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Giving all power to the beast! Violent authority and collective action by ‘second-class’ citizens in Nairobi

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ABSTRACT

This article focuses on the relationship between young, male citizens and the state at the urban margins of Nairobi; a relationship framed by violent encounters and police brutality. My aim is to explore young people’s notions of citizenship at these urban margins through two interconnected emic concepts: the notion of living with ‘the beast’ – as an intimate, violent presence of the state in the form of the police, and the idea of being a ‘second-class citizen’.

My research highlights the characteristics of being young and male by focusing on concrete interactions and relationships between authority and particularly situated citizens. Social position – including legal and economic status – is a third aspect that influences the encounters and relationships with authority. Violence, state practices and intersectionality constitute a fourth area explored in the article, as I argue that violence becomes a repertoire of action for what the young people refer to as ‘second-class citizenship’. This notion of ‘second-class citizenship’ applied by young people at the urban margins, and analysed in the article, contributes to a nuanced and ambiguous conceptualization of and relationship with the Kenyan state. The state is not merely seen as an outsider, operating on the informal settlement from the outside, as it were, but also as a locally entangled urban authority, always present in the informal settlement through intimate and intricate relationships.

Lastly, I attempt to show that this form of ‘second-class citizenship’ is not associated with rebellion or pride, but with resignation with a form of citizenship whereby young Kenyans at the urban margins only feel heard in the context of potentially violent demonstrations.

1. Introduction

It is almost midnight when a group of about 30 young men and a few young women gather in front of the chief’s house. They are prepared to physically assault the chief if necessary. Both Jack and Stan are among the protesters. They are from different areas and do not know each other, but both have been wronged by the chief. For the past few days, they have therefore been engaged in heated discussions in their respective groups. Deciding to demonstrate was easy. Discussing who qualified to attend the demonstration was more complicated.

Jack and Stan are both Kenyan citizens, unemployed. They [live in/ belong to] the subsection of Mathare that is under this particular chief’s jurisdiction. They were supposed to have benefitted from the Kenyan government’s Clean-up Campaign, the Kazi Mtaani programme. Yet, like so many of their peers, they were not selected by the chief for the four weeks of paid employment. They have therefore joined the small crowd preparing to riot, even resort to violence, if the chief fails to comply with their demands.

In Mathare, being out at night is usually associated with great risk for young people – men and women alike. But both Jack and Stan have decided this risk is worth taking. Fortunately, on this night, no one – including the chief – is hurt. The demonstration alone is sufficient to prompt the chief to revisit the selection process and include the demonstrators in the Kazi Mtaani Clean-up Campaign.

The demonstration was therefore a success. Still, Jack and Stan are reluctant to talk about the nightly event, let alone its potential for violence. They are not proud participating in the demonstration, but both explain that protesting is the only way to get the authorities to pay attention. Why would young women and men experience potentially violent riots as the only way to effectively engage with representatives of authority? And what can we learn about citizenship from these encounters between young people and the state at urban margins? I explore these questions through two interconnected emic concepts that the young people use to make sense of their lives. The first is the notion of living with ‘the beast’ – as an intimate, violent presence of the state in the form of the police in Mathare. The second is the idea of being a

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'second-class citizen'. Both terms were used frequently by the young people and, as such, provide a valuable entry point to understanding complicated questions involving politics, citizenship and violence at the urban margins of Kenya.

Over the past twenty years, citizenship has been subject to intense scrutiny in academia, across a range of disciplines, including political science, sociology, anthropology and urban studies. It has even given rise to a whole new sub-discipline, citizenship studies. The body of literature on citizenship in marginal urban contexts is now extensive (see for instance Das, 2011, Hammar, 2017, Hammett, 2017, Holston, 2008, Holston and Appadurai, 1996, Maestri & Hughes, 2017, Brøgger, 2019), but there is still a need to address citizenship and youth together. Although current research increasingly considers citizenship from a more intersectional position (Hammar and Millstein, 2020, Millstein, 2017), we still need more research on youth and citizenship. That is particularly true as the current focus mainly on children and youths under the age of 18, addresses citizenship as a learning process, a 'becoming' (see van Blerk et al., 2020). However, notable exceptions are Burgess, 2005; Johns, 2014).

It would therefore be useful to explore how *being young* affects the relationship between young adult citizens and the state. In other words, how the position of 'youth' affects citizenship. Focusing on citizenship through the emic concepts of the 'beast' and 'second-class citizenship' enables an exploration of young adults' ambiguous relationships with the state and the significant impact these often locally entangled relationships have on their precarious existence at the urban margins.

Investigating citizenship from this particular position, 'youth', potentially widens the discussion of citizenship from contested and marginal spaces [to a more nuanced understanding]. Therefore, in this article, I pose a simple question – *how do young people encounter the state at these urban margins?* In order to explore more complex terrain: *How can we understand young people's often violent collective action as acts of citizenship at urban margins?*

For the concept of citizenship to be useful here, we must unpack what is often implicit in explorations of citizenship. Firstly, *intersectionality*; citizens are not just citizens. In this case, they are also young, male, unemployed and from the urban margins. These intersecting positionalities influence their encounters and relations with authority.

Secondly, the state is not just the state. We must investigate citizenship through the relationship with the concrete materializations and forms of the state encountered by young people. In this case, both the police and the local governing authority, the chief, the Village Elders and the Nyumba Kumi (the community policing initiative). In the Kenyan case, these materializations of the state are directly related to the devolution of governance, spearheaded by the 2010 Constitution of Kenya. The devolution of governance has received considerable scholarly and political attention, focusing on the potential and challenges of devolution to curb electoral and political violence (Mutahi & Ruteere, 2019, Dowd & Tranchant, 2018), reduce patronage and corruption (D'arcy & Cornell, 2016), increase accountability (Juma, Rotich & Mulongo, 2014) and bring decision-making closer to citizens and communities, including marginalized groups such as women and youth (Kanyinga, 2016, Ngigi & Busolo, 2019). This article offers a different perspective, investigating the ways in which a particular group of marginalized young people experiences further marginalization through a devolved system of governance that has not replaced but is interlinked with traditional local authority structures.

