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Marriage, the Market, and Gendered (In)securities in Kibera, Kenya

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Marriage, the Market, and Gendered (In)securities in Kibera, Kenya
by
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To my dear friends—and especially Susan, Natalia, Benjamin, Carolyn, and Nicole—to call you friends is one of the greatest honors of this life. I love you more than I can put here in words. I trust you know and feel my love.

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E. Ashley Wilson

Washington University in St. Louis
May 2019

Dedicated to the Women of Courage.

ABSTRACT OF THE DISSERTATION

Marriage, the Market, and Gendered (In)securities in Kibera, Kenya
by
Elizabeth Ashley Wilson
Doctor of Philosophy in Anthropology
Washington University in St. Louis, 2019
Dr. Shanti Parikh, Chair.

Based on more than two years of anthropological fieldwork, 157 household surveys, and 40 in-depth interviews, my dissertation research examines a conjugal form in Kenya known as "come-we-stay" marriage, or long-term intimate cohabitation that is often not seen as legitimate neither by the law nor kinship networks. Whereas various opinion leaders, from clergy to feminist organizations, have hailed come-we-stay as an affront to moral decency and women's rights (respectively), women and men with whom I have conducted research in Nairobi's Kibera slum emphasize the complexity of the issue and highlight the social, economic, and intimate challenges *and* benefits of their relationships. My dissertation explores macro-level marriage debates in Kenya from the ground level, looking closely at how individuals living in Kibera negotiate a path to formal marriage as well as why some couples intentionally choose to remain informally cohabitating for long periods of time. Together, I take Kibera's come-we-stay (informal marriage) with the *jua kali* (informal economy) in Kibera as the ethnographic objects of my study to explore how deep insecurity associated with informal forms of work and marriage are also tied closely with flexibility, personal autonomy, economic gain, and upward/outward mobility rather than victimhood or moral depravity. Against the backdrop of national attempts to simultaneously protect and police poor women's and men's sexuality and conjugal practices, this dissertation explores the dynamism of different conjugal forms in the socially marginal but economically vital informal economy of Kibera.

<p align="center">**Chapter 1:**</p>

<p align="center">**Marriage, the Market, and Insecurity**</p>

Introduction: Finding Your Way

"You know in Kenya we still concentrate on permanent marriage. Even if you go through many problems you are told to stick with your husband. They [undefined others] still emphasize stable marriage, permanent marriage. You get married, you have kids, you take care of the kids. Even if you are passing through many challenges, you have to stay in that place that you are married."

"But as you grow, the harder it becomes."

"That was in their [elders] time. Nowadays, you can't stick to a man and you are suffering. You have to find your ways."

<p align="center">—</p>

And so begins this dissertation on the insecure, as defined by informants, forms of both marriage and employment in Nairobi Kenya's largest slum, Kibera. I begin with this short exchange with a couple of women in Kibera to introduce a tension that runs through these chapters: social expectations and individual desire for permanency in intimate relationships and the inability and hesitancy to formalize intimate relationships because of pervasive environmental, economic, and political insecurity.

In urban Kenya, the highly debated practice of informal cohabitation—locally known as "come-we-stay" marriage—has provoked social, moral, and legal anxieties among disparate

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constituencies for decades, and particularly when it is practiced by those perceived as the urban underclass. In 2012, two years after I completed undergraduate honors research on youth dating practices in Kibera, practices which often preceded informal cohabitation, a marriage bill was introduced into the Kenyan legislature that would have reduced the time that come-we-stay relationships would be legally recognized as common law marriage from two years to six months. The bill was dubbed "the six-month law," and it found popular support among unlikely allies, including women's rights organizations, cultural leaders, clergy, and lawmakers. The bill's intended goal was two-fold: first, to protect women's marital rights to property and child custody in the case of a dissolved come-we-stay relationship; and second, to create a more accessible and affordable avenue for marital legitimacy among all Kenyan social classes, thereby lessening fears about the perceived increase in cohabitation, especially among the poor. Met by vocal opponents defending their right to cohabit without fear of legal retaliation by intimate partners, especially in the public media, the bill failed to pass and was not included in the final version of Kenya's most recent Marriage Bill, which passed legislation in 2014 and was revised in 2017.

Based on more than two years of anthropological fieldwork, 157 household surveys, and 40 in-depth interviews, my dissertation research explores this macro-level marriage debate from the ground level, looking closely at how individuals living in Nairobi's Kibera neighborhood negotiate a path to formal marriage as well as why some couples intentionally choose to remain informally cohabitating for long periods of time. Together, I take Kibera's come-we-stay (informal marriage) with the *jua kali* (informal economy), in Kibera as the ethnographic objects of my study, and explore how deep insecurity associated with informal forms of work and marriage are also tied closely with flexibility, personal autonomy, economic gain, and upward/outward mobility rather than victimhood or moral depravity. Broadly, I look at macro-

level perspectives and debates on marriage, the economy, and poverty from the lens micro-level lived realities. Rarely, even when macro-level perspectives and prescriptions come from domestic sources, do these hegemonic notions reflect lived practices, individual belief, and material realities. In Kibera, the social issues which arise from the practice of come-we-stay marriage cannot be addressed by simply redefining marriage law attempting to constrict extra-legal marital practices from the top down. In this introductory chapter, I introduce the research site, Kibera slum, and the origins of my research project; review the relevant bodies of literature to situate my research study; and provide an overview of the dissertation's organization.

A Journey Down Kibera Drive

Just outside of Prestige Mall, one of Nairobi's numerous up-scale shopping centers, I catch the #8 *matatu,*[1] one of dozens of privately-owned public transportation vehicles that stop here each hour, for a 10-minute ride to Kibera's Olympic Stage at 10 shillings (about $0.10 USD) along with several other commuters sweating under the mid-day sun, hot and high overhead. The matatu driver speeds down Kibera Drive bouncing along to the rhythm of large speed bumps and blaring rap music. He stops periodically along the way to continue packing nearly fifteen passengers into a ten-seater vehicle. I am lucky enough to snag a window seat, and I watch out at a stream of *jua kali*[2] shops, mostly auto mechanics, clothing vendors, and bars, as well as the gasoline station popular for refueling the *matatus* and a few prominent churches and primary schools that line the road. I see a few people I know well walking along the street as the bus goes along, but it is too noisy to call out to them in greeting and be heard. Kibera Drive is a

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[1] *Matatus* are privately owned minibuses in Kenya. They are the cheapest, and most frequently running form of ridesharing transportation throughout the country.
[2] Local term for informal economy in Kenya, literally meaning "hot sun" in Swahili.

heavily trafficked path. What should take about 10 minutes sometimes turns into a stop-and-go jam that lasts a half hour, but soon enough and after multiple stops, the tout finally yells, "Olympic, Olympic!" at the penultimate stage, and most passengers, including me, alight.

At Olympic Stage, my fellow travelers, looking weary after a long day's work downtown, and I de-board as quickly as possible, ducking under the low overhang and helping others with their heavy loads as *matatus* do not wait long at each stop. Time truly is money. We step down onto black tarmac that was recently laid through government-funded infrastructure initiatives before the most recent presidential election of 2017. Yet it is already beginning to crumble. The asphalt of government choice is "the cheap stuff," as residents noted. It won't last long, but it does make commuting easier for a while, especially for the large public buses, and couriers hauling heavy loads of water, flour, and other goods in unwieldy wheelbarrows, sometimes picking up too much speed when going downhill, shouting warnings to pedestrians in their path—*Wewe! Wewe!* You! You! —who will hopefully look up and move out of the way just in the nick of time.

Figure 1 The arrival of fresh tarmac to Olympic Estates, January 2016

Walking down the main street from the bus stage and into Kibera, the senses are overwhelmed. An impromptu concert stage has been set up. Hip hop music is blaring statically from large speakers as men dance and laugh and sing along while calling upon people walking by to contribute to the funeral expenses of a recently passed friend. Funds are needed to travel upcountry for burial, and this concert will go on through the night, with neither energy nor volume decreasing until the fundraising goal has been met. Women, and a few men, sit at the corners and sides of the street, calling out and pointing to fresh produce they have for sale— potatoes, tomatoes, pineapple, onions, and more. Now that the workday is over and folks are heading home for dinner, these vendors' businesses will pick up again for the first time since early morning. In addition to foodstuffs, there are also endless displays of imported used shoes, skirts, pants, and dresses for sale, as well as schoolbooks, office supplies, and more. Every few hundred meters, there are places for printing and scanning if the electricity is on. There are soda and newspaper shops, and men selling freshly cut sugar cane and cell phone airtime from inside and outside the shops. Neighbors and friends are also hanging around engaging in passionate debates about politics, sports teams, the day's gossip, and family matters. Two young men have set up a game of checkers on a bottle crate using bottle tops and a homemade wooden board. Children run down the streets— a good percentage, but not the majority, in school uniforms— playing with homemade toys, laughing and chasing after each other, dodging puddles with uneven success if the rains have come. Business transactions are occurring all along the way in line with each their own daily rhythm and customer base. Newspaper vendors sold out of stock many hours ago, while pubs and restaurants are just beginning to get busy and loud.

There are multiple entrances into Kibera in addition to Olympic. Kianda Stage. Makina Stage. Ayany Stage. Each stage is followed by a similar scene of bustling residents coming into

Kibera heading home or going out of Kibera into the city. Just behind the informal *jua kali* shops and the hustle and bustle of commuters are brightly colored gates, through which one will find the quieter, less traveled streets lined with private, single-family homes and non-governmental organization (NGO) offices. These are Kibera's Estates.

Most Kiberans do not live in the Estates, however. From Olympic, the commuters I rode the #8 with continue their journey down into the interior of the slum[3], to their homes in one of Kibera's more interior "urban villages." They walk down a windy path that shifts suddenly from tarmac to dirt road, traveling several hundred yards before reaching the Uganda Railway Line, a physical barrier demarcating the border between the estates and villages that is not otherwise marked on official maps. Over the busily foot-trafficked, and twice daily train-traveled, track, there are more *jua kali* shops—several selling buckets of charcoal, fresh mandazi, chapati, and other hot food offerings, a few air time and fruit and vegetable stands, and a pub here and there. Mainly, however, there are rented private residences—one-room, cheaply constructed apartments densely packed together. Within one building plot of homes, there might be four to five separate households, each with four to eight, sometimes more, inhabitants, including a mixture of adults and children, biological, "fictive" kin, and close friends. The pathways between houses get increasingly narrow and walking in the interior of Kibera can feel a bit like traversing an obstacle course—climbing large boulders, crossing streams, ducking under sharp, corrugated iron roofs, and—if not a local—trying to keep a sense of direction. The interior villages are often quieter than the estates, the scene largely of living and working privately within or near the home.

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[3] Using the word 'slum' in this dissertation has political implications. 'Slum' denotes and has been used historically at the state-level to signal to undesirable, informal settlements that should be demolished. I explore Kibera's history more in-depth in Chapter 2, but I use the word 'slum' throughout my work (in addition to the less problematic 'neighborhood') because that is how residents sometimes refer to Kibera (for various reasons) and how the Kenyan state refers to Kibera. I remain critical and uncomfortable with its meaning and usage, however.

Kibera is divided into fifteen neighborhoods. The estates are comprised of Ayany, Kianda, Olympic, Karanja, and Makina. The other ten neighborhoods—Soweto West, Raila, Gatwekera, Kisumu Ndogo, Kambi Muru, Mashimoni, Lindi, Laini Saba, Silanga, and Soweto West—are conceptualized as villages, and are physically separated from the estates by the Uganda Railway, pictured here in Figure 1, as well as by material and social inequities, discussed later in the dissertation. [4] Olympic, a Kibera estate, and Kisumu Ndogo, a Kibera village, are the two primary sites of this dissertation project.

Kibera's History, 1904-today: From Soldier Settlement to Slum

Kibera's 125-year history as an urban settlement has received little academic attention outside of development literature and reports, but for two rich sources. The first is historian Tim Parsons' work, "Kibra Is Our Blood," which traces Kibera's development from its colonial designation in 1904 as a soldier settlement through its development into a slum by the early years of Kenya's independence. The second is the large body of work by ethnographer and communications professor, Brian Ekdale, who has worked in Kibera for nearly a decade. In addition to numerous other articles, Ekdale wrote "A History of Kibera" on his online blog, which picks up where Parsons' analysis leaves off and traces Kibera's recent past through to about 2011. Parsons' and Ekdale's works form a major basis for my brief sketch of Kibera's history.

Unlike other slum settlements in Nairobi, Kibera originated as government-owned, rather than private, land. The area that would become Kibera laid alongside soldier barracks near

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[4] Some descriptions and maps of Kibera (Ekdale 2011) exclude the estates and list only the villages as part of Kibera, but this demarcation is hotly debated with little agreement.

Ngong Road,[5] and was originally designated by the British colonial government as a Nubian settlement in 1904 for conscripted migrant soldiers from Sudan who were to guard the railway as it was being constructed. Originally heavily forested, the Nubians named the settlement "Kibra," which means "land of the forest." Over time, and after several repatriation requests were denied by the British colonial government,[6] the land was gifted to the Nubians as unofficial pension payment to soldiers who were aging and retired (Parsons 1997). The unspoken hope was that as the former soldiers aged and died, Kibera would be left unoccupied.

But not only did these soldiers bring their families back to live with them, or begin new families in Kenya, Kibera increasingly became home to many rural Kenyans and other regional immigrants coming to the city in search of work or education. Nubians began to construct sturdy homes to lease to incoming residents and dominated the rental business early on. As the population of Kibera grew, so did conflict between residents of Kibera and the colonial government, and later also the Kenyan national government (Parsons 1997). Towards the end of colonial rule, Kibera was "deemed too valuable and too near European settlements to be left to Africans," and attempts to demolish all Kibera structures, or at least restructure the population on the grounds that no resident possessed a land deed began with little success (Parsons 1997: 91). These efforts were soon forgotten by the mid-1900s as the British government was turning its attention to pre-independence rebellions,[7] during which Kibera's demographics shifted

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[5] Ngong Road is a major road that connects to Nairobi's downtown center. This barracks location was chosen so that the central government could easily access the soldiers when necessary without housing them too close to designated European-only settlement reserves (Parsons 1997).

[6] The British claimed that the Nubians had been "detribalized" and that it would be a disservice to send them back to a home they were no longer adapted to (Parsons 1997).

[7] The most influential of these was the Mau Mau Rebellion, an indigenous uprising, led by the Kikuyu, against British colonial rule. The uprising lasted from 1952 to 1964. While it failed to garner widespread support, the rebellion was a viable threat to colonial rule, and its role in pressing for Kenya's independence from Britain is still widely debated (Berman 2014; Rosberg and Nottingham 1966).

drastically as ethnic Kikuyus began to flee Nairobi at the same time that ethnic Luos and Luhyas from Western Kenya began migrating in, often settling in Kibera. Today, and in part a reflection of continued politically-motivated violence, Kibera residents are still largely Luo and Luhya.[8]

Post-independence, Nubians found little support from the new Kenyan government. Despite the Nubians' moral claim to the land and history of more than a half-century of settlement, Kenyan authorities continued to refuse recognition of land rights. Instead of engaging in dialogue, Kibera was ignored, left alone altogether. Now the unspoken but implicit hope was that, left undeveloped, conditions in Kibera would become too horrible to support quality life and people would move out on their own. This unofficial policy of governmental tolerance, but non-development extends to today. The government provides no public services to Kibera, but neither does it try to actively deconstruct the settlement.[9]

Despite the frustrations of government non-recognition, colonial legacies and post-colonial government policies, Kibera continued to grow. Policies and hopes of demolition and non-engagement did not result in the dying out of the informal settlement. Kibera may continue to be stigmatized, but it is also now essential to the economic workings of the capital city, housing an estimated 200,000 residents in a densely settled 1.5 square miles.

From Single Women to Informal Cohabitation: The Origins of a Research Study

On my first trip to Kenya, in the summer of 2009, as a young, hopeful, and naïve college volunteer, I became fast friends with a woman named Sarah[10]. Sarah's life story stimulated my

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[8] See Chapter 3 for the ethnic breakdown of Olympic and Kisumu Ndogo.
[9] Nubians remain in the Kenyan courts fighting for land deeds and rights recognition. Their struggle has garnered international attention in recent years.
[10] Aside from research assistants, whose real names are used in the dissertation with their permission, all names are pseudonyms to protect the identities of my interlocutors.

early research interest in love, dating, and marriage in urban Kenya, and particularly in Kibera, where Sarah was living at that time. I began frequenting her home for short visits and longer sleepovers, and on these visits, we talked about just about everything. Sarah was 33 years old when we first met. She had a high school education and aspirations to go to college and study religion. She had a part-time job as the Children's Ministry Assistant at a local church and spent the rest of her time volunteering as a facilitator and guide for groups, like the one I was a part of that summer, that came as volunteers to conduct HIV and AIDS workshops throughout East Africa. Sarah was also single. As a young, single woman myself, though 13 years younger than Sarah, I sought solidarity in our shared single status, but I soon learned how differently we each held these identities.

Mid-way through the summer Sarah confided in me that her status as a single woman created hardships in her life. She assured me that she was comfortable with being single as she found comfort in her religious belief that it was God's will for her life that she not yet be married. She lived daily, however, with constant judgment from her peers and even more so from her elders. At the very least, people would say they were "praying for her to find a husband and live the right way." At the worst, people would express fears, sometimes directly to her that she must be demon possessed or cursed to have stayed single for so long. I began to wonder, if Sarah did indeed eventually want to be married and/or to have children, a desire she had expressed to me before, how she would go about finding a partner? And if she didn't find that partner or decided not to get married, how would she cope with and understand the negative reactions others around her would have to that choice? The exploration of the first question on dating practices and ideals in Kibera was the subject of my undergraduate honors thesis project.

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Based on the preliminary findings of that study, I came to graduate school to investigate more deeply the social stigma surrounding single women in urban Kenya.

As often happens, however, my dissertation research shifted as I immersed myself in the community in both Kibera and rural Ugunja, a village in Western Kenya where many Kibera residents migrate from and where Sarah hailed from. While in Ugunja in 2013 with Sarah's large family, it was Sarah's slightly younger sister, Lily, who suggested to me the topic which became the focus of my larger dissertation project: come-we-stay marriage. Lily and I were cooking an elaborate dinner by candlelight and one dim bulb lit by the generator. We had been laughing until our bellies ached from telling stories from our respective childhoods. As we caught our breath between stories, I brought up my study on single women to see what Lily thought. It seemed a little out of place in the joviality, but especially in those early field years I was always trying, usually awkwardly, to balance having fun without forgetting to pursue my research questions whenever possible. Like her sister, Lily, too, in her late-20s, was single. Lily looked at me with boredom as she said suggested I study something more interesting. She said, "Everybody's doing come-we-stay. Even single women. You should study that." My budding academic ears perked up. I had never heard the phrase "come-we-stay" before, but if Lily thought that was what would be most interesting to study, I was willing to investigate it a bit more before moving forward with the project on stigma and single women. By the end of my second summer of preliminary fieldwork as a graduate student, it was clear that come-we-stay would be the focus of my research for a number of reasons. For one, the practice of come-we-stay had stirred up quite a bit of controversy in the media and the legislature in recent years, many single women were in and out of come-we-stay-type relationships, and many formal marriages actually began as come-we-stay, or informal, marriages. The study of come-we-stay

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would allow me to investigate all my previous research interests while homing in on what was most prominently debated and stirring intrigue on the ground.

Review of the Literature

My dissertation draws from three bodies of literature— marriage and morality in Africa; love in Africa and the global rise of companionate marriage; and the interrelation between marriage and money and how financial insecurity affects conjugal security and decision making. This review will provide the theoretical underpinning of the ethnographic chapters (Chapters 4, 5, 6, and 7) of the dissertation.

African Women, Men, and Sexuality: Tracing Moral Anxieties from Colonial Rule

Anxieties surrounding marriage in Kenya—its perceived decline matched by a perceived rise in cohabitation—are heightened in contemporary Kenyan social and political life. However, these anxieties about marriage and morality in Kenya are not new. Rather, they are rooted in a much longer local and global history (Haram 2005; Hodgson and McCurdy 2001; Parikh 2007; White 1990). I argue that the macro-level debates about the dangers of cohabitation, and especially rhetoric about the dangers of cohabitation for women, reflect more these historically-produced anxieties rather than present reality. These anxieties become even more pronounced in slum areas, like Kibera**,** where ironically conditions may actually encourage the practice of cohabitation for women and men.

Non-normative intimacies, including the practice of informal marriage, the idea of the unattached single woman, and the prospect of non-normative sexualities prompt moral anxiety for the Kenyan state and publics. To see this, one must only open up any of the mainstream daily newspapers, check to see what has been banned on the local Netflix stream, or read about the

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recent international coverage over the acclaimed, Kenyan-directed film, *Rafiki*, which features a lesbian love story. I detail these contemporary anxieties in greater detail in Chapter 4, "Placing Marriage," but here I focus instead on tracing these moral anxieties back to colonial rule across Sub-Saharan Africa.

