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 relation-ship 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. Thes
        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 keept 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
>
> (3)   Employment of Manual workers by the City Council.

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 decisons 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 decisons 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[1], 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 choosen alternative.

B. M. Gross[2] says that :

"A concious decision is a choice among alternatives".

1 - Herbert Simon - Administrative Behaviour Second Edition - pp - 1 - 20.

2 - B. M. Gross. "Organizations and Their Managing" ...
pp. 557 - 565

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
choosen 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

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"[5]

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
hierarkical 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 certainity 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 organizatio
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 de
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,

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6 - Lindblom, Charles E,
        The Intelligence of Democracy - Decision-Making Through
    Mutual adjustment - New York, The Free Press, 1965

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 criticisms
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 decisio
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[7] 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

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7 - Delber Miller: In "Politics and Society" Edited by Eric A
    Nordlinger - An Article by William Spinrad on "Community
    Studies". pp. 177

decisions because they are uncertain of themselves and as such rely on the certainity of the businessmen who sabotage their (politicians) duties.

A contrast of Miller's view is given by Robert Dahl[8] 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 Need 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 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[9] 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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8 - Robert Dahl - "Who Governs" Democracy and Power in an American City; New Haven and London: Yale, University Press 1961. In "Politics and Society (ed) Eric Nordlinger pp. 177

9 - W. A. Gamson : "Influencing Decisions" in "Influence In Use" - Power and Discontent Dorsey Press, 1968 - Chapter 4 pp. 59 - 85.

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 observes:

> "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".[10]

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

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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 society 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 the way 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 operate5.

HISTORICAL   BACKGROUND

OF THE

CITY COUNCIL OF NAIROBI

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 conspicous differences. We will deal with

Conspicuous

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 (imposed) 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
occured 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
inconspicous 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[1]

Year	Population
1906	11,000
1946	110,751
1955	195,500
1960	275,500
1963	367,000
1973	620,000

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

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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 become 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 bequethed the New Council that has since
Independence inhibited the well-running of the Council Affairs.

In 1963, the problem was aggrevated 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[2]. 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
concious (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, councillo
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 signe 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. .Morever even in 1963 when every-
thing 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.

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2 - "A Manual of Administration"
published by the Society of Clerks of Urban District
Council (1952)

The Old Council was organized on race 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"[3]

Thus while racial segregation was an accident of history, it was a blessing in disguise for some people. This is a problem that was bequethed 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

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3   Petition From Tenants in Old Ngara, New Ngara, Jeevanjee
     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-making.

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 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 (were) not
powerful - and the Chief Officers are (were) 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

THE FORMAL STRUCTURE OF THE CITY COUNCIL OF NAIROBI

Formal organization is an ubiquitous condition in all
organizations. It is the combined different roles and relations of a
the working people in the organization. Everybody in the organizatio
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 conspicous 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 t
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 relation-
ship between the superordinates and the subordinates and also
symbolizes the goals of the organization and coordinates the activiti
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. Centralizatio
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 communi-
cation 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 th
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

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1.   Kenya Institute of Administration Kabete: The Local Government
      Regulations, 1963 Regulation 95, (page 46)

number 95 observes:

> "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 assemblege of quasi-independent
> Committees working together only at the very highest level

the Council itself."[2]

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 they 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

COMMITTEES AND THEIR DEPARTMENTS

TABLE II

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

Thus each department of the City Council has both a political
and an administrative head respectively. Regulation 92[3] 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 commi-
ttees 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 administrativ
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, she 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 combact 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.[4]

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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 val
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 decisio