Furthermore, investigating citizenship, as Engin Isin has argued (Isin, 2008), we need to look beyond citizenship as a legal status and investigate citizenship through concrete acts and encounters. In this case between young citizens and authority to see how the acts and encounters are incorporated into the everyday lives of young people at urban margins. Yet, as Christian Lund suggests, we also need to focus on state practices rather than state institutions (Lund, 2006). Shifting our attention from institutions and status to acts, relationships and state practices enables a focus on the multiple, intersecting and situated ways

in which formal as well as *quasi-* and *informal authorities* overlap and use their power and position to exercise authority.

Thirdly, when investigating concrete state practices and action, violence instantly takes centre stage, at least at the urban margins in Nairobi. To understand the everyday encounters and interactions between authorities and young male citizens in the particular case of Mathare, we must consider the extreme violence that characterises these encounters. In other words, we need to see how young men in Mathare live with 'the beast'.

When considering the role of violence in state-citizen encounters, I follow Javier Auyero's explorations into urban violence (Auyero et al., 2014, Auyero and Berti, 2015) and carefully dissect not just the concrete manifestations of violence, which most often take place in relation to the police, but also the wider chains of events involving violent acts. I explore the wider concatenations of violence as an integral practice of a multifaceted state in relation a particular group of citizens who are defined by a range of intersecting positionalities. This offers new insights into the ways in which violence becomes a *repertoire of action* (Auyero and Berti, 2015) for young people [reacting against what they term their] 'second-class citizenship'. Furthermore, the notion of 'second-class citizenship' connotes a more ambiguous conceptualization of and relationship with the Kenyan state by young people at the urban margins than the frequently cited insurgent citizenship, non-citizenship or ghetto/slum identity, which pit the ghetto or informal settlement against the more established society.

2. Research methodologies

This article is based on two interrelated data collection processes. Firstly, a six-month diary study with participation of ten young men in their twenties, all residing in different areas of Mathare. The diary study was conducted in collaboration with three research assistants, all residents of Mathare, who fall within the 'youth' category. The ten participants were recruited through three independent processes, following several criteria, including geographical spread, age, and group affiliation in order to ensure a mix of experiences and backgrounds. Secondly, ethnographic interviews with the same ten young men were carried out intermittently by the author during multiple visits to Mathare spanning a period of more than two and a half years. This article highlights the experiences of three young men – Stan, Kim and Jack. They are connected only through their similar circumstances and experiences with authority.

The data collection process took place throughout the entire period of the COVID-19 pandemic in Kenya, which had devastating consequences in Mathare. However, COVID-19 is beside the point, and my goal is not to show this period as radically different from a 'normal' situation. Rather, this period can be seen as a period where existing tension was exacerbated. In other words, the events caused by the pandemic, and the response to the pandemic, serve as a magnifier for exploring the state-youth citizen relationship and how it unfolds in the daily life of young people at the urban margins.

The article itself is structured as follows: Firstly, I introduce the conceptual framework for analysing differentiated or 'second-class' citizenship in the particular urban context of Mathare. Secondly, I unfold second-class citizenship at the urban margins, with a focus on the role of *police violence* as an integral part of everyday life in Mathare. This offers an entry point for exploring the relationship between state violence and citizenship at the urban margins. However, introducing an *intersectional* perspective when analysing police violence and how it affects young, male, unemployed citizens in Mathare provides a more nuanced understanding of both citizenship and the state at the urban margins. That is therefore the topic of the third section. Here, I unfold the relationship between young men and the state to focus on how young men encounter the 'devolved' state in Mathare and how a range of 'politicized social distinctions' (Hammar and Millstein, 2020) – primarily 'youth' and 'male' – affect the encounter with the state as a locally entangled urban

governing authority. In the final section, I return to the nightly demonstrations at the chief's house. Here, I shift the focus from how the state engages its young, male, unemployed citizens at the urban margins and instead look at the ways in which they, in turn, practice their second-class citizenship through violent action.

3. Second-class citizens at the urban margins

Mathare is an extremely densely populated informal settlement in the Eastlands of Nairobi. Covering less than three square kilometres, the area is home to approximately 250,000 people, making Mathare the third-largest informal settlement in Nairobi. The overwhelming majority of the inhabitants are under the age of 30. The Mathare valley saw a sharp population increase in the 1960s and 1970s. Today, in addition to economic deprivation and inadequate service provision, Mathare is severely affected by violent crime and police brutality. Between 2013 and 2015, at least 150 young men were killed at the hands of the Police in Mathare alone (van Stapele, 2016, MSJC, 2017). The extreme extent of police brutality and extra-judicial executions are well documented by local and international Human Rights Organisations and researchers (Jones et al., 2017, MSJC, 2017, van Stapele, 2016, 2020). Yet, few of these incidents have been properly investigated and receive limited public attention. Moreover, the limited attention that the incidents generate does not constitute a moral outcry. In fact, commentaries just as often express indifference or support for the police and the state's unacknowledged 'shoot to kill policy' (Jones et al., 2017). This indifference or even support of the extra-judicial execution of young men from informal settlements should be seen in the light of the Kenyan state's ongoing 'securitisation agenda', whereby young men – particularly from informal settlements – are linked with recruitment to terrorist organisations, organised crime and general civil unrest, increasingly 'youth' is therefore positioned as a threat (Kimari et al., 2020). Naomi van Stapele has written extensively on this subject, offering a comprehensive historic, political and socio-economic account of the processes whereby young men from Mathare become stripped of their rights to protection and justice by being cast as dangerous gangsters and, as such, 'non-citizens' (van Stapele, 2016: 314).

