DECISION MAKING IN THE CITY COUNCIL OF NAIROBI

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TOPIC: DECISION-MAKING IN THE CITY COUNCIL OF NAIROBI

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INTRODUCTION

Public Organisations are always faced with several problems in the course of running their services for the public. Such problems, are financial, man-power shortages and policy-making ones. Of all these problems, the policy-making ones are more serious because policy making process determines all what goes on in the public organisations - for example it determines how resources will be allocated and who will get what in the organisation, who will be recruited in what posts and who will be given what promotions. Thus it is very important to find out what problems confront the decision-makers in public organisations and the relationship that exists between these people.

Nairobi City Council being one of the public organisations is not exempted from these decision-making problems and the aims of this research is to analyse the problems of decision-making in a City Council (Nairobi) and especially to find out the relationship that exists between the policy-makers, Chief Officers and the Minister for Local Government.

Decision-making process being a sensitive issue, it would be unadvisable to use one source of data collection. In the research therefore I used four sources of data collections:

(a) Minutes of Council Proceedings - these are the documents that carry all the formal expressions of the Council in general and of the Committees of the Council in particular. They give a general picture of how the services of the Council are run and the people involved in these services especially the Councillors and the Chief Officers that provide them. Moreover, they give the formal set up of the Council.
(b) Pamplets provided by different heads of the departments. They give the internal picture of each administrative department of the Council. They are usually written by heads of these departments (the Chief Officers) and they usually talk of the functions accomplished by the departments annually. I would say that these documents sound to be biased because they give only the best side of the departments with the emphasis laid on achievements and very little said about the failures of these departments. Thus, I had to compare the material gathered from these departments' documents with the ones obtained elsewhere.

(c) Interviews - I used open ended questions for discussions with my respondents. This method was very useful because in the course of discussion I was able to develop an informal relationship with the respondents and this was very vital especially because the topic of discussion was very sensitive. The only drawback that I got from this method was the failure by some of my respondents to keep the appointments especially the administrators. The Councillors on the other hand were very suspicious of the idea behind my research.

(d) I attended some meetings of the Council held monthly. This was participant observation approach focusing on the Mayor and the Councillors in the activities in the Council. The approach enabled me to study from within the Council Chamber the debating process of the Council.

It was very difficult to interview all the Councillors and administrators, so out of forty-three councillors I took a random sample of seventeen councillors including the Provincial Commissioner (P.C.) Nairobi who is a nominated member and represents the central Government in the City Council.
In all the seven administrative Departments, except the Department of Education, I interviewed at least one administrator (either the Chief Officer, or his Deputy or Assistant). I interviewed three Chief Officers (the Town Clerk, the City Treasurer and the Director of Water and Sewage); two assistants to the Chief Officers and three Deputies to the Chief Officers. Again, since it is difficult to study all the decisions that are taken by the City Council, I decided to take three decisions on which to concentrate my research. These three decisions are:

1. Rent Increase Decision
2. Eastern Extension scheme on Housing and

I took these decisions as my units of analysis because they all touch in one way or the other all the people that interact in the process of decision making, that is, the Ministry for Local Government, the Councillors and the Chief Officers on the one hand and the public who are affected directly or indirectly by these decisions on the other hand. Thus in discussing these decisions, the policy-makers, the executors of the decisions and the public will be involved in one way or the other, thus the importance of these decisions.

The Research paper is divided into five parts or chapters all of which are interrelated and enforce each other. These chapters are:

1. The theoretical Discussions of the decision-making mechanism as seen by different authors. The aims of this chapter is to review the literature of decision-making process and then to try to fit the appropriate views to the case study of Nairobi City Council.
2. - Background of the Nairobi City Council. Here I will deal with the old Council (in Pre-1963 period) and the impact of this Council on the decisions that are passed by the Council today. I will also compare and contrast how the decisions were made with how they are made today. For what people? What are the changes and whom do they benefit?

3. - Formal structure of the City Council of Nairobi. In this chapter, I will deal with the formal structure of the City Council and how it relates to the decision-making process in the City Council.

4. - Analysis of decisions in relation to the Formal structure - the Ministry for Local Government, the Mayor, the Councillors and the Chief Officers. I will especially deal with their powers, limitations and the role each plays in the decision-making process. I will identify the power centers and what makes these centers powerful and not others.

5. - Informal structure - In this chapter I will discuss the informal relations that go on the Council and how they make the process of decision-making not always follow the formal structure as it is supposed to do.

6. - Implications of the Research - The aim of this chapter is to give personal recommendations and views of how decisions should be made. I will mainly deal with the implications of the Research on the City Council of Nairobi to the county councils and why this is possible or not possible. I will also attempt to give some implications of the three decisions to
the Society of Nairobi City Council.
THEORETICAL DISCUSSION OF DECISION-MAKING PROCESS

Decision-making process is universal in all disciplines of social science and it lacks universal consensus as to what it is. This is so because, it is difficult to take one area of decision-making process and crown it as being the most important because each discipline puts emphasis to the area that concerns it most, while in another discipline another area will be given maximum importance. Moreover, it is difficult to draw a definite line between the decision-making process of one discipline from that of another. Again, decision-making process is full of value judgements which render it difficult to say what is a good decision because what appears bad to one person or decision-maker might appear good to another decision-maker.

But despite these difficulties, theorists of decision-making process agree in that whenever there is a decision to be made, there must be some ends that the decision-makers want to accomplish and the means that will be manipulated to achieve these ends. What they do not agree on is, how these means are to be manipulated to attain the desired ends. It is important that we define what a decision as seen by different people is before we proceed to look for what is a good decision.

According to Herbert Simon, a decision is a proposition that describes a future state of affairs and is selective of alternatives of future state of affairs and gives preference to the selected alternative and then directs behaviour to this chosen alternative.

R. M. Gross says that:

"A conscious decision is a choice among alternatives."

Thus from these two, one observes that decisions have a common element of selecting some alternatives from many and that every decision-maker must be able to make selections from given alternatives. Given that a decision is a proposition that selects some alternatives from others, then what is a good decision? Writers on the decision-making process do not have a consensus as to what alternatives are to be chosen because each will favour one alternative at the expense of the other alternatives but despite this they tend to come to a compromise as to what a "good decision is: Herbert Simon\(^3\) says that a good decision or a rational decision is the one, given objectives to be accomplished will select the best alternative to achieve these objectives. Thus the alternative taken should be the best to achieve these objectives if the decision is rational, thus the objectives of the decision-makers should always determine what the alternative will be for their accomplishment. This view is shared by Brown Dawns and Strauss\(^4\) where they say that a good decision is the one that selects the rational strategy (alternative) that will produce the decision-maker's desired goals. Thus, a good decision takes the outcomes of the alternative selected and compares these outcomes with the goals of the decision makers. If these goals and the outcomes show a great difference then it is an indication to the decision-maker that the alternative is wrong.

Therefore, according to these writers a good or a rational decision is one that puts into consideration the goals of the organization and the outcomes of the alternative taken which must be complementary with these goals of the organization. But deciding what a "good" or "bad" decision is, is not an easy job. One must be well equipped with a full knowledge of the goals of the organization and be in a position where one is able to weigh the merits of each

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3 - Ibid Note I.
4 - Decisions, Organizations and Society "Individual and Organizational Decision-Making." -
alternative against those (merits) of the others (alternatives) so as to select the most appropriate one.

In the City Council of Nairobi, it is the Chief Officers that relate the goals of the Council to the means of achieving them - that is, they do all the background work of identifying the goals and evaluating the different alternatives to be used in achieving them and their consequences to the Council. They make the decisions that they think are appropriate for the accomplishment of these objectives of the Council and then take that decision to the lawful decision-makers (Councillors) for adoption and formalisation. It is also the Chief Officers that give the rationalization as to why these selected alternatives are preferable and not others.

Decision-making process has got some general concepts that determine the stages that a decision-passes before it becomes a decision. All these stages are interrelated and there is a consensus among the writers of the decision-making process regarding them. These concepts categorize the decision-making process into three stages: the research stage, - where the aim is to define the problem and at the same time define the goals of the organisation. Once the problem is identified it is easier to find an answer or solution to that problem as was noticed:

"Detecting the problem is as important as finding the answer".

The goals that are defined in this stage are the ones that will portray the values of the organization and determine the organisational behaviour. It is these goals, that the organization will direct its resources and efforts to achieve. These goals could be arranged in a hierarchical form according to their relevance to the organization or depending on whether they are immediate or long term goals. The

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5 - Hilgord 1957
problem in this stage is that in most cases, the goals of the organization are not clear and it is difficult to pin-point at them. If the goals are not clear, then the decision-makers will not be able to know how to go about achieving them. This is the case in the City Council of Nairobi on the side of the Councillors who are the legal policy-makers - they do not understand fully what is good for the Council in particular and the public in general. To know what the problem of the organization is, one is supposed to have a good knowledge of the organization so as to know exactly what it wants to achieve. The Councillors rely on the Chief Officers to provide them with this knowledge and in the process, the Chief Officers get the chance to sabotage the role of the Councillors as the policy-makers. Thus, in the City Council of Nairobi, as far as the first stage of the decision-making process is concerned, the councillors have failed.

The second stage in the decision-making process is the one where strategies to be used in achieving the desired ends are selected. This is where the alternatives are weighed in terms of their outcomes. This stage is very subjective because it is difficult to say for sure what is the best alternative and even more difficult to predict with certainty the outcomes of any alternative taken. Thus it involves risk because one deals with probabilities of what the outcomes will be. To predict what the outcomes will be, one needs to have the knowledge of the different alternatives and depending on this knowledge take the alternative one thinks will give more satisfactory results. As in the first stage, the policy-makers in the City Council of Nairobi have scant knowledge of most of the alternatives taken especially when the alternatives involve technical knowledge. Again, the Chief Officers are given the responsibility of looking for the best alternatives because most of them have got technical knowledge that they can use to predict the different outcomes of different alternatives and then try to weigh these outcomes in terms
of the payoffs to the Council. Taking that a good decision is the one that creates a complementary relationship between the goals of the decision-maker and the outcomes of the alternative taken, then in the City Council, the goals of the Chief Officers are the goals of the City Council because the decision-makers make decisions that will help achieve the goals of the organization. Thus the decisions of the decision-makers are the decisions of the organisation they represent.

Having taken the appropriate alternatives to achieve the given goals, the other stage is that of justification where the decision-makers are to justify their course of action in relation to the outcomes of the alternatives taken. They compare the payoffs of different alternatives and the alternative that will achieve the ends of the organization in the most economic way will be taken and be adopted in pursuing these objectives. In the case of the City Council, this is the most trying stage for the Chief Officers because it is when they try to win the support of the councillors and this support will not be forthcoming if there are external or internal forces putting pressure on the councillors in attempt to create obstacles against the passing of a particular decision. This is especially so, if the decision is a political one that would entail loss of popularity on the side of the councillors. It is here that the Chief Officers will exhaust all the sources of justification that they may have and if this fails in satisfying or winning the councillors over, then the decision is dropped.

Thus the theoretical concepts of the decision-making process that lay the stages of the decision in an organization are applicable in the City Council of Nairobi and one is able to trace the different stages of a decision in the City Council from initiation to its adoption.
In organizations, rationality in establishing the best alternatives is not always used. The best alternatives could be discarded. This is especially so in public organizations where most decisions have a lot of political overtones. The alternative will be taken not because it will maximize the objectives of the organization but because of its political implications. If it gives negative political overtones, it will be rejected even if it was good for the organization. If it gives political popularity to the political decision-makers, it will be adopted though it might be detrimental in its outcomes to the organization. In this case the justification does not hold. This happens in the City Council of Nairobi where a well intended alternative will be dropped just because it carries with it some political connotations.

Another characteristic of the decision-making process is the collectivity of the organizational members in whatever decision is made in the organization. The decision is for the whole organization as contrasted with an individual decision. As such, the outcomes of the decision will be a responsibility of all members of the organization rather than of an individual and Lindblom\(^6\), emphasizes the need for a coordinated effort for all people in the decision-making process of an organization. Mutual adjustment is necessary for all members and includes manipulation bargaining and negotiations in all the stages of the process of making decisions.

Collectivity in decision-making process is shown by the fact that decisions are communicated to all people in the organization and whenever they are communicated, they are acted upon. For example,

\(^6\) Lindblom, Charles E, 
a decision made in the department of the organization is communicated to all the other departments though it may not concern them at all. When these decisions are communicated to all organizational members, they become collective and everybody in that organization is accountable for the repercussions of such decisions be they positive or negative. When such decisions are made, they become like guiding principles to be used in the attainment of a given goal for the organization.

This collective responsibility of the decision-making process is not alien to the City Council of Nairobi. Whenever decisions are made, it is said that the City Council as a collective body has made those decisions even though a few individuals might have made them. No single member would like to associate himself with a decision as an individual. This is important because it makes the members as individuals immune from any public criticism that would be aroused by a particular decision. For example, a Chief Officer will play a large role in the making of a particular decision but he will never agree that he made that decision. He will insist that he only gave an advice and some recommendations as to what course of action would be more profitable to the people of Nairobi City Council. Thus, no member will agree to say the role he plays in the decision-making process especially if the decision is very sensitive politically. The latter applies especially to councillors who will be accountable to the Minister for such a decision. They will always try to make a collective stand before they go to the Minister to seek for his approval for such a decision. The Chief Officers will always try to make a united front when they want to overcome the resistance of the councillors to any decision they want to pass. Thus they will always talk with one voice.
Thus the councillors and the Chief Officers as individuals always try to safeguard themselves from the accountability of any decision that they make. This collectivity of the decision-making process of the City Council of Nairobi does not only make the people in the internal structure of the City Council responsible for the decisions that are made. The Ministry of Local Government is also responsible and that is why most of the decisions of the Council must get the Minister's approval. It provides part of the environment in which the Council makes its decisions and does affect some of these decisions.

The writers of the decision-making process do conflict over the problem of who are the most important people in the decision-making process and for who these decisions are made. This argument centres on who influences the decisions, that is, who is the most powerful in the process. As a result, different views have been propounded by different writers. One of these writers is Delber Miller who holds that the business elite are the key influentials - in any decision. He argues that this business elite has its interest groups that it uses to influence all the community decisions that are made. He says that all the decisions that are made are reflections of the desires and aspirations of this business elite. He adds that all the other power centers in the society that would influence decisions are weak. Included in the latter according to Miller are the Local Governments, the City Council and the political parties. He also observes that the business elite could be dominant in one country while another group could be dominant in another country but in every society or country there must be one group that dominates the decision-making process in that society. He observes that the politicians are unable to make...
decisions because they are uncertain of themselves and as such rely on the certainty of the businessmen who sabotage their (politicians') duties.

A contrast of Miller's view is given by Robert Dahl who is influenced by United States background. He argues that power structure in any society is pluralistic in nature and as such, it is distributed to many centers in the society. He says that a decision could be influenced by different people from its initiation to its adoption and at this final stage it might reflect the desires of all these groups that influenced it. This influence does not necessarily be formal, it could be also informal in nature.

He also says that while one group could be interested in one particular decision, another group could be interested in another. As such, every kind of decision will have its own people who will influence its outcomes depending on what kind of decision it is.

The business elite according to Dahl will interfere with any decision depending on whether that decision puts its interests at stake or not. Otherwise, they would not like to commit their resources to influencing a decision that does not touch their interests. This idea of interest groups intervening in decisions if their interests are touched by their repercussions is supported by W. A. Gamson who says that the internal structures of the organization will interact with other bodies in the environment such as political and social groups in the process of decision-making to ensure that the results of the decisions made are not disadvantageous to themselves. This is because the decisions made

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by one person will affect others and these others will exert influence on such decisions. These groups will use different strategies to influence a decision but only when their interests are threatened.

The influence put could be of many forms but the end product will be the same - that is, the decision that will be made will be different from the one that would have been in the absence of influence. Resources could be used as a source of influence as Dahl observed:

"The base of an actor's power, consists of all the resources - opportunities, acts, objects etc. that he can exploit in order to effect the behaviour of another".  