The chapters in Dorothy Hodgson's and Sheryl McCurdy's edited volume *'Wicked' Women and the Reconfiguration of Gender in Africa* (2001), show that women in many African countries are seen as "wicked" or wayward if they challenge the existing power structure in any way. Jean Allman (1996) writes in her article, "Rounding Up Spinsters: Gender Chaos and Unmarried Women in Colonial Asante," that women were punished and detained for being single by police forces who claimed that "venereal diseases and prostitution were prevalent in their division," even though the police had no proof at all (199). Allman goes on to explain that this was "more than anything, about the struggle for control over women's productive and reproductive labour…control at the very moment women were beginning to negotiate their own spaces within the colonial economy" (210-211). Deep-seeded patriarchal fear that independent women could one day render men "useless" prompted society to instead label them as deviants. Likewise, in "'Wicked Women' and 'Respectable Ladies,'" Jean Parpart demonstrates the unease colonial officials and settlers had with women in urban centers, saying they were seen as "the young women who had fled the harmony and patriarchal order of rural Africa, and taken up the worst of Western life in the urban colonial centers" (275). Respectable women did not belong in cities; therefore, women desiring a move to the cities must be defective, immoral, or wicked.

These anxieties about women in the colonial city took hold strongly in Nairobi as well. In *The Comforts of Home: Prostitution in Colonial Nairobi*, Luise White explains that "The women who arrived [in urban spaces during colonial rule] …were seen as casualties in a battle

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rural East African society was supposedly having, resisting the onslaught of the modern world" (1990, 39). Rather than portraying urban women as innately "wicked," they were seen as victims of the colonial project. White instead argues that many Kenyan women used these new urban spaces as a way to gain independence, finding respite from patriarchal and colonial male oppression and possession back in the rural areas. Set against this understanding of single urban women as villains, prostitutes, witches, and victims, it may be in fact that women are simply trying to create space for themselves, to forge an identity as an individual apart from a man, through education, work, and delaying marriage and having children (Haram 2005, Spronk 2009) as well as through the formation of temporary marriages and informal intimate unions, which is the focus of this dissertation.

I argue that in Kibera women are attempting exactly this, and that the spaces where stigma thrives, in the gap between what Erving Goffman terms "virtual social identity" and "actual social identity," is also where social and individual progress can be realized (1963). I argue, too, that men are attempting to overcome their own stigmatized identity as slum-dweller who cannot provide for himself or his family, and who is not, then, fully a man. Conjugal attachment sometimes serves as a proxy measure for Kibera residents' attempts to thrive. For women, and especially mothers, this often shows in proud claims of singlehood. For men, it often shows in an embrace of come-we-stay marriage as alternative to the economically unreachable marriage ideal.

Love in Africa

In addition to my friend Sarah's plight as a single woman and her search for companionship and culturally appropriate motherhood, the notable lack of scholarly attention given to love and intimacy across the African continent also prompted my research interest. In

his satirical piece, "How To Write About Africa," now the most widely circulated essay published in *Granta*, Binyavnaga Wainaina writes: "Taboo subjects: ordinary domestic scenes, love between Africans (unless a death is involved), references to African writers or intellectuals, mention of school-going children who are not suffering from yaws or Ebola fever or female genital mutilation" (2006). *Love between Africans*. Taboo to write about. Because it doesn't fit with Western perceptions of African experience. Later in the piece, Wainaina further satirizes that the only appropriate love to write about in the context of Africa is when *you*—the Western tourist, scholar, journalist, or novelist, we can presume—fall in the love with the continent. After all, "Africa is the only continent you can love—take advantage of this" (ibid). A biting critique which continues to be relevant today.

In the introduction to *African Love Stories: an anthology*, editor, Ama Ata Aidoo, writes, "And homegrown African love stories? That definition sounds like an anomaly. In fact, the controversial notion has gained ground that there are no love stories from Africa, classical or modern… Yet, Africa, like all regions of this earth, has been, and is, full of great love stories…Certainly, from the oral traditions, we know of great love stories which have lamentably stayed undocumented, or if documented, exist in forms that may be completely inaccessible (2006, pg. vii). Aidoo, like Wainaina, asserts the existence of love in Africa to outsiders (certainly Africans do not need to be told that they love and are loved) despite the lack of written record in academic or fictional form. This section explores the evolution of anthropological writings beginning in the early 20th century with a focus on African marriage and kinship through to today with a call for more scholarly attention to affect and intimacy.

In the early days of anthropology, British anthropologists spent much time focusing on the institution of marriage in various African societies, finding them quite different from their

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own Victorian conjugal practices and thus, in their minds, worthy of study. For example, in the introduction to A.R. Radcliffe-Brown's and Daryl Forde's edited volume, *African Systems of Kinship and Marriage*, Radcliffe-Brown problematically argues that African marriage is not anywhere based on romantic love (1950, 46). He contrasts African ideas of marriage with European ones and points out that the former kinds of relationships are more often founded on age-sets and generational hierarchies (grandparents, parents, and children). Further, he conjures his own theory of joking relationships and the social function they serve in keeping conflict at bay, arguing that African systems of marriage are highly regulated and are, most importantly, alliances between two bodies of kin. Writing during the colonial era, Radcliffe-Brown argues that the focus on uni-lineal forms of kinship and conjugal formations that are so often found in many African societies should be studied and documented extensively, citing a concern that European contact with these groups will leave their forms of kinship systems much changed. In this concern, Radcliffe-Brown was not alone.

In the 1950s and 1960s, as many Sub-Saharan African countries were transitioning from colonial to independent rule, there was a rush of scholars from all disciplines to the continent to ascertain whether, and to what degree, African societies were becoming more like those in the West through rapid urbanization prompted by colonial endeavor (Cole and Thomas 2009). Marriage, as a classic focus of anthropology, was a key site of investigation for this inquiry. Scholars asked: were Africans breaking off into couples, or what is now commonly called "companionate marriage" (Hirsch and Wardlow 2006), and turning their backs on kinship ties and obligation? If, social scientists argued, nuclear-family building was being privileged over the maintenance and formation of kinship ties, then African society was in the process of Westernizing. If marriage was becoming rooted more in notions of love and individual choice,

then Europeans had left a last cultural impression on Africans. Examples of these studies are numerous, including Guy Bernard's (1968) study of Africans in the city and the emergence of love at first sight, and Kenneth Little's (1973) research on men in the Congo who felt love to be a necessary pre-marital feeling, but I explore two examples below in-depth.

Take for example British anthropologist Godfrey Wilson's remarks on his observations of African love and intimacy in a letter to his wife and fellow anthropologist, Monica Wilson. He wrote, "I don't know, there is less tenderness between them than us, he [a local informant] told me that if Jane refused him one night, and said she was tired, 'then there is war until dawn, I beat her, and after intercourse we don't speak to each other'" (cited in Vaughan 2010). Without ignoring the explicit violence in Wilson's account, Historian Meghan Vaughan argues that not only do Wilson's words reflect his own "peculiar cultural baggage," but that it also shows his lack of differentiation between his own and local concepts of sex, intimacy, and love, all of which cannot be conflated with one another no matter the social context (2010, 2).

Or, take literary scholar Emmanuel Obiechina's much later remarks on Nigerian market pamphlets: "In pre-colonial Africa, romantic love, whether as an autonomous experience or as a stepping stone to marriage, was played down and subordinated to familial and community interests" (1973: 34). Love, then, was considered less important, if not completely foreign, to Africa by early scholars. It was an import from the imperial West. And it was taken as further proof of the problematic, but widely held belief in modernization theory. Through the adoption of Western ideals of romantic love and companionship, Africa was "developing."

What is not well documented in these early studies is how the importance of individual choice coexisted with the importance of kinship approval and facilitation. Choice and obligation

were negotiated; one did not replace the other. Thus, upon privileging the findings that individual choice in marital partner mattered to many urban Africans, Western scholars argued that "African societies were transitional—somewhere between older patterns of African kinship and marriage and those expected to emerge with modernization" (Cole and Thomas 2009:11). Yet such studies over time became associated with modernization theory, which posited that people in the colonial and post-colonial world were becoming more and more like people in the West, a transition deemed important for societal 'development', an extension of early 19th-century social evolutionary thinking. Scholars thus began to shy away from the subject of marriage, including love and intimacy, in Africa in order to distance themselves from so-called modernists and to avoid potential criticism (ibid). They did not know how else to talk about the effects of colonialism on changes in conjugality and discourse on love and marriage. Thus, beginning in the 1970s, scholarship on love and intimacy in Africa ceased to exist. Recently, however, the ground-breaking volume *Love in Africa* was published, addressing and ending this time-gap and informing my own research just as my interest in anthropology began to bud and take form.

   Love in Africa (2009), edited by Jennifer Cole and Lynn Thomas, recognizes the problem of the lack of anthropological scholarship on romantic love across the African continent, and overviews in a collection of historical and ethnographic essays the ideals and practices of love in Africa as well as the forces love in Africa contend with—heteronormativity, socioeconomic inequality, the patriarchy, globalism and long-lasting effects of colonial invasion, etc. The volume offers two major contributions. First, Cole and Thomas argue that, "African intimacy cannot be reduced to sex" as it so commonly has been historically and continues to be especially in public health and international development literature (Cole and Thomas 2009:29). Second,

the editors argue that "any study of love must take into account the historical processes that shape and produce intimacy," including pre-colonial, colonial, and post-colonial histories (ibid).

While still focusing on sexuality, which has been written about a great deal and often problematically over the last century, many of these chapters investigate sexuality in conjunction with affect, a welcome and important departure from earlier literature. Thomas considers white South African anthropologists' writings on courtship and marriage in comparison with submissions to the women's pages of South Africa's first black African commercial newspaper, *Bantu World*. While the anthropologists wrote about black African sex and fears that the modern black girl signal a moral decline for the nation, black Africans wrote extensively about love and intimacy. And while the way black Africans wrote about love was infused with "Christian, Victorian, and long-standing southern African values," the queries did not reduce African love to sex and instead queried: What is love? What are the proper foundations of a good marriage? How can one best find a desirable intimate partner? And so on. Similarly, in "'Dear Dolly's' Advice," Kenda Mutongi explores the way youth courtship and sexuality were represented in South Africa's *Drum* magazine, which was widely circulated across early postcolonial Anglophone Africa. Mutongi applies a gendered analysis of editorial responses to young women and men and argues that while the historically taboo subjects of sexuality and intimacy were now being publicly discussed, the discussions continued to be paternalist, moralistic, and often upheld a gendered double standard. These two chapters together offer evidence that love and intimacy in Africa were not absent from African discourse under colonial rule. However, Thomas and Mutongi do not idealize how Africans talked about love. Rather, they show how African discourse on love was tangled up with colonial moralities on the one hand and local values on the other.

Taken together, Jennifer Cole's work in Madagascar, Mark Hunter's in South Africa, and Daniel Jordan Smith's in Nigeria all look at the connection between intimacy and economic exchange, a focus of my own dissertation research. Cole finds that for urban youth in Madagascar, the notion of "true" love is interconnected with money and economic provision. Hunter argues that in South Africa intimacy and exchange are mutually constitutive and counters early 20th century anthropologists like A.R. Radcliffe-Brown, who argued, "The African does not think of marriage as a union based on romantic love…," that love only came after marriage (1950, 46). Hunter questions why the fact of economic exchange before marriage excludes feelings of love at the same time. Daniel Jordan Smith argues in his work in Nigeria that "intimacy and exchange are not always and not inherently opposed," and that while so-called love marriage may be liberating for women, when not successfully negotiated with their male partner, they can also be shackling" (2006: 159). When financial support becomes scarce in a love marriage, the love also begins to fade, leaving women (and potentially) men unable to leave marriages which do provide for their material needs. Come-we-stay marriages are founded both on emotional ties and promises of exchange. When one is lacking, the other begins to fail as well, a point I argue further in Chapter 7.

In Hunter's ethnography (2010), Hunter explores the transformation of the institution of marriage, from patrilocal arrangements to nuclear families, with the advent of colonialism and apartheid and the rise in wage labor and need for migrant workers. He describes in great detail the inequality and hardships of life in an informal settlement, where ideals of respectability and personhood are still expected; however, when unemployment is high and daily survival is the utmost concern, the archetypes of the male breadwinner, female homemaker, and neat nuclear family, dutifully contributing to the reproduction of society as both producers and consumers,

founder. Similar to finings in my own research in Kibera slum in Nairobi, Hunter notes excessive talk about useless men, who are a drag on hardworking women struggling to feed themselves and their children. These reworked gender norms, subverted as a consequence of poverty, are burdensome to both men, who are viewed by society as failed fathers, husbands, and adults, and women, who are depended upon for survival while also still having to respect patriarchal normal, and thus her husband's rule.

Companionate Marriage: A Global Trend

In Sub-Saharan Africa, intimacy studies have come a long way since early anthropological works reduced African love and desire to sex (see Cole and Thomas 2009 for a review). Yet there are many unexplored or only recently explored avenues of research. Specifically, many scholars have called for anthropology to more readily consider how intimacies are shaped by kinship, gender notions, globalization, and other political economic conditions, rather than asserting that romantic or companionate love exist in opposition to existing social or economic obligations, and this project addresses some of these gaps (Cole and Thomas 2009; Cole 2010; Freeman 2014; Hirsch and Wardlow 2006; Wardlow 2006). In addition to the above cited historical literature, I also engage with the scholarship of companionate marriage that has only recently considered intimacy and affect more fully and in addition to political economic aspects (Hunter 2010; Parikh 2005, 2015; Shah 2014). But what exactly is companionate marriage?

Hirsch and Wardlow (2006) define companionate marriage in four parts. First, drawing from social science literature on marriage and the family, companionate marriage privileges and measures its success based on emotional closeness between the two partners. Second,

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companionate marriage privileges the conjugal partnership over kinship ties and obligations.

Third, Hirsch and Wardlow suggest further that companionate marriage designates

companionship as the deliberate goal of marriage rather than reproduction. Lastly, Hirsch and

Wardlow are interested in how, within the companionate ideal, a modern discourse of love is

taken up to as way to understand and talk about self and desire (2006:4).

Modern Loves is not continent bound and instead takes a global perspective of the rise of

companionate marriage, or conjugal unions founded more on emotional intimacy than on kinship

ties, around the world. Hirsch and Wardlow point out that "ideas about marital companionship—

although not necessarily romantic love—do seem to have a longer history in Western Europe"

than many other places worldwide, and one of their volume's goals is to "trace out the

mechanisms through which the companionate ideal has come to prominence—and been

transformed and used locally—in these very different contexts" (2006:9). Chapters included in

Modern Loves investigate local manifestations of companionate marriage in China, Papua New

Guinea, Pakistan, Mexico, the United States, Brazil, India, and Nigeria. In addition to changes in

people's connections with kinship and other familiar ties, the authors show also changes in the

way individuals interact with the global market and how "modern" consumerism and "modern"

marital projects are often intertwined. Even though the studies in this volume mostly explore

legalized marriage, the implications of the findings still apply very much to the more informal,

yet still companionate relations I explore in Nairobi (for more, see Chan 2006, Smith 2006 in this

volume).

The literature on the global trend of companionate marriage is crucial to my own research

project as I argue that while anxieties surrounding the practice of come-we-stay stem from its

"informal," or extra-legal status, come-we-stay actually closely resembles companionate

marriage, often transitions to "formal," legal marriage, and, in the face of circumstantial obstacles (financial or otherwise), is sometimes the only way couples can afford to attain the companionate ideal.

Marriage and Modernity

Love and emotional attachments have long existed in Africa (well before colonial invasion). Further, love, intimacy, and exchange cannot be easily demarcated nor used as interchangeable concepts either in practice or theory. What has changed over time, however, is what gets privileged and to what degree within the marital decision-making process. Is a marriage founded on economic circumstances, affective ties, the maintaining of social factors, some combination of these, or something else altogether?

Much of recent anthropological literature on growing companionate marriage trends around the world focus on individuals' associations of romantic love with modernity (Cole 2010, Hirsch and Wardlow 2006, Parikh 2015, Spronk 2012). Specifically, and to Wardlow's and Hirsch's fourth dimension of what makes a marriage companionate, scholars have sought to understand how individuals craft a "modern" identity in part through attempting to achieve the companionate marriage ideal. Investigating this association can be tricky as any early anthropological studies of love in non-Western settings (and there were very few) posited that when evidence of love was found in colonial Africa or India, for example, it was simply noted as an affective import from the imperial country as discussed in an earlier section, as explored in the preceding section. It is crucial, then, to clearly define what we as scholars mean when we invoke the concept of "modernity."

In their volume on companionate marriage around the world, Hirsch and Wardlow (2006) invoke Bruce Knauft's use of modernity, which he defines as "how people in different world areas have been impelled to engage the progressivist project of Western modernity" in order to speak back against early studies of love as inherent to modernization (Knauft 2002:13). Hirsch and Wardlow argue that while companionate love and marriage can certainly be analyzed through the discourse and local practice of modernity, the ideal is "actually only one dimension of a much larger cultural transformation: the development of the modern individual self" (2006:15). I use Knauft's definition of modernity along with Hirsch and Wardlow's contextualization of the term's entanglements with companionate marriage in my analysis of how individuals and couples evoke their own relationships, and thus themselves, as "modern."

Jennifer Cole's *Sex and Salvation: Imagining the Future in Madagascar* (2010) is an excellent example of how these entanglements of marriage, modernity projects, and economics may play out in lived practice. Here, Cole works to make sense of Malagasy youths' claims that "morality was ruined by colonization" and economic liberalization, especially as it pertains to marriage and personal accumulation. With a focus on young women and through routes to adulthood, largely achieved through marriage and when that fails through either the sexual economy or the Pentecostal church, Cole, like me, challenges hegemonic histories and moralities with women's lived experiences and material realities. In researching the historical changes in young urban women's ideas and practices of sexuality, Cole does not deny that recent global imperial and consumerist practices, policies, and ideology has influenced a more individualist approach in decision making, accumulation practices, and family formation over the more historical and traditional kinship and communal practices. However, Cole is careful, in line with scholar Jeremy Prestholdt (2004), not to "overprivilege the role of Western powers" or

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"undervalue the way…societies may have long constituted themselves in direct relation to others across the globe" (2010, 10).

In this increasingly global age, Cole explores how young women use their sexuality to accumulate money or luxury items in order to forge a modern identity for themselves. In the recent past, education would have been the main route to becoming "modern," but in urban Tanzania schooling is no longer a reliable means of upward social mobility in the increasingly economically unstable country. Cole argues, thus, that the search for modernity now lies in accumulation and intimacies. Money and love are intertwined with one another saying, a relationship which may seem counterintuitive to Western notions of a "modern" love, so Cole asserts: "But what that "love" looks like is often a combination of affective attachment and material support," echoing her 2006 co-edited volume *Love in Africa* as well as Hirsch and Wardlow's edited volume, *Modern* Loves, both discussed above (Cole 2010: 145).

Despite Cole's finding that upward mobility through education in urban Tanzania is increasingly out of reach for youth, the two spaces most predominately tied to places of modernity across Sub-Saharan African continue to be classrooms and the office. Incidentally, these spaces are largely found in urban areas and are often disconnected from kin influence and structure. Amy Stambach writes about education in Tanzania in this way:

> Schooling, I came to see, marked the definition, impact, and reshaping of new forms of gendered and generational differences…It coincided with the creation of a sharp dichotomy between 'traditional beliefs' and 'modern practices.' But it also contained a constructive mode that provided a language for identifying and strengthening relationships for certain groups, including educated women who sought to establish relationships beyond the immediate social and economic control of fathers and brothers (2009:4).

Anthropologist, Rachel Spronk (2009), whose work has been greatly influential for my own, writes about the impact of education in post-colonial Kenya. Spronk explains that the parents of many Nairobi young professionals, a group she argues is both a creation of postcolonial Kenya and boundary pushers of contemporary society, who raised their children in the era after Kenyan independence was gained in 1963, were pushing them to focus more on schooling to ensure their success in future endeavors. In turn, these children "were incorporated less fully into the activities of rural homes (2009: 185)," including the patriarchal notion that as soon as a woman is mature, her dependence is transferred from her father or uncle directly to her husband. Since then it has become increasingly common for women to receive an education in Kenya. In fact, figures from the World Bank show that the percentage of out-of-school girls around the world decreased from just over 60% in 1990 down to around 54% in 2007. Spronk centers her investigation on this argument, claiming that because young professionals now in their 20s and 30s "challenge the gerontocratic hierarchy and its associated morals," anxiety is produced "about their cultural identity that typifies 'being modern the African way'" (511).

In her ethnography, *Ambiguous Pleasures: Sexuality and Middle Class Self-Perceptions in Nairobi*, Spronk explores the association of romantic love and modernity specifically in Nairobi among a group she terms "young professionals," and defines as "a relatively small social group of young adults that is not part of the larger impoverished population or the smaller political-economic elite" (2012: 11). Such people are thus finding themselves in the impossible position of choosing between the perceived poles of "traditional" and "modern." Often this choice comes with negative consequences including being seen by elders and rural family members as disrespectful and even un-African. Spronk argues that "One of the most striking aspects of social transformation in the context of colonialism and postcolonialism is the

contentious issues of cultural heritage" (p. 50). While Spronk argues that these transformations are most visible in the lives of young professionals, I argue that the anxieties over social change are also highly visible in discourse aimed at both protecting and policing particularly poorer women in Kenya but also interested in a return to traditional culture and values.