Extra-judicial executions remain a major concern. According to my sources, 15 young men were killed by the police in March 2022, in Mathare alone. Nevertheless, in this article, my research interest is slightly different. I have followed Stan and his peers for more than two and a half years. They have all lost friends to police killings, but all ten young men are still alive. I am interested in how young men such as Stan and Jack live with the police, while in a constant fear of being killed by them. I am interested in the everyday encounters that young people have with authority, both with police officers but also with local governing authorities, framed within an absence of access to justice and protection.

Stan and several other young men in Mathare relate such encounters to their precarious position living as 'second-class' citizens. See, for instance, this excerpt from a conversation between Stan and a friend. Stan is in his mid-twenties. He has no formal education and is currently unemployed. He struggles to make a living through piecemeal jobs and being active in two different informal youth groups. He is frustrated about living in Mathare and dreams of moving away. "You see...we are second-class citizens. If you come from a place like Mathare, the government doesn't take you seriously. Take the security. There is so much extra-judicial killing, but you don't see first-class citizens think about that." Stan's friend joins the conversation. "Here, a police officer gets to run away with murder. In these other places, the more privileged areas...there was one incident where a young man who was not from Mathare, he came here maybe to see a friend or his girlfriend. He was murdered. For that, the policeman went down. He had not been arrested in all those years, but that happened because that person he murdered, he was not from here. Stan nods and interrupts, pointing out that "he was a first-class citizen." Stan's friend pauses for a moment before continuing. "It's not like it's another country, but being from Mathare, I am rightfully a Kenyan, but I don't get to enjoy the privileges

of being a Kenyan, simply because I am from Mathare."

So how can we understand this conversation in more conceptual terms? The experience of being a 'second-class' citizen that Stan relays is central to the entire argument of this article, so how can we conceptualise the idea of citizenship as being graduated as opposed to a conventional legal definition of citizenship as something that a person either has or does not have? The idea of 'second-class' citizenship resonates with James Holston's notion of 'differentiated citizenship'. In his book, 'Insurgent Citizenship', Holston describes how citizenship in Brazil is differentiated (Holston, 2008, 2011). Despite formal citizenship, not everyone has the same rights to have rights. The idea of differentiated citizenship has gained considerable traction in relation to marginal urban areas, where formal citizens struggle to realise their citizenship rights, vis-à-vis complex and often overlapping forms of urban public authority (Lund, 2006). When conceptualising second-class citizenship, then, it is useful to consider three aspects: the locations in which this is produced; the practices that produce differentiated citizenship; and the complex forms of urban governing authorities operating in these spaces.

Firstly, Daniel Hammett's emphasis on the importance of the materiality and precariousness of urban space has a bearing on the differentiation of citizenship. Urban citizenship, Hammett argues, is rooted in and experienced through political, cultural, social and economic rights that are "[...] grounded within the materiality of the city. Such an approach opens up further conceptual spaces to think about the heterogeneous nature and inequitable experiences of urban citizenship and rights" (Hammett, 2017:3).

Secondly, we return to Engin Isin and Christian Lund's arguments in favour of a more dynamic perspective on citizenship as something that is produced in practice in encounters between citizens and authority in various forms (Isin, 2008, Lund, 2006). We should therefore consider the concrete practices of the state in the particular urban space of Mathare. As Isin argues in his seminal writings on 'acts of citizenship', citizenship involves *practices* of making citizens (Isin, 2008:17). We need to look at these concrete practices – both the concrete practices of the state, and corresponding action by its citizens, including *collective action* (Bayat, 1997) to understand the differentiation of citizenship. Similarly, as Christian Lund points out that citizenship and authority are *mutually* constitutive through claims to rights (Lund, 2016: 1201), we must investigate what rights are at stake and the ways in which these claims are made. This is where violence and absence of security and protection relate to the production of differentiated citizenship. In Mathare and at urban margins elsewhere, as has been thoroughly researched (see for instance Albrecht & Kyed Eds., 2015, Jensen et al., 2017), state practices, most notable in the policing of the urban poor, are overwhelmingly violent. Moreover, among the most contested rights are the rights to safety, protection and justice, which are claimed but frequently not granted. Javier Auyero describes this situation as a form of low-intensity citizenship, where residents of poor urban settlements can vote but not access basic rights such as security. Here the state, in the form of the police, rather than providing security are implicated in and responsible for violence (Auyero et al., 2014: 109).

Thirdly, conceptualising differentiated citizenship and authority as mutually constitutive also requires looking at the specific constitution of urban governing authorities in the particular urban space of Mathare. Hammar and Millstein focus on the complexity and situatedness of urban citizenship and authority, explored within an intersectional approach, which is useful in this context (Hammar and Millstein, 2020). They argue that "differently situated actors across the spectrum of urban governing authorities, and among the range of urban residents, produce, reinforce, or contest particular urban divides as they encounter each other [...]" (Hammar and Millstein, 2020: 277). Co-existing forms of citizenship and authority manifest unevenly across space and time as well as between and within particular political or social communities.