These resources could be used in form of rewards or even to buy the support of people who are in access to the decision-making process. Once they are bought they will support or oppose the decision, irrespective of whether it is beneficial for the organization or not. They will not consider the merits or demerits of the decision.

Persuasion is another form of influence that involves some change of mind or attitude of those influenced without adding anything new to them and they prefer the same outcomes that the influencer prefers. It also involves the conviction that the influencer's argument is correct and the belief in the expertness of the influencer.

All the writers of the decision-making process have a consensus that every decision must have some form of influence from either outside the organisation or even from within. It is this influence that will determine the outcomes of the decision.

10 Dahl Ibid
that will be made and even the decision that will be made.

In the case of Miller, I think that he is too pessimistic and gives an extreme view of how societal power is distributed. No doubt, the business elite could be very influential in the decisions that are made out. It can't be the only group that influences all the decisions made by the society. They will only feel very concerned and even fight vigorously against a decision that touches their interests. For example, the business elite will fight against a decision that will increase the taxes they pay and that does not allow for the increase in prices of the commodities that they produce but they will not be bothered with a decision like the one that will decide on increasing the number of primary school children taken in schools every year.

Miller does not see the possibility where the business elite could be working hand in hand with other elite groups. For example, in America the economic elite work in collaboration with the politicians and the Military elite. Each group acts as a check to the other groups and whatever societal decisions are made, the three groups are involved and will influence them. It is true that the business elite has got a lot of influence in some of the decisions that the Council makes but not all.

In the case of Robert Dahl, his view concurs with what happens in the City Council of Nairobi (though he is so much influenced by the American experience). He says that power in the society is very pluralistic and that many people are involved in the decision-making process. This is especially so because the nature of the decision will determine what group of people will be interested in it, and as such intervene so as to shape its outcomes the way it wants. In the case of Nairobi City Council this is no exception. For example, if it is a tender decision different firms will try to influence either the councillors or the Chief Officers so as to
favour them in passing the decision that will determine which firm will tender for or to the Council. The Ministry of Local Government or even any other Ministry such as the Ministries for Finance, Health and Labour could influence the outcomes of the Council decisions - yet these ministries are not made of the business elite. Even the workers could determine the outcomes of a decision especially if they threaten to go on strike. Thus in the City Council of Nairobi, one cannot say with certainty that the decisions are determined by an economic elite but rather that very powerful groups do influence different decisions.

Persuasion as a form of influence is very important and is the best kind of influence used by the Chief Officers of the City Council of Nairobi. The Chief Officers persuade the councillors to see things they (the Chief Officers) see them. When the councillors get convinced about the correctness of the decision of the Chief Officers, they will adopt it. The Chief Officers use technical knowledge to push through their persuasion and at times they manage to persuade the councillors about their course of action (that of the Chief Officers) because the councillors do not understand the technical complexities involved in their (Chief Officer) arguments.

The other element of the decision making-process is the integration of the decision-making process with the execution of these decisions. Thus, there is the need to include the decision-executor in the process where decisions are made. This is important because they are familiar with most of the decisions that are passed and they will be in a position to explain whether the execution of the decisions made is possible or not. They would even be in a position to predict the results of such decisions more accurately than those who make them.
This integration of both the decision-making process and execution is applied in the City Council of Nairobi though the Chief Officers are not allowed to appear in public.

With this theoretical background in mind, I proceed to discuss the Historical background of the City Council and how it affects the present decision-making process. In this I will deal with the old Council (Pre-1963) and the New Council (Post 1963). But while discussing the whole decision-making process of the City Council of Nairobi, one should realize that each stage is a process of struggle, all decision-makers are in a struggle, among conflicting calculations and the struggle is made worse by the struggle between the organization and the environments - within which the organization must operate.
CHAPTER II

HISTORICAL BACKGROUND

OF THE

CITY COUNCIL OF NAIROBI
Historical Background of the City Council of Nairobi goes back to 1900 when the Colonial Government established a township Committee to run the services of Nairobi as a town. By this time, it was only a small center for the railway workers but its central position and its suitable environmental conditions admired by the colonialists gave it prospects for expansion. From 1900, its growth was rapid in terms of population (this especially due to migrations from the rural areas in search for employment) economic and political developments. In 1928 it was accorded the status of a Municipality and in 1950 that of a City, the status it holds to this day. Nairobi City at present is heading towards the status of a Metropolitan City. This is conspicuously shown by the international recognition it is experiencing and the establishment of international centers such as the "Kenyatta Conference Centre."

The History of Nairobi City Council could be divided into two sections. The first section deals with the period before Independence (Pre-1963) and the second part deals with the period after Independence (post-1963). The past history of the City Council has had great impact on the New Council that was established in 1963 especially on the decisions that are made by the New Council. Thus it is difficult to isolate the New Council from the Old one - though both differ in personalities. The Old Council was dominated by colonial representatives that made all the decisions, while the new Council is dominated by African representatives who like their counterparts in the old Council make all the decisions for the people they represent. Thus the procedure followed in the decision-making process in the old Council is the same followed in the new Council. But despite the similarities in the way the decisions are and were made there are conspicuous differences. We will deal with
the differences first. The first difference is in the composition of the Council. In the old Council the composition was small with few members. As the growth increased the composition widened. For example in 1928 the Council was composed of twenty four members, in 1958 thirty members, in 1962 thirty six members and with Independence in 1963 it was increased to forty three members. The reason behind the increase in membership of the Council was the population growth especially on the side of the Europeans and Asians that demanded more representation in the Council. The increase in the African population was least considered and so their migration to the town could not call for widened representation.

Again, this increased European and Asian communities in the town called for more services such as health and sewage and so there was the need to expand composition of the Council. With Independence in 1963 there was again the need to expand the membership further so as to give all the Africans representation that they had been denied in Pre-1963 period. Thus while in pre-1963 period there were only thirteen wards (six representing the Europeans and seven representing the Asians) in 1963, forty wards were created with thirty eight wards representing the Africans and two representing the Asian communities. These thirty eight wards have the same number of Councillors each representing a ward. The Councillors are elected by secret ballot. There are other three Councillors that have been appointed by the Minister for Local Government to represent varying interests. One represents the interests of the E. A. community and he comes mainly from the Railways (and is usually an engineer), the other one represents the interests of the Kiambu County Council (Nairobi City Council is also represented by a councillor in Kiambu County Council) and the other one is the representative of the
interest of the Central Government in the Council and he is the P.C. (the Provincial Commissioner Nairobi). The P.C. is important in the Council especially because he has some veto powers. Thus the difference in size between the two councils is because one represented the interests of fewer people (old council) while the other one represents the interests of more people. The other difference is that in the old council there were aldermen appointed by the Mayor with the advice and recommendations of the Governor. The aldermen had higher status than the councillors in the council. They represented the interests of the Central Government in the Council and had constant communication with the Governor. They advised the Mayor in particular and the council in general. They were supposed to resolve any conflicts that occurred between varying groups in the Council - thus they were supposed to act as arbitrators and their word in any controversial issue was supposed to be final and were not supposed to take sides (this was formally but not informally so) with any group in the Council. Thus they acted as "behind the door group" whose inconspicuous influence had great impact on the decisions that were passed by the Council. In 1962 for instance, they had so much influence over the decisions until the other members protested against this especially the African Councillors (1962-Africans were represented and there was the first African Mayor) and the aldermanship was abolished. Some Africans had become aldermen in 1962 (two). No aldermen in the present Council. The present composition of the Council derives from the 1963 Local Government Order in Council that re-declared Nairobi as the City. This was specified in the Kenya Constitution that is followed in Kenya even today. This constitution did not give the presence of aldermen in the Council.
The other difference between the old and the new Councils is that of population growth. While the old council had to deal with less population, the new one has to deal with a large population. The decisions made by the new council must take this into consideration.

The population of the Nairobi City Council has grown very rapidly since Independence but this growth is not restricted to the years after Independence only but to the whole history of the City. But the increase was accelerated with Independence when migrations to towns from the rural areas was not regulated. The increase in population is clearly shown by these figures:

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
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<tbody>
<tr>
<td>1906</td>
<td>11,000</td>
</tr>
<tr>
<td>1946</td>
<td>110,751</td>
</tr>
<tr>
<td>1955</td>
<td>195,500</td>
</tr>
<tr>
<td>1960</td>
<td>275,500</td>
</tr>
<tr>
<td>1963</td>
<td>367,000</td>
</tr>
<tr>
<td>1973</td>
<td>620,000</td>
</tr>
</tbody>
</table>

In 1963, a Local Government Order re-declared Nairobi a City and the area was increased from thirty five square miles to two hundred and sixty six square miles with a consequent increase of population from 275,500 (population census taken in 1960) to 367,000. In the colonial days, with rapid increase in population, there was need for the Council to expand services that would cater for the increased population. But the Old council had little concern for the Africans.

1 Workshop on the Management of Large cities in Africa City Council of Nairobi. Introduction on General administration: Nairobi City Hall April 1973
and so services such as sewage and Health were not adequately expanded.

Thus, as time went by, the problem was getting critical but little was done about it by this old council. Thus a gap was created between the population growth and the services provided by the City Council. The living conditions of the African population were also very bad. They lived in communal houses that were not self-maintained—communal water pipes, communal toilets and had no electricity in their areas. Again, the old council did nothing about this problem and with increased population the conditions became even worse. Thus, due to racial segregation, some areas of the City Council were far much better than others. With Independence there was need to bridge the gap. But this had not been planned for before. Bridging this gap needed funds and thus the new council had to make a decision that would enable it to collect funds that would be used to provide services for the large population in the City. Thus, the new and inexperienced council instead of going on with making decisions that would be conducive to the development of the City, it had to correct the mistakes that had been made by the old council. Correcting of these mistakes would have been easier if there were any funds, but these were not forthcoming. The Housing Accounts had been exhausted and the council by 1964 had started running into deficit. Thus, the decisions to be made by the New Council had to take this into consideration and there was need to raise funds to run the services of the Council and also cover the deficit incurred on the Housing accounts. Thus a problem was bequeathed the New Council that has since Independence inhibited the well-running of the Council Affairs.

In 1963, the problem was aggravated when the area of Nairobi was increased. There were no adequate funds added to the Council to enable it to meet the needs of the increased population.
For example, pounds 54,075,000 were used for the services within the bounds of thirty-five square miles. With the increased area (and this of the population) to 266 square miles, only about two and half million pounds were increased over pounds 54,075,000. The colonial Government was not ready to commit a lot of money to a situation that they thought would be dominated by violence. Thus the problem deteriorated for the New Council. Thus, the failure of the old council to look into the population problem and plan the services with this in mind left the new council with a problem that will take time to cure.

The other problem bequethed the new council is that of the model of the City Council. The City Council was based on the model that looks like that of Wales and England. The idea was to give maximum satisfaction and homeliness to the whites that had come to Kenya. They were to be made feel at home like those in their motherland - thus Nairobi City Council was to be moulded in such a way that it gave them standards enjoyed by those at home. This model was only suitable for the colonialists. The old council was fit for that model because it was dominated by colonialists. The Asians had experienced the colonial rule in their country and so were familiar with such a model. But this was alien to the Africans. Thus with Independence there was a need to restructure this model and make it more oriented to the services of the Africans. This was not done. So, the old structure was carried over to Independent Nairobi and yet it was (is) supposed to serve different people from those it were serving in the colonial days. The members of the Council were changed from Europeans and Asians to Africans, yet the functions of the members of the Council were not changed. Thus there was change of faces. For example the role of the present Town Clerk is defined the same way that of a Town Clerk in the old Council period was defined. He uses the same Book that explains the duties
and the Roles of the Town Clerk. Thus, it is the same book that guides the Town Clerks today. Thus, the New Council is confronted with the problem of trying to fit the old model in the New society (Africans) while making its decisions. The New Council is not fully conscious (except for a few administrators) that it is using the wrong model. Thus, with Independence, there was need to redefine the functions, duties, status and privileges of the Mayors, councillors and of the Chief Officers. This redefinition would (probably) have given more role to play to the councillors who are the true representatives of the people. Instead it is the Chief Officers who play the major role in the affairs of the council. This is not peculiar since the political Development of Nairobi followed the National Political Development where the politicians are weak and the administrators are strong. Thus as at the National level, the dominance over the politicians by the administrators is a colonial hangover. The consequence is that the administrators keep distance and are feared by the people they serve in the council. Whatever they say is backed by Books. They (administrators) claim that this social distance makes them work well with less disturbance from the public. They cannot be wholly blamed for this since even the training and Education they obtained were oriented towards the old structure of the City Council. Moreover even in 1963 when everything would have been changed nothing or very little was changed except that Nairobi was re-declared a City. This was only a confirmation of what it was in the pre-1963 period.

2 - "A Manual of Administration" published by the Society of Clerks of Urban District Council (1952)
The Old Council was organized on racial bases. The Europeans, Asians and Africans were the Upper, Middle and Working classes respectively. The allocation of resources such as houses and services was on racial lines. The lower the class, the less attention was paid on it and so the Africans suffered greatly under the old Council. Their residential areas were least developed and lived in very poor conditions. With the rigid racial barriers, some areas were developed at the expense of the others.

With Independence, these racial barriers were broken but replaced by a different form of segregation. The well to do Africans took to the former residential areas occupied by Europeans and Asians. They found areas that had already been prepared and their living conditions were equivalent to those of their former foreign counterparts. The Africans with lowly paid jobs (the have-nots) lived in the poorly developed areas. Their conditions changed very little and they continued to live as in pre-1963 period. Some of these areas have even deteriorated as was observed by one of the Councillor's in a memorandum sent to the Minister for Local Government by tenants of Old Ngara. It observed:

"that when the colonialists were occupying these houses in the Estates, they were paying lower rents than the present poor Wananchi and in those days we are sorry to say, they were getting better services"

Thus while racial segregation was an accident of history, it was a blessing in disguise for some people. This is a problem that was bequeathed the New Council by the old Council especially because it creates a division in the Council. This especially on decisions that involve resource allocation. Where are the services needed most? Those in well-of-places are not satisfied and they want to have

Petition From Tenants in Old Ngara, New Ngara, Jeevanjlee and Pangani Bachelor's Quarters to the Minister for Local Government.
more. For example, they claim that their residents need thief-proof
whereas there are those poor areas whose people's health is at
stake - that is, they do not have the most essential things that
they desperately need. Thus in the well developed areas, there
is striving to keep up with the standards formerly enjoyed by
colonialists and the Asians. Thus, in the New Council there is
division between the members from the poor areas and those from
well-of-areas. This interferes with the process of decision-

This racial segregation has also bequethed the New Council
the problem of tribalism and Sectionalism. In the allocation of
resources, the question is not always whether the resources go to
the people who really need them, but rather whether it is a Kikuyu,
Luo, Kamba, Asian or Baluhya. Each ethnic group wants to get the
maximum share irrespective of the other groups. This is because,
from the outset, the orientation of resource allocation was sectoral
rather than equitable distribution to all. Thus an ethnic group
could boycott a decision not because it is detrimental to the
welfare of the people of the City but because it is supported by a
particular ethnic group and the benefits will mainly go to that
ethnic group. In the Old Council, any decision that would favour
the Africans was dropped by the colonialists. Thus, there is a
parallel between the old and the New Council.

The problem created by the Old segregative sectoral system
does not end there. Members of the Council from different districts
are always opposing each other and the question is not whether the
members of a particular district get what they deserve, but the
members are always in scramble for resources so that each councillor
can get as much as possible for people from his district. Thus,
there is a feeling of districtization in the New Council just as there was a lot of racism in the Old Council.

There is also a difference between the powers of the Old and the New Council. The Old Council was not as powerful as the New Council. In the Old Council, the Mayor represented the City only and his decisions could be overruled easily by the aldermen and the other councillors. In the New Council, the Mayor is very powerful. She could have very little personality powers but she represents the City Council and the Central Government. As such, the other councillors and the Chief Officers knowing the position of the Mayor and what she means to the Central Government, they find it important to reconcile their stand with that of hers. Instead of opposing her, the councillors and the Chief Officers try to make her see their side of the matter.

