

USE

The poor have right to land in towns

December 17, 2010, Mohamed Bouazizi, secondhand wares Sidi Bou Said, a northern Tunisia, self ablaze to protest dismissal of municipal who prevented him his goods on



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tional. The absence of a strong grassroots movement has accentuated this continued exclusion and marginalisation of the urban poor. They are on the periphery of political power. They are unable to take part in decision-making. To that extent, they are not victims of violation of human rights because of their status but because they are largely unable to influence decisions. In contrast, affluent neighbourhoods have strong residents' associations that negotiate with the government and influence decisions. Policy formulation and implementation is still overwhelmingly based on technocratic development. For example, the right to housing is reduced to shelter and services. It assumes that progress can be measured by counting the houses and service connections to homes. Meaningful participation of the urban poor is considered a ritual, hence the current problem facing slum upgrading. The Soweto East upgrading was

taken to court because some of the beneficiaries did not participate. The Mombasa county government plans to renew old estates. Hopefully, it will be guided by some of the proposals in the national slum upgrading and urban development policies, the laws on urban and cities and that on physical planning.

The National Land Commission should also be involved in the urban renewal of houses proposed to be undertaken through a public-private partnership because most are on public land.

Ideally, urban areas should offer opportunities to all the people living there. The right of everyone, especially the poor, to an urban life means that the social value of land should take priority over its commercial worth.

The right of everyone to be safe in the city, the right of safe convenient and affordable transport, the right to public space with public toilets, drinking fountains, and benches must be part of a reformed city. City dwellers must be

given the right to pursue a livelihood in an organised manner so that secondhand goods merchants are not continually harassed and penalised by police and county askaris.

The right to shape the city means that ordinary citizens, and especially the poor, have the right to organise themselves and challenge power. They should also exercise their social accountability over development in cities.

The Constitution has opened up opportunities for the urban poor. Some of the national values embodied in the document include human dignity, equity, and social justice, participation of the people and protection of the marginalised.

Jurisprudence under the new Constitution is beginning to translate some of these principles into tangible benefits for the urban poor.

How far this will go will depend on the level of the social and political organisation of these people.

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PREGNANCY Who will save schoolgirls from abusers?

It is sad that, despite efforts by the government and NGOs, young girls still drop out of school due to pregnancy. In Narok, 20 pregnant girls aged between 12 and 16 dropped out of school. This is shocking and yet no legal action has been taken against the culprits. It is disheartening that parents collaborate with the culprits by marrying off their daughters to them.

Parents, is this what you really want for your daughters? Instead of being at the forefront of fighting pregnancy among schoolgirls, you cover up crimes. Don't you ask yourself what the man will do to the young mother? This is an inhuman act. What is happening in our society? There is moral decay and lack of counselling for young people.

I recall an incident in Bungoma where residents were hostile to a deputy principal who exposed the high incidence of pregnancy among schoolgirls. It is incomprehensible that parents support those who abuse their daughters. Despite the fact that the government sometimes delays in arresting the suspects, much blame should go to the society because it has mechanisms of punishing those who make school girls pregnant. If this system fails, then the police should be called in.

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