With this research in mind, we can now return to Stan's notion of himself as a 'second-class citizen', which relates directly to state

violence and the absence of protection. His citizenship is inferior to ‘first-class citizens’ but he remains in a – precarious – relationship with the Kenyan state. In order to understand this notion of ‘second-class citizenship’, we must look at the violent encounters and the relationships these encounters establish and maintain with complex forms of urban authority. Specifically, I achieve this by investigating the series of recurrent everyday violent encounters that young men endure with individual police officers and how these are entangled with other forms of (less visible) formal and informal authority. I will also consider both a) the *relational aspect of violence*, the ways in which police violence produces a particular form of urban citizenship founded in protracted, extractive relationships between citizens and urban public authority (Jensen et al., 2017), and b) urban violence as a *repertoire of action*, where violence becomes a habitual way of acting on individual and collective interests (Auyero & Berti, 2015: 87, see also Jensen and Bjarnesen, 2014).

4. Living with the beast: A relationship founded in violence

In Mathare, violent encounters between young men and police officers happen daily; they are not an anomaly but a routine state practice. Consider Jack and Kim’s experiences. Between December 2019 and December 2021, Jack and Kim had several encounters with the police. Jack is in his late twenties. Like Stan, he has lived his entire life in Mathare. Jack resides in a subsection of Mathare that is considered particularly unsafe. On a Friday evening in December 2019, Jack was violently arrested while walking home. He spent five days in a police cell, charged with being drunk and disorderly. His case was never formally tried in court and eventually he succumbed to the request for a bribe and paid the Officer in Charge of the Station 2,000 Kenyan Shillings (approximately USD 20) for his release. At around the same time, Kim was arrested while walking home from a party celebrating that he had just graduated from high school. He was beaten by two police officers and spent the night in a police cell. The next morning, he was asked to call his mom, who could come and collect him in return for a bribe. Kim is now 20 years old and is attempting to start up a small business.

In February 2020, Kim was arrested again and charged with possession of cocaine. He spent three days in a police cell before being taken to court, where his file had apparently gone missing. Kim was released but during the next 18 months, he was repeatedly summoned to court. Each time, the case was postponed as the files were ‘missing’. After almost two years, the police officer who arrested Kim and subsequently handled the case was transferred to another police station. At the time of writing, Kim had heard nothing for more than three months, which prompted him to speculate that the case might be over.

In the case of Jack, however, three months after his release, the police apprehended him again. This time, while he was setting up a kibanda (a small makeshift shop) selling second-hand clothes, in a vacant space next to the makeshift structure where Jack’s group hang out, universally referred to as a *baze*. In Jack’s own words:

A few friends were helping me set up the kibanda when suddenly three policemen approached us. Everybody around us was staring at us. In that baze, police have killed more than five youths for being suspected as thugs. At that moment, my heart was beating so fast and yet I had done nothing wrong.

Jack narrowly escaped a police cell but a few months later, he encountered the police again. This time, while selling tickets for one of the Matatu companies (the communal taxis), he witnesses a police officer kill a young, unarmed man. The police officer notices that Jack has seen him and Jack, out of fear for his life, goes into hiding. After two weeks of hiding in his place, Jack is desperate and returns to the public space to make money and get food. He changes his appearance, quits his job as a tout and avoids the area where he used to work. At the time of writing, Jack has avoided encountering the police officer in question for about four months and the case seems to have blown over. Nevertheless, like Kim, he has no certainty that he is safe.

During the COVID-19 pandemic, the violent presence of the state in the form of police was amplified even further. Kim describes the presence of the police in Mathare during the pandemic as follows:

I think that when the government rolled out curfews, it was like giving all the power to the beast! First, walking without a mask is not legal, right? But instead of following the right procedure, they go overboard, beating people who don’t have their masks on. Then, the curfew is supposed to start at seven pm. But here, it usually starts an hour earlier. Around six, you’ll find police beating people, forcing them into their houses. We have several people who were injured from police beatings. Someone was even beaten to death here in Mathare. Residents tried to demonstrate but they were teargassed immediately as they arrived at the police station. They were not even heard by the so-called police.

Kim’s description of the police as ‘the beast’ aptly fits Auyero’s notion of a ‘frantic presence’ of the state (Auyero et al., 2014: 106). It is important to note that policing the curfews did not create ‘the beast’. Rather, the government-sanctioned curfew amplified an already existing ‘beast’, which, in Kim’s description below, instantly took advantage of its new powers.

In my view, Corona is an income-generating programme for people in authority. You have to bribe them if you don’t have a mask. Yet, you need money to buy a mask. If you are found outside after curfew hours you are either beaten up, or you give them money.

Kim and Jack’s experiences are not unique. Of the ten young men participating in the study, nine recorded similar or more frequent encounters with police officers. What can we say about the way in which the state is present in the lives of young men at the urban margins in light of these violent encounters? Firstly, the *individual encounter*, for instance Kim’s arrest while walking home, may be coincidental, attesting to intermittent law enforcement similar to what Auyero describes for Buenos Aires (Auyero et al., 2014). However, this police *practice* is highly predictable. Violent encounters are a routine practice that follows established patterns. These include violent arrests and beatings, incarceration for up to several days, court appearances that never materialise as an actual trial, and recurrent demands for payment in return for an immediate release. The latter, frequently with a mocking reference to ‘call your mother’ to come and ‘bail you out’ (see Gudmundsen et al., 2017, for a gendered analysis of corruption in Nairobi). Secondly, while extra-judicial executions are an ever-present potentiality, violent encounters are an everyday reality. They establish intimate and protracted relationships with *particular* police officers who, for instance in Kim’s case, haunt them for years.¹ The recurrent violent encounters establish and maintain relations with individual police officers, but the ‘beast’ is not an individual police officer. The ‘beast’ is the police [force] as such, as these encounters are a routine practice, carried out by a multitude of police officers and spanning several years and numerous transfers and arrivals of new police officers. In other words, the ‘beast’ is institutionalised and intimate at the same time.