Additionally, my study in Nairobi diverges from Rachel Spronk's recent ethnographic work in two significant ways. First, my research is with a subset of the impoverished majority of urban Kenya not included in the "young professionals" category. Second, rather than focusing on the interplay between sexuality and modern self-crafting, I look at alternative forms of companionate conjugality poorer women and men might turn to in the face of reduced economic conjugal choices that are oftentimes no less about crafting a modern subjectivity than they are about survival, desire, love, respectability, and reproduction.

The Dangers of Companionate Marriage

My research contributes to recent and growing scholarship on the potential dangers of companionate marriage (Hunter 2010; Parikh 2007) as well as literature that urges caution when informing legislative and policy intervention in the name of women's rights (Crenshaw 1997; Mohanty, Russo, and Torres 1991; Narayan 2013). The case of come-we-stay makes a unique contribution to existing scholarship in that the lack of relevant legislation does not prevent or discourage women and men from exploring alternative forms of intimacies or circumventing traditional norms and legal pathways to obtain formal marriage. This work contributes also to an ever-growing body of literature that suggests that securing and sustaining the companionate ideal becomes increasing difficult in contexts of insecurity. Many of the contributors to *Modern Loves: The Anthropology of Romantic Courtship and Companionate Marriage* (2006) and *The*

Secret: Love, Marriage, and HIV (2010), for example, while not arguing that love depends upon financial security, do provide examples supporting the claim that "it can be particularly challenging to construct love-oriented relationships under circumstances of intense material insecurity" (Hirsch and Wardlow 2006: 19).

The Secret: Love, Marriage, and HIV (2009), adeptly shows that companionate, legal marriage can actually be harmful to women's health. A collaborative work, *The Secret* explores marriage as a risk factor for the spread of HIV to women in five different areas of the world: Mexico, Nigeria, Papua New Guinea, Uganda, and Vietnam. Though each geographic location has its own specific historical and cultural context, the authors show that extramarital sex is both facilitated and encouraged by the existing patriarchal social structure cross-culturally, leaving women more vulnerable to contracting HIV in companionate marriages. In Jennifer Hirsch's chapter, "The Geography of Desire," the demands of labor migration and social expectations of masculinity in rural Mexico set the stage for hidden, yet acceptable, infidelity. Hirsch argues that "extramarital relations and marriage are interrelated elements of social organization," but ironically the relationship between the two is such that "the importance of marriage…is part of what makes extramarital sex so pervasive…" (2009:73). Secret infidelity, in this case, serves to uphold the reputation of both man and wife while also fulfilling sexual desire.[11]

Keeping extramarital affairs secret is seen to be a husband's act of respect for his faithful, respectable wife; on the other hand, it puts his wife in danger, leading many to argue that global health is not doing enough work in highlighting safe-sex, even among married couples. Parikh shows in her research on men's infidelity and modern marriages in postcolonial Uganda that the

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[11] See also Hirsch 2003 for a fuller discussion on companionate marriage and transnationalism in Mexico.

growing numbers of unmarried women in Iganga are thought to pose "the most immediate threat to marriages" and a moral society (2009:192). However, because keeping up the "appearance of a modern monogamous marriage" necessitates women keeping silent about their husband's infidelities (unless he does a poor job of hiding them), women who stay single are often better able to protect themselves against HIV (Parikh 2009:196). Parikh's findings are in Uganda align with my own in Kenya and have encouraged me to consider a comparison between how women define and manage risk in both informal and formal marriages. That is, I am not only interested in looking at the lived realities of come-we-stay in light of moral discourse against it; I am also interested in understanding how formal marriage itself is also a trap for many "respectably" coupled women. Together these chapters speak against popular and scholarly claims that formalizing marriage help protects women from negative health outcomes.

In addition to addressing the dangers companionate marriage may pose for women's health, *The Secret* also looks critically at recent claims that companionate marriage may promote better gender equality. In "Gender Inequality, Infidelity, and the Social Risks of Modern Marriage in Nigeria," Daniel Jordan Smith write, "For women, even as modern Nigerian marriage promises conjugal bonds based on greater intimacy and trust, potentially elevating the importance of the marital relationship relative to other social ties, new challenges in navigating gender in equality and men's infidelity are posed" (2009:87). In his separate article, "Love and the Risk of HIV: Courtship Marriage and Infidelity in Southeastern Nigeria," Smith writes that, "as more women in urban areas are employed outside the home, they are controlling economic resources that give them certain kinds of leverages in their marriages," and in the case of my own research, pre-marital and even casual relationships (2006:152).

Yet Rachel Spronk points out in "Female Sexuality in Nairobi: Flawed or Favoured?" out that, "…this shift toward more egalitarian and companionable relationships is not easy" as "both women and men have to come to terms with the fact that existing gender structures mean that men occupy multiple roles in women's lives as lovers, friends, and future husbands, but also as figures of authority and social control" (2005:275). One Kenyan man explained it to me as such: "Women, they want to be the husbands." This statement reflects individual and collective anxieties that women desire to "flip" gender norms, not only to secure marital and women's rights, but to gain more power over men. Discussed throughout this dissertation, anxiety about subverted gender structures is even more pervasive in the slums or informal settlements of urban areas, where women sometimes have greater access to income-generating activities and men are sometimes financial dependents.

Regardless, being able to earn a living under these circumstances does not equal gender equality or even an upper hand, and argument I make in Chapter 6. In fact, in their introduction to *Modern Loves*, Hirsch and Wardlow say that while "one might assume that companionate marriage is automatically beneficial for women," this is hardly the case in every situation (2006:21). My data reveals that this statement hold trues for come-we-stay marriage just as it does for legal marriage in Kibera. The benefits of marriage to women seem to be realized only if gender equality is a reality *before* the marriage. Rarely does marriage itself bring about more equal gender relations within the domestic space as I will show in marital case studies that appear later in this chapter.

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To conclude, first, anxieties in Kenya around unmarried or legally unattached women are rooted in patriarchal tradition and history. Publicly casting single and cohabiting women as either

dependents or deviants diminishes the threat they pose to the dominant social order. Second, love exists in African relationships. Love has always existed in Africa despite its illegibility to Western scholars, travelers, and colonial administrators. Third, there is a global trend toward companionate marriage, which is defined foremost by a couple's privileging of their emotional intimacy more than (but not instead of) kinship obligations. In an increasingly urbanized world, the circulating ideal of companionate marriage is often taken up by individuals and couples in order to enact or embody what they imagine as a "modern" self. These companionate marriages, which are packaged with a promise of gender equality, are not always liberating and can in fact become traps for women, especially when coupled with an insecure environment and the loss of kinship support.

Dissertation Organization

In addition to the Introductory Chapter, the dissertation is organized into three parts, each part comprising chapters focused on a particular aspect of the research. In total, there eight chapters. Part I centers on the research methods appropriate for the research project, research collaboration, research obstacles, and quantitative research analysis. Chapter 2 explores mixed methods—quantitative and qualitative—as a way not only to collect research data but also to reduce the possibility of research harm to the researchers and research population in risky field environments. Quantitative data collection in the form of a household survey was not part of my original research plan, but the results of the survey were invaluable to the project. First, the survey data and house-to-house data collection method allowed me to further home my qualitative interview protocols as I got a better and more comprehensive sense of the demographics and material realities within and across the two neighborhoods of study. Second, data analysis of the household survey allowed to visualize in new ways the ethnographic

phenomena I was documenting. Chapter 3, "Marriage, Education, and Work by the Numbers," presents the analysis of the household surveys in a series of graphs, charts, and maps, all made by either me, collaborative team members, or university colleagues. These visual representations of data provide geographic and statistical context for the ethnographic body chapters on marriage and money which follow.

Part II centers on *come-we-stay* marriage in Kibera. Chapter 4, "Placing Marriage and Marriage Debates in Urban Kenya," provides the necessary context to explore ethnographically the question of how the law defines marriage, and how individuals define marriage outside the law in Kibera. I use the Kenyan constitution, popular news pieces, anecdotes, and folk lore to define concepts and place them in space and time. In Chapter 5, "Companionate Trappings: Complicating the Formal Marriage Ideal," I draw on personal narratives to privilege the lived experiences of marriage as a process in a context of social and economic precarity, including come-we-stay and all forms of constitutional marriage. Here, I move away from macro-level discourse and action and investigate instead companionate trappings that occur in all marital forms, whether legally solemnized or not.

Part III brings Kibera's *jua kali* economy into focus. In Chapter 6, "Kibera's Jua Kali: A Theory of a Gendered Economic Spectrum," I explore the trade-offs between informality's inherent insecurity and flexibility and the ways that gendered participation in the jua kali both challenges and reinforces hegemonic discourse about insecurity and slum life. Specifically, I contrast men's participation in the jua kali on a spectrum of success with women's participation in the informal economy as survivalists. In Chapter 7, "Gendered Insecurity, Marriage Ambivalence, and the Question of Love" I conclude with three arguments, tying together my analysis of the gendered experiences of companionate marriage and *jua kali* practices; exploring

marriage ambivalence that is not captured by attempts to legislate and encourage "formal" marriage; and asking after love. Here, I center two focus group discussions—one with men from Kibera and one with women in Kibera—to move beyond a superficial analysis of women as victims of the patriarchy and look deeply at how insecurity itself is institutionalized with the informal settlement through external institutions and internalized slum subjectivities.

In the Afterword, I conclude by reflecting on how nearly a decade of fieldwork, data analysis, and write-up have influenced the way I think about engagement with the world, the utility of work (academic and otherwise), and the future (my own and that of academia).

Part I

Chapter 2

Don't Say 'Research': Reducing Bidirectional Risk in Kibera and the Context of Insecurity[12]

Introduction

"You did it again," Joshua objected as we left another one-room apartment in the interior of Kibera, Kenya's largest informal settlement.

"Did what again?" I asked, confused and feeling like a scolded child.

"You introduced us as a team *conducting research*. Please remember to say instead that we are here to do a household survey."

Having grown up in and worked for a well-known grassroots organization in Kibera for several years as a photojournalist and researcher, Joshua is well versed in the intricacies of working intimately with his own community. He knows how best to introduce research projects without unduly raising suspicion.

"But we *are* doing research, Joshua," I insisted. "I don't want to be dishonest."

"It's not dishonest," Joshua laughed, shaking his head as he said gently suggested that I was using the wrong word in this context. "People hear the word "research," he said, "and they think you are here to take their land, raise their taxes, demolish their home, or investigate and report them for criminal activity." As what Josh considered an atypical researcher, he told me that I must refer to myself more specifically. "You, my friend, are doing a household survey."

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[12] This chapter is based on my article of the same name that appears in *Contemporary Social Sciences*, 13 (3-4): 373-353; copyright 2018. In 2019, Routledge will reprint the article in a methodology book titled, *Identity, Agency, and Fieldwork Methodologies in Risky Environments,* edited by Monique Marks and Julten Abdelhalim.

Joshua's point that the descriptive word "research" was so broad and had a particular political history of manipulation to residents in Kibera that it triggered anxiety and aversion rather than a connection between researcher and informant is one that many anthropologists have noted in their own fieldwork experiences (Bourgois, 1990; Kovats-Bernat, 2002; Sluka, 1990). Specificity, on the other hand, made people more comfortable with our presence and work. As we continued to the next house, I silently repeated my corrected introduction so as not to make the same mistake again.

This anecdote is one example of the many ethical and methodological considerations necessary for research in a risky, risk-averse site. Jeffrey Sluka argues that 'danger is probably inherent in anthropological fieldwork' if only because of the possibility of cultural misunderstandings (1990, p. 144). Fieldwork dangers increase beyond this inherent misunderstanding in field sites in which violence, conflict, or political upheaval are present and when research topics are considered sensitive or taboo (Afflitto, 1998; Nash, 1976; Sluka, 1990).

This chapter not only traces the methodology I used to carry out my research project, but also moves beyond to discuss the challenges of ethnographic fieldwork in risky field environments. I argue here that methodology, when carefully chosen and utilized, can actually serve to reduce risk to researchers and the research population in addition to being a means of data collection. Additionally, I lay out the context of insecurity in Kibera, Nairobi, and Kenya in this chapter. I argue that conducting research in Kibera is both risky for researchers and participation in research is risky for Kibera residents. Based on experiences of 11 months of ethnographic fieldwork around the sensitive and morally problematic topic of cohabitation among residents of Kibera slum, first established in 1904 as a Sudanese soldier settlement for recruits to guard the colonial railway, this chapter explores what I call the "bidirectional risks,"

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or risks to both the research team and interlocutors, in Kibera (Parsons 1997). [13]

The research team was comprised of an American anthropologist (myself) and a team of Kenyan collaborators from Kibera, including another anthropologist, a journalist, a mapper, and a community member. Research methods included participant observation, semi-structured interviews, a survey of 160 households, and community mapping. Our team minimized bidirectional risks through a combination of engaged ethnography, community collaboration, and the systematic collection of household surveys. Utilizing each of these methods increased safety for both the research team and participants; allowed the research team to collect sensitive data; and suggested possibilities to further democratize the anthropological research process.

Despite moments of heightened awareness in the academy of the need to attend to risk in the field (Howell, 1990), the inherent dangers of fieldwork to both researchers and research participants continue to be under-discussed in both the literature and academy spaces, including classrooms, conferences, and advisors' offices. The decision to enter a dangerous field site is largely left to the anthropologist's discretion; piecing together the bits of incomplete information she has from the field, she weighs the research benefits against risks to personal security. In a world of increasing insecurity, anthropologists have called for the development of more rigorous, but flexible methodologies (Kovats-Bernat, 2002; Nordstrom, 2007; Sluka, 1990) and for the primacy of a *localized ethic*, or taking stock 'of the good advice and recommendations of the local population' in making decisions about whether and how to enter the field and how to conduct ethical and safe research (Kovats-Bernat, 2002, p. 214). Furthermore, anthropological

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[13] In addition to the introduction of this dissertation, see Timothy Parsons (1997) for a history of Kibera's development from the colonial period through Kenya's independence in the 1960 and its eventual development into one of Africa's largest slum settlements.

and feminist scholarship has called for collaborative grassroots research (Cervone, 2007; Gottlieb, 1995; Mohanty, 2004; Rappaport, 2008; Smith, 2012), and social scientists warn that ethical considerations in social scientific research should not end with Institutional Review Board (IRB) assurances designed primarily for research in clinical settings (Bell, 2014; Hodge, 2013; Lederman, 2006). Serious attention to bidirectional risk—that shape experiences of both researchers and research participants—in risky field environments makes a unique contribution at the intersection of these multiple disciplines and the various ethical and methodological concerns.

Fluctuating Risk in Kenya's Recent History

On September 21, 2013 Nairobi's upscale shopping mall, Westgate, was attacked by gunmen associated with the Somali-based terrorist group Al-Shabaab. Westgate was one of several malls I frequented during my previous five years of work experience in Nairobi, and I had only left the capital a month before after completing pilot research. My illusion of security, whether at home or abroad, vanished in a single morning while listening to breaking news coverage on national public radio. In the summer of 2014, after repeated travel warnings from the US State Department, conflicting advice from my university department, and expressed fear from close Nairobi contacts, I made the decision to delay a field season and struggled with intense self-doubt, a sense of failure, and guilt that I had the privilege to retreat. I wondered if I had lost my nerve completely and if I would ever return. Friends in Nairobi had a unique understanding of the complexities of my decision and the kind of fear that strangled my resolve. They were scared too, but they were already home, and this fear and uncertainty of violence was the unfortunate norm for them. By late 2014, with the support of local friends, I returned to Kenya with a changed conception of risk and a greater appreciation of the importance of relying

on a localized ethic rather than simply a gut feeling or uninformed or incomplete advice from the academy and the U.S. State Department (Kovats-Bernat, 2002, p. 214).

Political violence is not new in Kenya, but it has intensified in recent years. In 1998, the U.S. Embassy in Nairobi was bombed by Al-Qaeda, resulting in more than 200 deaths and over 4,000 non-fatal injuries, the majority of whom were Kenyan. In 2011, the Kenyan military invaded Somalia with a mission to defeat the Somalia-based Al-Shabaab, which prompted the Al-Qaeda terrorist affiliate to intensify attacks within the nation's borders (Anderson and McKnight, 2014). Following the 2013 Westgate Mall attack, the terrorist group attacked Garissa University in April of 2015, brutally murdering 147 students. In January of 2016, over 150 Kenyan troops were attacked and remain missing without answers from the Kenyan government. In addition to these large-scale attacks, there have been numerous small-scale attacks on public service vehicles, local markets, and seaside resorts, and increasing petty theft and crime. With each new external attack or internal conflict, residents', citizens', and visitors' sense of safety is shaken. When rumors of an impending attack circulate, local malls empty and people avoid taking public transportation, opting to stay home rather than go to markets or other public places feared to be potential targets. Within this larger geopolitical Kenyan context sits Nairobi's Kibera slum, which is also affected by its own unique risks, vulnerability, and violence.

Kibera: Four Elements of Risk

Kibera is the largest informal settlement in Nairobi, Kenya's capital city, founded in 1899 by British colonial administrators as their main hub, later becoming an urban center.[14] Current

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[14] Kibera has long been known as one of the world's largest slums with population estimates reaching nearly 2 million, but this undesired title is now in dispute as more recent and accurate demographic data are published from grassroots research organizations and scholars (Desgroppes and Taupin, 2011; Hagan, 2011; Marras, 2008; Mikel, 2010).

population of Nairobi is just over 3 million. Estimates for Kibera range from 150,000 to 300,000

residents, densely settled in 1.5 square miles (Mikel, 2010) (Figure 2). Despite continued

stigmatization in the public imagination, Kibera is the city's largest residential space and hence

remains essential to the economic workings of the capital city. As an informal settlement—

defined in part by "quasi legal right of occupation or no rights at all"— Kibera falls outside of

government support and recognition, and is characterized as uniformly troubled by poverty, high

crime rates, open sewage, and lack of access to reliable water sources, health services, and

education (Alder 1995, 98). Kibera is divided into 15 ethnic enclaves, or neighborhoods, and

residents conceptualize the settlement in a more nuanced way: as an "urban village" with new

social networks created in the absence of proximate natal kin support. Since the end of British

colonialism in 1964, Nairobi like other urban centers in sub-Saharan Africa has experienced

rapid urbanization, when most Kenyans travel to the city at some point in their lives in search for

work or higher education, social networks in informal spaces become critical for surviving and

thriving (Auyero, McCann & Fischer, 2014; Clark, 1994; Elyachar, 2005; Goldstein, 2003; Hart,

1973; Hunter, 2010; King, 1996).

Figure 2 A View of Kibera from the Uganda Railway.

Located within one of the most economically stratified unequal and corrupt world cities

and plagued by domestic and international upheaval, Kibera and other Nairobi slums are sites of

disproportionately high crime, inequality, and corruption (Githongo, 2006). Robbery, carjacking,

and assault on the streets of Kibera and in the greater capital city are everyday occurrences. In

fact, Nairobi is often popularly called 'Nairobbery,' and I myself have fallen victim to street

crime. Kibera residents are aware of and affected by the social and economic insecurity, but they

also speak of community, safety, and comfort (Ekdale, 2014).

In light of constant insecurity, Kibera residents are risk-averse and attempt to reduce

insecurity whenever possible. Residents have a strong mistrust of outsiders, both foreign and

local. They are wary of interventionist or extractive projects conducted in their community due

to a history of contentious engagement with state and international actors. Unless there is

tangible benefit and assurance of no harm, residents of Kibera are unlikely to participate in

anything labeled "research". Our research team took the possible risks to their safety and social

place very seriously, and this often meant thinking beyond both Institutional Review Board

(IRB) assurances and the American Anthropological Association's Code of Ethics (2012).

Attending only to codes of ethics that were designed either with a clinical research setting in

mind or for a more general fieldwork experiences ignores the deep knowledge necessary to

understand communities' experiences and negotiations of risk (Hodge, 2013; Kovats-Bernat,

2002). Four main bidirectional risks shaped our research methodologies in Kibera. I highlight

these risks also as they play a role in my dissertation topic on the unfolding and inner-workings

of marriage and other forms of social intimacy in Kibera.

Risk #1: Political Volatility and Everyday Violence

In 2007, a decade before I conducted my dissertation research, Kenya's presidential

elections led to what was widely termed "ethnic violence," resulting in over 1,000 deaths and

hundreds of thousands displacements (Rotich, 2008; UNHCR OHCHR, 2008) As the opposition

leader's stronghold and also a multi-ethnic neighborhood, Kibera saw a disproportionately high

number of deaths and displacement. As the presidential elections of 2017 drew near, the threat of

election conflict was part of everyday talk and anxiety and was a constant pall over the research

process.

In May and June of 2016, and reminiscent of the 2007 post-election violence, Kibera was

"a chaotic scene of stone-wielding protesters in conflict with Kenyan police forces armed with

rubber bullets, live ammo, water cannons, and tear gas" in a series of weekly protests against

Kenya's Independent Electoral and Boundaries Commission (IEBC) (Wilson & Ogure, 2016).

The demonstrations were scheduled to take place in the city center, but each week riot police

prevented Kiberan protesters from leaving their homes. Thus, media attention turned from the mostly peaceful protests downtown to the violent conflict between police and Kibera residents. Held every Monday, these protests became known as "Machozi Mondays", or "Tear gas Mondays" (see Figure 3). In anticipation of conflict and after many schoolchildren had been teargassed in their classrooms, schools and businesses decided to close each Monday.