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 committe
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 desicions 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 he 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 he 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 Mayor 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 the 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 expereince of the Town Clerk makes him indispensabl 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 represente
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 coun-
cillors reject the bill, it will still be passed. For example the
rent increase bill was passed despite the fact that some councillors
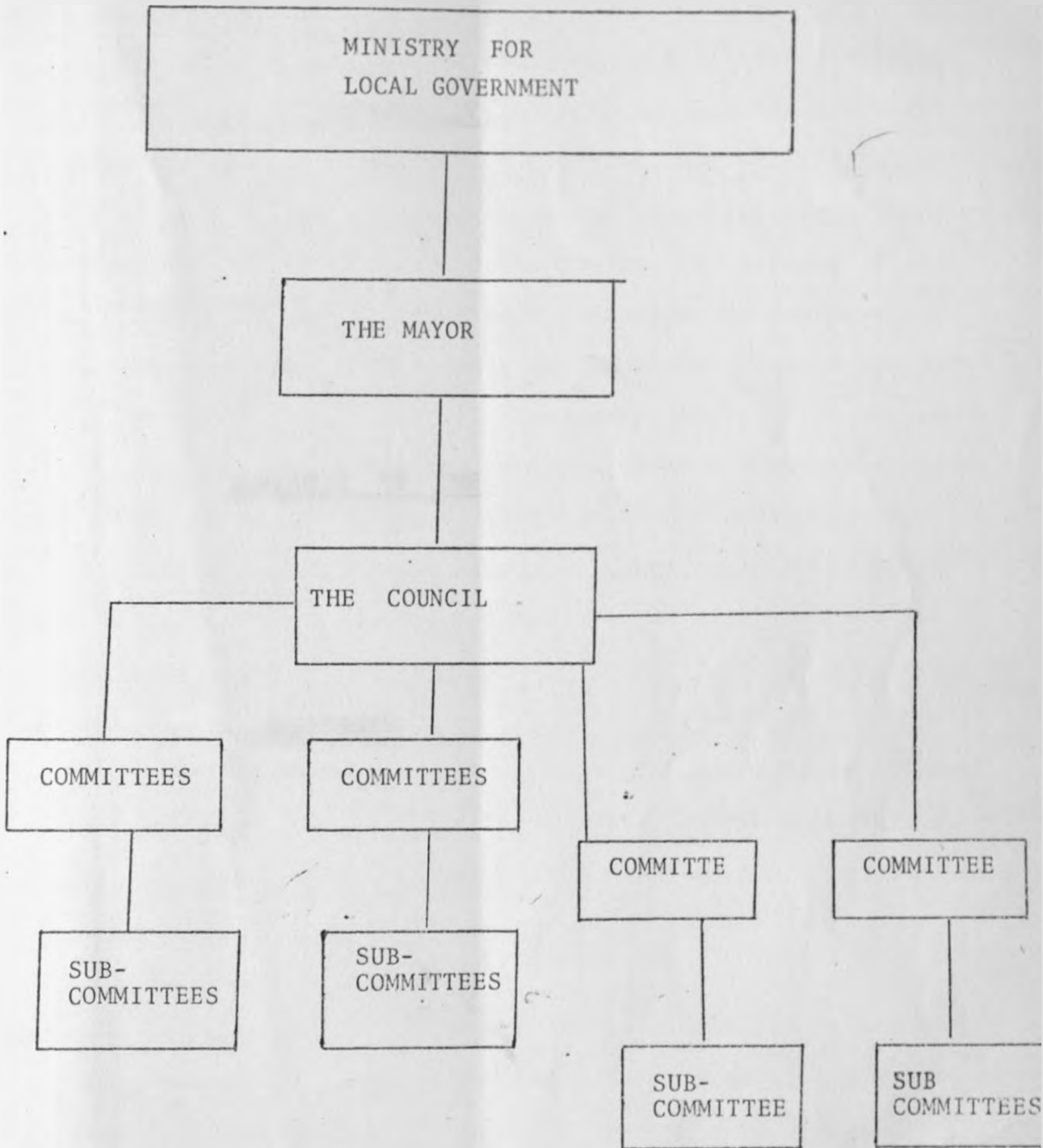had rejected it.

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

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                    ┌──────────────────────────┐
                    │   MINISTRY   FOR         │
                    │   LOCAL GOVERNMENT        │
                    └──────────────────────────┘
                                │
                    ┌──────────────────────────┐
                    │   THE  MAYOR             │
                    └──────────────────────────┘
                                │
                    ┌──────────────────────────┐
                    │   THE   COUNCIL          │
                    └──────────────────────────┘
        ┌───────────────┬───────────┬───────────────┐
  ┌───────────┐   ┌───────────┐  ┌───────────┐  ┌───────────┐
  │COMMITTEES │   │COMMITTEES │  │ COMMITTE  │  │ COMMITTEE │
  └───────────┘   └───────────┘  └───────────┘  └───────────┘
        │               │              │              │
  ┌───────────┐   ┌───────────┐  ┌───────────┐  ┌───────────┐
  │ SUB-      │   │ SUB-      │  │ SUB-      │  │ SUB       │
  │ COMMITTEES│   │ COMMITTEES│  │ COMMITTEE │  │ COMMITTEES│
  └───────────┘   └───────────┘  └───────────┘  └───────────┘
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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 existentein 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 Clekk 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
the 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.[1] 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 basis. No funds of one of the services is supposed to be subsidized to help another service. For example,

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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."[2]