The councillors of the both Councils are not powerful - and the Chief Officers are able to manipulate them in such a way that they (Chief Officers) can have the decision they want passed. The Chief Officers are also able to win the Mayor on their side and as a result, she will win the other member of the Council on the side of the Chief Officers. The Chief Officers influence the Mayor because of their command over technical and administrative fields. She has confidence in them.

Therefore, as this historical analysis shows, the Old Council bequethed the New Council some problems that inhibit the decision-making process and the success of the New Council will be determined by the way the members manage to correct these mistakes of the Old Council. These mistakes must be corrected before the New Council proceeds in doing other things.
The following Chapter will deal with the formal structure of the Council and how it relates to the decision-making process of the City Council.
CHAPTER III

THE FORMAL STRUCTURE OF

THE CITY COUNCIL
Formal organization is an ubiquitous condition in all organizations. It is the combined different roles and relations of all the working people in the organization. Everybody in the organization is subjected to this formal structure in one way or the other when one joins the organization. As one enters the organization, the formal structure is the conspicuous structure that he sees and it is what the organization ought to be (or supposed to be). The formal structure is arranged in levels and each level is related to each other. This arrangement is for the purpose of goals attainment for the organization and each level will contribute to the attainment of these organizational goals. Again, this formal structure is characterized with some functional characteristics that work together, again, for the achievement of these aspired goals. Among these functional characteristics there is the authority hierarchy (universal in all organizations) that defines the authority relationship between the superordinates and the subordinates and also symbolizes the goals of the organization and coordinates the activities of all the units of the organization.

There are also abstract rules which are specifications of all the duties and limits of the organization members. Centralization and decentralization where authority is concentrated at the top or where authority and responsibility are brought to various parts of the organization respectively are also characteristics of formal structure. Finally there is a system of communication that transmits the information decisions and skills of the organization to all the members of the organization. This communication could be formal (written), informal (oral) external or internal. External communication brings the organization into contact with its external world while the internal communication goes on within the organization.
that is among the members of the organization. This formal structure of organizations is very important in the decision-making mechanism in public and private organizations. Nairobi City Council as a public organization is not exempted from the formal structure. Thus the aim of this chapter is to examine the formal structure of the City Council and the role it plays in the decision-making process.

The formal structure of the City Council of Nairobi has five levels. These levels (from the bottom to the top) are the sub-committees, committees, the Council, the Mayor and the Ministry of Local Government (see the Chart - BACK PAGE). The decision is supposed to pass through all these levels before it becomes a bill. But at times, the decision does not have to start from the sub-committees.

The sub-committees are an establishment of the standing committees of the City Council. The Local Government Regulations of 1963 give authority to the Committees to establish sub-committees when necessary. This is portrayed by the Local Government Regulation 95 which states: "A Committee appointed under 1963 Local Government Regulations, may appoint a Sub-Committee from amongst the members of the Committee for any special purpose as the Council may deem expedient."¹

The sub-committee does not have direct powers of its own. Whatever power it exercises is delegated to it by the committee that appoints it and even the committee must have authority from the local authority to allow it delegate some of its executive powers to the sub-committee as the last part of the Local Government Regulation

"In the absence of express authority from the Local Authority which appoints that committee, it shall not be lawful for the committee to delegate any of its executive functions to any of such sub-committee".

In the City Council of Nairobi the sub-committees are established on non-permanent basis and they are established to facilitate the committee concerned in some tasks. The committee might be committed to so many tasks and as such the sub-committee would help in some of these tasks that would have taken a lot of time before they are accomplished. For example, there is the Works Appointments sub-committee, which deals with applications in the Department of Works. There is also Leave-Sub-Committee that deals with the permissions of the members of the Council to be absent from the Council meetings or even the committee meetings. There is also the All-Appointment-Sub-Committee that deals with the whole question of appointments in the Council and then reports to the Staff Committee. It is the one that looks for people to be employed in different posts and then do research on the qualifications and merits needed for those posts.

Therefore, whatever the Sub-Committees do is on behalf of the committees that establish them in particular and of the Council in general because through the Committees the decisions of the sub-committees will reach the Council.

The other level after the sub-committees is filled with the committees. The committee system is a common characteristic of Local Government in countries influenced by English practice and this committee system is important as was noticed by Dr. Marshall in his book Financial Administration" -

"A Local Authority is an assemblage of quasi-independent Committees working together only at the very highest level
Nairobi City Council as a Local Authority has a committee system. These committees are established by the Council as authorised by the Local Government Regulations - i.e. Regulation Number 91 that says:

"A local authority _may_ appoint a committee for any such general or special purpose as in its opinion would be better regulated and managed by means of a committee, and they delegate to a committee so appointed with or without restrictions or conditions as the local authority thinks fit, any function exercisable by the Local authority ---- except the power of levying a rate or borrowing money or of making by-laws".

(Local Government Regulations 1963 - Regulation Number 91 Page 42).

There are ten committees of the City Council and each represents each administrative department of the Council. These committees are - the General Purposes, Health, Education, Social Services and Housing, Works, Town Planning, Staff, Finance, Water and Sewage and Housing Committees.

2 - Dr. Marshall "Financial Administration in Local Government (page 38) - In the University of Birmingham - Institute of Local Government Studies - Principles of Local Government Occassional Notes : The Committee System
TABLE II

<table>
<thead>
<tr>
<th>COMMITTEES</th>
<th>DEPARTMENTS' HEADS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. General Purposes</td>
<td>Town Clerk Department</td>
</tr>
<tr>
<td>2. Finance</td>
<td>City Treasurer's</td>
</tr>
<tr>
<td>3. Social Services</td>
<td>Director of Social Services</td>
</tr>
<tr>
<td>4. Education</td>
<td>City Education Officer</td>
</tr>
<tr>
<td>5. Works</td>
<td>City Superintendent's</td>
</tr>
<tr>
<td>6. Town Planning</td>
<td>City Engineer's</td>
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<tr>
<td>7. Water and Sewage</td>
<td>Director's</td>
</tr>
<tr>
<td>8. Public Health</td>
<td>Medical Officer of Health's</td>
</tr>
<tr>
<td>9. Housing</td>
<td>Manager's</td>
</tr>
<tr>
<td>10. Staff</td>
<td>Town Clerk's</td>
</tr>
</tbody>
</table>

Thus each department of the City Council has both a political and an administrative head respectively. Regulation 92 of the Local Government 1963 provides that every councillor (elected, nominated or appointed) belongs to one of the committees of the Council as it says:

'Every councillor shall be elected by the Council to serve at least one committee ---'.

Also the Chief Officers are supposed to attend the Committee meetings together with their deputies especially when there are matters to be discussed by the Committee concerning their departments.

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3 Kenya Institute of Administration Kabete: The Local Government Regulations 1963 (Regulation 92 (2) (pp 43)
Again each committee has a chairman elected by the members of that committee. The chairman in any committee is very important. He is the one who promotes and maintains order in the meeting especially when the feelings of the members run high. There would be chaos in the meeting if the members were left to address each other at random. This is avoided by providing that all remarks be addressed through the chairman.

It is this chairman that justifies the actions of the councillors and Chief Officers in his committee to the Council and also provides a balance between the Chief Officers and the councillors. He is supposed to provide this balance by making sure that the technical knowledge of the Chief Officers receives due weight and also to make sure that the elected members of the committees do not become mere "rubber-stamps" of what are virtually Chief-Officers made decisions. This is important because the chairman is bound to influence the other councillors on his side if he thinks that the decision of the Chief Officers is sound. He will also side with the councillors if he does not feel convinced about the decision of the Chief Officers. Thus at times, the chairman acts as an arbitrator between the councillors and the Chief Officers while at other times he sides with one of the groups in the committee.

The chairman is also supposed to meet with the administrative head of the department and discuss with him the things that will be discussed in the committee and they create a general consensus. It is only where the Chief Officer is unable to convince the chairman of the committee about an issue that the chairman will oppose the Chief Officer in the committee.
The chairman is also allowed to take a vote like the other councillors in the committee but the Chief Officers are not allowed to vote in the committee meetings (even in the Council).

The Mayor and the Deputy Mayor are ex-officio members of all the committees. They can attend any committee meeting and participate fully in the meetings. The Mayor is also the Chairman of the General Purposes and Staff committees. While on the chair, he is like any other chairman of the other committees.

Different committees are assigned different functions by the Council. Each committee has the function of dealing with all the matters of the department assigned to it. It is the committees that coordinate all the affairs of each department and plan for the daily activities and needs of each department. When the affairs of the department fail, it is the committee that is answerable for these failures to the Council and the chairman is supposed to explain the reasons to the other members of the Council. For example, the General Purposes Committee is the policy-making committee for the Council. It makes the by-laws of the Council and then these by-laws are taken to the Council for approval by all the members. It is also this committee that deals with all the administration and coordination of all the activities of the City Council. It is through this Committee (first through the Town Clerk and then the Committee) that the City Council communicates with the external world and especially the Ministry for Local Government. The Finance committee deals with all the financial matters of the Council. It advises and recommends the expenditures of the City Council. For example, it is the Finance Committee through the City Treasurer that the City Council was advised on the financial crises encountering the Council and thus the need for rent increases to combat these
financial crises. It also advises the Council on rating matters and also supervises the whole financial arrangements of the City Council. For example, the Finance Committee could fail to recommend expenditure advocated by another committee and this claim would be dropped for the Finance committee is trusted to know better the financial position of the Council. Social Services committee deals with the Social problems in the City especially in areas where social services are needed and where there is need to improve the social conditions. For example, it was this committee that informed the Council of the low standards of the services offered to the public by the City Council due to the inadequate funds available for the elevation of social services within the City Council. The Works' Committee does all the repairing of the roads, Council Estates and the Council property in general.

Thus each committee of the Council has its area of jurisdiction that it must look after on behalf of the Council. All these activities of different committees are coordinated and brought together in the Council monthly.

There are some powers delegated to these committees by the Council. For example, the Housing Committee was granted plenary powers to grant, cancel and determine tenancies of Councils' housing; to issue warnings to tenants and exercise discretion over such tenancies. The Social Services and Housing Committee was granted powers to grant, cancel and determine tenancies of Council's Market Premises, to issue warnings to tenants and exercise discipline over such tenants. Public Health Committee was granted powers to serve notices under the Council's By-laws in respect of abatement of nuisances.  

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4 These powers were granted the Committees by the Council in an Annual Meeting held on 28.8.72 - in City Council of Nairobi; Minutes of proceedings of the Council and of the several committees thereof for the month of August 1972 (pp. 118)
Again, all the committees are empowered to receive, consider and accept tenders appropriate to each committee on behalf of the Council but these tenders should not exceed the sum approved by the Council and the Finance Committee—i.e. it should not exceed the value of 500 pounds. Again each committee has the power to participate in all decisions that touch their areas of jurisdiction. Thus it is possible to find two or more committees participating in one decision because the decision in one way or the other touches each of this committee. For example, in the rent increase decision the General Purposes, Finance and Social Services and Housing Committees were touched and each Committee contributed to the passing of this decision.

Despite these powers of the committees they have some limitations. They are first limited by the Council. For example, all the activities of the committees must receive approval from the Council and the latter could reject any activity of the committee completely or could defer such an activity to the Committee for re-examination and amendments. Again the committees are limited in the financial field because they are not empowered by the Council to levy rates or to borrow any money. This is done by the Council with the approval from the Ministry of Local Government. The committees are not also supposed to make by-laws except the General Purposes Committee but even here the by-laws will only become formal when they get the approval of the Council and the Ministry of Local Government respectively. Finally, the Committees are limited in the sense that in no case shall any act of the Committee be binding on the Local authority until submitted to and approved by the Council except in cases where the Council has by resolution authorized a committee to manage, regulate or conclude any matter. In this case the committee will be acting on the advise given by the Council.
The Chief Officers also limit the activities of the committees in that they have the right to register their objection to any decision passed by the committee against their advice. This is important especially because the committee members will always fear the consequences of such a decision that would prove that the Chief Officers were right in their advice and recommendations.

The other level from the committee is the Council. It is composed of all the councillors elected by the electorate, the appointees and nominees of the Minister for Local Government. The Chief Officers of the City Council are also members of the Council though they are not supposed to speak in any of the Council Meetings except the Town Clerk who is the Legal Adviser of the Council in general and the Mayor in particular. He advises her on whether the Regulations are adhered to in the conduct of the meetings and advises the Council when it violates the Standing orders of the Council.

The Council has powers to elect the committees and their members. Also has the powers to elect the Mayor and the Deputy Mayor. It is also empowered to establish, control, manage and maintain a pension, Grants and gratuities to its officers at retirement and to their dependants on the death of these officers. With the approval of the Minister, the City Council is empowered to establish and maintain schools and other educational institutions.

Finally, the Council has the power to reach into some decisions without seeking the approval of the Ministry for Local Government. For example, the dismissal of an officer of a lower grade does not need the Minister's approval, while the appointment and dismissal of a Chief Officer, his deputy and assistant will be approved by the Minister for Local Government.
The Council's main function is to coordinate all the activities and affairs of all the committees. It approves all these activities and gives them formal approval. Thus it is the Council that is supposed to accept or reject the decisions of the committees and if these are rejected they become nullified. It is the Council that creates collectivity among all the members for all the decisions made in the committees and it is this collectivity that makes each member of the Council responsible for any decision made whether he contributed or not (except where the member registers his opposition to such a decision).

From the Council the other level is filled by the Mayor. The Mayor is a councillor and has a ward like any other councillor. The other councillors elect the Mayor from amongst themselves. Once elected, the Mayor becomes the chairman of the Council. The election is done by secret ballot. The position of the Mayor in the Council makes her (or him) powerful. The Mayor is the one supposed to symbolize the goals of the City Council and unifies these goals for the benefit of the City Council. The Mayor is the legal head of the City Council and as such has legitimate power over the City Council. But the Mayor does not exercise power directly, instead the Mayor tries to influence the other members on her/his side. The way the Mayor relates to the Central Government also makes her/him more powerful for she represents a power more influential than the Council. Thus the Mayor is powerful because of the support he/she gets from the Central Government.

But the is subject to all the regulations of the Council like any other councillor and her/his power in the Council is not direct or well laid in the papers.
The Mayor has functions that she/he must perform for the welfare of the Council. It is the Mayor who chairs all the Council (and some committees') meetings. While on the chair in the Council meetings/she acts as the coordinator of all what the councillors have decided in their respective committees. She is the one that signs the Minutes of the Council Proceedings thus making them legal and opening them for public scrutiny. The Mayor is also the legal representative of the Council in all the meetings between the Council and other bodies outside the Council. It is also the Mayor that receives all the guests that come to visit the City Council and performs all the ceremonies that concern the City Council.

The Mayor is limited by the other councillors in that she/he would not like to alienate them because they would form a counter-group that would make her/his work very difficult. Thus she/he will always try to win the majority of the councillors to her/his side if she is to stand her ground soundly.

The Chief Officers also limit the Mayor especially the Town Clerk and the City Treasurer. The Mayor will always try to listen to the advice of the Town Clerk (and at times of the City Treasurer) because he is her legal adviser and if she does not follow his advice he might be alienated towards her and he would give her a wrong advice that would be detrimental to the Council. The formal knowledge and the experience of the Town Clerk makes him indispensable to the Mayor in the decision-making process. The highest level of the Council is the Ministry for Local Government. This Ministry in particular and the Central Government in general are represented in the Council by the Provincial Commissioner (P.C.) Nairobi. This level has a lot of power over the Council in that all the most important decisions of the Council must be approved by the Minister.
for Local Government. For example, all the Financial, policy and Tender decisions must get this Ministry's approval before they become bills.

This is because in the final analysis the Minister for Local Government is answerable in Parliament for all the activities of the City Council. As such, he must make sure that he gives the best scrutiny possible to all the decisions of the Council especially the financial and policy ones with strong political overtones for they would make his position difficult in Parliament.

Thus, it is the Ministry for Local Government that is ultimate control of the City Council and it is through it that the Council is represented in the Parliament.