During this short but intense period of conflict, my research team and I began conducting household surveys within Kibera. Several mornings each week for about a month, I would receive a call from a friend in Kibera, saying, "Don't come today. If you're already here, you better let me know where you are, and I'll come to you." The tension was palpable, and everyone was on edge, especially those who had been through the post-election conflict a decade before.

There are also everyday acts of violence that residents and outsiders are vigilant about in their daily lives. Community justice discourse and moral codes reign supreme for Kibera residents, and it was not uncommon to hear of a thief being burnt or beaten to death upon being caught. Living both within and outside of Kibera, my personal safety as an outsider was always being negotiated based on local advice from friends.

This risk was further heightened among women, including myself. There is additional risk for researchers who are female, a discussion near-absent from the anthropological literature, and a symptom of the still oft-masculinized field. As a woman, my friends often asked that I walk around the community with a male escort, or at least have a male friend on speed dial in case "anybody gives you trouble". My female Kenyan research partner also often felt unsafe going into a home by herself in the interior of the slum. Having grown up in Kibera, she knew better than I which risks to take and which to leave and emphasized to me the increased risk of being

an unmarried young woman in a stranger's home or alone on the streets.

Figure 3 With imagery reminiscent of Kenya's 2007 post-election violence, Kibera was labeled a no-go zone on 'Machozi Mondays' during anti-electoral board protests early in 2016. Photo by Joshua Ogure.

Risks of political and everyday violence were realities for both the research team and the

community (Hodge 2013; Kovats-Bernat 2002; Nordstrom 2007; Sluka 1990), but since our

research team, unlike residents, had the luxury of making decisions on when to go in and when

to stay away, we mitigated these risks when possible.[15]

Risk #2: Outsiders as a Community Threat

There is palpable mistrust of (Kenyan and non-Kenyan) outsiders in Kibera. This risk,

both perceived and actual, is constantly negotiated and mitigated by the research population. In

many ways Kibera resembles other informal settlements in Nairobi, but it is unique in the

number of non-governmental organizations (NGOs), donor agencies, journalists and other

foreigners it attracts. Due in large part to its immense size, Kibera has emerged on the

international stage in recent decades. It is the site of hundreds of NGO offices and projects, the

setting for Hollywood films and documentaries, and a place for sightseeing for thousands of

tourists each year. These foreigners often enjoy unfettered access to the community because of

their privilege and potential offerings, but such access is not uncomplicated. Residents

simultaneously treat visitors with suspicion and cynicism while also genuinely welcoming them

into their lives.

While a non-helpful, neutral foreign presence is frustrating for residents, there is also real

concern about when a foreign presence is harmful to the community. For example, Kibera has

become a hotspot for what is popularly known as "slum tourism," a phenomenon in which

groups of foreigners pay a tour guide and, in some cases, armed guards to take them around to

see and photograph the slum and its residents (Frenzel, Koens & Steinbrink, 2011). The money

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[15] Although my research partners are all from Kibera, they were living either on the outer neighborhoods of the slum or in other parts of Nairobi for the duration of this research project.

paid for these tours almost never reaches the community and it turns the informal settlement into a zoo-like space where the privileged come to gawk at the destitute. Kiberans also often vocally lament the use of exaggerated descriptions of their lives and community that is used to attract aid. Residents argue that such hyperbole is harmful to their dignity and truth. Journalist Brian Ekdale writes, 'While the residents recognize both favorable and unfavorable features of daily life in Kibera, they are frustrated that non-residents and the media focus only on what is wrong with the community. Residents reject a hyperbolic and totalizing discourse that, to them, does not capture maisha mtaani [life in the neighborhood] as they experience it' (2014, pp. 93-94). For instance, in the summer of 2016 singer Madonna visited a well-known NGO in Kibera and posted a photo of sewage running through the slum on the social media site Instagram with the caption, 'Imagine this is where your water comes from!' Outraged, Kiberans took to social media to set the record straight for Madonna and her fans about how Kibera residents get their water – from the Nairobi Water Company, not a sewage-filled ditch. Residents constantly weigh the benefits of foreign aid and presence against its potential harm, and Kiberans remain highly critical of international visitors while at the same time hoping for real change.

There is also a great mistrust of Kenyan outsiders, who are less likely than foreigners to work in or visit the slum but who are no less visible. This mistrust is especially targeted towards police officers with whom the community has a tense relationship at best. Kenyan police and other governmental personnel are not always welcome in Kibera. When they cross the boundary, particularly during times of heightened political tension, violent conflict between residents and outside forces is likely to occur as was the case during the post-election violence of 2007 (Osborn, 2008; de Smedt, 2009) and more recently during anti-electoral board protests leading up to the 2017 presidential elections (Wilson & Ogure, 2016). But mistrust was not limited to

police alone nor was it a unidirectional mistrust. I often encountered difficulty getting a driver or was charged double fare by taxi companies when going to Kibera. Some were afraid of what might happen to them or their vehicles; others simply did not know how to get there. On one occasion, I received a reference for a research assistant from a local anthropology professor. I asked, "Is the assistant by chance from Kibera?" The professor laughed and said, "Of course she is. And she's also a Luo.[16] Otherwise I'd be jeopardizing your access, wouldn't I?" If outsiders are in Kibera, there needs to be a tangible benefit for residents, and rightfully so. As a foreign researcher[17], having team members from the community is a small demonstration of one such benefit. Still, it was not uncommon during our research for us to be asked questions like: "How is this helping me?" And more importantly, "Are you sure it's not hurting?" These kinds of questions also came up in my qualitative methodology of personal interviews. If I, an American university student, was interested in the hardships of making money and getting or staying married in Kibera, was I also there to help in some practical way? Did I have advice? Was I offering money? Could I be called on after I left if help was needed? These were not easily answered or navigated questions, but it is an inherent bidirectional risk that must not be ignored in research design and fieldwork.

Risk #3: Research as Exploitation

As the opening anecdote of Joshua's admonitions of my use of the term "research" demonstrates and as many anthropologists have documented, Kiberan residents are also very mistrustful of anything labeled "research" and of anyone who self-identifies as a "researcher."

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[16] Ethnically heterogeneous before the presidential election of 2007, Kibera is now predominately home to Luo and Luhya peoples. However, ethnic tensions remain in Kibera even a decade later.
[17] Various aspects of my identity (i.e., white, American, female, unmarried, and a youth by local definition) often dictated where I could go, with whom I could talk, and what kind of data I could collect.

During the household surveys we conducted on the beginning of my dissertation project, and especially when I forgot not to use the opaque word "research," people would look to Joshua, my collaborator and ask pointedly in local slang: "Are you with the government?" Surveys, interviews, mapping, and other like research activities have all been used in Kibera to raise taxes, evict squatters, fine or arrest people engaged in illicit activities, choose which houses to demolish for construction projects, and garner political support. Residents feel a sense of research fatigue and saturation, leading to distrust. Two examples illustrate Kiberans' mistrust of interventionism.

The Kenyan Slum Upgrading Programme (KENSUP), initiated in 2003 by the Kenyan government in collaboration with UN-Habitat, continues to be infamously known by residents as failed development more than ten years after its inception. The main goal of this program was 'to improve the livelihoods of people living and working in slums and informal settlements in the urban areas of Kenya through the provision of security of tenure and physical and social infrastructure…' wrote UN-Habitat's Executive Director, Anna Tibaijuka, in the strategy document's foreword (Syrajänen, 2008: 5). Ironically, however, many residents who were relocated from their homes to these high-rise apartments faced even worse conditions than in Kibera. A popular Nairobi newspaper, *The Daily Nation*, ran an article calling the project 'full of contradictions,' citing resident complaints of 'acute water shortage,' poor sanitation, and security risks (Jones, 2015).

The fallout of failed development is a heavy burden for Kibera residents; outright exploitative projects are, however, what they fear and critique most. Kiberans have no land rights to property or legal protection of structures built within the slum. Regardless of how many years or generations they have lived in Kibera, they remain squatters, their titles in limbo while the land is officially owned by the government. Thus, building semi-permanent structures is risky,

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especially when these are built near government-owned infrastructure. In a recently completed Kenya National Highways Authority project, a major road bordering the south side of Kibera was widened to connect with the Southern Bypass, linking downtown with the posh neighborhood of Karen. In June 2015, residential homes, schools, businesses, and churches were marked for demolition with big red Xs to make room for the wider road. *LA Times* reporter Robyn Dixon wrote, 'The men came in hard hats, rubber boots and fluorescent vests. The government had sent them to Kibera, a slum neighborhood in Nairobi, to take back what belonged to it: 24 feet and 7 inches on either side of Bombululu Langata Road, a steep, muddy track snaking past rusty, corrugated tin roofs and nests of tangled electrical wires' (Dixon, 2015). Residents were forced to relocate with no aid or compensation for what they had lost. This informality of residency allows for double exploitation – the extraction of rent and the ability to displace or remove residents without notice.

Risk #4: Emotional Consequences & Risks

Many Kiberans deal with the physical and emotional fallout of unresolved trauma given the political and social context of their lives. My social role in Kibera is often locally defined as "listener". I was not deceptive in any way about my research goals and interests; rather, in addition to, or despite, those goals, individuals sometimes felt that the interview setting was a place for them to talk safely with someone about their fears, worries, and traumatic personal experiences. One woman told me, "The biggest problem here is that we all need someone to talk with, so we don't have to go around talking to ourselves." And so, I listened. During interviews, residents often recounted stories of personal and collective trauma, sometimes telling these stories for the first time. These included rape, domestic violence, experiences of contracting and

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living with HIV and stories of personal connections to recent terror attacks or the effects of post-traumatic stress from living through the 2007 post-election violence. Some informants who recounted traumatic events spent a good deal of the interview sobbing; others coped by means of alarming bouts of intense laughter, a strategy also documented in Donna Goldstein's ethnography of race, class, and violence in a Rio shantytown (2003). Their stories, some of which will appear in subsequent chapters detailing the burdens dealt by insecure marriage particularly to women, took priority over the research questions and goals and often completely overtook the research process. In cases of unresolved trauma, I had a reciprocal obligation to help informants seek affordable and appropriate care if they so desired.

Within a therapeutic relationship, there is inherent emotional bidirectional risk. The Institutional Review Board specifically asks what emotional risks the project may pose to participants, but attending to their risks of traumatic memory and trauma confession goes far beyond assuring participants that they can end an interview at any time if it becomes too distressing. They may want to stop talking, but space is provided if they desire to express their grief and the research team was careful to act appropriately if they asked for help. Stories of trauma and the emotions they triggered were unanticipated emotional risks that neither code referred to explicitly. In these cases, I and the research team had an obligation far beyond adhering to the Institutional Review Board (IRB) and American Anthropological Association (AAA) guidelines for ethical research behavior (cf. Bell, 2014; Hodge, 2013; Lederman, 2006).

Research Methods as Bidirectional Risk Reduction

Utilizing research methods to mitigate risk and to navigate spaces of conflict, mistrust, and distress was crucial in creating and maintaining ethical relationships between the research team

and Kibera residents and research participants. A combination of household surveys, engaged ethnography, and community collaboration minimized bidirectional risk in three distinct ways. First, systematic research across wide areas of Kibera increased the visibility of the research team and the transparency of the research objectives. Second, long-term and deep engagement with Kibera residents – the cornerstone of the ethnographic method – built rapport between the community and the researchers, increased accessibility, and allowed the research questions and project development to be guided by the community. Third, incorporating community members and researchers as members of the research team enhanced the research project's data collection and analysis, but also demonstrated that the research was not simply extractive, though these small benefits to the community should not be overstated.

Quantitative Methodology – Household Surveys

Quantitative methods, such as polls or surveys, often underutilized in cultural anthropology, provided a way to quantify what our research team felt we knew intuitively about Kibera such as distribution of wealth, the prevalence come-we-stay marriage, education levels, and ethnic make-up of certain neighborhoods, all detailed in Chapter 3. Between the hours spent walking through Kibera during the heaviest rains of the season and negotiating how to work safely during the anti-electoral board protests, our research team unwittingly mitigated risk for both ourselves and residents through the systematic nature of intentional interactions with residents entailed by the household survey.

We surveyed and collected ethnographic data from two of fifteen Kibera neighborhoods, Olympic Estates and Kisumu Ndogo Village (Figure 4). As discussed more in the next chapter, Olympic is considered a wealthier estate and lies on the border of Kibera. Its residents are more

likely to live in formal structures, to be employed outside of Kibera, and to have higher levels of education than residents in more interior parts of the slum. Kisumu Ndogo is in the interior of Kibera and is more formally recognized as the slum proper. Both neighborhoods are settled largely by Luos, one of Kenya's largest ethnic groups. The strategy in choosing these two neighborhoods was to explore the diversity within a site that is often treated as a uniform monolith.

KIBERA HOUSEHOLD SURVEY
Kibera village boundaries
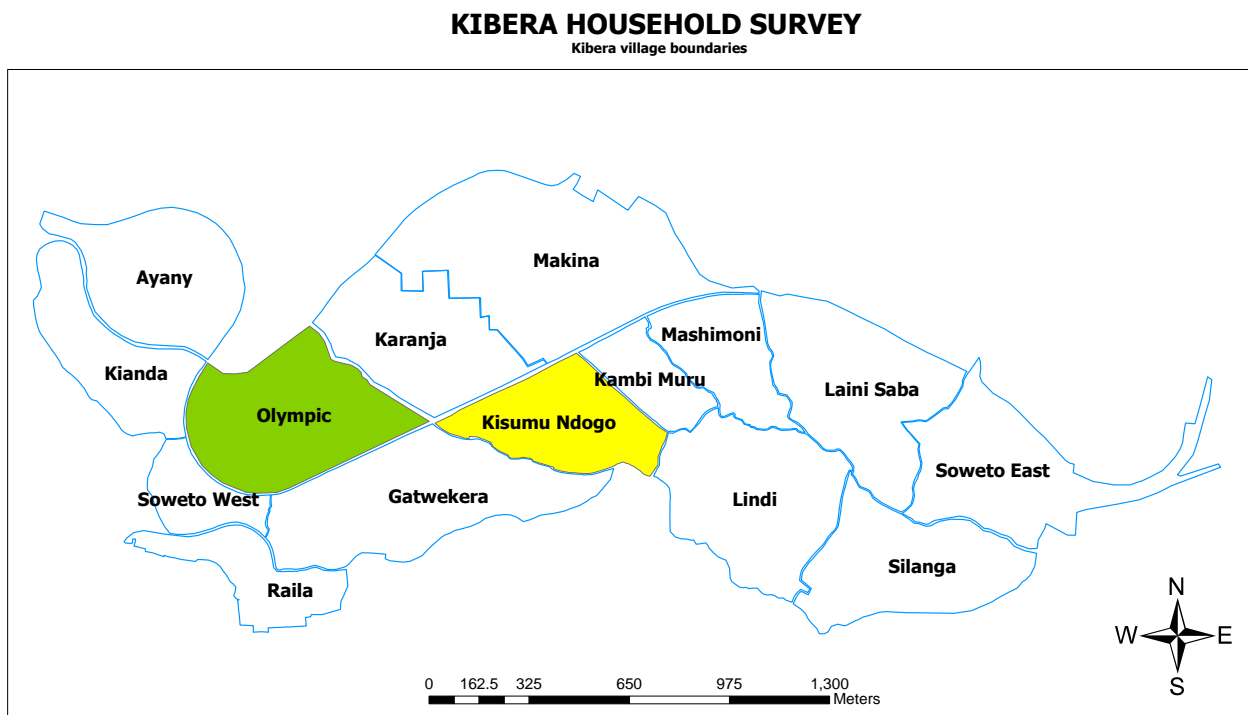
©Ashley Wilson 2016
Data source:Data collected through survey CTO
and Openstreetmap contributors.

Figure 4 A Map of the Research Sites.

We developed, tested, and refined survey questions early in the research process, and the final survey version consisted of three categories of questions: demographic information,

household composition, and household economics. Each survey took an average of ten minutes to conduct, and in two teams of two, we conducted between 14 and 22 surveys per day, eventually reaching a total of 160. Each team was made up of one female and one male to increase comfort for all parties involved and to ensure safety. The teams also stayed within calling distance of one another and walked from one plot of houses to another after each completed survey. In addition to safety, this also helped ensure that the two teams did not survey households in areas that had already been adequately surveyed, a difficult feat to achieve in such a densely-settled area. Furthermore, sensitive introductions to the surveys were carefully constructed to ensure that residents understood the purpose of the survey and how the information collected would be used before they gave consent. Many nonetheless declined to participate, likely, in part, due to suspicion over research and what will be done with their information. The team Lead Mapper helped us strategically choose which area of Olympic or Kisumu Ndogo to survey each day. With walking maps in hand, we would set out as a group of four, split up once we had chosen a plot of houses to survey, and conduct our surveys at each inhabited and willing home.

The survey was designed and conducted using SurveyCTO, data collection software that allows one to design data collection forms online, collect data on- or offline with a mobile Android device, upload data to a private server, and then download and export data for analysis. After each survey was completed and submitted, it was immediately wiped from the mobile device, ensuring confidentiality at all times.[18] By the end of the survey, the research team had

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[18] The mobile devices also aided in the comfort of the participant as nearly everyone is in possession of or is familiar with a smartphone and they could hold or touch the device themselves as each question popped up. During the survey, the second member of the research team would fill out a separate collection form with questions about the material used to build the house as well as GPS points collected. My research partner also helped with translation when necessary. After each day's work, a professional mapper would

been inside more than 200 homes, and the survey data gave us (including those on the team who had grown up in Kibera) a deeper understanding and appreciation of Kibera's diversity as well as its unique risks.

The survey's initial purpose was research-focused: to help guide qualitative research questions. But surveying such a large geographical area actually served to mitigate risk in two main ways. First, the survey increased our visibility. In some research sites, increased visibility increases risk as the researcher's routines and social networks are tracked. In Kibera, however, visibility meant increased safety and accessibility. Instead of being strangers with an unknown purpose, we were recognized as that "friend" or fictive kin member who is asking questions about marriage. We were welcomed back to many homes we surveyed, and in some instances, did return for an in-depth interview or simply for a visit. Thus, the household survey did much more than increase our understanding of the social geography of Kibera and bolster qualitative research questions; it kept us safe and allowed us greater mobility.

Second, our visibility and widely known work in the community gave residents increased awareness and eventually a higher comfort level with our presence and work. At the beginning of the survey process we would sometimes be turned away or greeted with suspicion. However, towards the end, in places where we were familiar, we were often invited in by neighbors to ask them questions as well. Third, intimately interacting with a large number of households and residents broadened the research team's personal connections with residents. One interview spawned the early conceptual idea of a grassroots women's support organization that is still

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use the supplied GPS points to track our movements to let us know if we were overlapping with previous locations or making good progress in new directions. The survey data was then plotted onto maps for visual analysis.

meeting bi-monthly today. During several surveys, I learned about resources available to women in Kibera to add to my own resource list for individuals in need of physical or mental health care. In a couple of cases, my research assistants networked with individuals in the community who are entrepreneurs and educators in need of consultation and support, and they continue their own collaborative work separate from the research conducted in the initial meeting.

Qualitative Methodology: Participant Observation and Interviews

I relied largely upon participant observation, the hallmark of the ethnographic method, over a period of 22 months (Malinowski 1927). For two months of this time, I lived with a key informant in Kibera's Olympic Estates, where I was immersed in the daily rhythms of Kibera: the early morning hustle and bustle of commuters catching matatus and city buses and jua kali shops opening for the day, the mid-morning lull in traffic and business, lunchtime visits with neighbors and friends and children hurriedly moving to and from home and school during break; the evening hustle and bustle as workers arrive home, and the long and loud evenings spent at local bars and restaurants. For another three months, I volunteer taught at a local primary school in Olympic, getting to know teachers, administrators, and parents well. Additionally, I spent many days engaged in "deep hanging out", as anthropologists say, with friends and residents with whom I had become newly acquainted. This included going to church, market, spending time at workplaces, homes, especially over a communally cooked lunch or dinner, and spending the night, drifting off to sleep in the midst of long conversations.

In addition to participant observation, I collected more than two dozen formal interviews, two focus group discussions, and one community mapping activity with Kibera residents living in various neighborhoods, both estates and villages. Quantitative data collection enhanced the

quality and quantity of the qualitative data I was able to collect through interviews. Though I had already begun qualitative data collection by the time we conducted the household survey, I was able to further refine my interview protocols based on the results of the household surveys, which gave us vital information about marriage and economics within and between the two neighborhoods of the research study. Questions were broken up into three separate categories: background/demographic questions, questions about marriage, and questions about economics, both of the individual and the household. Breaking it into these shorter sections allowed for a slow buildup of familiarity, especially with individuals I had never met before, and also helped prevent interview exhaustion in both myself and the person giving responses. Many interviewees would begin telling stories elicited by one or more of the protocol's questions, at which point, I would ask follow-up questions, or probes, as necessary not listed on the protocol. On average, semi-structured interviews lasted between 50 and 60 minutes.

Outside of Kibera, I interviewed key informants working in counseling, pastoral, and women's rights organization. The protocol for these interviews varied based on the expertise of the key informant. Depending on what each interviewee was qualified to discuss, I asked questions about either marriage, the economy, or Kibera as a site of insecurity and scarcity. These conversations often resulted in more macro-level explanations of phenomena and contemporary Kenyan society; however, the data collected was invaluable for understanding how macro-level explanations get picked up by various Kenyan actors as well as how these explanations are understood and negotiated by individuals in Kibera.