5. Encountering an aging state from the position of a ‘youth’

In Mathare, the beast does not prey on everyone in the same way. While Kim and Jack live in near constant fear of the beast, others in Mathare appear to at least partly be able to use the beast to their own advantage. Applying an intersectional perspective in the analysis of encounters between the state and young men – in other words, carefully considering the *intersecting power relations* through which subordinated populations become relegated to ‘second-class citizenship’ (Collins, 2019: 189) – enables a more nuanced exploration of the production of second-class citizenship at the urban margins.

As Hammar and Millstein suggest, “*co-existing forms of citizenship* are

¹ See Dragsted, 2021 for similar accounts of intimate relationships with police officers in Nairobi or Jensen & Hapal, 2015, for accounts of intimacy in policing in the urban Philippines.

informed by a range of “[...] politicized social distinctions including class, race, ethnicity, nationality, gender, age, sexuality, ability, religion or party-political affiliation, alone or in combination” (Hammar and Millstein, 2020: 281). By dissecting these ‘politicized social distinctions’, we can begin to see how citizens are treated unequally based on a range of positionalities, beyond being from the urban margins; first and foremost, age. Being a ‘youth’ in Kenya is associated with a period of transition from childhood into adulthood, a process of becoming a responsible adult. For young men, this usually involves securing a financial foundation for taking on the role of provider (van Staple, 2021). During this process of ‘becoming’, the position ‘youth’ also signifies not being equal to adults, let alone elders, in status and influence. This, in turn, contributes to marginalising young people from decision-making processes and politics (King et al., 2020).

The position of ‘youth’ has become increasingly politicized in recent years. Increasing unemployment across a growing youth population has led – mostly adult and established – commentators to discuss a so-called ‘youth bulge’. They view this growing number of frustrated youths who are unable to secure a viable future for themselves as a threat to the stability of Kenyan society. Coupled with the ongoing ‘securitisation agenda’ of the Kenyan state, the frustrations among youths, and particularly among young men, is perceived to lead to recruitment to terrorist organisations, organised crime and general civil unrest, increasingly positioning ‘youth’ and particularly young men as a threat (Kimari et al., 2020, Whittaker, 2020: 763).

By revisiting the violent encounters between young men and police officers in Mathare, we can explore these *politicized social distinctions*, age and gender, in practice. As Collins argues, “violence constitutes a saturated site of intersectionality where intersecting power relations are especially visible. Saturated sites of intersecting power relations are intensified points of convergence, or crossroads for intersectional power relations that facilitate the naturalization and normalization of political domination” (Collins, 2017: 1464).

Javier Auyero offers a useful analytical tool for exploring this *saturated site of intersectionality* in practice. Rather than investigating individual incidents of violence in isolation, Auyero suggests focusing on the concatenations, or intersecting forms of violence, as violence spreads through the social fabric of a community, resembling a chain that connects different types of physical harm (Auyero & Berti, 2015: 14).

Contextualising Kim and Jack’s encounters with the police in the events leading up to and following these encounters, it becomes clear that these intimate relations extend beyond the state in the form of the police. The state is woven into their everyday lives, not just in the form of violent encounters with police officers, but also in the interrelated encounters with several other forms of local governing authorities. This approach also enables a different conceptualization of the state as consisting of a range of intersecting *urban governing authorities* (Hammar and Millstein, 2020: 277), who are also consist of citizens, and who have intimate personal relationships with other citizens.

In the case of Kim’s second arrest (described above), where Kim was charged with possession of cocaine, it would be pertinent to know that a few days before the incident, Kim and a friend had a conflict with the village elders. As he explained:

They were questioning our way of dressing. ‘Why do we look neat when we have no jobs’? When I asked if it was a crime to look neat, they said I was rude and even sent someone to my mum, telling me that they suspected me [of being a gangster] and she should warn me. You know, these self-appointed elders pay police officers from their own pockets to intimidate, threaten or even kill young people and cover them up as thieves.”

Kim refers to the village elders as ‘self-appointed’. However, this is not entirely correct. The village elders, the chiefs, and the Nyumba Kumi, the community policing initiative, are part of the formal local governing authority. As such, they are interconnected with the devolved system of governance in Kenya, spearheaded by the 2010 Constitution of Kenya and operationalised in a number of subsequent acts (including the County Governments Act, No 17, 2012, Urban Areas and Cities Act, No.

13, 2011). The devolved system of governance intends to bring participatory governance and accountability closer to its citizens by transferring power to the 47 counties (Rep. of Kenya, Constitution of Kenya, 2010, 2011.1, Kanyinga, 2016, Ngigi & Busolo, 2019, Transparency International Kenya, 2014, Hope, 2014). The devolved system of governance has not replaced more traditional local authority structures. Rather, these are closely interlinked, institutionally (see the Rep. of Kenya, National Government Coordination Act No. 1 of 2013) and informally (see Rohregger et al., 2021). The village elders are volunteers, yet they are formally appointed (see the Rep. of Kenya, County Government Act, 2012, section 55) and usually part of the local elite. Equally, the Nyumba Kumi, often comprising at least some of the village elders, are volunteers, but were established in 2013 by the Government of Kenya with a formal mandate to assist the police (The Kenya Gazette, 2013, Kioko, 2017). They report to the chief, who is a formal government official, tasked with local security (see Chief’s Act, chapter 128, 2012). In other words, these local forms of authority are not informal or non-state.² They are a formal and integral part of the local governing authorities. Nevertheless, they act in accordance with rules that are not officially sanctioned or legal but deeply implicated in local power hierarchies and intimate relationships.

