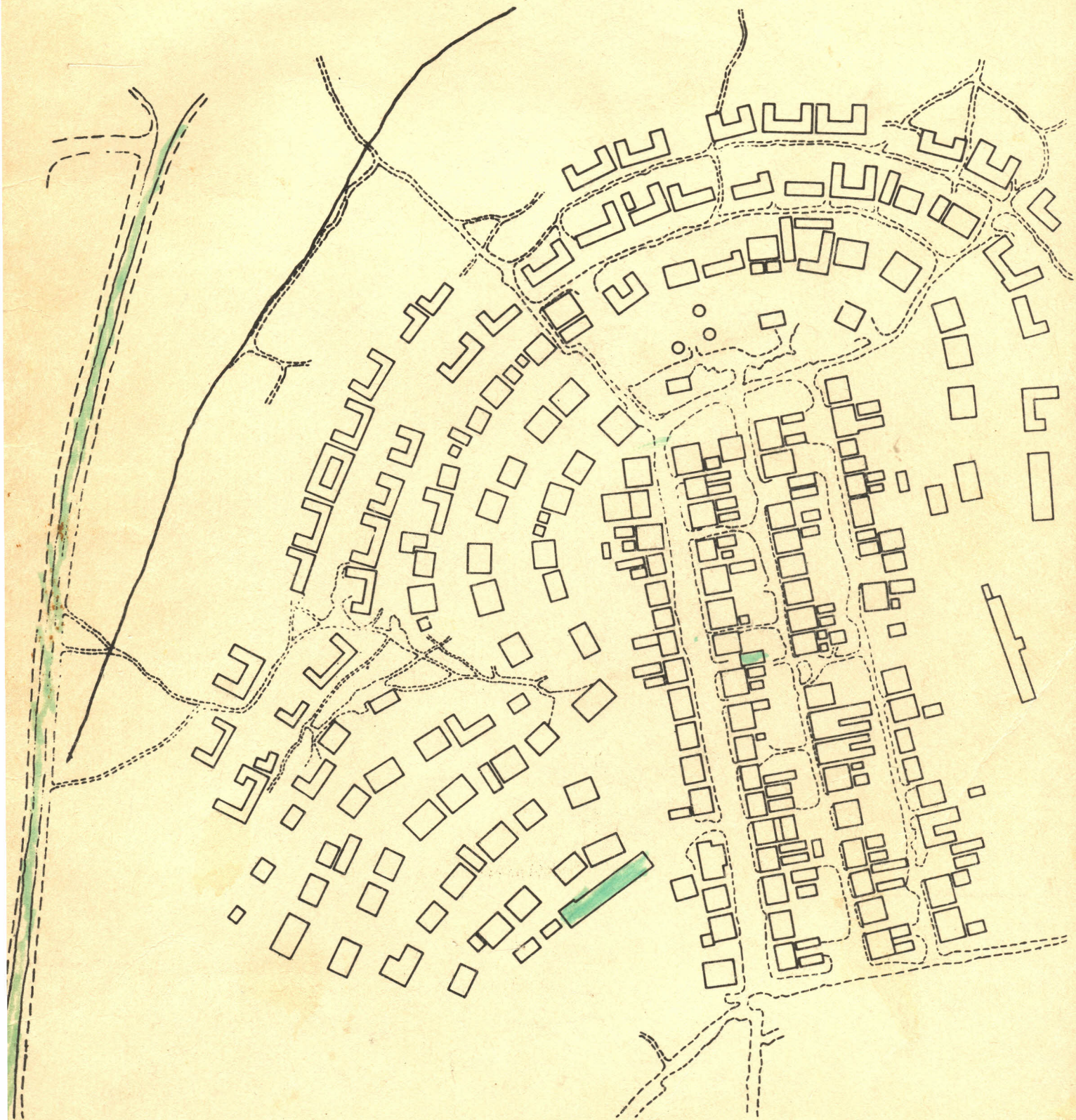
INSTITUTIONAL CONSTRAINTS

IN THE DEVELOPMENT OF INFORMAL HOUSING AREAS

M. C. Hoek-Smit

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MARJA HOEK-SMIT 372



UNIVERSITY OF NAIROBI
HOUSING RESEARCH AND DEVELOPMENT UNIT

P. O. BOX 30197 NAIROBI KENYA TELEPHONE 27441 EXT. 212 TELEGRAMS VARSITY

Institutional Constraints
in The Development of Informal Housing Areas.

MARJA C. HOEK-SMIT, M.A. SOC.ANTR.
Associate Research Fellow

Housing Research and Development Unit, University of Nairobi
Director - T. S. Chana
P.O. Box 30197, Nairobi, Tel 27441 EXT 212

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Section One Introduction

A large proportion of the urban population in almost all developing countries lives in sub-standard housing, in areas which have been termed squatter settlements, slums, spontaneous or unauthorised settlements. These terms describe a variety of different conditions with respect to standards of housing and services, lay-out, legal status and historical background. In this paper the term 'informal housing areas' will be used in order to include all those urban areas that do not comply with one or more of the existing legal regulations on planning or development of residential areas.