I also spent a couple of months out in Ugunja village in Western Kenya conducting qualitative research (such as interviews) and participant observation. Ugunja is a small village from where many Kibera residents have migrated and continue to have direct ties and often

personal homesteads. In Ugunja, I conducted life history interviews with elders in order to assess change over time in marriage and family organizational practices. Based on interviews with elders, I was able to ascertain both their perceptions of changes in marriage and compare how their marital experiences were different or similar to younger generations. Many elders spoke only Dholuo (the language spoken by the Luo, a Nilotic ethnic group), and during these conversations, I relied on a translator. These life histories focused more on the elders' life trajectories, beginning with their childhood through to young adulthood and into elder years. Often, interviews with elders resulted in stories of generational change. These life histories were crucial to understanding perceived versus actual change as spoken about by both elders and Kenyan youth as well as the how urban environments compare to rural environments across generations and within an individual's lifespan (see Allman & Tashijan, 2000; Geiger, 2005; Mutongi 1999 and Parikh 2015 for examples of the use of life histories).

Data Analysis

I analyzed all qualitative data through hand-coding, during which I extracted common themes, contradictions, and data which prompted further questions. The themes that run through this dissertation—insecurity, flexibility, trust—are products of this analysis. I analyzed quantitative data in collaboration with my research team members in Kibera, an undergraduate student at the University of Arkansas, and a PhD candidate at Washington University's Brown School of Social Work. Mapping team member, Zach Wambua, plotted data onto maps of Kibera for visual representation. University of Arkansas student, Aidan McGinn, created graphs and charts for further representation. PhD candidate, Michael Galvin conducted a statistical analysis of the data and plotted data onto maps that had not yet been plotted. Maps, graphs, and charts throughout the dissertation come from one of these three analyses.

A Localized Ethic

Despite rapport, deep knowledge, and close relationships on the ground, it is well-known among ethnographers that fieldwork is not always safe for researchers or community members. Danger may be inherent in fieldwork, but uncertainty is inherent in all facets of life, and it is not possible to account for all risks before they present themselves. Complicating this further is the oft-masculinized notion of what anthropological fieldwork in perceived "risky" sites entails. The concept of masculinized research calls attention to the privileging of bravery and individualism in research, even when risks to self and other are unconsidered (Howell, 1990). Extreme, even dangerous, living and working conditions are sought out, publicized, and praised, conferring social honor and prestige upon the anthropologist. The lone, lonely anthropologist is valorized despite potential mental and physical health risks (Cervone, 2007; Gottlieb, 1995; Howell, 1990), and despite the reality that anthropologists never work alone and in isolation from other people. On the other hand, fear is silently judged even when it is simply good common sense or fear that stems from gathering information using a 'localized ethic' (Kovats-Bernat, 2002). Considering these internalized expectations, anthropologists must make decisions with little guidance on whether the risks are too high. Practical and emotional support within the academy remains absent at worst, and inconsistent at best.

Intense personal connections are often formed during research. Anthropologist J. Christopher Kovats-Bernat argues that to ignore that informants or other local actors are better informed than the foreign researcher about the dangers and risks of research and the site environment is both a colonial assumption and a risky decision (2002, p. 214). In fact, these local actors are the very people whose advice we should seek and whose voices we should consider most strongly. My Kenyan friends and fictive kin helped me to decide whether and when to

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return to Nairobi after the terror attacks in 2013. My Kenyan research partners decided when and how we collected household surveys during violent anti-electoral board protests in 2016. I trusted and worked closely with my local research partners, and when they asked that we take no chances during days of expected political violence or planned rallies in Kibera, we did not. Acknowledging and validating these on-the-ground connections as well as the researcher's own emotional needs and experiences does some work toward demasculinizing the field. It may also open space for researchers to discuss issues of personal safety without having their dedication and passion for their work undermined either by colleagues or self-criticism.

The use of a localized ethic, the privileging of local knowledge, does not ignore or erase the power dynamics that exist between researcher, research assistants, and informants. Rather, as Emma Cervone argues, engagement is 'a valuable form of anthropological inquiry that problematizes internal tensions and contradictions and redefines relationships of power within the study community and between community members and the larger world' (2007, p. 101). The maintenance of relationships that I formed seven years prior to my extended 11-month research stint continued to be crucial to comfortably and safely re-entering Kibera as a researcher and as a friend. However, as a researcher extracting information in lots of short-term trips, I expect to commit in the long-term to the people who have given so much to my career and personal advancement.

The relationship should not be bounded by the time of a single field season, nor are the power relationships ignored or viewed uncritically. Engaged ethnography, which may allow an anthropologist safe and open access to the community, carries with it an unspoken morality, or an expectation that I will give back when and as required. As the case for most anthropologists, long-term engagement has been crucial to my gaining access to Kibera, but such access is never

guaranteed. It is a privilege that residents can always revoke if I abuse it or fail to use it for community benefit. For example, after a long illness in early 2016 that kept me away from Kibera, friends admonished my silence and lamented that my absence had made them worry. I had not enacted an appropriate relational personhood as friend, community and kin member and had failed to think of my networks and what my absence might do or mean to them. This experience was a good reminder that the community only tolerates in-and-out ethnography insomuch as I am also deeply and ethically engaged with those who allowed my access to Kibera in the first place. The use of a localized ethic reduces risk to the researcher who has gathered the most relevant and accurate on-the-ground knowledge. Pairing localized ethic with long-term engagement that is not simply extractive is crucial to attending to risk to the research community and participants.

Collaboration: Safety and Ethics in a Democratic Research Process

Recognizing the relational networks that exist in the field enables greater efforts toward democratizing the research process (Marks et al., 2010), or making the process of conducting research and the benefits of that research more fairly shared and accessible. This section shifts from the research community to local research collaborators. The expectation that sociocultural graduate students carry out independent research projects is fraught with ethical questions and is, in some cases, unsafe. In reality, as others have noted, cultural anthropologists almost never conduct their research "independently." To suggest otherwise is to replicate colonial behavior in the academy and in the field. G. Derrick Hodge argues, "A localized ethic is not merely a way to relieve ethnographers of ill-conceived regulatory restrictions; it is primarily a way to "decolonialize anthropology" by acknowledging the wisdom of local actors who manage to survive in impossible social contexts, and who are usually far more clever than we are" (2013, p.

90).

Collaborative research relationships that extend beyond the field season is one step in decolonizing the discipline. During the research project, I worked alongside Kenyan collaborators and partners on as many days or more than I worked independently. Collaboration is a fact of social science research; what varies is how much recognition we confer upon our collaborators. I do not mean to elide inherent power differentials that necessarily exist within these partnerships created in part by research funding structures, colonial histories, and global inequities (Cervone, 2007; Gustafson, 2009). The very fact that foreign academics, often from the West, can choose how much recognition to give clearly illuminates the power imbalances. Collaboration, both in research and in publishing, is a key site for the work of democratizing research.

Figure 5 The Research Team Reviewing a Day's Work.

Anthropologists are usually expected to have a working relationship with a local academic or research institute, but they may one day also be expected to have grassroots organizations or local researchers willing to partner as equals with the project on the ground. Such collaboration enhances data collection and produces a more ethical, democratic research process.

Most cultural anthropologists work with research assistants, and the language anthropologists and other social scientists use to talk about research assistants inadequately captures their intellectual contributions and relationship dynamics. Our collaborators are not simply our assistants; they are our partners. They may be translators, transcribers, cultural interlocutors, and escorts, but they are also hopefully co-authors, editors, and colleagues. The descriptive language we use should reflect as much. A change in language may result in a shift in research modality, or perhaps vice versa.

The risk mitigation of collaboration is about much more than a simple belief in the common English expression "safety in numbers". Collaboration with researchers from Kibera meant that my academic goal of collecting data was constantly balanced with my research partners' priority that community members remain unexploited and free from unintended harm. If confronted with street harassment, my collaborators interfered and protected me. In the same way, if I asked a culturally inappropriate question, they helped me rephrase it in order to protect participants. If I got a fact about Kibera wrong or generalized about the community, I was quickly corrected. If we entered a household in which compromising or illegal activity was in progress, my research partners assured participants of confidentiality and often quickly moved the survey process outside. While the Institutional Review Board (IRB) process has good intentions of protecting research participants, the institution's focus on medical ethics leaves

many risks unattended to. Risk can be effectively mitigated when community members contribute to the meaning, significance, and techniques of ethical conduct.

Finally, without eliding power differentials, there should be value added for all members of a collaborative research team, and fair payment for work done is only one small part of that value. Furthermore, the community that is the focus of a research project should not only be assured of lack of harm, but the research should be of some benefit, even if that benefit is not likely to be immediate.

Conclusion

Various forms of risk – physical, emotional, and social – pervade research environments. These are heightened in the contexts of international terrorism, political conflict, or research on sensitive topics. Risk is bidirectional, and the reduction of risks to researchers should not be given primacy over those taken by the people participating in research. Neither should taking on unnecessary risks to self – or, the masculinization of research – be applauded within the anthropological community as a romanticized ideal. For those participating in research, simply covering the risks to participants in an Institutional Review Board application does not ensure the participants' safety and wellbeing. Instead, what is needed is more awareness of and dialogue on the risks that are present within the field environment.

I have written at length here about how methodological choices become important beyond the practicalities of data collection when carrying out field work in risky field sites. I now transition from research methods and bidirectional risk reduction to Kibera residents' lived realities of insecurity. While the chapters that follow are ethnographic accounts of the insecurity of marriage and economic pursuits, it is my hope that this chapter gives the reader a sense of the

deep insecurity that pervades all aspects of residents' lives. Further, I theorize that the more "marked" an individual is (i.e. slum resident, "informal" worker, unmarried, woman, uneducated, etc.)—the more insecurity's effects compound. Lastly, while the context of insecurity frames my research findings even when the research inquiry may not have been directly about insecurity, it is also my hope that the reader understands that pervasive insecurity can be a reality for an individual without defining that individual. Residents create secure conditions in insecure environments that are often not recognized by outsiders as security, and this, too, is a reality I hope to show in the chapters which follow.

Chapter 3:

Marriage, Education, and Work by the Numbers

Introduction

This chapter provides an analysis of the quantitative data collected in the household survey, detailed in the previous chapter, providing the demographic context for the ethnographic chapters to follow. The research team[19] conducted surveys with residents from both neighborhoods of the projects research focus, Olympic Estates and Kisumu Ndogo.[20] The two neighborhoods were chosen in order to explore the diversity between one of Kibera's exterior estate neighborhoods (Olympic) and one of Kibera's interior village neighborhoods (Kisumu Ndogo), in a research site often spoken of as a monolith of poverty and lack. Exploring this diversity in conjunction with the qualitative data also provides insight into the how marriage and the local economy is experience differently by residents of Olympic and Kisumu Ndogo as well as by women and men in both neighborhoods. This is key in my more general analysis that compounded insecurity and a larger gender inequality gap between intimate partners are two highly determinate factors of whether a marriage, no matter its legal status, is also experienced as insecure.

Briefly, as detailed in the previous chapter, in collaboration with a small team of local digital mappers and a local anthropologist, designed, tested, and revised the survey over two field seasons in early 2015 and early 2016. The final survey consisted of about 60 questions and was broken down into three main categories: demographics, household composition, and

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[19] Our research team consisted of an American anthropologist (myself), and four Kibera community members, including another anthropologist, a photojournalist, a mapper, and a local resident.
[20] 60 surveys were collected from within Olympic Estates and 97 were collected in the more densely settled Kisumu Ndogo.

economic data. The survey was conducted from March to May of 2016. The data was then collated, analyzed, and plotted onto maps for visual analysis, and run through statistical analysis tests. Unless otherwise noted, the tables and graphs used in this chapter were created for the project by three collaborators: Zach Wambua, a lead mapper with MapKibera in Kenya; Michael Galvin, a PhD Social Work student at Washington University in St. Louis; and Aidan McGinn, an undergraduate research assistant at the University of Arkansas.[21] I extend my gratitude to each of them once again here.

In this chapter I make the following arguments. First, Kibera is diverse, an adjective rarely used to describe informal settlements often portrayed as uniformly poor and disadvantaged. Second, wealth and formality radiate outwards in Kibera. As a Kibera resident moves from the internal villages of Kibera to the external estates, it is more likely that the resident has, at minimum, a high school education, is formally employed, and is legally married. Further, the quantitative data presented here shows that educational attainment levels and marriage types are highly correlated with one another. These survey findings provide context for the ethnographic findings which follow.

Kibera's Diversity: An Analysis of Marriage, Education, and Employment

Apathy (i.e. complete disinterest in the lives of slum residents), arrogance (i.e. the assumption that one already knows the lives of slum residents), and an absence of information (i.e. no official surveys) all contribute to a simplistic discourse about residents of areas like Kibera. One organization, MapKibera, has been working to shift the narrative by conducting the

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[21] Together, Michael Galvin and the household survey team—myself, Zach Wambua, Joshua Ogure, Doreen Odera, and Fred Otieno—have submitted a paper to the Journal of International Development detailing material diversity in Kibera elucidated by the household survey. In this paper, we argue that development organizations can use similar methodological strategies in order under-differentiation at their sites of intervention.

first ever community mapping survey of the slum. They have published a number of articles and blog posts that contribute to a more accurate assessment of the challenges of living in Kibera (Hagen 2011, Mikel 2009). The important work of MapKibera inspired me to take seriously the importance of knowing the demographics of my research population in order to collect more pertinent qualitative data, and indeed I collected this data in collaboration with some of MapKibera's team members.

Certainly, numbers and statistics can be misleading, and they often tell a two-dimensional story, but I argue that in conjunction with ethnography and participant observation, numbers actually provide a foundation and context that can streamline ethnographic data collection and give ethnographers a better sense of the "field" they are working in. For example, through sensitive and specific questioning, our household survey was able to make a distinction between residents who identified as both *married* and as practicing *come-we-stay*, a distinction that the Kenyan National Demographic Household Survey has been unable to make, and a distinction I had trouble making during my preliminary field seasons based on interview inquiry alone. We did this by first asking the question: What is your current marital status? If the respondent answered "married," the survey followed with the question: If married, what kind of wedding did you have? In this way, even when people were informally cohabiting but still considered themselves married, we were able to collect data on both the frequency of come-we-stay relationships as well as how people self-identified their conjugal status. Such a question neither denied an individual's self-identification as married nor made a judgement about the legal status

of their marriage type, and had we simply asked the first question alone, the data would have told a starkly different story about marriage in Kibera as discussed further below.[22]

Second, I was interested in collecting data that might elucidate the differences in material realties visible between the two research neighborhoods. The Uganda Railway demarcates an informal boundary between the estates and the villages, but this infrastructural landmark is only the beginning of the material and ideological divisions between so-called 'formal' and 'informal' Kibera neighborhoods. As the descriptive names may suggest, Kibera's estates are materially distinct from the villages. First, estates are located on the edges of Kibera, closer to Kibera Drive, Toi and Makina Markets, and bus depots for easy access to Nairobi's Central Business District (CBD) and other wealthy neighborhoods where more consistent work may be found. Second, the estates are filled largely with formal, concrete building structures and paved, wide pathways for foot- and vehicle traffic. Most residences and buildings in the estates also have their own proper yard and gate for privacy and security. In contrast, villages are largely comprised of winding and narrow dusty streets, lined with what many of us know popularly as shanties, or one-room houses constructed with plywood, corrugated iron, and various other available materials. These material inequalities also mirror the social inequalities present between estate and village.

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[22] See Chapter 4 for definitions of come-we-stay marriage as well as an analysis of constitutional marriage law in Kenya.

Figure 6 Comparison of Kibera Estate, left, and Village, right.

Kibera is spoken about as stricken thoroughly by abject poverty, but not only does wealth seem

to increase as one moves from the interior to the exterior of the slum, many individuals in the

estates possess a substantial amount of wealth, have been able to get a higher, better quality

education, and are more likely to be formally married as seen in the following statistical analysis.

In this dissertation, I explore how insecurity—environmental, marital, economic, etc.—

compounds. I ask: How do lived experiences of marriage compare for women and men, for

residents of Kisumu Ndogo and Olympic, for poorer and more well-to-do? How does informal

employment affect marital decision-making within Kibera? The statistical analysis offered here

shows the relationship, and often the correlation, between singular measurements of insecurity.

In each of the following sections, I focus on a single data point—marriage type, education level,

and employment type—and provide a data analysis of that point across and between the two

neighborhoods. In the final section of this chapter, I provide a bivariate data analysis to show how and whether the variables of interest are correlated with one another and whether they help explain the diversity between the study's two sites. I conclude with a few key quantitative takeaways that will be useful for understanding the qualitative data analyzed in chapters 5 and 6.

Marriage Type Across and Between Neighborhoods

In order to situate the phenomenon of come-we-stay marriage in Kibera in my larger research study, it was important for me to understand how prevalent this marriage type actually is. Friends and informants told me, "Everyone's doing come-we-stay now," and though I never doubted this emic analysis, the survey data I collected allowed me to see just how common the practice of cohabitation is, as well as where, within Kibera, residents are more likely to be cohabiting or legally married.

Across both neighborhoods, Kisumu Ndogo Village and Olympic Estate, the frequency of marital status is relatively similar. Figure 7 below shows that 70% to 80%, a large majority, of survey respondents identified as "married." Around 10% to 15% of respondents identified as single, and an even smaller percentage identified as either divorced or widowed. Less than 5% of individuals identified as in a come-we-stay relationship, which said very little about the actual incidence of cohabitation within Kibera but spoke volumes about how people label their own relationships.
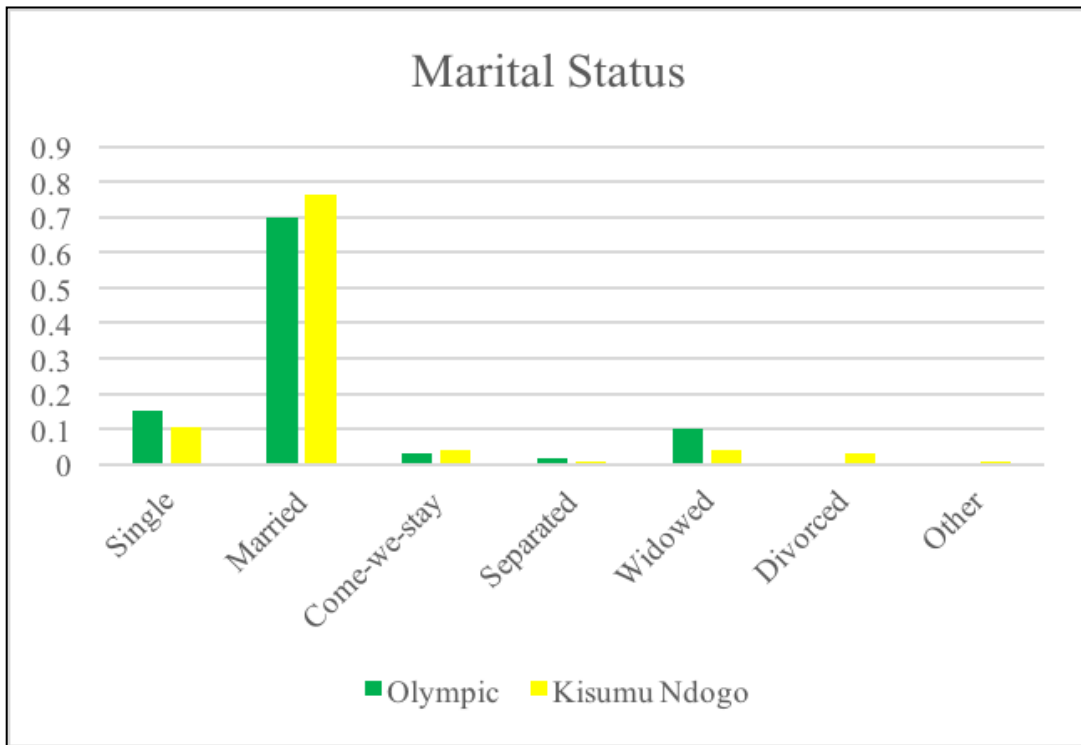
Figure 7 Self-Identified Marital Status by Percentage Across Neighborhoods

As I mentioned earlier, if this had been the only question the research team asked to identify conjugal status, the data would greatly misrepresent on-the-ground marriage realities. We would understand well how people identify their own marital status, but we would not know much about the legal status of their marriage.

In Figure 8 below, this analysis moves to the survey data collected about what type of marriage self-identified married couples had obtained. The data actually show that 49% of all marriages across both neighborhoods are come-we-stay marriages, or marriage that has not been legalized through the payment of bridewealth, a religious ceremony, or civil documentation.

After that, 26% of marriages are traditional and 25% are religious. Less than 2% of marriages across the neighborhoods are civil and therefore they are not included in the table below.[23]

Marriage Type	Frequency	Percentage
Come-we-stay	65	49%
Traditional	35	26%
Religious	33	25%
Total	**133**	**100%**

Figure 8 Marriage Type Frequency Across Neighborhoods

When marriage type is broken down further by neighborhood in Figure 9 below, the survey data shows statistically significant differences between marital forms in the village and the estate. 57% of all marriages in Kisumu Ndogo Village are come-we-stay marriages, while a little less than 35% of marriages in Olympic Estate are come-we-stay. In contrast, 45% of marriages in Olympic Estate are religious and 20% are traditional. Inversely, 30% of marriages in Kisumu Ndogo Village are traditional, while only 13% are religious.