We do not know whether Kim’s arrest was a coincidence or whether it was related to his previous confrontation with the village elders. However, the perception, supported by several first-hand experiences, is that the village elders, the Nyumba Kumi and the chiefs take advantage of their privileged position, their formal relationships and personal connections with individual police officers to exert pressure and exploit young people. This view permeates every interview that I have carried out with young people in Mathare. The police, the chief, the elders and the Nyumba Kumi form part of a particular kind of gendered and generational structure of authority. It is formal and informal, state and local at the same time, and these different dimensions are extremely difficult to separate. Jack and his peers experience this entanglement as the local governing authority with whom they repeatedly need to settle various matters.

For instance, Kim relays his experiences with the Nyumba Kumi as follows.

When you are going to start a business, they come to collect money. The chief has her groundsmen, the Nyumba Kumi. If you are setting up a kibanda [a small makeshift shop], they’ll come. Often. They will just be passing by. How are you doing? Is the business good? Ok, just break something for us. If you don’t give them, you don’t do your business.

Similar to the violent encounters with the police, the risk of being killed by the police also frames the encounters with the Nyumba Kumi, the village elders and the chief. If a village elder starts to refer to Jack or Kim as gang members, that is a potential death threat.³ Moreover, these accounts attest to a constant presence of this intimate violent authority in the public space of Mathare, similar to the hyper-surveillance of young people in Kenya that Kimari et al. describe (Kimari et al., 2020: 5). Authority is experienced as being everywhere.

Jack’s second arrest (also described above) is illustrative here. Jack had hardly started constructing the kibanda before the police arrived, accompanied by a village elder.

The moment you start to build something, they will call the village elder and the village elder reports to the chief. The policeman told us that we had been accused by the landowner of grabbing the piece of land. The village elder also came along and before we could explain, we were taken to the chief’s camp, where the landowner was eagerly awaiting us. The chief was so

² Which is often the focus of academic research on urban policing (Buur & Jensen, 2004, Kyed & Albrecht, 2015).

³ This fear is not unfounded. In a personal conversation, a Changaa brewer referred how she had asked a known police officer to have a word with a group of young men that had been causing a disturbance. According to her, his response was simply: ‘Do you want me to kill them?’.

arrogant and spoke so rudely to us.

After the episode at the chief's, Jack attempted once more to establish a kibanda, but eventually had to give up. "Around the baze, people were starting to say, 'they are selling drugs, they are involved in crime. They'll start mugging people'. The village elders started saying bad things about us. It was too hard to continue. The police started arresting young people here at the baze." Jack is visible agitated when he relays his experiences with village elders, whom, Jack is convinced, started the rumours and put young people at the baze in danger. *Here in the community, the village elders are the snitches. [...] They start calling the police and say bad things about you. You know, here in Mathare, it's a crime to be a youth. When they see a youth, they see a thief."*

Being from Mathare is only one politicized social distinction. Others that are equally important, in combination with being from Mathare, are age, gender and class. In other words, being young, male and unemployed. As Jack remarks, "Here in Mathare, it's a crime to be a youth". Similarly, Kim's conflict with the village elders revolves around the elders accusing Kim of being a gangster, simply on account of the village elders' perceived discrepancy between Kim's style of clothing and his assessed income level.

It is the intersection of [this/a] range of categories that produce young men's marginalised position as second-class citizens – for instance, the young man who was not from the informal settlements, was a 'first-class citizen'. Nevertheless, the positioning of 'youth' is critical for the way in which young men encounter the state in Mathare, and therefore a critical aspect of their urban citizenship, not least because the urban governing authority that they encounter in Mathare invariably consists of an adult – and most often elderly – elite.⁴

In sum, when young men encounter the state in Mathare, this encounter between a citizen and authority entails an encounter between a 'youth' – as inferior and as a threat – and an 'adult' or more frequently an 'elder'. What I have tried to show here are the marginalising processes of exploitation and dominance that young male citizens – because of being young, male, from the informal settlement and unemployed – experience in their recurrent, intimate encounters with authority. In other words, I have attempted to show how these particular 'politicized social distinctions' (Hammar and Millstein, 2020) during violent encounters with the state in Mathare produce and reinforce a form of 'second-class' urban citizenship.

This form of urban citizenship has three distinct characteristics. Firstly, it is constituted through violent encounters, which build a relationship based on exploitation. Secondly, with the devolution of governance, the state is not just an external force coming down on Mathare from the outside, so to speak. The state is local, intimate, external and violent all at the same time. The state is both the police and the village elders, the chief and the Nyumba Kumi. However, rather than bringing influence and security closer to its citizens, as intended with the devolution of governance, for 'second-class' citizens such as Jack and Stan, this means that the state – as *violent authority* – is ever-present. Thirdly, formal channels for participation in decision making in Mathare are closed off, as elderly authority figures do not recognise Jack and his peers, all formally adults, as citizens, given their youth. The politicized category of 'youth' becomes at least as important as 'citizen' in relation to authority, which is constituted in part through 'age'. This undermines young men being recognised as citizens and reinforces the marginal position of youths as second-class citizens. In Jack's own words, "So, we know the principles of citizenship, but we don't have that... well we... it's just in the constitution. If we come forward, they say, 'Who are you?' In Mathare, politics are for the old." In Mathare, Jack is not recognised as someone who has the right to participate as a citizen. Jack is recognised only as a youth. Or rather, the phrase 'Who are you?' means he is not recognised at all.

⁴ See Kimari et al., (2020: 6) on the generational dynamics of power in Kenyan and Burgess, 2005, for an East African perspective).