All these hierarchical levels of the Council are interrelated and as such there is a pattern of constant communication between them. Each level contributes to the whole and the division in levels is only to facilitate the division of labour - each level dealing with one aspect of the work of the Council. Each level represents another higher body and as such plays a representative role in the whole structure. Thus each level of the structure is responsible and subordinate in the final resort to the level above it for the level above it has power over it (lower). The lower level is delegated some power by the one above it and whatever the subordinate level does is communicated to the above levels. For example, all the activities of the committees are communicated to the Council (monthly) and then these activities if approved by the Council are delivered to the Ministry for Local Government for approval. Thus, a system of feedback is maintained in the structure. Since all these levels are important in the decision-making process, failure of one of the levels would affect the decisions made in the Council. The
interdependence must be maintained. It is within this formal structure of the Council that the decisions (or the bills) are supposed to be initiated and finally passed. It is not common for a decision to start from the sub-committee except where the sub-committee is given the mission to perform and then report to the main committee that appoints it. It is the committees that are seen as the decision-making bodies and the decisions formally originate from there though informally this is not the case.

The councillors being the policy-makers are supposed to initiate the bills and then the Chief Officers execute these bills. But in the City Council of Nairobi both the councillors and the Chief Officers initiate the bills and most of the decisions are initiated by the Chief Officers. The councillors especially initiate the sensitive political decisions while the Chief Officers initiate the technical decisions where their competence in technical field is very influential.

After the decision or the bill has been introduced in the committee the councillors discuss it and if the Chief Officers are involved are now and then called upon to explain some points. After the discussion is exhausted, the decision or the bill is voted upon and if it gains majority of the councillors (Chief Officers are not allowed to vote) the chairman takes it to the committee of Finance especially if the bill will involve some expenditure. In the Finance committee, the bill might be accepted or rejected on the grounds of lack of funds. If rejected the decision is dropped and the members of the committee that had passed it explained the reasons why it was dropped. It could be initiated again in the future. From the Finance committee, the bill goes to the Full
Council where again it is voted upon. In the Council the bill is not discussed except when there is a disagreement. The members of the Council are supposed to have read the bill before coming to the Council and made up their minds whether to accept the bill or not. Those who reject it say so in the Council. If the bill becomes very controversial, it may be deferred to the Committee but only where majority of the members reject the bill. If a majority of the councillors reject the bill, it will still be passed. For example the rent increase bill was passed despite the fact that some councillors had rejected it.

From the Council the bill goes to the Ministry for Local Government. Here it is the Mayor (and at times with the help of her deputy) and the Town Clerk and the City Treasurer that play the role of middle-men between the Council and the Ministry for Local Government. The Minister for Local Government might take sometime, before giving approval or disapproval to the bill. This is important so as to enable the Minister adequate time to do some investigations about the bill and to gather the public opinion especially from other members of Parliament. The Minister will always take caution in consenting a bill that would jeopardise his political stand. When the bill gets the approval of the Minister it is then returned to the Council through the Mayor or the Town Clerk and then the Council gives authority to the committees concerned to authorise their respective departments to execute the bills. From that time, the bill will be used by the Council to attain the desired ends. Should the Minister fail to give approval to the bill, the Council will drop it but could raise the same bill in the future if they so wish. For example, the rent-increase decision, where the Ministers for Local Government in the years between 1963 - 1972 had refused to approve the decision until this year (1973) when the Minister
gave approval for the rents to be increased by the Council.

Now that I have discussed the formal structure of the City Council, the next chapter relates the three decisions (Rent Increase, Employment of manual labourers and Eastern Extension Scheme decisions) to the formal structure. It will explain the role each played in the presence of these decisions and examine the powerful people within each level. Thus I will try to identify the power centers at the City Council. Since the sub-committee did not play any role in the passing of these decisions, I will exclude them.
CHART I

FORMAL STRUCTURE OF THE CITY COUNCIL OF NAIROBI

MINISTRY FOR
LOCAL GOVERNMENT

THE MAYOR

THE COUNCIL

COMMITTEES

COMMITTEES

SUB-COMMITTEES

COMMITTEE

SUB-COMMITTEE

COMMITTEE

SUB-COMMITTEES

SUB-COMMITTEES

SUB-COMMITTEES
CHAPTER IV

ANALYSIS OF THE

DECISIONS
ANALYSIS OF THE DECISIONS

Rent-Increase:

The Rent increase decision goes back to 1964, the year immediately after Independence. The need to increase the rents was in existence in the years before independence but the colonial government neglected it due to the system of racial segregation. With independence, there was need to improve the Estates formerly occupied by the Africans. This need was expressed before the Africanization of the senior posts of the Council except the post of the Town Clerk that was africanized immediately after independence.

In 1967, there was the pressure to have a general increase of the housing rents but the Minister for Local Government did not give the approval for the increase except for the New Ngara and Woodley Estates. These increases did not cater adequately for the many needs of the Council. In 1969, the need to increase the rents was again expressed by the Chief Officers of the Council and as in 1967 this move was not successful because it would have lowered the popularity of both the Minister and the councillors because the general and local elections were due to be held. This increase would have been detrimental to the Minister and the councillors.

The move to increase the rents also failed because there was no agreement on how to increase the rents between the Council and the Ministry of Economic Planning and the Treasury. The view of the Ministry of Economic Planning and the Treasury sold to the Ministry for Local Government was the one propounded by the University of Nairobi Institute for Development Studies. This view was that the Council should charge full market rents for its houses in all
its Estates. This would mean the abandonment of the previously held concept that local authorities housing activities were designed to provide houses as cheaply as possible for the lower income groups in the community. The argument held by those who advocated this view was that if full market rents are charged, there will be a large revenue, surplus to be devoted to further building. This view ignores the political considerations as they exist in the City Council of Nairobi because it does not look at the electorate represented by the councillors and the effects such a view would have on them. Again, this view was so much American-oriented and unsuitable for Kenya situation (like Nairobi City Council).

The Council on the other hand did not advocate full market rents. It advocated an increase in rents that would enable the Council to run its services well and balance the Maintenance Funds of the Council Estates. Thus while the first view would make the Council a profit-making organization (a contrast to what a public organization ought to be) the latter view would make it a non-profit making organization. This disagreement of views contributed more to the failure of the Minister to approve the decision in the years immediately after independence. In March 1973 the view of the Chief Officers prevailed over that of the Ministry of Economic Planning, the Treasury and the Institute for Development Studies of the University of Nairobi.

Some factors initiated the formulation of this decision. One of these factors is the deficit of the Housing Maintenance Accounts. Each of the services provided by the Council is supposed to be on self-supporting bases. No funds of one of the services is supposed to be subsidized to help another service. For example,

1 - "Some Thoughts on a Housing Policy For Nairobi" by Dr. John R. Harris of Boston U.S.A.
the water accounts are supposed to cater for all the water undertakings and no funds should be taken from the Housing accounts and be put to the water accounts. In the case of the City Council, the Maintenance Funds had been running into deficit and the Maintenance Funds had surpassed the contribution to the Maintenance accounts.

Thus as Table III shows, since 1967 there had been no balance between the Maintenance Expenditure and the contribution to the Maintenance Fund. The Council was spending more on Maintenance than it was getting. For the balance to be re-established rent increases were inevitable.

This deficit led to some money being subsidized from the Housing accounts to the Maintenance accounts. As a result, a deficit was also incurred on the Housing Accounts. This again called for rental increases and in a meeting held in September 1967, the Council accepted a resolution by the Chief Officers and the Social Services and Housing Committee that:

"This committee accepts the fact that a review of housing rents is necessary in view of the current deficit in the Housing accounts and the inadequate provisions for repairs and improvements."
<table>
<thead>
<tr>
<th>YEAR</th>
<th>MAINTENANCE EXPENDITURE</th>
<th>CONTRIBUTION TO MAINTENANCE FUND</th>
<th>DEFICIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1966</td>
<td>82,506</td>
<td>91,495</td>
<td>-</td>
</tr>
<tr>
<td>1967</td>
<td>109,755</td>
<td>97,380</td>
<td>12,375</td>
</tr>
<tr>
<td>1968</td>
<td>72,163</td>
<td>70,080</td>
<td>2,083</td>
</tr>
<tr>
<td>1969</td>
<td>98,674</td>
<td>97,488</td>
<td>1,176</td>
</tr>
<tr>
<td>1970</td>
<td>91,722</td>
<td>30,478</td>
<td>61,244</td>
</tr>
<tr>
<td>1971</td>
<td>149,786</td>
<td>138,726</td>
<td>11,060</td>
</tr>
<tr>
<td>1972</td>
<td>190,000</td>
<td>70,040</td>
<td>119,960</td>
</tr>
</tbody>
</table>

Source: Minute 3 (pages 1170/71) of the Council Proceedings - Meetings of the Social Services and Housing held on 10th January 1972.
The other factor that led to the formulation of this decision was the population increase since 1963. In 1963, the area of Nairobi was enlarged from 35 square miles to 266 square miles. This increase in area entailed an increase in population that rose from 275,500 in 1960 to 367,000 in 1963 and to 620,000 people in 1973. This increase in population demanded a complementary increase in services to be able to cater for the large population.

But in 1963, when the area and the population of Nairobi were increased, adequate funds were not allocated to provide the needed services. For example, £54,075,000 were used for the services of the population for Nairobi within the bounds of 35 square miles. With the increase of the area (and the population) to 266 square miles, only about two and a half million pounds were added to the £54,075,000. The British Government anticipated political chaos with independence and as such did not want to commit a lot of its funds to the City whose future was uncertain. Thus the need to increase the services in the City also called for rent increases.

Together with this problem of population increase, there were also inadequate funds to keep the Council owned properties in proper maintenance. The Chief Officers worked under severe financial pressures when trying to provide the services and maintain these properties and some of the properties were neglected due to lack of funds. Even the maintained properties, the Chief Officers stressed, were not at a reasonable standard. These properties as assets of the Council, the latter had (has) an obligation to regularly maintain them but unless money was made available by the Council, the Director of Social Services and Housing responsible for maintenance could not maintain these properties fit enough for the people to use. This was another factor that called for the increase.
The final factor that called for the formulation of this decision was the desire to raise the living standards of the people living in the old Council Estates. For example, there was need to build up to standard latrines and improve water facilities where there would be conversion of communal water pipes to individual water pipes. Electricity and transport facilities would also be improved.

Thus, under these conditions the rent increase decision was formulated and after long discussions, it was implemented. The Minister for Local Government gave the approval to the decision in July 1973 and despite some public protests, the Council has implemented it. The implementation of the rent increase decision was facilitated by the abolition of the General Personal Tax (G.P.T.) by the Central Government robing of the City Council, one of its important sources of income. With G.P.T. gone, the Council could not run all its services unless the Central Government took over some of these services. Since, the Government could not take such a burden, it recommended the rent increases. Thus the increased rents are not going to meet the original needs it was intended to only, but it will also help in running some of the services of the Council. It appears that the rents will go on increasing as these services require funds. Thus, this increase, is only a start of a long future process in that direction.

The implementation was also facilitated by the fact that the Estimate of the Council expenditure for 1974 was higher than what the Council could collect from its resources. The Estimate could not be lowered because all what it embraced was indispensable for the welfare of the people of Nairobi.
Thus the rent increase was inevitable and was bound to be called for anytime in the future. It was long overdue.

2 Eastern Extension Scheme-Decision

The aim of this decision was to build houses in the Eastern part of the City of Nairobi for the lower income groups. The Scheme was to be built by the City Council, Central Government (Ministries for Housing, Lands and Settlement and Economic Planning), National Housing Corporation, Housing Finance Company of Kenya and Commonwealth Development Corporation. It was the City Council that had to provide the land for the Scheme.

After discussions with the parties concerned the decision was passed and implemented by all these parties. The Scheme was completed and Estates like the Outering are part of it.

Thus the factors that led to its formulation were, need for houses for these lower income groups and the availability of land on which the Scheme was to be planted.

3 Employment Decision

The aim of this decision was to nullify another decision that had been made by the Council's committees. The Finance and the Staff Committees in a joint meeting held on 10th May 1972 asked the Director of Social Services and Housing to employ forty three workers. In this meeting, the decision was passed and the Director did as he was instructed.

Later in another meeting held on 14th July 1972, the decision was nullified. In this research I will concern myself with the decision that was passed to nullify the former decision.

One of the factors that led to the formulation of this decision (the one that nullified the first) is that there was no
financial provision to meet the wages of these forty three employees and as such their services had to be terminated immediately. The other factor was that their employment was illegal and contrary to the Local Government Regulations of 1963. This was especially the case because the Council was being asked to retain employees over and above its 1971 approved existing staff establishment. This would lead to a surcharge for the officers responsible for the recruitment and if the councillors voted for the retention of these employees contrary to the law, they would also face surcharge. The third factor that led to the formulation and implementation of this decision is that the Ministry of Local Government had approved councils' Revenue Estimates for 1972 and the Council had agreed that it would not create any more additional posts in 1971. The establishments for 1972 would remain the same as was in 1971. Those three factors were propounded by the Chief Officers and helped them in convincing the councillors to undo the decision. The former decision was nullified and the other one passed, that adopted the suggestion of the Chief Officers of treating these employees as casual workers on daily rates.

Now that I have shown what each decision involves, the rest of this chapter is to relate each of these decisions to the levels of the formal structure of the council. I will identify the power centers in each level and also identify who make (and made) the decisions in the City Council. I will also discuss the formal Education of the members of each level, their occupation and the relevance of each of these variables in the passing of these decisions. I will deal first with the committees in which case I will discuss the role of the councillors in the committee and also of the Chief Officers; then go to the Council where all the members of the Council
vote the decision; then the Mayor who is the chairman of the Council; and finally the Ministry for Local Government whose approval is very important in any decision especially if the decision is very controversial.

The formal education of the councillors (that I interviewed) vary from those with less than four years of primary education (they are semi-illiterate) to those with form four standard of education.

<table>
<thead>
<tr>
<th>Number of councillors</th>
<th>Formal standard of Education</th>
<th>Average years in the Job</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Form four</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>Standard Four</td>
<td>6</td>
</tr>
<tr>
<td>5</td>
<td>Standard Eight</td>
<td>5</td>
</tr>
<tr>
<td>4</td>
<td>Less than four years of Primary Education</td>
<td>7</td>
</tr>
</tbody>
</table>

Thus in general the councillors do not have a high standard of Education as this table shows. Again, the councillors with relatively high Education are younger than the low Educated ones. For example, the councillors with less than four years of Primary Education are old about fifty five or sixty years of age. Those with Education of up to Form Four and standard Eight are young (between thirty five
and forty five years of age). Again, the older councillors have more experience in the workings of the council than the younger councillors. But this long experience for the older councillors does not make them more innovative than the younger councillors. The old councillors want things to remain in the status quo. The people they represent, majority of them are illiterate (majority of the people of Nairobi are illiterate) and live the old Estates that are in desperate need of improvement. They (old councillors) felt that something ought to be done about these Estates but they were not able to specify what their people wanted first. They did not advocate the idea of raising the standard of living of these people but the idea of building other Estates to meet the housing problems.

The younger councillors on the other hand are more innovative and did not see the need of going on building new Estates until the old ones had been improved and made better and healthy places for people to live in. Thus in passing these decisions there were always some conflicts between the old and the younger councillors. In the Eastern Extension Scheme decision they had to conflict over style of the houses. The younger councillors preferred the modern styles that are complicated while the old councillors preferred the very simple styles of the old Estates.

The councillors do not have any professional training and as such non of them had the expertise power over the decisions because these decisions were very technical in nature and involved a lot of technical complexities. The Rent increase and employment decisions involved a lot of figure calculations and monetary knowledge while the Eastern Extension Scheme decision involved a lot of technical planning and engineering knowledge. As such, the councillors could
not rely on their own understanding of the decisions. As such the councillors were bound to be manipulated by the Chief Officers on whom the former relied for the expert knowledge. Thus on the technical side of these decisions, the councillors had no power but argued that whatever the Chief Officers did was on behalf of the councillors - but power is power whether it is delegated or not.