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[23] Civil marriage represents a very unique case study discussed fully in Chapter 5. While not statistically significant and thus not given much analytical space in this chapter, civil marriage is in fact quite significant in my analysis of the qualitative data. This is only one example of where a solely quantitative study can leave out important aspects of on-the-ground phenomena and realities.

Marriage Type	Kisumu Ndogo		Olympic	
	Frequency	Percentage	Frequency	Percentage
Come-we-stay	48	57%	17	35%
Traditional	25	30%	10	20%
Religious	11	13%	22	45%
Total	**84**	**100%**	**49**	**100%**

Figure 9 Marriage Type Frequency by Neighborhood

As discussed in the following chapter, religious marriage for Christian Kenyans is likely to be the most desirable but also the least accessible. Anyone who gets married in a Christian religious ceremony must have already gone through the traditional marriage process, which includes financial investment in bridewealth, travel, and celebration party. Come-we-stay marriage, on the other hand, represents the ability to live and engage as a married couple without much financial expense though this more flexible conjugal arrangement may come with the added risk of alienating family, being without legal marital rights, and losing or foregoing social respectability. For many, then, come-we-stay marriage is desired only as temporary marriage stage on the way to traditional and religious marriage. In reality, though, hoped for transitions to formal marriage are not always realized, and what was meant to be a liminal marital stage, either dissolves or persists without reaching incorporation—formal, legal marriage, as more fully discussed in Chapter 5.

Notably, the most recent Kenya Demographic and Health Survey (KDHS) reported that across Kenya only 5.1% of women and 2.1% of men between the ages of 15 and 49 identify their marital status as "living together," whereas 54.6% of women and 48.4% of men within the same age category identify as "married" (2014, pg. 56). Because there is no way to identify as both married and living together in the Kenya national survey, it is impossible to know what percentage of those identifying as married would also identify as living together, or in a come-we-stay relationship. The survey data specific to my research in Kibera suggest that the national numbers might be higher if there were a way for individuals to self-identify in both ways.

When looking at mean values of marriage between neighborhoods in a t-test analysis, the survey data shows that Kisumu Ndogo has a mean value of 0.56, falling between come-we-stay marriage and traditional forms of marriage. Olympic Estates has mean value of 1.10, nearly double that of Kisumu Ndogo, and falling between traditional marriage and religious marriage. These differences are statistically significant (t=-3.8, p=.0002). The data thus show that "formal," legal marriage is statistically more likely to be found in Olympic Estates and come-we-stay marriage in Kisumu Ndogo Village.

Educational Attainment Across and Between Neighborhoods

Next, I turn to a statistical analysis of educational attainment in Olympic Estates and Kisumu Ndogo Villages. I choose to include education in this analysis for three reasons: first, it is a statistically significant factor between the two neighborhoods; second, it is used by international development organizations, like the United Nations, to assess quality of life and development program success; and third, individuals in Kenya and across Sub-Saharan African hold education as the key to personal success and upward mobility. It is no coincidence that

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neoliberal development discourse on the power of education has also been internalized by individuals as the way to succeed despite growing socioeconomic inequality. In a pamphlet put out by the United Nations and titled, "Quality Education: Why It Matters," the UN writes: "Education is the key that will allow many other Sustainable Development Program Goals (SDGs) to be achieved. When people are able to get quality education, they can break from the cycle of poverty. Education therefore helps to reduce inequalities and to reach gender equality" (United Nations SDG 2018). "Education is the key of life" is a common phrase and powerfully held belief across sub-Saharan Africa (Billings 2011). Parents instill the importance of education in their children from a young age, and most believe that it is the best way to escape cycles of poverty, violence, and insecurity. Yet, all too often the promise of education is simply another form of cruel optimism (Berlant 2011). The financial, social, and other circumstantial obstacles to attaining education are many. And even with an education, stigma is obstinate, and upward mobility is not always possible.

While material wealth is often a reflection of educational attainment and opportunities to engage in secure employment, Kibera residents are met first with financial and access barriers to affordable, quality schooling, and much later with barriers to formal employment due to the societal stigma of their home address. Informants have mentioned difficulties in getting jobs, keeping friends, getting government services, and even finding or keeping intimate partners due specifically to living in and being from Kibera. In reality, this may have little to do with competence and quality of education. New York Times columnist, Nicholas Kristof has said, "Kibera is an education failure" (Al Jazeera America 2015). But compare his external condemnation with the words of a successful, young tech entrepreneur living in Kibera, who said,

I had someone show a documentary that people in Kibera are not learned, and I was like, you don't know. Come to Kibera around 6:30 or 7 in the evening. People pack cars in Kibera, go to graduations…the other day people in Kibera were coming in with [graduation] gowns and we were wondering, what do you mean? People are learned. It's just that there is peer pressure that makes more people give up and also our government doesn't accept a graduate from here to work in their office. You see, someone comes, and I like being frank on my CV, raised in Kibera. Blabla. Just that part: raised in Kibera. People are like, this guy will steal from us. You can't trust this guy. That already puts you off but there are so many learned people…That is why so many people [would] rather say [they are] from Olympic. Like they have changed everything, but if you go deep this person stays in the heart of Kibera. So, they have to lie a bit.

He continued that when he talked to his friends, he would say, "I don't even say Fort Jesus [another neighboring estate, See Figure 10], I just say I stay with my sister at Kibera and they are like, no. No, you can't be. So, you see, that makes us suffer because of lack of acceptance." For this young man and for so many other educated Kibera residents, it's not about being "learned"; rather, it's about the stigma of living in an informal settlement. And saying you are from the estates, even if it is a lie, demonstrates that you may be on your way out of the slum. Living in the interior is read as both character flaw and lack of potential by would-be employers and other personal and professional contacts.

Figure 10 Aerial photo of Fort Jesus, a neighborhood adjacent to Kibera Slum.

Another young man from Kibera who had traveled to the US for university also explained

to me the importance of coming from or living in an estate rather than a village. "Kibera," he

said, "is large, and of course Ayany and Olympic [estates], women from these places work in

town and have education, which allows them to have professional jobs unlike other people who

come from the slum area. My understanding is many people in Kibera have high school level of

education. Not all, but most." This young man, like many Kibera residents I spoke with,

differentiates the estate areas of Ayany and Olympic as outside of the slum area proper. He also

argues that most women in the estates have a high school education and are thus more easily able

to find professional jobs unlike women in the other neighborhoods of Kibera. Men, too, pointed

out frequently that without an education "formal" office work was hard to find. Here, I provide a quantitative data analysis to explore educational attainment across and between Olympic Estate and Kisumu Ndogo Village.

Across both neighborhoods, Figure 11 below shows that while it is rare anyone has not had any education at all, nearly 35% of individuals have only a primary education. Some high school, high school diploma, and post-secondary education all account for around 20% each of the rest of respondents. This is significant because without a high school education, Kibera residents looking for formal employment face not only the stigma of hailing from a slum area but also the resumé challenge of not having a formal education with which to market themselves.

Educational Attainment Level	Frequency	Percentage
None	4	3%
Primary	46	35%
Some High School	26	19.5%
High School	31	23%
Post-Secondary	26	19.5%
Total	**133**	**100%**

Figure 11 Educational Attainment Level Frequency Across Neighborhoods

When these statistics are broken down by neighborhood, shown below in Figure 12, we see a stark contrast between educational achievement in Kisumu Ndogo and Olympic.

Educational Attainment Level	Kisumu Ndogo		Olympic	
	Frequency	Percentage	Frequency	Percentage
None	2	2%	2	4%
Primary	39	46%	7	20%
Some High School	19	23%	7	14%
High School	17	20%	14	29%
Post-Secondary	7	8%	19	39%
Total	**84**	**100%**	**49**	**100%**

Figure 12 Educational Attainment Level Frequency by Neighborhood

46% of respondents from Kisumu Ndogo have only a primary education, while only 14% of respondents from Olympic Estates have only a primary education. In contrast 39% of respondents with a post-secondary degree are living in Olympic Estate and only 8% are living in Kisumu Ndogo.

Looking specifically at the mean values in a t-test analysis, the data shows that Kisumu Ndogo has a mean educational value of 1.86, which falls between primary school only and some

high school. In contrast, Olympic Village has a mean educational value of 2.83, a full point

separation, which falls between some high school and high school diploma. These differences

are statistically significant (t=-4.9, p=.0000). The data thus show that it is much more likely for

an individual living in Olympic Estates to have completed high school than it is for a resident of

Kisumu Ndogo. As the data show in the next section, having less education, especially not

having graduated high school, is an obstacle to finding good paying, steady employment.

Financial insecurity, as I later argue, also leads to difficulty or a long delay in solemnizing

marriage and is one factor in individuals' and couples' decisions to practice instead come-we-

stay marriage despite any risks, perceived or real.

Employment Type Across and Between Neighborhoods

In order to present the quantitative data analysis of household employment type, I provide

a couple of quick definitions. The *jua kali* economy, which is the focus of my analysis in Chapter

6, is a local KiSwahili term which encompasses all forms of casual, non-contract, labor. Jua kali

work can include selling fruits and vegetables by the side of the road, running one's own

business, or watching neighbors' children. In contrast, "formal" jobs are often described as office

jobs, but include anything that is contracted and confers benefits to the employee.

For analyzing the survey question on an individual's employment type, we included the

following categories: all household residents of working age are only employed in the jua kali

(all casual); at least one worker is employed in the jua kali and at least one is employed in the

"formal" sector (mixed casual and formal); and all working residents in the household are

employed in the "formal" sector (all formal). Not a single household in our survey of 133 total

households reported that all residents of working age were unemployed. This is consistent with ethnographic observations and qualitative data analyses. For households often living from hand to mouth, or on each day's earnings alone, no one can afford not to work. When there is no work, Kibera residents create work.

Household Employment Type	Kisumu Ndogo		Olympic	
	Frequency	Percentage	Frequency	Percentage
All Casual	79	82%	36	60%
Mix of Casual and Formal	6	6%	12	20%
All Formal	11	11%	12	20%
Total	**96**	**100%**	**60**	**100%**

Figure 13 Household employment type frequency across neighborhoods

In Figure 13 above, the data shows that across both neighborhoods, the percentage of households whose residents work only casual jobs is significantly high: 80% of households in Kisumu Ndogo and 60% in Olympic Estates. However, when combining the mixed casual/formal and all formal categories together, 40% of households in Olympic Estates have at least one or all residents working in the "formal" sector. This percentage drops to just under 18% for Kisumu Ndogo.

Looking at the mean values in a t-test analysis, the data show that Kisumu Ndogo has a mean employment type value of .29, trending toward a household reliant wholly on the jua kali

economy, while Olympic Estates has a mean employment type value of double that at .6, trending more toward a household with residents working both in the jua kali and "formal" labor sector. These differences are statistically significant (-2.6, p=.010).

As described in later chapters, regardless of whether a "formal" job pays better than an "informal" job, which is not always the case, individuals employed formally can count on a consistency that jua kali workers cannot. "Formal" laborers also derive wealth in the form of benefits, like vacation, sick leave, and health insurance. Based on this analysis, residents of Olympic Estates are more likely to be more securely and consistently employed. Over the long term, they can be expected to make more money. This security can affect decision-making, especially surrounding conjugal and reproductive choices, which will be clearer in the chapters which follow.

In the final quantitative analysis section below, I look at the statistical correlations between marriage, education, and work type within and across both research neighborhoods.

Marriage, Education, and Employment Correlations Across Neighborhoods

The household survey data reveals that, on their own, marriage type, level of education, and form of employment are all statistically significant variable across both neighborhoods. Thus, each factor on its own is likely to account for the social and economic diversity between Olympic Estate and Kisumu Ndogo Village. In this section, I want to look at how these variables may or may not correlate with one another to explore my larger question of how different forms of insecurities, as labeled by residents, may intersect. The following graphs are bivariate and multivariate analyses of the different categories discussed above.

Correlations: Marriage and Education, Education and Employment Type

A bivariate and multivariate analysis of the household survey data reveals that marriage type is highly correlated with educational attainment and educational attainment is highly correlated with household employment type. There is not, however, a statistically strong correlation between marriage type and household employment type.

First, we look at the correlation between an individual's marriage type and educational attainment. Figure 14 below shows the frequencies in marriage type and education correlates.

Marriage Type	Educational Attainment Level				
	None	Primary	Some High School	High School	Post-Secondary
Come-we-stay	1%	23%	12%	7.5%	5%
Traditional	0%	10%	4.5%	8%	4%
Religious	2%	1.5%	3%	7.5%	10.5%

Figure 14 Frequency percentage comparison of marriage type across neighborhoods.

The most frequent combination is primary education with come-we-stay marriage at 23% of the total. Next in frequency is some high school with come-we-stay marriage at 12%. And immediately following that is the combination of post-secondary education with religious marriage at 10.5%. The correlation here between education level and marriage type is statistically significant with a p-value of 0.0000.

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After running a logistic regression with education and marriage controlling for one another by neighborhood, data show that the two variables are still highly correlated with a high r-squared value of 0.15 and individual p-values of 0.001 and 0.025 respectively with an overall p-value of 0.0000. Similarly, educational attainment and employment type are highly correlated with one another, both across and when controlling for each other by neighborhood.

Marriage and employment type, however, are not highly correlated. In the conclusion, I attempt to work out these numerically correlated variables and bring the quantitative data back into qualitative significance before shifting to my ethnographic data and analysis.

A Brief Note on Religion and Ethnicity

In Kenya, an individual's religious and ethnic affiliations are influential factors in daily activities, social interactions, and family life. These affiliations are highly privileged in discussions surrounding conjugal decision making and planning. I discuss the importance of religion and ethnicity more in the following chapters, but I show the graphs below to show more clearly my research study's demographic.
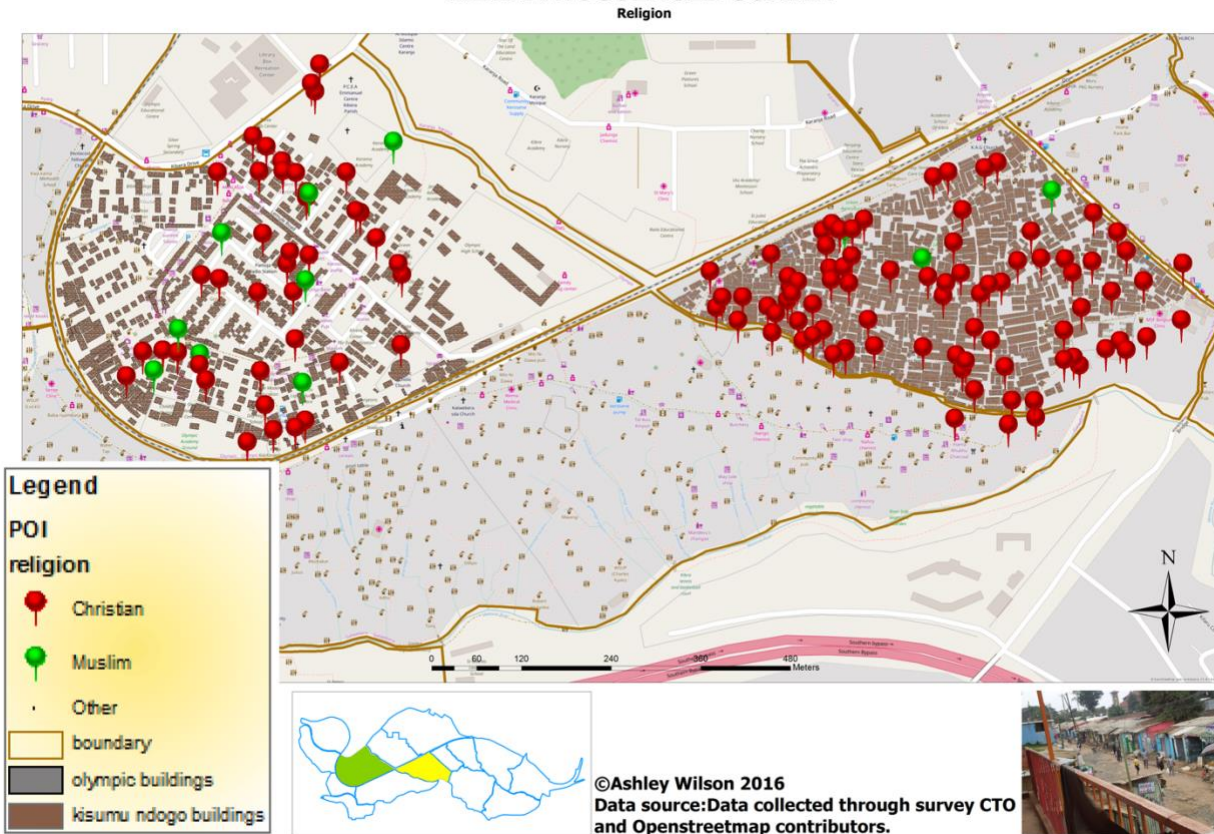
Figure 15 Religious Affiliation in Olympic and Kisumu Ndogo.

Figure 15 above shows that a majority of residents, more than 80%, or residents surveyed in both Olympic and Kisumu Ndogo identify as Christian. While there is a notable Muslim population living in Kibera—about 15% of our survey population and largely descendants of Nubian soldier conscripts who first settled in Kibera in the early 1900s—Muslim individuals largely experience the marriage process very differently from their Christian peers, who make up a much larger percentage of residents. For example, most Kibera Muslims are not living apart from their kin. Rather, they live in large compounds that have been passed down through the generations and marriage is much more likely to be facilitated by kin networks.

Figure 16 A Nubian Home in Kibera and once a Hiding Place for Jomo Kenyatta during the Mau Mau Rebellions of the 1950s and 60s.

Unmarried Muslims living near their elders are more closely surveilled and more easily advised. Second, formalizing Muslim marriages, I am told, is much less costly. Solemnization is facilitated by the community and the local imam and thus difficult financial circumstances are often not an obstacle to marriage. Further, I was told by Muslims, but this was confirmed through survey data and interviews as well: "Come-we-stay is a Christian thing only." Indeed, I did not speak with a Muslim who was currently cohabiting or had cohabited with an intimate partner in the past. This study is thus limited to marriage experiences of self-identified

Christians, in part because of the population surveyed and interviewed and in part because the research project's aims were more aligned with Christian marriage practices.

KIBERA HOUSEHOLD SURVEY
Ethnicity
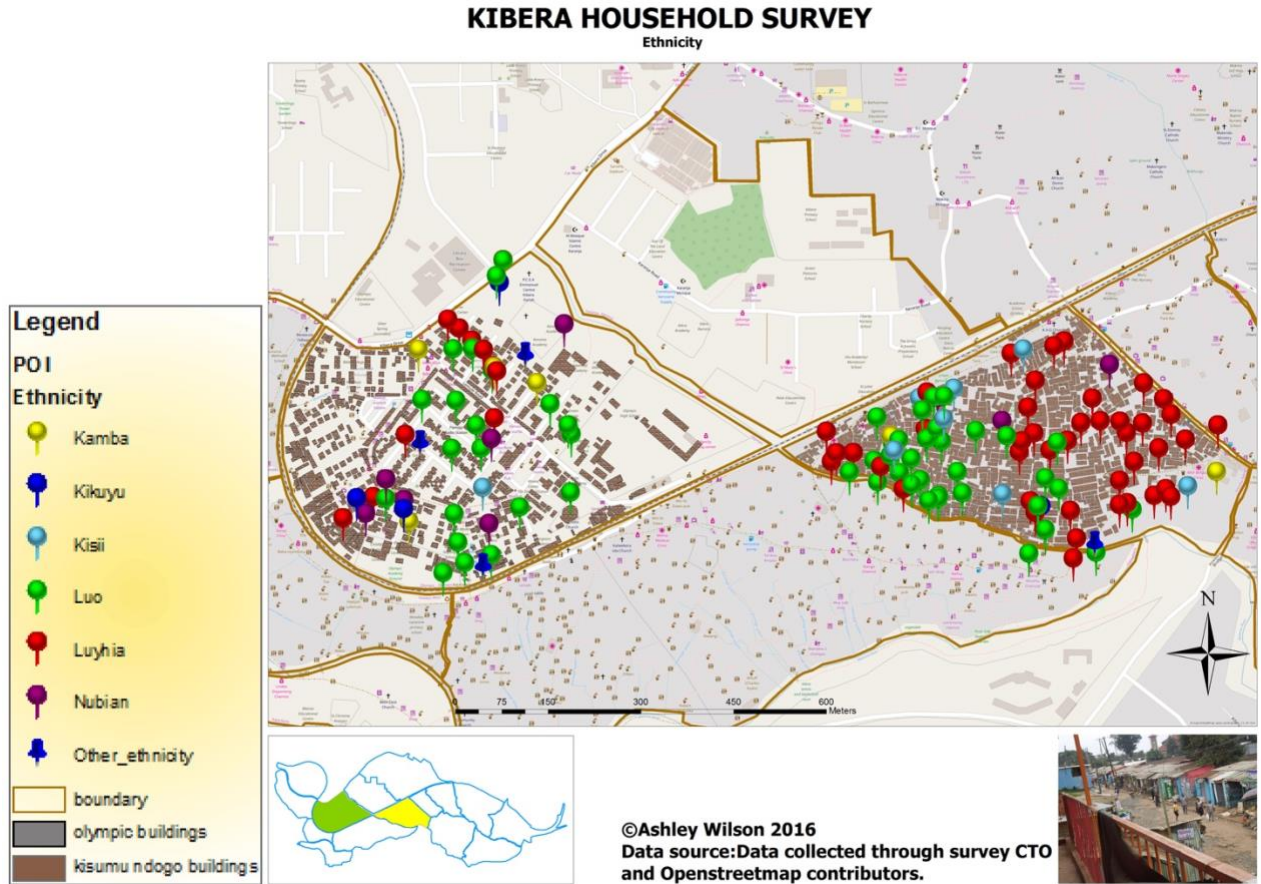
Figure 17 Ethnic Affiliation in Olympic Estates and Kisumu Ndogo

My research study is also focused primarily on the marriage practices of two Kenyan ethnic groups: Luos and Luyhias. Figure 17 above also show that both Olympic Estates and Kisumu Ndogo are settled primarily from Kenyans migrating largely from the Western Province of Kenya. These two groups share similar traditional marriage practices and inter-marry more easily than other ethnic groups because of these similarities (Parkin 1966). While I did conduct interviews with couples who were in other inter-ethnic marriages, ethnic difference was often

brought up as a source of conflict, as I discuss more in Chapter 5. For this chapter, I simply want to state that this study's focus is on Christian Luos and Luyhias in Kibera living in Olympic Estates and Kisumu Ndogo.