This begs one question: If Jack, despite being a Kenyan citizen, experiences 'second-class' citizenship, produced and maintained through ever-present and intimate violent encounters with urban authorities, how can he take action as a citizen? In the following, returning to the Kazi Mtaani case, I shift perspective from how the state – through a diversity of intersecting urban governing authorities– acts towards its young male citizens. Instead, I focus on young people's responses and how they make sense of this as a form of warfare.

6. This is a war! Violence as an act of citizenship

We now have the conceptual tools to understand what happened that night at the chief's house, where a group of young protesters succeeded in convincing the chief to reopen the selection process and choose them for participation in the Kazi Mtaani Programme.

The Programme was launched by the Kenyan government to cushion vulnerable youths in the informal settlements from the economic hardships that they had suffered because of the COVID-19 pandemic (State Department for Youth Affairs, 2020). The first round of the programme was rolled out a few months after the initial March 2020 restrictions and offered short-term employment to young people, i.e. participation in community clean-up campaigns.

When the Kenyan government launched the programme on its website and word started spreading among young people in Mathare, the initial reaction was positive. Both Kim and Jack acknowledged the Kenyan government for its response to a new and difficult situation, the COVID-19 pandemic. Most importantly, they expressed that the government recognised them and the hardships they experienced in the informal settlements. The only qualification required, as Kim expressed it, was "Kenyan Citizenship".

It is useful, once again, to look at this in terms of recognition, but this time in a positive sense. If citizenship, rights and authority are mutually constitutive through an ongoing process of recognition (Lund, 2016: 1201), the Kazi Mtaani Programme initially produced – in Kim and Jack – a concrete sense of being recognised. This in turn reflected back positively on their recognition of the Kenyan government. Unfortunately, the mutual recognition evaporated when the Kazi Mtaani programme reached Mathare. The selection and payment processes were delegated to the chief, assisted by the Nyumba Kumi and the village elders. However, no formal application process was put in place. All the participants in the study qualified. They were all unemployed, under the age of 35 and Kenyan citizens. Still, only two were enrolled. Kim got the opportunity through a connection to one of the Nyumba Kumi members, who in Kim's words, "went around to pick youths for the programme", while the other young man accredited his selection to his father's connections to the village elders. Jack was not selected, and he could not obtain any information about selection criteria. As Jack explained, "The chief told us to go and see the village elders about why our names were not on the list, but the elders just sent us back to the chief".

In the days that followed, dissatisfaction with the selection process increased, centring around bribery, nepotism, the use of so-called 'ghost workers', and hiring of 'outsiders' instead of Mathare residents.⁵ The privilege offered young citizens by the central Kenyan government was denied at the level of the local governing authority. Jack and the other young people's claim was grounded in law. This legitimised the nightly protests. Later, Stan and his friend discussed the demonstration. Stan was among the protesters. "We went to her place to be included. To be selected you had to be among those that arrived at her place. This time it worked but sometimes it gets worse. When it comes to violence". Stan hesitates. His friend, who did not participate, takes over: "If the chair lady

⁵ Irregularities around the first Kazi Mtaani selection process were not restricted to Mathare, but figure widely in media accounts from a range of informal settlements (see Nairobi Wire, July 2020; The Star, August 2020; People Daily July 2020).

[the chief] had not responded to them, it could have turned out bad for her. They could have hurt her. They considered violence as the next thing after that...It's how in this community, we do". Stan nods, "If you want something, you must come with force. To be included, you have to riot."

It is useful to see the demonstration as a form of *collective action* (Bayat, 1997) or more precisely, a collective *act of citizenship* (Isin, 2008). Jack, Stan and numerous other young men – and a few women – joined to defend a privilege that though already granted by the Kenyan government, was under threat at local level. It became a potentially violent collective struggle the moment their rightful participation as young citizens came under threat (see Bayat, 1997: 62). Following the thoughts of Engin Isin, an act of citizenship produces actors that are answerable to justice against injustice, but acts are not necessarily founded in law (Isin, 2008: 39). The nightly demonstrations were clearly not. Still, it contributed towards transforming *forms* and *modes* of being political – young, otherwise marginalised men, using violence – and creating new *sites* and *temporalities* of struggle – the chief's grounds, in the middle of the night (Isin, 2008: 39). The way that violence figures in the description of the nightly event is critical. Consider the statement: "they considered violence as the next thing". Violence becomes a form of communicating with authority; it becomes a *'repertoire of action'*, a habitual way of acting on individual and collective interests (Auyero & Berti, 2015: 87).

Stan quite clearly expressed this understanding of violence as a way to interact with authority in Mathare. In the previous section, I described how the violent encounters with police officers as well as local governing authorities produce a particular form of second-class urban citizenship. Here we can see how a violent encounter extends beyond the initial exploitative relationship. Violence, as a particular repertoire of action, comes to define the relationship with authority as such. When Jack, Stan and the others confront authority with a clearly violent potentiality – *violence as the next thing* – this mirrors the violent encounters with police officers, for instance, where violence, even if a bribe is paid without exertion of physical force – is always already present.

Echoing Stan's understanding, Kim underlines the necessity of violence. At the same time, he highlights the necessity of the collective, of being a group. Violent collective action becomes the only possibility, the only way to defend privileges and rights, and in that respect a morally just political action, a collective act of citizenship (Isin, 2008: 39, see also Bayat, 1997: 63). Consider Kim's view below, as he describes the difficulties involved in receiving his payment upon completion of the Kazi Mtaani programme. Basically, another encounter with the devolved authority was required before Kim and his co-workers finally received half of the originally agreed payment.

"Even the money from the government is being eaten. It comes [to us] through the chief, but when we demand our pay, they say: 'That money is not your mom's'. What to do? We need to come as a group. Not as individuals. This is a war!"