English is the formal language of communication in the council and every councillor is supposed to have command of English if he is to understand the administrative language of the council. But looking at all the councillors as a body, most of them are semi-illiterate (but this is understandable bearing in mind that the majority of the Nairobi population is illiterate) and as such, their ability to understand the administrative language especially the complex technical matters is limited. Thus their level of debate in the committees and the council on technical matters is very limited and in these decisions there was no exception. They only participate fully in sensitive political decisions especially the ones that threaten their political career or their own interests. For example, they were very active when the Council wanted to pass a regulation that would cut down their personal allowances.

But even in decisions which would have some negative political outcome, if the Chief Officers are bent to pass the decision, the councillors do not have the ability to oppose the decision. Their views get defeated by the Chief Officers. At times the councillors decide to pass a decision arbitrarily without the compromise of the Chief-Officers - for example, the decision on Tenders - where the one who was allowed to sell things to the Council was not the one who had tendered the least to the Council. Therefore, in these three decisions the majority of the councillors did not have the ability to understand the administrative language.
Even in the Council (where I observed them debating some decisions) they have a poor argumentative capacity, that is not very convincing. Some of them could have very good ideas but they are not able to put forward their ideas.

In the decision-making process, the ability to identify different alternatives and capability to select the best alternative for the attainment of the goals of the decision-maker is very important. There is also the need to be able to evaluate the different alternatives and to identify the problem and the appropriate means to solve this problem. To be able to do all these there is the need to have the knowledge of different alternatives and the problem involved. In the case of these councillors, they could not see the problems until these were identified by the Chief Officers. In the case of the Rent-increase decision, the problems were the deficit, poor conditions of the Council Estates, lack of adequate services, and lack of funds to run these services of the Council. The councillors were to be told that there were no funds and that there was a deficit by the Chief Officers. Even when they were told about the problem, they did not take it very seriously until very late. Even when they realized the seriousness of the problem, they did not know the best alternative that they would follow to solve the problem. Even the alternatives the propounded were impossible to follow. For example, they suggested that the Council be given some authority to be levying taxes from some companies like the East African Bus Services. It could take a lot of time to convince the Central Government of such a move. The Central Government gets a share from this company. Even the company can not accept so easily on such a move. It was the Chief Officers that gave the alternative that was acceptable that is, the increasing of the rents.
In the employment decision, the problem was lack of financial provisions to keep these employees in employment. The councillors could see the problem but could not get the alternative and this was provided by the Chief Officers.

In the Eastern Extension Scheme the councillors could see the need for the scheme, but they could not decide the role that the City Council could play in the scheme. Moreover, the councillors did not know about the scheme until it was almost started. All the preparations about the scheme were done by the Chief Officers and to a lesser extent by the Mayor. Thus, in these three decisions, the councillors played a minor role in the identification of the problems and in the evaluation of the alternatives to be used. This was because, the councillors did not understand or did not know the best alternative to be followed.

Therefore, their formal education did not help them in the passing of these decisions. Instead, the councillors left all the work to the Chief Officers. But the councillors gave the formal approval to whatever the Chief Officers did.

In the Eastern Extension Scheme I noted that the commonwealth Development Corporation almost decided everything even the renting prices of the houses after the scheme was completed.

But Education as such should not be seen as the sole determinant of the role played by the councillors in the passing of these decisions. One could have the knowledge and ideas but fail to use them if one has no commitment to whatever one is doing. Thus the councillors could probably have done more if they were committed to the course of the people of Nairobi. To know how much committed they were, we look at their occupation and how they divide their time.
between their occupation and the Council matters.

Ten of the councillors that I interviewed are businessmen (keep shops, butcheries, Bars and Hotels); Four have farms outside the town and three of them work in private firms (two of them are directors).

Of the Seventeen councillors, it is only five councillors that meet their electorate in their wards. The others insisted that they meet their electorate at their (councillors) places of work. This last point is doubtful because it is difficult for the councillors to attend their business and at the same time attend their electors. In any case, these councillors do not have any specific time when their electors can see them. Thus, it is likely for the electorate to go and fail to find their councillors at their places of work. According to this observation, it is rarely that the councillors meet their electorate. If the councillors do not meet their electorate, then it is obvious that they (councillors) do not understand their problems. Even after these decisions were passed, only six of the councillors that I interviewed met their electorate and explained these decisions.

In the passing of these decisions most of the councillors that I interviewed were not fully aware of what was going on. In the Rent Increase decision, five councillors had not read the Minutes before the meeting of the Council that passed the decision. So, they did not know what was going on and yet they voted for the decision. Four of the councillors read the Minutes about the decision but only a few minutes before the meeting where the decision was passed, started. Being not so good in the language, they did not understand the implications of the decision and yet voted for it. Six councillors read the minutes carefully and voted against the decision. They had
understood the decision well. Two councillors read the minutes about the decision but had not made up their mind as to which side to take. They also supported the decision.

In the Eastern Extension Scheme, the councillors were quite aware of the housing demands in Nairobi and yet they did not propose a scheme that would meet this demand. Nine councillors that I interviewed agreed that they saw the demand but they thought that the scheme was too complex and wanted to leave it for those who would come after them. Surely, if these councillors were really committed to the course of the people of Nairobi they would propose such a scheme even at the last month of their office. The Chief Officers took the initiative and proposed the scheme.

The other eight councillors thought that if would take so much time and effort to convince the central government to work with the Council for such a scheme. Thus these councillors did not want to spend so much time negotiating for such a scheme. If these councillors were committed, they would not have minded about the time they spent doing the work of the Council. After all, that is why they were elected by their electorate.

In the employment decision, the councillors did not look into the impact that the decision would have on the Council, they went on and passed a decision that was latter undone by the Chief Officers because it was impossible to implement it.

Therefore, looking at the nature of business-occupation of the councillors, it involves a lot of time-consuming and since the councillors are not employed full time by the council, they are bound to spend most of their time in their occupation thus neglecting to a large extent the work of the Council in particular and the electorate in general. Thus, as far as these decisions were concerned, the councillors were not fully committed and did not play a great role
in their passing. It is the councillors who talked more about 
these decisions in the committees and in the Council but the important 
thing is that they did not talk about what they were very conversant 
about or what they had prepared. They were discussing and voting 
on what some other people (Chief Officers, Commonwealth Development 
Corporation, National Housing Corporation of Kenya and staff from 
the Ministry) had prepared. Thus, it would be appropriate to say 
that the decision-maker may not be either those who have power by 
reputation or those directly involved in important decisions - 
their roles may be limited to that of 

"lending prestige or legitimizing the situations 
provided by others." 

The councillors perceived these decisions differently. In the 
Rent Increase Decision, most councillors (nine of those I interviewed) 
felt that the decisions favoured the majority of the population of 
Nairobi. Most of these are poor. Thus the decision was seen by 
these as a positive mechanism of gaining them more political popularity 
from the people of Nairobi. This especially because the rich people 
who live in the Council Estates would pay for more additional money 
over the previous one and this money (part of it) would go towards 
improving the living conditions of the poor people living in the 
Estates formerly occupied by Africans in the colonial days. 
The poor people would be affected but the physical actions 
that would be done in their estates would convince them that the 
rent increases are for their benefit. Moreover, the increases in the 
Estates were not so high - this is what the councillors perceived. 

5 Freeman et al "Locating leaders" 
In Politics and Society - by Eric A. Nordlinger (Ed) pp. 187
The first group that was paying twenty eight shillings, formerly, would be paying thirty five shillings with the increases. The second group that had been paying a hundred and one shillings would be paying a hundred and thirty shillings with the increases. To me, this increase is not little because it will depend on what one earns. Some earn more than others. To a poor man, this was a lot of money especially if he did not have other sources of income - this increase would make a lot of difference, whereas, the increase for the high income groups would fail to make any great difference because of the many sources they might have of getting more income.

In the Eastern Extension Scheme decision, the councillors perceived it as meant to help the poor people - the low income groups. Thus, most of the councillors supported it. But it remains to be seen what people will occupy these houses once they have been finished because the councillors could be corrupted (some commented that this has already happened in the case of Outering Estate) and the people with high incomes get these Houses. This would lead to the councillors losing popularity when the poor people realise that they were tricked.

Again, if the councillors were committed to the course of the poor population, they could follow up and see that the desires of this population were that, but as we have seen they are not fully committed. The Chief Officers and the other parties to the decision will determine who goes there.

In the decision-making process, some members identify themselves with those they think are more powerful than themselves. Those with whom the others identify are so important because they will determine in most cases the decisions that will be passed. In the passing of these three decisions, most councillors identified themselves with the Mayor, - i.e. eleven councillors identified themselves with the Mayor in the rent increase decision. For example,
<table>
<thead>
<tr>
<th>ESTATE</th>
<th>OLD RENTS IN SHILLINGS</th>
<th>NEW RENTS IN SHILLINGS</th>
<th>INCREASES IN SHILLINGS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quarry Road</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family Quarters</td>
<td>351</td>
<td>650</td>
<td>299</td>
</tr>
<tr>
<td>Madaraka</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Two Rooms</td>
<td>351</td>
<td>500</td>
<td>149</td>
</tr>
<tr>
<td>(b) Three Rooms</td>
<td>351</td>
<td>600</td>
<td>249</td>
</tr>
<tr>
<td>Mariakani</td>
<td>210</td>
<td>600</td>
<td>390</td>
</tr>
<tr>
<td>Kariokor</td>
<td>240</td>
<td>600</td>
<td>360</td>
</tr>
<tr>
<td>I Woodley Flatlets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) 1st category</td>
<td>219</td>
<td>245</td>
<td>26</td>
</tr>
<tr>
<td>(b) 2nd category</td>
<td>275</td>
<td>425</td>
<td>150</td>
</tr>
<tr>
<td>(c) 3rd category</td>
<td>345</td>
<td>600</td>
<td></td>
</tr>
<tr>
<td>II Woodley</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Two Bed-Roomed</td>
<td>322</td>
<td>650</td>
<td>328</td>
</tr>
<tr>
<td>(b) Three Bed-Roomed</td>
<td>351</td>
<td>800</td>
<td>449</td>
</tr>
</tbody>
</table>

Source: Daily Nation
28th July 1973
the two councillors that had not made up their minds as to which side they would join, once they found that the Mayor was for the decision, they at once joined her side. In the Eastern Extension Scheme decision, the councillors identified with her because whenever the Central Government is involved, those on the side of the Mayor would always win. Eleven councillors gave the view that of all the decisions that have been passed since 1969 - all the decisions sided by the Mayor had been going through and get the approval of the Ministry for Local Government easily. Her position is more than that of a Mayor in that she represents a bigger power in the Council - the Central Government. Thus those who go against her always, are seen by others as going against the Central Government and all what it stands for. Thus, even those who do not like her ideas, are bound to side with her because in doing so, their positions are safeguarded. In addition to this, the councillors identify themselves with the Mayor because as a Mayor she has the legitimate power and as such has a lot of influence. Some councillors (seven) and all the Chief Officers pointed out that a strong Mayor could have all the councillors on her/his side. Since, she was for these decisions, no wonder most of the councillors were for them and we can not rule out the influence she had over those councillors.

The councillors do not identify themselves with the Mayor alone. They also identify themselves with the Chief Officers whom they recognize as having technical expertise and as such technical power. The Chief Officers are seen by the councillors as all known.

In the Rent Increase and Employment of Manual Labourers only six and two councillors that questioned the views of the Chief Officers respectively. The others accepted the views of the Chief Officers. Thus the Chief Officers are able to influence the councillors because of their power of confidence derived from their technical expertise. As such, these decisions being very technical, the Chief Officers
influenced the councillors and the latter identified (eleven) with the Chief Officers. In any case, even if the councillors did not recognize this authority of confidence of the Chief Officers they had to rely on them for these decisions were too technical for them.

Different views about these decisions were held by the councillors. These views determined whether one supported or opposed the decisions. In the Eastern Extension Scheme, they all supported the decision and they all gave the view that Houses were needed and the Council could do nothing but provide them. In the rent increase decision different views were given by the opposers and supporters. For the opposers they held that no matter how meagre the increases will be, but the low-income groups will be upset because most of them do not have other sources of income. Thus the Council would disadvantage the people it was supposed to help. As a result, the Trade Unions would come in and demand the wage increase for these people, but the wage increases would not be implemented on these workers only. Others who are affected would also demand the increase. Thus creating a problem for the Government.

These councillors also held that the rents did not touch the Houses only, but also the stalls - for example, at Kariokor and Shauri Moyo since the new prices for these stalls are very high, the poor people would evacuate them and the rich people would hire them and this would lead to economic domination by the rich even in the areas of the poor people. For example in Kariokor Market a stall whose rent was paid fifty shillings a month, would now cost a hundred shillings; In Shauri Moyo Market, a stall that was previously charged ninety shillings would now cost a hundred and forty shillings; and in Westlands Market, a stall that was formerly charged for two hundred shillings would now be charged two hundred and forty shillings.
Thus, to these councillors, this was a way of sending the poor men out of the Market. Finally these councillors felt that the rent increases were a betrayal of the trust that the people have put on the Government in general and the councillors in particular. This is tantamount to turning the City Council a profit-making organization. But here, it should be noted that the City Council did not want to collect more than it needed.

These councillors who opposed the decision had different suggestions that they thought could be utilized by the Council to get the money it needs. For example they said that the Central Government should allow the City Council to have some shares in the Kenya Bus Services since it is these buses that use the roads in the Town and the common man uses these buses. Thus, whatever profits, this company makes come from the common man. The share that the Council would get from the Company would be used for maintenance and in meeting the deficit in the Housing account.

These councillors also felt that the Central Government could allow the City Council to be taxing some companies that are also taxed by the Central Government. For example, they felt that Coca-Cola and the Breweries operate in the City and yet do not pay any licence to the City Council. The City Council also sends some Health Inspectors to inspect the products made by these companies (before they are released) and the Council is not paid for that. If the Council is allowed to tax these companies, these councillors argued that deficit and the maintenance Funds could be that without increasing the rents. Thus even these councillors could see the financial problems of the Council but did not feel that the best way to solve it is the rent increase. But some of these councillors did not see the reason why some money should be spent in improving the old Estate.
The councillors who supported the decision had the deficit, the need for more services and the need to improve and maintain the old Estates in mind.

An Employee of the City Council, observed that this decision had more political overtones than economic. He made an observation that the councillors were conflicting on the grounds that some held the notion that by increasing the rents the people who live away from the City would loose - than those who live near the City and go home after work. Thus by increasing the rents the Kiambu people (most of whom do not stay in town) would not be affected. Those from Muranga, Nyeri, Western, etc. would be losing, Kiambu District (people) would be gaining at the expense of others. Such an assumption could be true but it is difficult to verify its truth. But, it is interesting to note that four of the councillors that opposed the decision come from Muranga District and the other two from Nyanza (the latter opposed the decision later). There was also a suggestion by one of the councillors that most people in the Council Houses are from Nyeri and Muranga and as such they would be hit harder by the increases.

The Eastern Extension Scheme decision, was supported by all councillors but from my observation, the councillors (except the Mayor) had not been informed about it adequately. Everything had been discussed in an informal meeting held in the Mayor's parlour by the representatives of Central Government, National Housing Corporation, Commonwealth Development Corporation (C.D.C.) and the Mayor together with the Town Clerk. In this meeting, if talking more about an issue is an indication that one knows more about it, then the representative of the C.D.C. and National Housing Corporation talked more than the others.
After everything had been exhausted in the meeting and the decision passed, then it was brought to the councillors who voted affirmatively for it. In the Employment Decision, those who supported it did so on the grounds that there were no financial provision to meet the wages for these employees. The opposition of the decision were on the grounds that the dismissal of these employees would add to the already critical problem of unemployment. But in all the councillors did not know the implications of the decision that they had made earlier until they were briefed about these implications by the Chief Officers. It was only after they were told about the problems that they supported the decision.

Therefore, from all these I conclude that the councillors played a very minimal part in the passing of these decisions. But it is important to note that a decision either made by the Chief Officers or anybody else is not formally accepted as a decision until the councillors give it the formal approval. In these three decisions, there was no exemption and they became effective decisions when they were given the formal approval in the monthly Council meetings by the councillors. The councillors have the power (legal) to reject any decision of the Chief Officers but they rarely do so in practice.