Conclusion

I present the quantitative data in order to illustrate two things: first, the socioeconomic diversity within Kibera; and second, the prevalence and distribution of the phenomena of interest for this dissertation—come-we-stay marriage and jua kali, most specifically—as well as the relationship between the phenomena.

First, understanding socioeconomic diversity within Kibera does some work towards dispelling popular notions of Kibera and other like informal settlements as monolithic sites of suffering and insecurity, but the quantitative data (backed up by qualitative evidence) shows, too, that the stratified diversity within Kibera also reproduces marginalization *within* Kibera. "I can tell you one thing. Kibera has money," one of my middle-aged interlocutors named Larry told me as we sat together inside his kiosk waiting for customers who would come to buy cigarettes, phone credit, bread, gum, pencils, and a wide assortment of other products. On its own, this quote speaks back against developers and state institutions that say Kibera is crippling under poverty, in need of either outside intervention for development or destruction. I am not suggesting that poverty is not a significant daily challenge for many, if not most, Kibera residents. Indeed, living from "hand to mouth" is one of the most difficult challenges to living in Kibera. But what Larry meant was that not everyone in Kibera is struggling to get by. Many are thriving. But the data here reveals that where individuals live in Kibera signal their ability to thrive.

People living in Olympic Estates are on average older, wealthier, more educated, more ethnically diverse, and more stably employed. These disparities often lead to internal "othering" and re-marginalization, but the way estates and villages interact with one another is perhaps another dissertation in itself. Let me then bring my point back to the focus of this research project: marriage and the economy at the margins. In the contextual and ethnographic chapters that follow this quantitative-based analysis of Kibera's demographics, I argue that Kibera residents' lived experiences of insecurity within marriage and the jua kali economy rarely match up with how macro-level actors imagine insecurity affects people at the micro-level. Thus, the anxieties disseminated from the top-down are filtered through lived experience and residents must negotiate their own coping mechanisms when macro-level interventions fail to be appropriate for reality. In marriage, this is sometimes the practice of come-we-stay marriage. In the economy, it is sometimes an embrace of the jua kali economy.

What becomes important about the comparison of Olympic Estates and Kisumu Ndogo is both the rate at which each of these "insecure" institutions is taken up out of necessity or by choice *and* the way individuals speak of their participation in the institutions. For residents of Kisumu Ndogo, the environmental and infrastructural insecurity makes it more difficult, as the ethnographic data will soon show, to find security in either marriage or the economy. For residents of Olympic Estates, routes to formality may be easier or insecure institutions at the margins may actually provide more security where the state fails its residents. These topics are taken up in Chapters 4, 5, and 6. In either case, the participation in either institution is highly gendered, the focus of Chapter 7.

Part II

Placing Marriage and Marriage Debates in Urban Kenya

Introduction: Come-We-Stay and the Confusion of Marriage Categories

Larry and I met in his shop, something that was becoming a habit, with the agenda of talking about *come-we-stay* marriage in Kibera. Larry sat back and made himself comfortable in his seat behind the kiosk counter of his Kibera business, where every minute or two a customer would come up and stick money through the bars to purchase cigarettes, sodas, cell phone airtime, or other small merchandises.

> Larry: "Okay, come-we-stay, let us start by asking: What is come-we-stay?"
>
> A: "What is it?"
>
> Larry: "Come-we-stay is a marriage [in which] you cohabit with a man or a woman
>
> without formally legalizing it. No going to church. No state law certificate involved. It is
>
> just cohabiting."

It is *just* cohabiting, a phrase that residents use to imply informality as well as insecurity. But residents also consider come-we-stay a "marriage," in the sense of social recognition of a union.

Alongside these micro-level recognitions of come-we-stay, the legality and morality of come-we-stay marriages have been hotly debated in the courts, media, and local discourse in recent years. In 2012, a bill was proposed by a female member of parliament that would make legal provisions for the recognition of come-we-stay marriage. Amid heated debates, the bill passed the Cabinet vote, but failed to be enacted into constitutional law, leaving the legality of come-we-stay marriage in grey, liminal state, where it remains to date (Kimutai 2018).

In this chapter, I take these two contradictory statements—that marriage is both extra-

legal cohabitation and social recognized marriage—which I find side by side repeatedly

throughout my research data, to explore ethnographically the question of how Kenyan legal

structures define marriage, how individuals negotiate marriage that falls outside the legal

categories, and how the distinction between these definitions is sometimes ignored and at other

times is overemphasized.

I begin this chapter by defining come-we-stay, followed by an exploration of Kenya's

most recent constitutional marriage law. I then situate come-we-stay marriage in Kenya's

contemporary and highly public debates of marriage and morality by juxtaposing 1) moral and

religious leaders who posit that cohabitation is damaging to traditional African values, and 2)

secular rights groups who argue that informal marriage is bad for women in *all* cases. Lastly, I

construct a counternarrative to these hegemonic narratives, by highlighting the reasons young

Kiberan women and men enter into come-we-stay unions. I argue that come-we-stay is often

viewed locally as a trial phase in a couple's relationship, one that may eventually lead to legal

marriage. However, data reveals that many unions in this liminal phase do not successfully

transition through to legal marriage but rather dissolve or remain stagnant, leaving women

without legal recourse to marital rights. This chapter, centered on discourse at various levels,

frames the next, heavily ethnographic chapter on the lived realities of marriage in Kibera.

Come-we-stay Briefly Defined

While there is abundant literature on informal marriages in sub-Saharan Africa (Hunter

2016; Lewinson 2006; Posel and Rudwick 2014), there is little scholarly attention to the specific

iterations of come-we-stay marriage in Kenya, despite the rich conversations and explanations of

come-we-stay from Kibera residents. Here I compare the little about come-we-stay in the

academic record with my own research findings and local definitions to provide a brief definition

of the predominate form of cohabitation practiced in Kibera.

African historian Bodil Frederiksen notes in passing in her work on gender and popular culture in Kenya:

> In urban areas [of Kenya] an informal and frequently transitional form of marriage…was widespread among young people. It is dubbed 'come we stay'—together is implied. Young Kenyans' reasons for entering into such unions were no different from those of young Danes or Americans in the same situation: a combination of love, sympathy, and convenience, often heightened by a spirit of independence and resistance against the older generation (Frederiksen 2000, 216).

Frederiksen further estimates that two out of three youth were in come-we-stay marriages in the low-income Nairobi neighborhood of Eastleigh in which she conducted her research. Further, she elaborates on the advantages of come we stay as choice: economic benefits and the ease of entering and exiting an intimate relationship.

My research findings support this description of come-we-stay only in the narrowest sense. Come-we-stay is not widespread only among young people though it might be more freely talked about by the younger generation. Neither is it simply a "transitional form of marriage," or at least not in all cases. For some, come-we-stay is not incommensurate with marriage. In fact, when I asked one middle-aged married woman how she would define come-we-stay, she shrugged her shoulders and said to me, "You know, we just call it a marriage. It's just a marriage." She thought a while and then added a caveat: "But there's no security." Thus, rather than calling it only a transitional form of marriage, some residents refer to it differently as "insecure marriage."

People have different ideas on the origin and evolution of the practice of come-we-stay, and often this reflects generational differences as well as in religious backgrounds and socioeconomic realities. For some Kenyans, come-we-stay is a transformation of, albeit more

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drawn out, traditional form of trial marriage, during which time couples tested their compatibility before consenting to formal marriage (Muli 1995). For others, cohabitation is an immoral form of intimacy brought over by the West and picked up by wayward youth and poorer individuals (White 1990). And yet others, conversely, hail cohabitation as a way to modernize through their intimate relationships (Spronk 2012).

Regardless of the origins, how an individual's come-we-stay relationship begins is less debated. One young and unmarried male informant, Samuel, who had lived in Kibera for four years prior to studying at university in the United States, told me the following folktale about how two partners begin cohabiting:

> So, there is someone who has a tent [in the desert], and the camel, like it's so hot outside and the camel comes and tells the guy that it's really hot, can I just put my head in the tent? And the guy says no, that you are so huge, and the camel pleads, and the guy said okay. Then after that, the Camel is like, 'Oh, the sun is scorching my neck, so can I just put the neck [in]. Then the guy complains, but eventually allows. Then after some time, the camel says, 'Oh, like, my hump, that I'll only put one hump [in].' Yeah, then the camel puts the hump [in]. Yeah. Then, before the guy knows it, the camel is in, and, like, spoils the tent. So my understanding of [come-we-stay] is sometimes that's what happens…You can invite a girl to your place, then, I don't know…normally they say, 'They'll bring a toothbrush.' [Laughter.] So that's the first step. Then after some time, they'll probably bring something else. Then, before you know it, like, she has a lot of stuff [in your house].

Echoing Frederiksen's comments, this story of the initiation of cohabitation is likely familiar in concept (though perhaps not in faunal analogy) to many cohabiting couples around the world. The camel in this case is the girlfriend, the guy, the slower to commit boyfriend. Gender roles are not as easily reversible in this folktale as they might be in regions around the world[24]. The camel is often a hesitant boyfriend, whose ready-for-commitment girlfriend slowly eases into his home.

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[24] As I discuss later, come-we-stay can subvert gender norms, especially when the female partner is the breadwinner. Thus, in Kibera, it is not uncommon for men to actually move in with women and begin a come-we-stay relationship.

Come-we-stay is unique in its local form, when looking at informal marriage around the world, in that it may lose it recognizability as informal marriage rather quickly. Alternatively, it may never be recognizable as anything but marriage from the beginning. That is, come-we-stay is interchangeable with the concept of informal marriage, but not necessarily exclusive from socially and potentially legally recognized marital status. Additionally, the trade-offs for informality's extra-legal status, whether it be in business (discussed more in Chapter 6) or marriage include ease of entry, ease of exit, and flexibility. For come-we-stay, there is no time limit on how long a couple can remain in come-we-stay marriage, and there is no age deemed more or less appropriate for engaging in come-we-stay relationships. Additionally, there is no kinship involvement needed to initiate come-we-stay. In an environment of heightened insecurity, like Kibera, come-we-stay is an attractive alternative to legal marriage when legal marriage proves too costly, kin are often living at a distance, and when there is hesitancy to commit in the long-term.

Kenya's Constitutional Marriage Law

While come-we-stay is highly visible in Kenyan debates about marriage, mention of come-we-stay is absent in current marital law. Kenya's constitution recognizes five types of conjugal formations. These include customary marriage (sometimes also referred to as traditional marriage and characterized by the connection between kin and bridewealth payments); religious marriage (expanded to include Christian, Islamic, and Hindu marriages); and civil marriage. Kenya's initial legal code adopted by the British colonial administration recognized the same five forms of marriage. The most recent Kenyan Marriage Act was passed in 2014 (National Council for Law 2014). It has since been revised in 2017 (National Council for Law 2017). In the following sections, I describe each of these marriage forms, first as laid out in the Kenyan

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constitution followed by local descriptions of practice and process. I then explore how the constitution deals with intimate cohabitation and highlight what is absent from constitutional law with regards to cohabiting relationships, including come-we-stay marriage.

I.   *Customary (Traditional) Marriage*

Customary marriage, often referred to as traditional marriage, typically has high kinship involvement, but the specific conventions and practices are highly dependent upon ethnic and community customs, and thus is the most highly variable form of marriage recognized by constitutional law. Under the Section "Marriage Under Customary Law," Kenya's Marriage Act states: "A marriage under this Part shall be celebrated in accordance with the customs of the communities of one or both of the parties to the intended marriage" (2014, 50). Further, the law states that: sufficient bridewealth must be paid, if required, to prove the marriage; the marriage should be registered within three months, the persons to be married must both be at least 18 years old, give free consent, and neither should be "within a prohibited marriage relationship" (2014, 51).

Customary marriages include both monogamous marriages (between one man and one woman) and polygynous marriages (between one man and multiple women). There are also less commonly practiced, legal marriages, including levirate and sororate marriages, which arise when a husband or wife predeceases their partner respectively, and a brother or sister of the deceased assumes the role of the deceased; (2) widow inheritance, in which a husband predeceases his wife, who is then inherited by one of the deceased's brothers; (3) woman to woman marriage, which is when a barren woman marries another woman, whose children born by the first woman's husband she will then inherit; and (4) what continue to be call forcible

marriages, where the youngest daughter of a family with no sons remains at home to bear children for her family with a man of her choice, as well as child marriages, where two young children are promised to each other and wed upon maturing. In my research, I look primarily at customary marriage many of which were self-identified as monogamous as practiced in the Luo and Luyha communities.

Customary marriages, regardless of ethnic group, are marked by two major formalities: an introduction, or betrothal, ceremony and the payment of bridewealth, colloquially referred to as dowry. The style and length of the introduction ceremony and the materiality of bridewealth payments vary widely by ethnic group, social class, and religious affiliation. The customary marriage process is often both time- and cost-intensive as laid out in the following explanation given to me by an older Luo man living in Kibera who was in a polygamous marriage:

> A traditional marriage you get it this way: Let's say me and you, we agree that we are getting married and maybe we are living together, and we want to formalize it traditionally. So what happens is that I send you to your home, [and] you go talk to your parents. I also go home talk to my parents. So, the two parents from the different sides meet and normally this happens differently depending on your tribe [or ethnicity],[25] but the end result is that you have to pay something. You have to pay dowry.[26] The dowry is the man paying. It can be in form of money, but from where I come from, it's animals, mostly cows. The number [of cows] varies. There's no standard.[27] A man will choose the number. So, once you get maybe three or four [cows], you take it to the lady's home. [The family] cook[s]. You eat, and the next day you hand over the little you have [to give]. So, once they have accepted to take the cows or animals, then the marriage is

[25] Appropriate bridewealth payments often vary by ethnic group

[26] Dowry was often used interchangeably with bridewealth by my interlocuters. Bridewealth is a marriage custom where the new husband's family provides the wife's family with material compensation for the loss of their daughter and her reproductive, physical, and emotional labor. Bridewealth payments also serve as protection for a new wife. Dowry is the reverse custom: a wife's family sends material goods along with a bride to her new husband's and his family's home. Dowry is most often practiced in India (though now outlawed), while bridewealth is more commonly practiced across sub-Saharan Africa.

[27] There are often lengthy negotiations, however, between families. A number of things affect the amount of bridewealth that can be demanded, including a woman's education level, background, current profession, etc.

formalized, and it's already known that [this woman] is the wife of [this man]. So, if another man comes, and you introduce him after [this man], they will not agree. They will tell you, we know [George] was the first one into this home, and he paid this amount of cows, so if you want another man, then we as a family have to refund the cows or goats. That is tradition.

In addition to the time costs, traveling home from Nairobi also costs bus fare and the loss of wages from a leave of absence from work. Additionally, when a member of the family comes home from the city, it is expected that they come bearing gifts as a show of urban abundance. As mentioned, there is not one single trip home. The couple travels first as individuals, and depending on where they each come from, the distance in between can be as much as eight-ten hours bus ride away. The man and his relatives must then travel to the woman's home with the initial bridewealth payment. Despite the costs sometimes discouraging young Kenyans from beginning the traditional marriage process, Kenyans from all age groups told me that the customary marriage form is the most desirable and most respectable. An older Luo woman living in Kibera felt the need to defend customary marriage to me and to the Kenyan youth who she saw as turning their back on tradition, whose "Africanness" was in doubt (Spronk 2009). Traditional "marriage is si mbaya," she said to me. Traditional marriage is not bad.

II.   *Religious Marriage (Christian, Hindu, Islamic)*

Christian, Hindu, and Islamic marriage ceremonies are recognized under Kenyan marriage law. Each has its own section in the 2014 Marriage Act. Religious weddings are officiated by Muslim, Hindu, or Christian clergy. Hindu marriage "may be officiated by a person authorized by the Registrar and in accordance with the Hindu religious rituals of a party to the marriage" (2014, 51). Marriage under Islamic Law "shall be officiated by a kadhi, sheikh, or imam as may be authorized by the Registrar and celebrated in accordance with Islamic law" (2014, 51). The majority of religious marriages in Kenya are Christian marriages, and in my

study sample, 100% of individuals in come-we-stay marriages self-identified as Christian as explained in an earlier section of the dissertation. Thus, I focus more on the Christian marriage provisions more in-depth than the Hindu and Islamic marriage laws. And indeed, Christian marriage is described in more detail than either of the other religious forms of marriage in the constitution itself.

In the case of Christian ceremonies, a couple must have already initiated or completed the customary marriage process. Once bridewealth has been paid, a couple and their family may then begin planning for a Christian wedding. This is not required by law, but as many individuals told me, it is simply what is done. Obtaining a Christian marriage after a customary marriage aligns with social norms and familial and community expectations. Within the Marriage Act, Christian marriages are conducted by a "licensed church minister appointed by the registrar" (2014, 43). Christian weddings are often day-long celebrations filled with ceremony, food, presents, photos, fancy cars, fancier dress, and lots of dancing. As such, like customary marriage, they are often quite expensive and costly in time.

III.   Civil Marriage

Civil marital certification is obtained from the local Registrar. The Kenyan Marriage Act of 2014 states that "Where a man and a woman intend to marry under this Part, they shall give to the Registrar and the person in charge of the place where they intend to celebrate the marriage a written notice of not less than twenty-one days and not more than three months of their intention to marry" (2014, 45). If there is no objection from the community, "the Registrar shall issue the persons intending to marry with a certificate of no impediment" (2014, 48).

Obtaining a civil marriage is quick and relatively cheap as compared with both customary

and religious marriage. Interestingly, my data shows that it is also rare. If one is planning to be formally married, then individuals find it hard to justify that the time and money spent, however little, on a civil ceremony wouldn't be better used for the cost of traveling for eventual family introductions and bridewealth payments. The one couple, Josiah and Jane, who had participated in our household survey and obtained a civil marriage, explained their choice with very pragmatic reasoning:

> You know the constitution states it clearly: if you stay with a person for six months,[28] you are her husband or his wife. So, we went to the attorney general. And we said that for now we don't have that kind of money to perform the marriage ceremony, the wedding…We discussed it beforehand and we saw [getting civilly married] as a proper way to handle things cause one day you don't know whether I will die or she will die. What will happen after that? What about the children who are coming? So we discussed it, and agreed.

In the case of Josiah and Jane, obtaining a pragmatic civil marriage did not preclude traditional marriage, which remained the ideal. Rather, it lessened any personal and familial anxieties about an insecure period of come-we-stay. Josiah continued, "[In] January we are planning to travel upcountry to introduce ourselves officially, so that we can negotiate on the brideprice. You know the brideprice, if you pay it, it never ends. You will just do it continuously. So, after that we will plan for the wedding." For Josiah and Jane, a civil marriage would be followed by traditional solemnization followed again by a religious ceremony.

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[28] As we will see in the next section on 'Cohabitation' and Kenyan Marriage Law, the constitution does not state clearly that two people living together for six months are husband and wife, but it is popular belief that legal action can be taken after this time period to formalize a marriage.

IV. Cohabitation

Come-we-stay is popularly referred to by residents of Kibera as the fourth kind of marriage—in addition to customary, religious, and civil— as it is often socially recognized despite that it confers no legal marital rights to the couple or their children. Despite social recognition come-we-stay is notably absent in the Marriage Act of 2014 as there is no provision for common law marriage or the recognition of long-term cohabitation (i.e. come-we-stay) as deserving of legal marital rights. Instead, the Marriage Act clearly defines "cohabit" as "an arrangement in which an unmarried couple lives together in a long-term relationship that resembles a marriage," but is not de facto a marriage, and hence neither partner has rights conferred under marriage law, specifically rights to maintenance costs, property, and child custody (2014, 36).