Three aspects are worth noting in this quote; firstly, the way in which, according to Kim's perception, the resources that the Kenyan government allocated for young people at national level disappears when it reaches Mathare and the local governing authority, the chief. Secondly, the way in which the chief denies Kim his payment, by telling him *'that money is not your mom's'*. Kim – a young adult in his twenties – is deliberately *misrecognised* as a child, dependent on his mother, which, as described in the section above, helps to prevent young people from exerting any influence. Thirdly, Kim's rhetorical question, *'What to do?'* Followed by the same conclusion as the other young men, *'We need to come as a group. [...] This is a war!'*

It is in these encounters with a devolved state authority that is simultaneously 'the state' and an intimate, local relation that young men and women 'come with force', 'riot', 'fight' or 'use violence' to claim and defend their rights as citizens. In 'The Smoke that Calls', von Holdt et al. document the ways in which residents in South Africa's 'townships' engage in violence and arson (hence the smoke) to call on authority (von Holdt et al., 2011). In Mathare, on the other hand, 'the war' that Kim

refers to, is not a war with the state in its external materialisation, or a war solely with the police. It is just as importantly a war with the state as it exists *within* Mathare. It is a war with an intimate state, comprising of an entanglement of formally devolved state authority and local and primarily elderly authority figures, drawing on their privileged access to, even to some extent control over, the beast – the police.⁶

In the encounters with this particular form of the state in Mathare, being young, male, unemployed and *'from the ghetto'* produces and reinforces a form of second-class citizenship that is likened to a form of war. Every one of the young women and men that participated in the study relayed a feeling of being exploited by all forms of the governing authority in Mathare, to the extent where even the resources allocated to young people by the Kenyan Government at national level were *'being eaten'*. In other words, in Mathare, the state [ultimately] engages with young people during recurrent violent encounters that establish and maintain an extractive relationship. As a consequence, for young people in Mathare, public authority becomes a threat; a threat to their resources, to already established gains – for instance participation in the Kazi Mtaani Programme, and – for young men – even a threat to their lives.

7. Conclusion

In this article, I set out to investigate how young people's violent collective action becomes acts of citizenship at urban margins. Taking a concrete case from Mathare, Nairobi, I have illustrated how this can occur. I have also added more nuances to the discussion on urban citizenship by describing a different perspective on the state and putting greater analytical emphasis on the intersecting politicized categories that contribute towards differentiating citizens who should – in theory – be equal.

In Mathare, young men and women do not need smoke to call on authority. The state is already there. Sometimes, the state presents itself as an exterior force, moving in on Mathare through a spectacle of armoured police vehicles, raids and excessive use of force (Kimari, 2020). However, the state is not only present in this form. Through the devolved authority and protracted relationships with individual police officers, the state is woven into everyday life in Mathare. This 'entangled state' presents itself differently to the different residents of Mathare. Although young people are by no means the only ones subjected to police brutality and violence, everyone is not at risk in the same way. Citizenship is differentiated based on a number of intersecting categories. For Jack and Kim, encountering the state in Mathare as second-class citizens is about much more than [their?] 'slum origin'. As young, unemployed men, Jack and Kim encounter the state all the time, through violent and extractive encounters framed by constant fear of being killed by the police. In other words, social status, gender and being *'youths'* are equally decisive in how they experience and encounter public authority and their available means and spaces for engaging with power and (in) justice.

By looking at the ways in which intersecting politicized categories – age, gender, class – play roles in producing differentiated citizenship, I have argued that violent encounters with the state in its locally entangled form produce a form of second-class citizenship, whereby violence becomes a repertoire of collective action. Young men experience a form of second-class citizenship characterised as warfare. By using Jack's notion of being a 'second-class citizen' and showing the ways in which

⁶ In a recent article, Wangui Kimari analyses the use of war rhetoric in the violent encounters between young men and the police, suggesting that this 'language of siege' offers new possibilities for and forms of political action and expression (Kimari, 2020: 13). Kimari focuses solely on the police. However, here, it is clear that war rhetoric as political action and expression is equally evident in the encounters with the local governing authority – the chiefs, the village elders and the Nyumba Kumi.

the government programme Kazi Mtaani is seen to become 'corrupted' by public authority once it reaches Mathare, I have attempted to reveal the precarious but at the same time ambiguous relationship [residents have] with the state.

My intention is to highlight that differentiated citizenship is more complex than a case of residents at the urban margins struggling against a state that grants them no privileges despite their citizenship status. As a young, unemployed Kenyan man in Mathare, Jack is not just fighting the Kenyan state as an external force. As young people, Jack and Kim are struggling with public authority as it is constituted at local level in Mathare. This generates an ambiguous conceptualisation of their citizenship and their sense of belonging at local level, as they feel betrayed, exploited and let down, not just by 'the state' but by public authority figures whom they have known their entire lives.

Lastly, there is nothing insurgent about this form of citizenship (Holston, 2008). It is not a rebellion. As Jack and several others mockingly describe, this is simply 'how we do in the Ghetto'. The nightly demonstrations are not associated with pride, just fatigue with a form of second-class citizenship whereby young Kenyans at the urban margins are only heard if they carry out potentially violent demonstrations in the dead of night. As Jack and several of the others are painfully aware, although this form of collective action can, in some instances, create incremental change, 'second-class citizenship' characterised as warfare does not in any way strengthen young people's access to spaces of influence. On the contrary, violent collective action reinforces the very image of young people that is used to marginalize them and lock them in a position as second-class citizens.

CRedit authorship contribution statement

Morten Lyng Madsen: Writing – original draft.

Declaration of competing interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

Data availability

Data will be made available on request.

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