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2   1967 - September - Minutes of the Council Proceedings -
                     Meetings of the Social Services and
                     Housing Committee

TABLE III

<u>MAINTENANCE EXPENDITURE 1966 - 1972</u>

YEAR	MAINTENANCE EXPENDITURE £	CONTRIBUTION TO MAINTENANCE FUND £	DEFICIT
1966	82,506	91,495	-
1967	109,755	97,380	12,375
1968	72,163	70,080	2,083
1969	98,674	97,488	1,176
1970	91,722	30,478	61,244
1971	149,786	138,726	11,060
1972	190,000	70,040	119,960

<u>Source</u> : Minute 3 (pages 1170/71) of the Council
Proceedings - Meetings of the Social Services
and Housing held on 10th Januatry 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 populaiton) 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 copuld 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 Graduated 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. True!
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 has been 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 manu 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 thse forty three employees
and as such their services had to be terminated immediately. The othe
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 surchage 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 surchage.

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 pasedd, 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 IV   Education and Experience of Councillors

Number of councillors	Formal standard of Education	Average years in the Job
3	Form four	4
5	Standard Four	6½
5	Standard Eight	5
4	Less than four years of Primary Education	7

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 prefered the modern styles
that are complicated while the old councillors prefered 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 comple
technical matters is limted. 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 politica
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 alternative
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
rates
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 committment to whatever one is doing. Thus
the councillors could probably have done more if they were commited
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 to their business and at the same time attend to their electorate 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 befoi
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 bhat 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 neglicting
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."[5] .

The councillors perceived these decisions differently. In the
Rent Increase Decision, most councillors (nine of those I interviewed)
felt that the decisionsfavoured 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 popularit
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.

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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 V   RENT INCREASES FOR SOME HIGHER INCOME GROUPS

ESTATE	OLD RENTS IN SHILLINGS	NEW RENTS IN SHILLINGS	INCREASES IN SHILLINGS
Quarry Road Family Quarters	351	650	299
Madaraka			
(a) Two Rooms	351	500	149
(b) Three Rooms	351	600	249
Mariakani	210	600	390
Kariokor	240	600	360
I Woodley Flatlets			
(a) 1st category	219	245	26
(b) 2nd category	275	425	150
(c) 3rd category	345	600	
II Woodley			
(a) Two Bed-Roomed	322	650	328
(b) Three Bed-Roomed	351	800	449

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 safe-guarded. 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 expertice and as such technical power. The Chief Officers are seen by the councillors as all knowii 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 expertice. 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 dis-
advantage 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 increasi
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 ol 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 Mayo had not been informed about it adequately. Everything had been discussed in an informal meeting held in the Mayor's parlour by the r 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:

Chief Officer	Level Standard University	Profession
Town Clerk	University	Generalist
Deputy Town Clerk	University	Lawyer
City Treasurer	University	An Accountant
Assistant Town Clerk	University	Lawyer
Deputy City Engineer	University	Engineer
Assistant Medical Officer of Health	University	Doctor of Medicine
Director of Water and Sewage	Standard Eight	Generalist
Deputy Director of Social Services	Form Four	Generalist

Source : Interviews with these Officers.

TABLE VII : THE EXPERIENCE AND THE AGE OF THESE CHIEF OFFICERS

CHIEF OFFICER	EXPERIENCE IN THE JOB	AGE IN YEARS
Town Clerk	9	45
Deputy Town Clerk	9	50
City Treasurer	9	40
Assistant Town Clerk	8	35
Deputy City Engineer	9	40
Assistant Medical Officer of Health	11	49
Director of Water and Sewage	9	50
Deputy Director of Social Services	9	50 *

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 abilit
to perceive a problem and also enables them to evaluate different
alternatives of solving the problem. It gives them the evaluation
evaluative
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 giv
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 thou
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 committ
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 Governmen
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 them 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 committment to their work is concerned they (Chief Officers)
are committed. All attended the committee meetings where these decision
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
surchage 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
reinterated that there was no money to meet the wages of these addi-
tional 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 enlight-
ened the Council on the financial problems of the Council - For exampl
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 dicisions 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 decisio
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 advaocated 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 Proceddings 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 councillor
(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 Ckerk 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 committes 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
loose 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 acte
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
lable 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-illite
illiterate and ignorant according to the standards of the Chief Officer
there is created a social distance between the councilllors 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 the
have the technical know-how and arrogance on the side of the councillor
who say that they are the lawful policy-makers. In the passing of thes
decisions, this element was prevalent and the two parties were competin
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 recommend ations 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 back-ground 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 palyed
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 councill 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 participa-
tes 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 technica
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 recommenda
tions 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 Office1
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 Govenment 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 poplee prevailed.