Now that I have discussed the role that the councillors played in the passing of these decisions, I will now discuss the role that the Chief Officers played.

The Formal Education of the Chief Officers is high and of the eight officers that I interviewed only one of them had not gone through High School Education, but even this one had long experience in the service of the Council.

The Formal Education, professional Training, Experience and age of these Chief Officers I interviewed are shown in the following two tables.
### Table VI: Education and Professional Status of the Chief Officers

<table>
<thead>
<tr>
<th>Chief Officer</th>
<th>University</th>
<th>Profession</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Clerk</td>
<td>University</td>
<td>Generalist</td>
</tr>
<tr>
<td>Deputy Town Clerk</td>
<td>University</td>
<td>Lawyer</td>
</tr>
<tr>
<td>City Treasurer</td>
<td>University</td>
<td>An Accountant</td>
</tr>
<tr>
<td>Assistant Town Clerk</td>
<td>University</td>
<td>Lawyer</td>
</tr>
<tr>
<td>Deputy City Engineer</td>
<td>University</td>
<td>Engineer</td>
</tr>
<tr>
<td>Assistant Medical Officer of Health</td>
<td>University</td>
<td>Doctor of Medicine</td>
</tr>
<tr>
<td>Director of Water and Sewage</td>
<td>Standard Eight</td>
<td>Generalist</td>
</tr>
<tr>
<td>Deputy Director of Social Services</td>
<td>Form Four</td>
<td>Generalist</td>
</tr>
</tbody>
</table>

Source: Interviews with these Officers.
<table>
<thead>
<tr>
<th>CHIEF OFFICER</th>
<th>EXPERIENCE IN THE JOB</th>
<th>AGE IN YEARS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town Clerk</td>
<td>9</td>
<td>45 *</td>
</tr>
<tr>
<td>Deputy Town Clerk</td>
<td>9</td>
<td>50</td>
</tr>
<tr>
<td>City Treasurer</td>
<td>9</td>
<td>40</td>
</tr>
<tr>
<td>Assistant Town Clerk</td>
<td>8</td>
<td>35</td>
</tr>
<tr>
<td>Deputy City Engineer</td>
<td>9</td>
<td>40</td>
</tr>
<tr>
<td>Assistant Medical Officer of Health</td>
<td>11</td>
<td>49</td>
</tr>
<tr>
<td>Director of Water and Sewage</td>
<td>9</td>
<td>50</td>
</tr>
<tr>
<td>Deputy Director of Social Services</td>
<td>9</td>
<td>50 *</td>
</tr>
</tbody>
</table>

Source: Interviews with the Chief Officers.

* These Officers appear to be older than the indicated age
The Formal Education of the Chief Officers gives them ability to perceive a problem and also enables them to evaluate different alternatives of solving the problem. It gives them the evaluation capacity that enables them to distinguish between different means to be utilized for the attainment of specific goals. Thus it gives them an understanding between the means and the goals and the understanding of the implications of the decisions made by the Council. It also gives them the argumentative capacity to persuade the councillors and also to reach a solution to a given problem. Technical know-how is an indispensable power for the Chief Officers. While no councillors had any specific profession, it was only three of the Chief Officers that I interviewed that did not have any profession.

This formal Education was very important in these decisions especially at their initial stages in the committee. It was this Education that helped them in originating these decisions, evaluation of different alternatives of solving the problems and even in the prediction of the repercussions of the decisions once passed. Though supposed to give professional advice to the councillors the Chief Officers in practice originated and passed these decisions. The Chief Officers also persuaded the councillors to accept these decisions though the former knew the political repercussions the decisions would bring about. For example, in the rent increase decision, the Chief Officer knew that there would be negative reactions from the Trade Unions, the electorate and the councillors and yet pressed the decision to be passed. They knew that some councillors would oppose it but they were also aware that these councillors would not defeat them in the committee. It was the argumentative capacity of the Chief Officers that made the rent increase and the Employment decisions go through. Some Chief Officers (4) asserted that their formal Education helps them to identify what is good or bad for the council. That is why they were able to judge why the rent increase was necessary and estimated how
much each salary group (scale) would pay. Other Chief Officers have some knowledge on political Science and as such they are able to predict on what is in the minds of the councillors and are able to form a strategy on how to handle the councillors to be on the safe side. Those with law as a profession are able to reason things out especially the legal matters. In doing so, they get through what they want. For example, in the employment decision, the Chief Officers by using legal arguments were able to convince the councillors that whatever they were doing was contrary to the law and the Local Government Regulations of 1963.

The experience of the Chief Officers also enables them to compare a problem that existed in the past with the present one and then make an opinion from this comparison. For example, in the rent increase decision, the Chief Officers were able to convince the councillors that the problem of rent-increase was worsening because the council failed to solve it while in its incipient stage - in 1964. Thus they were comparing the 1964 problem with the present one.

Therefore, on the Educational side the Chief Officers have an advantage over the councillors. The Chief Officers exploited this advantage in the passing of these decisions.

On the occupational side, the Chief Officers are professionals with exceptional of three of the eight officers that I interviewed. Some of them have private businesses (four of them) but they do not run them, they have employed some people to run them. Thus unlike the councillors who run their businesses. But some of the old Chief Officers (2 of them) that are near to retire want to amass wealth and so they neglect the work of the council. For example, the Director of Social Services and Housing. His work is always done by his subordinates and he is always under attack from both the other Officers and the councillors for negligence.
As far as commitment to their work is concerned they (Chief Officers) are committed. All attended the committee meetings where these decisions were passed and all contributed in defending these decisions. For example, in the employment decision, it was the Town Clerk that alerted the councillors that the continued employment of these people was contrary to 1963 Local Government Regulations and would lead to surcharge of the council. He also insisted that the Council was acting contrary to the law.

It was the City Treasurer that reminded the council that it had made an agreement with the Ministry of Local Government where the Council agreed that it would not employ more people in 1972. He also reiterated that there was no money to meet the wages of these additional employees. It is important to note that whenever the Officers talked in the committee they did so as a body, not singly.

In the Eastern Extension Scheme on Housing decision, the Chief Officers were also fully committed and they represented the council in all the meetings with the other bodies concerned. So, whatever opinion was given by the Council was the opinion that the Chief Officers saw appropriate - appropriate in the way they saw it but not the way the councillors saw it.

In the Rent Increase Decisions, it is the Chief Officers that enlightened the Council on the financial problems of the Council - For example the deficit and the lack of maintenance funds for the council properties. They also suggested and estimated the rents that would be paid by different income groups.

Even in the negotiations between the Council and the Ministry for Local Government about the increase, the Chief Officers were fully
involved, especially the City Treasurer, the Chief Valuer and the Town Clerk. They tried to convince the people in the Ministry to accept the decision. Thus the Chief Officers were fully committed in the passing of these decisions and their extra-official work did not hinder them from participating fully in these decisions.

Their views on these decisions varied but this did not hinder the passing of these decisions. They all supported the decision and they only differed on the methods to implement them especially the rent increase decision. They all supported the rent increase decision because they were all aware of the deficit question, need for improved services in the old Estates and the properties of the Council needed proper maintenance and were also aware of the need to balance the Housing and Maintenance Accounts of the Council.

They had different solutions to this financial problem of the Council. Some (3) advocated the idea of selling some of the Houses of the Council so that the money obtained should be used to maintain other Estates. There are others who advocated the idea of physical action after the increase where the public should be shown what this money is doing in practice. This would remove any skeptical feelings. For example, the Council could instal burglary proof in the Estates of the Council. This would justify the rent increase. The increased money could also go to social services - this is again observable by the public and they would see what the rent increase has done for them. The Chief Officers had a consensus as to the fact that most of the money should go to improving the living standards of the people who live in the Council Estates and also to correct the deficit.

They supported the Eastern Extension Scheme decision on the justification that the poor people would benefit from it. This Scheme would also add funds to the Accounts of the Council because the
rents would be higher than those of the other Council Estates. This was noted by the City Treasurer in his memorandum on sources of Revenue, submitted to the Finance sub-committee of Nairobi Development Committee.

"As officers we accept the need for a general increase and have already, in the newest Estates fixed prices and rents nearer to so-called "Market levels".

In the Employment decision, the Chief Officers supported the decision to terminate the services of these employees on the grounds that their employment was illegal and would lead to surcharge of those who employed them; the Council did not have the funds to keep them; and the Council would break the agreement made between the Council and the Ministry of Local Government. Here the Local Government had approved council's Revenue Estimates for 1972 (Reference Minute 8 of the Council Proceedings of the Finance Committee Meeting held on 21st June 1972 (pp. 2568) subject to the Council agreeing that it would not create any more additional posts in 1972 and establishment for 1972 would remain the same as was in 1971. Thus, the Council had been acting illegally in employing additional employee and it was only the Chief Officers that recognized this.

The Chief Officers, legally do not have any powers. What they have is duties and responsibilities and these two are based on their expertise knowledge and experience on the workings of the Council. Since these three decisions were very technical, the Chief Officers played a very large role. In the Rent Increase decision, the City Treasurer, City Valuer, Director of Social Services and Housing (and the Town Clerk) played a very important role. Their Deputies also assisted greatly. In the Eastern Extension Scheme Decision, the City Engineer, Works Superintendent, City Treasurer and the Director of Water and Sewage were very important while in
the Employment Decision the City Treasurer, the Director of Social Services and Housing and the Town Clerk played a major role. The Deputies work together with their Chief Officers. They could be more efficient than their superiors. For example, the Deputy and Assistant Town Clerks are very influential on the decisions more than the Town Clerk who does not have any profession. He is a generalist and depends so much on the knowledge (legal) of these two subordinates.

Again the Chief Officers are employed by the Council and they are supposed to act on what is delegated to them by the councillors (the Council). But they are working in an environment where the councillors have very little knowledge and experience (come and go) on the workings of the Council. The councillors do not have any technical skills or any professional know-how and as such they (Chief Officers) are able to sabotage the powers of the councillors of making the decisions and the councillors rubber stamp them. This was the case with these three decisions. All what these decisions involved was done by the officers - they identified the problems, identified the means to solve these problems, evaluated the means and predicted the implications of the decisions. Thus they controlled the situation under which these decisions were made.

The Chief Officers are also powerful in the sense that they are in a position to give wrong advice and information about a decision to the councillors. They could also use complicated technical terms that the councillors cannot understand and it is difficult for anybody to argue against what one does not understand. In this, the Chief Officers could use the Town Clerk as their Mouthpiece because he stands in a very strategic point in the Council. He is the legal adviser of the Council and he is the Chief Executive - a position accepted by the councillors and the other Officers. He is allowed (unlike the other Officers) to participate in all discussions and as such he was a
full participant in the three decisions and his role could be confused with that of the councillors. Whatever ideas he put forward about these decisions were the ideas of the Chief Officers.

Before the meetings where these decisions were passed, it is the Town Clerk who saw the Mayor to discuss the agenda and to straighten any point that would raise controversy in the meetings. In this case, the Town Clerk was able to win the Mayor on the side of the Chief Officers.

It is through the Town Clerk that the business to be transacted in the Committee or Council meetings reach the councillors. Thus it is the Town Clerk that communicates what is to be discussed to the members of the Council and even to the Mayor.

Thus the Town Clerk acted as a communicatee between the Councillors and the Chief Officers on the matters concerning these decisions. As such the Town Clerk was able to influence whatever went to the councillors because he is supposed to explain whatever the councillors do not understand to them.

By law, the Town Clerk is supposed to ensure that all decisions reached are correct in law and adequate in form and do not contravene any principles of the Council's Standing Orders or unnecessarily contradict a previous resolution of the Council. In the Employment decision, the Town Clerk played his role well, where the Council was going against the Local Government Regulations. But, the question is how the Town Clerk determines the decision is correct and adequate in form? He cannot do this without being subjective to a decision and in these three decisions this was no exemption. His view was that of the other officers.

Again, the Town Clerk is the Officer through whom the outside world communicates with the Council. This was true of the Eastern Extension
decision. As such, the Town Clerk is bound to inform the other Officers of the move the Council is bound to take and together with these, he devises a strategy on how to face different committees of the Council. Thus he is able to influence the decision before it reaches the committees in particular and the Council in general. For example, in the Eastern Extension Scheme, it was through the Town Clerk that all the bodies concerned communicated with the Council. All the initial preparations were done by the Town Clerk and the other Chief Officers and the matter was taken to the councillors when everything had been done.

Thus in these three decisions, the Town Clerk played a major role.

The Other Chief Officers also played a major role in these decisions. They are supposed to be present at the committee and Council meetings when the business to be transacted concerns them. They are at times called upon to defend their decisions at the committee. For example, the City Treasurer had a difficult time defending the rent increase decision but the other Chief Officers helped him. They all talk in terms of "We" officers and not "I". When they act as a body it is difficult for the councillors to pick on one of them and make him the victim of attack for any decision. Despite all their technical power, the Chief Officers have got some limitations. They limit themselves. The Chief Officer will try to get the consent of the other Chief Officers in the decisions he wants to go through. It would be very embarrassing for a Chief Officer to be opposed by another Chief Officer. This would make the councillors lose confidence in the Chief Officers. Thus in these decisions, the Chief Officers concerned, made sure that they won the support of the other Chief Officers. That is why all the Chief Officers acted as a body in combating the opposition of the councillors.
The councillors also limit the Chief Officers. They can veto a decision of the Chief Officers without any reasonable bases. The councillors could dismiss the Chief Officers with the approval of the Minister for Local Government. Thus in whatever they do, the Chief Officers want the councillors to appear the boss and always label them as the decision-makers, and in these decisions, despite the minimal role played by the councillors, the Chief Officers insisted that the councillors made these decisions.

They are also limited by the Ministry for Local Government because they depend on the Minister for their appointment and dismissal. The Press also limits them. They have no political immunity against any attack by the public. So they check on their move and do not want to appear in the public.

The formal relationship between the councillors and the Chief Officers was very strained in the process through which these decisions were made. The Chief Officers always accuse the councillors of always asking for favours. This relationship makes the work, for both groups very difficult. Most of the councillors being semi-literate and ignorant according to the standards of the Chief Officers, there is created a social distance between the councillors and the Chief Officers who are more enlightened and with technical know-how. As such there was difficulty in communication that tends to create an element of arrogance on the side of the Chief Officers who say that they have the technical know-how and arrogance on the side of the councillors who say that they are the lawful policy-makers. In the passing of these decisions, this element was prevalent and the two parties were competing. The Chief Officers won the battle because of their technical know-how.

Even the relationship between the Mayor and the Chief Officer is strained and she is accused of asking too many favours by the Chief Officers. The favours she asks are like orders - she has the power and as such she is capable of undermining the employment of any of the Chief Officers. It was this strained formal relationship that made it
necessary for these decisions to be discussed informally until the last minute when the committees were informed about them.

Both the councillors and the Chief Officers hold different views as to who made these decisions. As far as these decisions were concerned, the councillors participated in them from the committee stage to the Council. In the committee, they discussed them basing their arguments on the views (the recommendations and advice) given by the Chief Officers. In these Committee meetings, the Councillors did all the talking and finally voted positively for these decisions. But talking and voting as such do not give one power. What is important is the stuff they talked about and who prepared that material. Thus the view that those who make decisions may not be either those who have power by reputation or those directly involved in decision making holds. Thus, the background of these decisions that was prepared by the Chief Officers was very important for it pre-determined the move the councillors were going to take.

Seven councillors felt that the Chief Officers played a very important role in these decisions. They even accepted that these decisions could be said to be decisions of the Chief Officers. These same councillors were authentic enough to accept that 90% of all the decisions passed by the Council are originated by the Chief Office. Thus these councillors were of the opinion that these decisions were made by the Chief Officers informally while the councillors gave them a formal stamp, making them legitimate for the use by the Council. Ten of the councillors were of the opinion that the Chief Officers did not pass these decisions, but prepared the ground material for these decisions, while the councillors made them. But this does not hold because the decision-making process does not start at the committee stage. It starts with the realization of the problem. These councillors insisted that they are the policy-makers and as such play this role.
this role while the Chief Officers are the Executors of these decisions. But looking at these decisions, this dichotomy is very insignificant and the Chief Officers exploit the ignorance and the inadequate knowledge of the councillors to invade in the territory of the latter. These councillors also insisted that a decision is not a decision until it gets the formal approval (this given at the committee and the Council). While this holds, it is also true that a decision goes through many informal stages before it is considered formally and these stages are also part of the decision-making process. These three decisions were not exceptions.