Recent years have seen a considerable change in official and semi-official attitudes towards the phenomenon of urban informal housing. There is increasing awareness that the growth of these housing areas may be expected to continue for some time to come (the reasons for this have been considered extensively elsewhere) ⁽¹⁾ and that attempts to curb this development by demolition policies only, seem to make matters worse. Moreover, a large number of studies on squatter areas and other informal housing areas have emphasized their positive features. ⁽²⁾

1. e.g.: Uche, U.U. 1976. The Law, Policies and Rural Urban Migration in Kenya.

Dwyer, D.J. 1975. People and Housing in Third World Cities, Perspectives on the problem of spontaneous settlements, Longman, London.

2. e.g.: Clinard, M.B. 1966. Slums and Community Development. Experiments in Self-help, The Free Press, New York.

Improvement of slums and Uncontrolled Settlements. United Nations, 1971. ST/TAO/SER. C/124.

Etherton, D. 1971. Mathare Valley. A case study of uncontrolled settlement in Nairobi. H.R.D.U.

Hoek-Smit, M.C. 1976. The Future Planning of a Majengo, Swahili Village-Masaku. H.R.D.U. All further references to the Masaku Majengo are taken from this study. Majengo is the name for traditional informal urban housing areas founded by moslem people from the coast at the beginning of this century. References to Majengo in general are derived from research at present undertaken by the author, in the Majengo of Murang'a, Kericho, Kakamega. The research is funded by a grant from the Netherlands Foundation for the Advancement of Tropical Research (WOTRO).

social
aspects

The social scientists point out that often there exists a closely knit system of social relations in such areas; actually, the very fact of their 'illegality' may be considered an important force compelling the inhabitants to develop such systems. This implies a degree of social control and social organization that offers considerable potential, for instance for the mobilization of self-help groups. (3) Another aspect is that it is relatively easy for leaders of the area to mobilize political support, and powerful political pressure groups are often formed in informal housing areas.

economic
aspects

Also from an economic point of view, the informal housing areas cannot be considered merely as parasitical on the urban economy. They provide a range of job-opportunities, especially in the informal sector, and one of their main economic functions is the provision of cheap rental accommodation. Indeed, in the present situation, a large proportion of the urban population is dependent on the informal housing areas for their housing needs, because they cannot afford to live elsewhere. And many of the owners of those houses are dependent on subletting for their income.

physical
aspects

Even the physical development of many informal housing areas, especially the more traditional ones, is not always entirely deplorable. A regular layout is not an unusual feature (sometimes as a result of control of development by the leaders of the area) and, although there is considerable variation in the quality of the structures, this is not often cited by the inhabitants as the major problem of their living environment. (4)

Why then all the concern about the development of these housing areas if they are just beds of roses or, more appropriately in this context, if it is all beer and skittles there?

inhabitants
position

From the point of view of the inhabitants of these areas there is a clear answer to this question. Because informal housing areas do not comply with all legal ordinances, they generally lack the usual urban services, such as good water, roads, electricity and social amenities, that cannot

3. Martins, R. 1976. Institutional Involvement in Squatter Settlements, in Architectural Design, Human Settlements. April 1976. 46.

4. Hoek-Smit. 1976. Ibid.
Dwyer. 1975. Ibid.

be provided by the people themselves. Another implication of this situation is the lack of legal security, for which reason no incentive is felt by the inhabitants to improve their houses or living environment.

authorities
position

But also from the perspective of the authorities it is desirable to bring the informal housing sector within the framework of legal institutions. This will allow an adequate developmental control to be exercised over a scarce item like urban land and it will make it possible for the government to acquire revenue from land, businesses etc. Moreover, informal housing areas are often supposed to create a hazard to public health, due to overcrowding and the lack of services, and to be centres of criminality. A further important political consideration is that informal housing areas are considered a disgrace - an 'eyesore' - and their development (or demolition) is seen as a matter of ensuring adequate living conditions for all citizens. Another aspect is that it allows the authorities to acquire a stronger political position vis-a-vis a group of the population that could potentially exert political pressure.

scope

Thus, the crucial issue in the development of informal housing areas is the problem of their formalization: how to incorporate these areas into the legal framework. It is on this issue, and on the constraints encountered in this process in the context of the Kenya situation, that the discussion in this paper will be concentrated.

The decision on whether upgrading, redevelopment of an area or complete demolition and resettlement of the population is undertaken depends on many factors, such as physical quality of the structures, level and improvability of services, socio-economic and political characteristics of the population. These factors have formed the basis of a number of classifications of informal housing areas. ⁽⁵⁾ These typologies, however, are often not realistic in the sense that they lack operational relevance. Therefore no attempt has been made in this paper to differentiate in overall types of informal housing areas; nevertheless in many instances, where a general discussion would be meaningless, a number of basic differentials have been pointed out. But in general the emphasis will be on the commonness of the problems in order to stimulate the development of an overall government policy towards these settlements. At the same time, it is appreciated that for each individual case, realistic, flexible action - programmes have to be developed .

5. Turner, J.C. 1968. Uncontrolled Urban Settlement: Problems and Policies, United Nations E. 68. IV. I.
Stokes, C.J. 1962. A Theory of Slums, in Land Economics, 38,187.