Thus, the Minister for Local Government also formalize
the decisions of the Council especially the ones that are controversia
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

INFORMAL STRUCTURE OF THE CITY COUNCIL

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".[1]

This view concurs with the one held by Herbert Simon, that the informal organization is the interpersonal relations in the organizatio that affect the decisions within it but are either omitted from the formal Scheme.[2] 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 organizati belongs to at least one informal group. It is these informal groups that enhance ones 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 infor- mal groups and together take a common stand in supporting the decision: 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"[3] 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 manipula 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 or 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 organi-
zation 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 straight ened 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 thes 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 body guard 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 offic

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 disucss 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 thei
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 decisio
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 postphones it to a later date.
They will also help him in evaluating the possibilities of the suppor
ro 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 mobolize 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 loose 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. Thye 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.[4]
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 it would encounter
the Council if it increased employees contrary to the agreement that
had been made between the Council and the Ministry for Local Governme
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.

    X   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 councillo
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 jeopordize 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 o
the informal groups of the Council and such a group will always support
the decision that will favour those external interest groups. In retur

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 group
These interest groups could also influence the dismissal of some membe
of ·the Council (especially the Chief Officers) if they act as obstacle
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 appoin-
ted 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 succeded, 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, traini 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 Nairob 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-stampt 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 bequethed 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 decisonss 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 mobolizing 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 t 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
committes, 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

dwiddled. 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 office

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. — There is another clause - which states that with the consent of the 2/post one would one an be appointed. My feeling is that the Government should make the elections to a community even if illit. 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-illeterate 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
grassroot 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 authori
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 examp
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.

BIBLIOGRAPHY

Books

1.   Chester I. Barnard -

        "The Functions of the Executives".

        pp. 185 - 199.

2.   Gross B. M.

        "Organizations and their Managing"

        pp. 557 - 565

3.   Gore W. J.

        "Stages in Decision-Making

        In Policies, Decisions and Organizations"

        Edited by F. J. Lyden

        et al   pp.   292 - 309

4.   (Ed.) F. G. Castles, D. J. Murray and D. C. Porlter -

        "Decisions, Organizations and Society"

        pp. 19 - 27

           31 - 36

          129 - 150

5.   Herbert A. Simon

        "Administrative Behaviour" 2nd Edition.

        A study of Decision-Making Processes in Administrative

        Organization

        pp. 1 - 20

6.   Lindblom E. Charles

        "The Intelligence of Democracy"

        Decision-Making Through Mutual Adjustment. New

        York Free Press 1965.

7. Robinson J. A. and R. R. Majak,
   "Theory of Decision Making"
   In Contemporary Political Analysis,
   (Ed) J. C. Charlesworth -
   pp. 175 - 188.

8. Thompson J. D.
   "Organization in Action"

9. Politics and Society: Ed. Eric Nordlinger
   pp. 177

ARTICLES

1. Workshop on the Management of Large Cities in Africa.
   Introduction on General Administration.
   Nairobi City Hall: April 1973.

2. Petition From Tenants in Old Ngara, New Ngara,
   Jeevanjee and Pangani Bachelors' Quarters.

3. University of Birmingham.
   Institution of Local Government Studies, Local
   Government, Occasional Notes.

4. The Local Government Regulations 1963
   Kenya Institute of Administration Kabete.

5. Commission of Inquiry Into Local Government:
   Meeting Held on Thursday 12th May 1966

6. Meetings Agenda

7.   City Council of Nairobi:

        Report by Sir Colin Campell:

        On the Administration of the City Council of Nairobi -

        January 1957.

8.   "Some Aspects of the Budget and Financial

        Administration by Z. K. Kariuki -

        Deputy City Treasurer

        City Council of Nairobi.

9.   City of Nairobi:

        First All Africa Trade Fair.

10.   Nairobi Development Committee

        Finance Sub-Committee

        - City Treasurer's Memorandum on Sources of Revenue.

11.   Minutes of Proceedings of The Council and of Several

        Committes Thereof.

12.   Address to the Kenya Institute of Management

        Monthly Meeting on:

        9th July 1973 in the Banqueting Hall "New Avenue Hotel -

        Nairobi by Mr. J. P. Mbogua B.A. (London) M.A. (McGill):

        Town Clerk.

        City Council of Nairobi on ·

        "The Management of A Modern City."

Newspapers

Daily Nation : No. 3985

Saturday, July 28th 1973.