The Chief Officers held the view that decision-making process is a collective effort and everybody in the Council participates in the process. It does not matter how small the part one plays in the process. This concurs with the view that all decisions made by the Council, everybody is counted as responsible for them whether one participated in them or not. They also held that in all technical decisions, they dominate the scene. These three decisions being technical, then the Chief Officers did dominate them. They also agreed that they do not like to emerge fully in political decisions but advice the Councillors on how to handle them. But the recommendations and the advice they give carry some influence with them. Thus even here they play a vital role. These decisions involved intricate power manipulation and as such they were political in nature and the Chief Officers were fully involved. In my interviews, the Chief Officers do agree indirectly that they were dominant in the passing of these decisions.

Legally, the councillors are supposed to make decisions but in practice, the Chief Officers asserted that they (Chief Officers) do make them. The Chief Officers also alerted me that except where the decisions carry a lot of political overtones, the Chief Officers
are able to pass decisions by simply confusing the councillors. This confusion is technical and technical complexities are used. The Councillors do not understand these technical complexities.

Thus, the committees being the decision-making bodies (The Council only gives approval to what the committees have passed and also votes for what all the members have failed to agree on) the Chief Officers play a very dominant role though much of the talking is done by the councillors. Most of what is talked there is what the Chief Officers have prepared. In the three decisions, they played a very important role and they were aided by their professional status and capacity, their experience and Education. These things give them an advantage over the Councillors.

Therefore, from all what I have discussed in this chapter I am of the opinion that the Chief Officers do make the decisions of the Council but they do this informally while the councillors formalize the decisions made by the Chief Officers. But this process does not always follow the formal structure of the Council. It follows the informal structure that I discuss in the next chapter.

The Minister for Local Government also plays a significant role in the decision-making process of the Council. Sometimes the role he plays is very direct like in the case of the Rent Increase Decision where his consent was awaited before the decision could be executed. The Minister was in this case advised by the P.C. as to the stand of the Council and the importance of the decision. The P.C. is the representative of the Central Government and he has some veto powers. He does not use these veto powers directly but informally he could advise the Minister against a decision especially if the Decision will mean the Council going above what is allowed by the Central Government. At times the P.C. as an administrator of Nairobi is able to interact with people and in the process of interaction he is able to
gather the public opinion in regard to some decisions. If the decision is so much opposed by the public and if it tends to alienate the Minister, he will advise the latter not to give it approval. This is why the Rent Increase Decision, had to take too long before the Minister agreed to approve it. Thus, the Minister does not go into a decision blindly, he must do some research and consult some of his advisers. He did this in the case of Rent Increase Decision. He held important meetings with Council members to discuss the decision especially if it is a controversial one.

At other times, the Minister leaves his representatives to deal with the Council decisions. He does not get involved directly but he must be informed what goes on in the Council. This was the case in the Eastern Extension Scheme Decision where the officials from that Ministry did everything on behalf of the Minister. In the Employment Decision, his influence was not direct but the promise that he had made with the Council not to employ more people prevailed.

Thus, the Minister for Local Government also formalize the decisions of the Council especially the ones that are controversial. He does not interfere very much in the affairs of the Council. This he does when conditions also call upon him to interfere like in the case of the Rent Increase Decision and his decision is final. The meetings which he holds with the Council members are not always public but he keeps in contact communication with the Mayor and the Town Cler
CHAPTER V

THE INFORMAL STRUCTURE

OF THE

CITY COUNCIL OF NAIROBI
Like the formal structure of any organization, the informal part of it is very important in the decision-making process. It supplements the formal part of the organization.

According to Gross, the informal structure is,
"Those aspects of the structure that are not prescribed by the formal authority and they supplement or modify the formal structure."

This view concurs with the one held by Herbert Simon, that the informal organization is the interpersonal relations in the organization that affect the decisions within it but are either omitted from the formal Scheme. These two authors observe that no formal structure in any organization that can operate effectively in the decision-making process without an accompanying informal structure.

This informal structure is portrayed in any organization by the informal groups that are formed. Every member of the organization belongs to at least one informal group. It is these informal groups that enhance one's social status in the organization - this social status is not given by the formal structure of the organization. Thus the informal relations make up for what the formal structure lacks. These informal interpersonal relations could be in utter contradiction with the specifications of the formal Scheme. They are the relations that give a feeling of security and certainty to an individual.

The decision-makers in any organization will always associate themselves with informal groups to which they belong and it is the members in these groups that will support the decisions that they make. These decision-makers will always consult their members in these informal groups and together take a common stand in supporting the decisions that they want passed. These informal groups are especially very important when combating other informal groups. Some informal groups in the organization could ally with other informal groups that are

1 - Gross - Ibid - pp. 557 - 565
external to the organization and some informal groups are more powerful than others.

When choosing the informal groups, one will always join members of groups that share his interests. Such interests could be ideological, friendship cliques, specialist or professional, party, religions, cultural and other shared interests. It is these interests that give them a common identity.

In the decision-making process, these informal relations become more important especially because it is very difficult to formalize relations. As such, the top administrators and even politicians find it more easier to engage in informal relations with their subordinates and even with their equals in discussing a decision before it is taken to the formal structure of the organization. Gross calls it "Silent Conspiracy" and it enhances internal communications in the organization. These informal communications in the organization enable different informal groups in the organization to solve some of its problems secretly without being exposed to the public (it is not aware of the informal relations because by going to the organization as such one does not see it, one sees the formal structure). It is in the meetings of the informal groups that their members express their views freely and point at the shortcomings of the other informal groups and also at the merits and demerits of the organization without any fear. It is also here that the decision-makers are able to manipulate support from members of other informal groups and even from their subordinates.

An outside group could also have some informal relations with some members of the organization especially if it has some interests in any decision of the organization. Such a group will

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3 - Gross Ibid pp. 557 - 565
act of put pressure on the organization through some organizational members. Thus an individual in the organization could be an instrument of an outer group and this outer group could pay anything in terms of money so that, that person stays in the organization for he represents the interests of that outer group. Such an outer group could be detrimental to the welfare of the organization especially if the person who represents its interests holds a strategic position in the organization where he influences the decisions. He could deflect the organizational goals or even displace them and pursue those of the outer group.

The informal groups internal to the organization only become detrimental if there develops organizational politics where struggle for influence and authority takes priority over the goals of the organization - that is, they can also displace the organizational goals. This struggle for influence and authority among the informal groups should be allowed to exist to some degree beyond which it should be controlled for it would be deleterious to the organization.

In the City Council of Nairobi, the informal structure of the organization is present and follows the decision making-process from when a decision is initiated up to the committee and to the Council and when the decision needs the Ministers approval, the informal structure is also important.

Thus, there are so many informal meetings that are held by different informal groups to discuss a decision before it is passed to the formal decision-making mechanisms. All the discussions that go on in these informal meetings are informal and are not recorded. This is important because the members are able to express themselves fully and their attitudes and behaviours towards different decisions are portrayed
vividly and subjectively. They do not fear any personality insecurity and they show themselves in their true colours contrary to how they behave in a formal meeting.

The formal ceremonies that precede any formal meeting do not exist here and a climate of equality prevails. There is no emphasis put on formal statue and privileges. Differences and disputes are straightened here. Friendships and rivalries could also be formed here.

All the administrators that I interviewed agreed that in the decision-making process of the City Council of Nairobi, the informal organization and communication are more important than the formal one. Of the seventeen councillors that I interviewed, ten of them stressed the major role played by the informal organization in this process. They expressed the importance of the organization especially in an organization like the City Council of Nairobi where the formal relations are strained between the politicians (councillors) and the administrators. In the course of my research, the importance and indispensability of this organization were so much stressed and five of the administrators (Chief Officers) expressed the idea that they even go to the extent of hiring informants to keep them well informed about the move of the other informal groups of the Council and their (the later) views on particular decisions. For example, I was informed that the Bodyguard of the Mayor is used by the latter to gather information from the Chief Officers of the move or the decisions they want the Council to pass. The Chief Officers also use this same bodyguard especially when they want to be informed about the stand of the Mayor on particular decisions. With this information they are able to form a strategy on how to approach the Mayor. They cannot form such a strategy if they have no such information. The councillors usually use some of the Junior officers of the City Council to find out about the stand of the Chief Officers. This is because such office
could overhear the discussions of the Chief Officers and then could report to the councillors and the latter pay them money. Thus, here there is power manipulation where resources are used so as to obtain information about another group. A councillor could even influence the employment of a junior officer and once the latter is employed by the Council, he will be feeding the Councillor who influenced his employment with information about the Chief Officers. Thus, a very qualified person might fail to get employment with the Council and a less qualified person gets employed to serve interests of a councillor. Such things are publicly discouraged, but the City Council being a political organization, such things cannot be overlooked because power lies with those who can command maximum influence over the parties concerned in the Council. The employees of the Council are not excluded.

The members of the same informal groups communicate directly and as such communication barriers are eliminated. This informal and direct communication does not allow for misunderstandings to arise. But, the members of such a group do not always have to come together and discuss things. At times, they use telephone calls to plan a strategy that is to be used to counteract other informal groups. One could also telephone the members of his informal group to find out their stand on a particular decision and to know with whom they identify themselves in the passing of a particular decision. This he does prior to the meeting where this particular decision is to be discussed and voted for. Thus, he could oppose or support a decision depending on the stand of the other members of his informal group.

In the City Council of Nairobi there are some informal groups. Some of these informal groups are formed by the councillors; the Chief Officers; councillors and the Chief Officers and could also be formed by members of the council (The councillors or the Chief Officers) with
other members not belonging to the Council. Even the lower Officers do have informal groups with which they identify themselves. All these informal groups hold meetings at different times to discuss their affairs. It is in these meetings that differences between the members of the same informal groups are straightened.

Of all these informal groups, the ones formed by the Chief Officers and by the Councillors are the most important in the decision making process. Of all the Chief Officers that I interviewed, they belong to the informal group (made solely by the Chief Officers). It is their interests that bring them together in this informal group. This group usually holds some meetings and the purpose of these meetings is to bring together all the Chief Officers. It is where they straighten their differences (political, technical or group differences or even differences on different decisions). They discuss the decisions that they want the committees to discuss and pass. Thus, before any Chief Officer of any department takes an issue to the Committee, he takes it to the other Chief Officers. The latter will evaluate the issue and advise the Chief Officer concerned on it. They could even advise him against the issue and if he takes their advice, he drops the issue or postpones it to a later date. They will also help him in evaluating the possibilities of the support for the opposition of the issue by the councillors after which they will form a strategy to counteract the opposition that would be created by the councillors. Thus, they form a united front among themselves. All the issues that the Chief Officers predict that they would generate too much conflict, the Chief Officers will try to mobilize some councillors on their side. Until this is done the issue is not taken to the committee for fear that it might be defeated by the councillors.
It is also in these informal meetings that the Chief Officers create a sense of collectivity over all the decisions that originate from any of the Chief Officers. The decision might have been embraced only a few Chief Officers but all the Chief Officers will say that they were involved in it. This especially because the Chief Officers do not have any political immunity and could be attacked directly by the press or the public. Thus they use the pluralism "We" in the decisions that originate from any of them. For example, in the Rent Increase Decision, the Chief Valuer, the City Treasurer and the Director of Social Services and Housing were the sole officers that were involved, but all the Chief Officers said that they were all involved. They took a common stand. Thus, individualism is an undesired element and collectivity is highly valued.

This collectivity is based on the general consensus among the Chief Officers which helps them in inducing the councillors to give approval to the decision they (Chief Officers) want passed by the Committee. It would be embarrassing to a Chief Officer if he takes an issue or a decision to the Committee and then finds himself opposed by another or the other Chief Officer(s). This would make the councillors lose faith in the decision (and the Chief Officer) before they can even discuss it. Thus, this general consensus among the Chief Officers make them appear to the councillors as a team.

It was in this informal group that the Chief Officers passed the three decisions before they took them to the Committees appropriate for approval. For example, in the Rent Increase Decision, the Chief Officers were aware of the roar that the decisions would raise and also had predicted the reaction of different groups such as Trade Unions, the Ministry for Local Government and the Central Government in general but they went on and took it to the Committee. The Chief Officers had discussed this decision exhaustively among themselves, with the Mayor and some chairmen of the Committees
involved in it. All this had been done informally. This presence of the Mayor shows that an informal group could be formed temporarily to discuss an issue that is controversial. In the discussion of this decision in the informal group by the Chief Officers, some strategies were formed together with justifications of why this decision was necessary. They also advised the Town Clerk on how to present the decision to the appropriate committee and the points he is supposed to raise. The Town Clerk was given this mission of presenting the decision by virtue of the fact that he is the legal adviser of the Council and he is the one authorised to provide communication between the councillors and the other Chief Officers.

At times, however, any Chief Officer could present the issue to the councillors. It was in the temporary informal group with the Chief Officers, the Mayor and the Chairmen of the Committees that the Chief Officers were able to win the Chairmen on their (Officers) side and the Chairmen influenced most of the other councillors to support the decision. Ultimately the decision was passed when it was taken first to the Committee and later to the Council.

In the Employment Decision, informally, the Chief Officers discussed the decision and the financial danger that would encounter the Council if it increased employees contrary to the agreement that was made between the Council and the Ministry for Local Government in which the Council had promised the Ministry that it would not employ more people as manual workers in 1972. It was only when the Chief Officers had identified problem areas and made a decision on this that they took the issue to the Committee for approval by the Councillors. Their decision was taken by the councillors and thus the problem was solved the way the Chief Officers had devised.

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4 - "A Manual of Administration" published by the Society of Clerks of Urban District Council (1952) - Section II - pp 60-7.
during their informal meeting.

In the Eastern Extension Scheme decision the Chief Officers made all the decisions pertaining to the scheme informally and then took them to the appropriate Committees for approval. They were approved formally by both the Committees and the Council.

Thus, the Chief Officers informal group is very important in the decision-making process of the Council especially because legally the Chief Officers are not supposed to make decisions. Legally this would mean a sabotage of the role of the legal policy-makers who are supposed to be the councillors.

The other informal groups that are identified in the City Council of Nairobi is the one that is formed by the Chairmen and Councillors and the Chief Officers. Though it is known by the workers of the City Council when it meets, it is informal in the sense that all what goes on in it is not known by the public. It is not a must that all the Chief Officers and the Chairmen attend. Their proceedings are not recorded. The Mayor attends this meeting and although she does so not in her formal capacity as the Mayor, she is the Chairman of the group. She at times even acts as the arbitrator between the administrators and these chairmen. The interests that bring these two groups together are not personal but those of the Council. Thus, they are bound to have some value, interest and personality differences that would cause conflict between them and as such the Mayor acts as the arbitrator. They meet informally to discuss the affairs of the departments of the Council, their failures and achievements. Thus, their common aim to improve the workings of the Council reconcile their differences temporarily.

In the decision-making process, this informal group is important especially when there are controversial decisions to be passed. The Chairmen of the Committees involved in the decision is given the responsibility of winning the other councillors over
and convincing them of the significance of the decision. It is easier for a decision to go through the committee and even the Council when the Chairmen support it. Thus, when the Chairmen are convinced about a decision the danger of its rejection by councillors gets minimized. This informal meeting has also the advantage of allowing the Chief Officers to deal with fewer councillors and vice-versa. For example, in the Rent Increase Decision, it was in this informal group meeting that the Chairmen were won over by the Chief Officers and supported the decision. It was only four out of ten Chairmen that opposed the decision. Thus, before the decision was taken to the Committee, six Chairmen were already convinced that the decision was necessary and as such had supported it.

One could also identify an informal group in the Council made of the Councillors alone. This is an informal group where most councillors come together and the Deputy Mayor is a member. It is here that the councillors discuss their problems, interests and the Proceedings of the Council. All the other members of the Council are seen as outer groups and are not allowed to participate in the affairs of this group. The councillors reconcile their political views and differences or at least bury them for the interests of the Council. They even discuss the things that they would discuss formally in the Council. They make some amendments. It is in this group that the collectivity of the councillors is portrayed because most councillors from different Committees meet and take the responsibility over all the decisions that all these Committees make. It is this group that gives councillors identity as a group - for example, they might identify themselves with the Mayor as the symbol of their unity and leader of the Council. Some councillors are always attacked by both the public and the administrators, it is in this group that they get a feeling of belonging and security.

As in the informal group between the councillors and the
Chief Officers, this informal group at times get divided especially on political issues and decisions. As a result, it enables a councillor to know the ones that hold his views and those who oppose them. Those who hold the same views could also form their own informal group. For example, in the course of my Research, I gathered that there are informal groups based on districts. These groups could act as informal counter-groups to other informal groups from other districts. For example, there was a group consisting of Luos, Kambas and Luhya, another one consisting of Kikuyus from Muranga and even another with Kikuyus from Nyeri.

In the decision-making process this informal group is very important. A decision could be initiated and then gains or lacks support from the sub-informal groups. These sub-informal groups would have been bought by other external informal groups like when the Chief Officers as an informal group have managed to convince some councillors that their (Chief Officers) decision is relevant to the Council. Should such a decision be raised in this informal meeting (and be opposed) the councillors on the side of the Chief Officers will support it. If many councillors support the decision, then it will be adopted. But some councillors could change up their minds against the decision after coming to this informal meeting especially if the Mayor and the Deputy Mayor feel strongly about the decisions.

There are also departmental informal meetings between the head of the department, his Deputies, assistants and branch heads. In these meetings the heads of the branches of the Departments could also initiate the decisions. Thus a decision that the Council passes ultimately could have been initiated by a head of the departmental branch. In these meetings the head of the department is advised on the
decisions he wants the Council to pass. He might be advised against passing the decision and at times he may heed the advice and drop the decision before even taking it to the other Chief Officers especially if the advisers evaluate the decision and see that it would alienate some of the supporters of the Chief Officer concerned. Or he could drop it if he is advised that that is not the appropriate period for such a decision to be initiated. For example, the Rent Increase Decision could not be initiated at the time of the Elections, The City Treasurer was advised against it as a result (in 1969).

The informal relations are not confined to informal groups only. A Chief Officer interested in a decision could follow up that decision informally up to the Council and keep in touch with his supporters up to the last minute in fear that they might be bought by his opponents and turn against him and his decision. Even at the Committee stage, the informal relations are very important because members will always support the decision of the person with whom they interact informally. Thus a well intended decision could be opposed just because a person who supports it does not interact with the members of the committee informally. There is also informal follow up of the decision before it reaches the Council. This follow up is important especially in evaluating how much support one looses/gains before the decision reaches the Council. Again the decision could be supported up to the Committee stage and then looses support.

There are also external interest groups that put pressure on either the councillors or the Chief Officers to see that the decisions made in the City Council do not jeopardize their interests. Such interest groups are the prospective tenderers to the Council and contractors. They could use either the councillors or the Chief Office to achieve their aspired goals. They could form a coalition with one of the informal groups of the Council and such a group will always support the decision that will favour those external interest groups. In return...
these interest groups could pay any amount of money to ensure that the members of the Council that support them do stay in office. For example, they could aid a councillor during the elections by sponsoring him for re-election. Once such a councillor is elected or re-elected, he will always stand for the interests of these external informal groups. These interest groups could also influence the dismissal of some members of the Council (especially the Chief Officers) if they act as obstacles to the interests of these groups. Five Chief Officers expressed the view that the Chief Officers are usually saved from dismissal by their technical know-how that safeguards their positions because they are indispensable to the Council. Again, since they are appointed with the advise and approval of the Minister for Local Government, they are sheltered from the powers of these external groups. These informal external groups do not express their views formally but through their representatives in the Council.

Therefore, the informal relations both external and internal are very important in the decision-making process in the Council. At times they could replace the formal structure that could be used only to legitimise the decisions made informally. This informal structure of the City Council of Nairobi played a significant part in the passing of these three decisions as I have shown.
CONCLUSION

Implications of the Three Decisions

In this Chapter, the aim is to give some implications of the Research. I will give some personal recommendations that would enable the Council to make decisions more effectively and discuss some of the reasons that would make this possible or impossible.

Looking at the City Council of Nairobi, as one of the local authorities, it has succeeded, despite the failure of the councillors (as the policy makers) on the decision-making process. This success has come as a result of the vital role that the Chief Officers play in both its administration and in the decision-making process. I will attempt to discuss, how if the case of Nairobi is adopted in the County and Municipal Councils would probably work well. I will discuss about the Committee structure and whether it leads to faster decisions; the centralization of the decision-making process and its importance in the Nairobi City Council; whether a high level of Education, training and experience of the councillors could lead to more participation in the decision-making process; the impact of the interference or non-interference of the Ministry for Local Government; and finally I will attempt to discuss the implications of these decisions for the Society of Nairobi especially the residents (Tax-payers) of Nairobi City Council.

From the Research, I found out that the Councillors as policy makers play a very minimal role in the process of decision-making. The Chief Officers though not the legal policy-makers do dominate the scene. The councillors rubber-stamp the decisions that have been made by the Chief Officers. This is because of high level of Education, experience and professional status that the Chief Officers have over the Councillors. I also found out that the historical background of the City Council does still influence some of the decisions that the
Council make. This is because of some of the historical problems that the former colonial Council bequeathed the New Council and also because there was no any structural changes that were effected on the New Council after Independence. It was the Old Colonial model that is followed though there was a change of faces where the Whites and the Asians in the Old Council were replaced by the Africans. Together with the historical factors that play a very important role in the shaping the decision-making process of the City Council, I also found out that the structure (both formal and informal) play a great part in the decision-making mechanism. In the latter case, at times the decisions are made before they reach the formal structure of the City Council. The formal structure gives them legitimacy at such cases.

With this in mind I proceed to discuss the implications of the Research.

In the City Council of Nairobi, as the research shows, the decisions are made by the whole Council (formally) through a Committee system. The essence of these Committees is that they are bodies to which the Council commits some task and they are required to carry out these tasks. This notion of Committee system carries with it the idea of a body being in some manner or degree responsible subordinate and answerable in the last resort to the body of persons that set it up or committed a power or a duty to it. Thus, what the Committees do they do so for the Council. It is only after different Committees of the Council make decisions that these decisions are brought to the Council where all the councillors are present for approval. What is the importance of this committee structure? Does it make the decisions faster? In the first place the committees are important in that they provide an organizational framework for internal negotiations and for mobilizing the resources and the power needed to obtain the organizational action. They also bring
together formally various people from different points of the organizational hierarchy - For example, the administrators and the politicians. These are different in the sense that some are supposed to administer while others are politicians. They are also representative bodies and their role is representative - i.e. they embrace all the councillors who are the representatives of their electorate. Despite this, the Committee structure is also significant in that it facilitates and quickens the decision-making process. Their small size provides a better basis for the division of the tasks of the Council. They are quicker in obtaining a collective judgement on matters that involve many people. They have few people - for example, each committee has got an average number of members of twenty-three. Thus, such a number is able to reach a decision quicker than if they were more. It is also easier for such a group of people to reconcile their views on a certain decision than if they were very many. This committee system also makes it possible for the members of a committee to make more effective decisions because should the repercussions of their decisions be so bad, they would be held responsible by the Council. They are more cautious in making the Council decisions. Thus it enables the collectivity and responsibility of decisions to be narrowed to a fewer people. This committee system also allows for decisions to be made faster because as time goes by the members of a particular committee get used to the requirements of that committee and as such are able to handle decisions faster because of the experience they have gained in the period of their working in that committee. This especially on the side of the Chief Officers who have handled the work of particular committees for over seven years. They have become specialized in the way decisions for a particular committee are made.

The decision-making structure of the City Council of Nairobi
is centralized in the sense that the responsibility and authority of the Council are concentrated at the top. Legally, all the powers of making the decisions resides with the Council. The committees, the sub-committees and the Chief Officers do all what they do in the process of decision-making in the name of the Council. Thus they do not make independent decisions. In the final analysis, even the Council does not have ultimate authority, this resides with the Ministry for Local Government. It is this centralization that enables the Council to coordinate all the different activities of the Committee. If these are not coordinated, they might act to defeat each other. Thus, they are coordinated to a harmonious whole. It is also this centralization that enables the City Council to deal with the external forces that they work to weaken or even destroy the Council. It does this by allowing only the people at the high echelons of the Council to communicate formally with the outside world. Informally, this may not be the case but if this communication is not formally regulated it might be detrimental to the City Council.

In some organizations, lack of decentralization might lead to delay and congestion at the top echelons especially on important and urgent decisions. This could also hinder proper division of labour. In the City Council of Nairobi, this is not the case because work is divided according to different committees (each committee represents one administrative department) and each committee is responsible to some decisions. Whenever an issue reaches the appropriate committee, it is acted upon immediately. Thus, this centralization leads to efficiency in the Council. Moreover, this centralization is not so tight because the Council has got some power to pass and act on some decisions without consulting the Minister for Local Government. It is only in very serious decisions such as the Rent Increase Decision that the
Council does need the approval of the Minister. Even the Council has given some committee powers to make decisions without consulting the Council - for Example, the Finance Committee could release funds not exceeding five hundred pounds to be spent on emergent cases - for example, there could be a Water blockage somewhere and it cannot wait until the whole Council meets to approve the money to be spent on such a situation. So, the Committee goes on and releases the money. Thus, the centralized structure of the City Council does not hinder the decision-making process.

In the City Council, the research shows that the Chief Officers have got power over the politicians informally. Even though this is true, the functioning of the Council has not dwindled. It has gone on well and successfully with few failures here and there - for example some deficits and administrative mistakes. This has been successful, with the councillors playing the minor role in the affairs of the council.

In other Local Government Authorities this has not been the case. Their services have failed and some of their services had to be taken over by the Central Government in 1969 (e.g. Primary Education). This has been the case because both the administrators and the politicians have been inefficient. Thus, this calls for the importance of having qualified, experienced, well trained and professional administrators in all the Local Authorities. It is doubtful whether the councillors at the Rural or other Urban areas are better than those of the Nairobi City Council. But here the problem arises since not many educated and well experienced officials will be willing to leave the comfortable life of the Town like Nairobi and work in the County Councils. One of the administrators that I interviewed said that

"the County Councils or such Local Authorities like
Thika are too small for me". But they are not wholly to blame for the conditions in the rural Local Authorities are so different from those in the Urban areas like Nairobi - for example, there are differences in recreation facilities, social amenities, services, prestige, fringe benefits and even in salaries. So, few people would prefer to work there while there is possibilities of getting employment in places like Nairobi. So to attract such people, the Government ought to create better conditions in these areas like those that exist in the urban areas. It is only by having these people with technical know-how that the County Councils will be able to have good administration and be able to make decisions that will enable them to achieve their goals.

The other question that the Research poses is whether if these councillors of the City Council of Nairobi had a high level of Education, experience and training could have put more effective participation in these three decisions. Probably this would have helped to some extent. It would have raised their level of debate and the technical complexities that the Chief Officer at times use to confuse them (the councillors) would not have been used. Probably they would have thought of other alternatives to deal with the problems. For example, in the Rent Increase Decision, probably they would have devised another alternative (probably better of getting money for the Council.

Again, this would have balanced the power of the administration. There would have been two powerful groups - a political and an administrative one and the former being the one that represents the electorate, its decisions would be more binding than those of the administrators who are supposed to be executors (this only in theory). In case of conflict over any of these decisions, the
voice of the political group would have prevailed and subordinated that of the Chief Officers. In these decisions, the councillors could argue for long over what they did not understand and so the Chief Officers won the battle. Looking at these decisions practically, they are not democratically representative because they were made by the Chief Officers who are not the representatives of the electorate.

With adequate Education and experience they would have been able to identify the problems, do the background work and in the process of making the decisions, they would not have had to discuss what the Chief Officers had prepared. Discussing by itself does not make them participants. One is a complete participant if he knows what he is discussing and possessing this information and having the ability to discuss what this information convincingly makes him powerful. This more than anything else makes the Chief Officers powerful over the councillors.

Thus there is the need to have Educated councillors in the Council. In Kenya Constitution, one is only eligible to councillorship if he has command over English language - the formal language of communication. With such a clause in the Kenyan constitution, then one wonders how one finds an illiterate or semi-illiterate councillor in the Council.

My feeling is that the Government should make the elections to Local Government Authorities more strict and the corruptive methods that put some people who can do nothing in the Council when elected be checked. Or still, use Swahili as the language of communication in the Council since most of the illiterate and semi-illiterate councillors are very conversant when using Swahili. But then, this cannot be done over-night and it will take time. So the need to allow only those who can speak and understand English to be the candidates in the Local Authority Elections. After they have been
elected, they should all be taken to a course where they would familiarize themselves with the workings of the Council, Local Government Regulations, Standing Orders of the Council and the procedures used in making Bye-Laws. This would make their work easier especially in the environment of well educated, experienced and well trained administrators. They should not get training that is focused on one subject only, but should be exposed to broad knowledge and view of the workings of the Local Authorities such as committee systems, Decision-making process and also about their rights and powers as compared to those of the administrators. If they are exposed to one subject only, they would be myopic and they would grow a tendency that the local Government Authorities should be run in that particular way and as such they would not be flexible at different situations. Still this might be nullified by the fact that they are not committed fully to the course of the Council but at best it would be of help at those few moments that they give to the Council matters.

Unlike the County Councils, the Ministry of Local Government does exercise minimal control over the affairs of Nairobi City Council. The implications on this is that the City Council is able to make independent and faster decisions that are appropriate to the Council. Again, the fact that the City Council has succeeded in this is a challenge that even these County Councils given the same opportunities, the same facilities such as skillful and well experienced personnel like the City Council of Nairobi they could probably run well their affairs and could be more representative of the Local people - than the Central Government that exercises constant and unflinching supervision over the affairs of these County Councils. This could be a better form of decentralization that would bring closer the Government to the people at the Local level. The Government could provide adequate funds to the County
Councils that they would use in training their own people that are more familiar with the environment of their locality. Such people would raise the capacity of the County Councils to be able to handle the problems that face them and be able to provide Local people with grassroots democracy that would enable these local people to be better judges of their own destiny instead of the Central Government interfering with the County Councils every now and then.

When the Committees of these County Councils have to wait the authority of the Minister before they exercise some of the powers, they get delays, frustration and uncertainty. All these hinder the workings of the County Councils. Thus, the Central Government ought to give some autonomy to these County Councils on some matters as it has done to the Nairobi City Council but then some improvements should be done before this is done.

On the side of the Nairobi Society, (represented by the Council) these three decisions had some implications. For example in the Rent Increase Decision, the occupants of the Council Houses raised futile protests against the increases. This protest in the first place was ineffective because the people were not organized. Even if they had been organized, probably the protests would not have been effective because they could not have had good leadership. The councillors had already been won by the Chief Officers and as such they were not on the side of their electorate. Therefore, the Chief Officers are bound to make arbitrary decisions and yet the voters have to take them that way since the councillors are not able to resist these decisions. When the councillors are weak, they are not able to stand for the course of their voters fully.

Therefore, this Research points every now and then the need to improve the role of the councillors in the decision-making process if the interests of the electorate will be represented democratically. If this does not happen, the Chief Officers will
continue making some arbitrary decisions that will get the rubber-stamp from the councillors by making them formal. On the other hand, the Chief Officers are doing good work because had it not been for them, the Council would not have gone that far - in carrying out its activities and services.

A largely amateurish discussion, bordering on naivety.

I concur with the above view.
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10. Nairobi Development Committee
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11. Minutes of Proceedings of The Council and of Several
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