Further, the Marriage Act denotes that in the case of cohabitation "No proceedings may be brought to compel one spouse to cohabit with the other, but a spouse who alleges that he or she has been deserted may refer the matter to a conciliatory body" (2014, 65). This is key and may explain some of the on-the-ground confusion about the place of come-we-stay marriage in constitutional law. On the one hand, cohabitation is not protected or governed by marriage law. On the other hand, individuals may seek legal recourse if they have been deserted by a partner with whom they were living in an intimate relationship resembling a marriage. Kenyan lawyers and legal scholars have argued that in such cases of dissolved come-we-stay marriages, the individual seeking legal marital rights from a conciliatory body—the Kenyan courts—would need to rely on presumption of marriage, which includes proving both "prolonged cohabitation" and "that [the couple] held themselves out to the general public as a married couple" (Karani 2015). Still, it is unclear within the law how long a period constitutes presumption of marriage

and which type of marriage a legally recognized presumptive marriage becomes. Notably, proving presumptive marriage is disproportionately burdensome to women in both cost (time and financial) and evidence, especially within an urban environment where reliable witnesses may be hard to find or convince to show up to court.[29]

The Come-we-stay Debates in Kenya

In popular belief, come-we-stay is often, the most commonly practiced form of marriage, particularly among the urban poor and younger generations. "That is come we stay, and that thing is like over eighty percent in Kenya," one young Kibera man told me. A popular Kenyan newspaper, *The Standard*, reported in 2018 that "As high as 87 per cent of men and 72 per cent of women aged 25 to 34 in Kenya are in informal unions" (Gathura 2018). Further, the article states, "And of this, only about 1.4 per cent are being formalised annually" (ibid). And youth of both genders often reflected to me that most of their age-mates were cohabiting. While come-we-stay is scantly present in the academic record and absent in Kenya's current legal codes, it has been a hot topic over the last five years in Kenya's public debates of marriage, and particularly marriage in relation to morality and women's rights as I noted in this chapter's introduction.

In 2012 a Marriage Bill was drafted and passed by the Cabinet of Kenya that would make provisions for the legal recognition of cohabiting partnerships as formal marriage after six months of living together. The bill was dubbed "the six-month law," and intended to do two things. First, the bill was intended to protect women's marital rights to property and child custody in the case of a dissolved come-we-stay relationship. Second, this legislation aimed to

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[29] I never met a woman or man who had gone to court to try to prove presumptive marriage. On a couple of occasions, however, single mothers asked me if I would take their case to court for them, so that they could get legal rights to child support. In these few cases, I was unable to help.

create a more accessible and affordable avenue for marital legitimacy among all Kenyan social classes, thereby lessening fears about the perceived increase in cohabitation. The bill found popular support among unlikely allies, including women's rights organizations, cultural leaders, clergy, and lawmakers, some of whom I talked with in-depth about the issue. But the bill was also met with vocal opponents, who expressed their views in the public media.

Gendered and Classed Appraisals of the "Six Month Law" & Come-we-stay Marriage

I.   Gendered and Classed Warnings Against the "Six Month Law"

In light of impending legislation that could lead to cohabitation's quick recognition as presumptuous legal marriage, many men worried about their ability to maintain an uncommitted intimate status. Middle- and upper-class men especially had this gendered concern and took to the airwaves and print media with warnings about the consequences of the legal acceptance of come we stay. One of these instances is printed in an article in *CapitalFM* news titled "Come-we-stay + 6 months = Marriage." The article warns: "Ladies and gents, this is a warning. That femme fatale or hunky of a man that you accidentally started sharing a home with—has it been six months? If it has then according to the government, you are now considered husband and wife" (Walubengo 2012). The warning here urges women and men to be conscious about how long they are living with another person as what might resemble a marriage to outsiders. This particular warning, which is not gendered, is mostly likely addressed to a middle-class where women, too, might also share a home with a man as part of a "modern" dating practice and not as a sign of marital commitment (Spronk 2009).

Around the same time, right after the bill was proposed and passed, a Men's Only columnist for one of the most popular local newspapers, *The Standard*, reported in an article titled "Stay clear of 'come-we-stay;'":

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A fortnight ago, probably carried away by the heat of Mombasa and my own upcoming first marital anniversary, I happily wrote about the advantages of come-we-stay relationships. Oopsy doopsy! The Kenyan Legislature brought us all back to harsh reality as they will from time to time, by coldly increasing our taxes to pay for their toe massages, but this time it was with a Marriage Bill whose contents include that living together for six months can be considered a presumptive marriage. I shuddered for all the single men out there who are still testing the waters of fornication without having made the slow, but hard choice of whom to settle down with (Mochama 2012).

Unlike the first example, this columnist is talking specifically to men who may be living with a woman who they have no intention of marrying. The column author's visceral reaction to even the idea of such a law reflects a more general gendered critique, one revealed as well in my own research data, of the marriage bill as a threat to men's sexual freedom and financial assets. During one of the focus groups I conducted a middle-aged man warned a few younger men also participating: "If you want to avoid that law wait when it's five months and a few days, [then] kick her out." Another young man worried that if a woman perceives him to be wealthier than she is, she might move in just to gain marital rights over his assets rather than out of love and companionship. Rather than answering the question, his fellow age-mates jested with his suggestion that in Kibera he might be wealthy: "I don't understand because when I am rich, I will be out of Kibera. So, chances for me meeting this lady from Kibera [are] very slim." Men with whom I talked could only see this law as beneficial to women; they did not reflect on how it might protect their own marital rights.

II.   Moral and Religious Critiques of the Practice of Come-we-stay

There were also moral critiques leveled against the practice of cohabitation. Cultural leaders, including religious figures and community elders, lamented the decline of bridewealth and kin involvement in the marital process as a threat to tradition as well as to the livelihoods of families in rural homelands who often depended on the economy of bridewealth payments to

survive (Ensminger and Knight 1997; Francis 1995).

Clergy warned that come-we-stay signaled a moral breakdown in contemporary society, especially in poorer areas like Kibera. A marriage pastor in Kibera told me:

> [Men] are taking advantage of the poverty of the situation of the family. And now they would come, put something on the table, and then this girl would be like 'ok, yesterday, we went to bed hungry and here is someone who is interested in me. Here is someone I would sleep with for a few hours and he would give me 200 or 100 shillings [2 or 1 U.S. dollars] for us to buy cooking flour for ugali…This is not a big deal. I would give in. And then once she gets there, she has the money, and this and that. Out of that bond she feels that "[I] am of age; let me just get married." It is like they are being shown love that is not actually real love…Most… [come-we-stay marriages], they break [up] as compared to those marriages that have been solemnized in the church.

In this pastor's view, men preyed upon vulnerable girls in need of money. Although there is little doubt that he had seen such cases come through his own office, my research shows that these relationships often begin out of mutual agreement rather than such outright manipulation and coercion. Still, for those who would limit cohabitation for moral reasons, framing women as victims is a common trope.

Legislatures, too, were interested in the morality of marriage and come-we-stay practices. They debated how best to maintain the patriarchal social order, which is dependent in part through the institution of legal marriage. One way to offset such a decline would be to provide a legal route for come-we-stay to quickly get legal recognition as common law marriage. As Rachel Spronk writes in her study of middle-class sexuality and modernity in Nairobi, "The discrepancy between changes in gender and sexuality on one hand, and the continuation of patriarchal ideologies on the other hand invokes strong moral reactions mainly amongst these vocal social actors [older men in positions of power in governmental, religious, and kinship

institutions]" (2012, pg. 61). In light of this, it is no wonder that these older, powerful men take measures to maintain their power.

Complicating this matter further, my data suggests that come-we-stay relationships may do some work to subvert patriarchal gender norms, a further threat to entrenched structural power. My data show that couples in Kibera who are working predominately in the informal economy are more likely to be in a come-we-stay rather than a solemnized marriage. In such cases, women may also bring in more of the daily earnings and thus subverting men's traditional breadwinner role. In such cases, legal marriage may return symbolic leadership in the household to the male partner. As one of my close female friends in Kibera told me: "You have to let the man think he has power *kidogo tu*." You have to let the man thinks he has just a little bit more of the power to keep peace in the household.

In addition to these more mainstream conservative groups, Rachel Spronk notes that there are also "…group in Kenya, such as the Mungiki, an extremist religious group calling for the reintroduction of 'traditional African religion,' that advocate the restitution of female circumcision as a means to halt the advancing 'westernization' of Kenyan society" (2012, pg. 5). Some, like sociologist Ken Ouko, cited in the BBC News (2007), argue that extremism under the cover of religion in Kenya is a reaction against institutional failures of the state and church to respond to structural inequities that allow for a large, desperately poor class of citizens. Regardless of the source, conservative calls to re-center traditional forms of marriage and kinship-based exchange are a response to perceived threats to the patriarchal social order.

III.   Women's Rights Concerns about the Practice of Come-we-stay

Finally, there are concerns about how cohabitation may pose a risk to women. These concerns come from international development groups, local women's rights groups, and women themselves.

Feminist concerns about legal rights for women in marriage in Kenya are not new, and women's rights organizations, like the Federation of Women Lawyers in Kenya (FIDA), have expressed concerns that informal marriage undermines women's access to marital resources for decades. For example, at the 2nd Annual Legal Day in 1999 held in Nairobi, a spokeswoman for the Federation of Women Lawyers (FIDA) in Kenya said during the discussion panel "Marriage in Kenya: Is Yours Valid?" that individuals should not settle for come-we-stay marriage because they are presumptuous and not legally recognized in Kenyan courts where "marriage is a contract hence there is need for a certificate for the purpose of evidence if there is need to nullify the marriage" (Gatheru and Wayetta 1999). Individuals, organizations, politicians, and religious leaders continue to call for these legal questions surrounding informal cohabitation to be clarified by the courts.

In another example, Oduol and Kabira invoke FIDA-Kenya as advocates for "legal protection for children and women…", a group they argue is actively "challeng[ing] laws that discriminate against women" (2000: 112). However, there are some middle- and upper-class assumptions and aspirations underlying the arguments about marriage, women's marital desires, and sometimes these conflict with ideas held by women in Kibera and other women living in more economically precarious situations.

FIDA, whose staff positions are often filled with middle- and upper-class Kenyan women and men, misunderstand or misrepresent poorer women's desires, experiences, even

needs, on a national scale? When I asked a FIDA case worker about her experience and views on come-we-stay marriage, she argued that poorer women may not be fully cognizant of the dangers come-we-stay may pose to them, saying:

> People perceive now that marriage must be very expensive. Because of poverty and ignorance, they do not know the benefits of being in legal marriage. They are influenced by the people around them who are also cohabiting. Really, women are not benefitting from come-we-stay.

In her answer, the FIDA representative invokes language similar to that used by moral and religious leaders against cohabitation without a critical consideration of why a woman may end up in a come-we-stay relationship, or even choose to cohabit, other than her ignorance and poverty. One might also assume that women do not want to be in a come-we-stay marriage, but that it is forced upon them. Therefore, it follows for the feminist groups, like FIDA, that legislation to curtail come-we-stay could protect poorer, desperate women while keeping the institution of marriage pure and society intact. Yet, despite my critique here, FIDA and women's rights organizations are not the only ones concerned about the risks come-we-stay may pose to women, and especially for mothers and their children. Women themselves, and especially women with young children, are also concerned with the insecurity of cohabitation. They are not ignorant of the rights they do not have; rather, they are often negotiating come-we-stay relationships with their partner as a more accessible path to legal marriage or as a source of companionship when marriage is no longer of interest.

The following folktale was handwritten and given to me by a young friend of mine, Lily, to explain the dangers of a marriage not condoned or known about by the couple's families, a category of relationship under which come-we-stay falls:

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"Wanjiku! Wanjiku! Why are we having this talk again?! It has been six years and still you would not give up on it!! Mrisho was arguing with his wife Wanjiku.

Wanjiku has been married to Mrisho for six years and they have three children. Since they were married, Mrisho has not made any efforts to introduce her to his family and this has been an issue to their marriage which was one of the "come we stay marriages."

Finally, Mrisho decides to take Wanjiku to his parents in Tanzania a village known as Tegeta.

When they arrive, to their surprise they found a party going on. Wanjiku thought it to be a welcome party to Mrisho's family.

After the greetings, one of her in-laws asks Wanjiku to accompany her to the nearby forest to fetch firewood. Before they departed Wanjiku enquired about their youngest kid so that she can feed him before she leaves. She was told not to worry since the children are with their grandparents. They therefore left to fetch firewood.

While in the forest, Wanjiku was surprised by what the in-laws reveal to her about their tradition and about what the party was all about. She was told that in the big pots she saw cooking on the fire were her kids boiling. That's when it rang onto her mind that they were man-eaters. She is also informed that the firewood they were collecting will be used to cook her.

Wanjiku was so scared and ends up begging the in-law to help her escape. Together with the in-law they found a plan for her escape. Wanjiku stripped all her clothes and ran leaving them behind. This was to show she got lost in the forest and was attacked by an animal.

After a long run inside the forest, she came to its edge where there was a highway, and to her luck, she saw a car coming in her direction. She waved to the care, the driver stops, and that was the gateway from her misery."

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Readers of this folktale are left to believe that Wanjiku is unable to retrieve her children, because they have already been cooked. Further, I am told that the primary moral of the story is against inter-ethnic marriage rather than a direct warning about come-we-stay or informal marriage. However, one of the most salient issues that emerged in our research among people in come-we-stay marriages is the break up. And when there are children present, custodial issues arise. Whether or not the mother or father has rights to the children depends on the ethnic group

to which the parents belong, and in an inter-ethnic come-we-stay relationship, a mother or father may not know the conventions of their partner's family. Thus, the children could be taken to the village of one parent, and it would be difficult for the children to be found by the other parent. This was a fear of many mothers we interviewed, and I was told that when relationships were in a rocky phase, men might use child custody as a threat against the woman. Echoing FIDA's concerns, women in Kibera also understood, despite FIDA's construction of slum residents being ignorant, the risks of child custody that come along with informal cohabitation.

Additionally, women have many complaints about the insecurity of marriage that do not always center on extra-legal marital forms. Indeed, as scholars have shown companionate, legal marriage may actually pose a greater risk to women's health than cohabitation because they are less likely able to refuse unprotected sex or to confront suspicions or knowledge of their male partners' extra-marital affairs. These concerns will come to focus more in the next chapter.

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Amid this mixed debate of proponents in favor of the six-month bill, critics of the practice of come-we-stay, and critics of the legal constraining of cohabitation, the bill failed to pass as law in the final version of the 2014 Kenyan Marriage Act. Legal issues surrounding cohabitation continued to be debated today. For now, I turn to why many individuals, despite these public debates, continue to practice cohabitation.

Kibera Marriage Realities: Complicating Come-we-stay Moral Narratives

    I. Come-we-stay and Agency

Come-we-stay is a route to marriage for individuals who cannot otherwise marry. For some of Kenya's youth, defined broadly as any unmarried person up to the age of about 35,

cohabitation is discussed more openly and as a viable option. Young people talk about cohabitation with great interest in whether these oft-temporary, but intentionally chosen partnerships offer more lasting and loving unions. There is also open acknowledgement that cohabitation is a common occurrence among youth, even if it is mostly practiced in private.

First, for many youth, cohabitation without formal solemnization (whether through the kinship route or one of the other methods) is the relationship trend of the day. It is a way to craft a modern identity and to be fashionable among peers. A shopkeeper in his mid-30s who was living and working in Kibera and had been in a cohabitating relationship for nearly a decade told me, "It's a style." But a young female actor told me dubiously, cohabitation may be a style, but it's also "a way to be committed but not really committed." She said that while two people may play married through come-we-stay, they are rarely held to the serious commitment marriage calls for. And while neighbors and friends in the neighborhood may recognize the couple as married, when issues of incompatibility, mistrust, financial hardships, infidelity, and any number of other difficult arise, the union is easy and quick to dissolve. One or both partners can simply move out of the "marriage" home and re-adopt a "single and available" identity.

Still, come-we-stay is often a fashion tried on by many Kiberans before legal marriage, a finding in line with Rachel Spronk's research on the importance of dating, which is often a precursor to cohabitation, for young professionals in Nairobi as a way to claim a "modern" identity (2009).

II. *Come-we-stay as Unlikely Route to Social Respectability*

Second, an unplanned pregnancy can prompt a come-we-stay union. Once a woman is pregnant, a couple may move in with each other to create the ideal social environment for

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bringing a baby into the world. This is done for the child but also to meet societal and kin moral expectations. Once the baby is born, the couple's community and family often confer legitimacy upon the intimate union. Without solemnization, however, insecurity still remains.

III. Come-we-stay and the Economy of Marriage in Kibera

Third, some men may simply not be able to afford formal marriage and opt instead for long-term cohabitation. Economic barriers to both traditional and religious marriage are the most commonly reason cited for having a come-we-stay relationship. The shopkeeper who labeled come-we-stay as a style also told me,

> The economy doesn't favor us…These guys [in Kibera] are also human beings. They need to marry. They need to fulfill their conjugal rights, but they don't have money, so you find they cohabit, come-we-stay, more in the slums because they don't have the financial power unlike in the estate.

Come-we-stay often makes better economic sense, at least in the short term. If economic lack is the primary motivator for come-we-stay, then informal cohabitation is often viewed only as a temporary marital status on the way to formal solemnization. The risks of this liminal state include insecurity. But there is one way to provide more security, until the next steps become economically feasible: civil marriage. However, obtaining a civil marriage is the least followed marital path precisely because it may discourage men from paying bridewealth and securing the more desirable and respectable customary and religious wedding ceremonies. Thus, most couples do not see civil marriage as a reasonable option.

Young adults complain about the customary marriage process, despite its idealized status, arguing that it is its impractical in an urban setting, cost prohibitive in an increasingly unequal society, and an outdated, uncivilized, or unmodern practice.

Conclusion

The term "come-we-stay" as a label can refer to two related, but distinct, relationships. Come-we-stay can refer to a temporary, liminal stage in the marriage process, after which the term come-we-stay is never used again to refer to the marriage. Although difficult to quantify, it is likely that a majority of marriages in Kibera begin as cohabitation. A cohabitation might be socially condoned by kin networks who expect, or hope, formalization to soon follow. In other cases, a cohabitation many have been began in secret or away from rural kin surveillance and meddling. Economic reasons may have influenced a couple ready to live together as intimate partners before the bridewealth payment could be made but without diminishing their desire and commitment to pay. Or, an unexpected pregnancy may encourage a couple to live together as married for an appropriate setting for the birth of a child; formal arrangements would come soon after. Come-we-stay more frequently refers to a finite, unsolemnized relationship that eventually dissolves. This manifestation of come-we-stay is of most concern to macro-level actors who have vested interest in the sanctity of marriage and with fears of a national moral decline. It is this type that is also assumed to be the most common among Nairobi's working classes, including Kibera residents.

For many reasons, all around the globe, intimate couples cohabit before they marry. Formal recognition of marriage is only one step in many of an intimate union. In Kibera, a unique aspect of the cohabitation phase is its ability to be erased from the history of a couple's intimate history once marriage is formalized. If, then, a couple cohabits for seven years before the first bridewealth payment was made and has been married five years since then, they might answer the question: "How long have you been married?" with "Twelve years." That is, although they might not directly state it, the couple has lived together for seven years, then got married,

and have been married for five years. In such a case, the cohabitation is considered part of the marital formation process, and the come-we-stay label fades away. In the chapter that follows, I examine ethnographic realities of conjugal forms in Kibera discussed in this chapter to understand the social hierarchy and stereotypes of marriage.

Chapter 5

Companionate Trappings: Complicating the Formal Marriage Ideal

"Those who are outside [marriage] want in. And those inside want out." –Kibera resident

Introduction: The Incomplete Cautionary Tale of Come-We-Stay

There is a common tale that gets circulated in Kenyan public discourse, as discussed in the previous chapter, about the dangers of come-we-stay, particularly for women and their children. The tales goes something like this. A man woos a woman into cohabiting with him as if she were his wife, promising her something more secure with time. She becomes economically and emotionally dependent on her partner and increasingly isolated from her social networks, who may not know or may not support her informal cohabitation. She becomes pregnant and potentially also contracts a sexually-transmitted disease from her untrustworthy and unfaithful partner. In time, he either kicks her out or moves out, often for another women, who he perceives as more beautiful or less demanding, or who his family accepts as a more suitable marriage partner. The first woman is left alone with her children, sick with HIV or another STD contracted because of her partner's sexual affairs, and destitute. This public tale is intended to be a tragedy, a warning. But it is incomplete. Everyday experiences of men and women in cohabitation reveal greater complexities. Where is women's agency in the public tragedy? What about women's and men's desire? How do material and gender inequality figure in? And who are these women and men?

In this chapter, I begin with one such lived experience of come-we-stay tragedy and resilience, a tale that matches up in many ways with the stereotypical narrative of informal

marriage in Kenya. Joy's story is representative of narratives espoused by local women's rights organizations, lawyers, and non-profits in the fight to discourage informal, non-legalized marriage as harmful to women. In these more progressive groups, women's legal rights in formal marriage serve to protect. Ironically, Joy's story is also representative of narratives espoused by local elders, religious leaders, and politicians to discourage informal, non-legalized forms of marriage as a threat to the morality of the Kenyan nation. In these more socially conservative groups, traditional and religiously solemnized forms of marriage serve to protect patriarchal structure and rule by providing an official process of transferring access to a woman's reproductive and sexual labor from her father or male guardian to her husband. As I examined in previous chapters, unlikely allies in their vocalization against come-we-stay marriage, women's rights and traditionalist groups diverge sharply in their construction of the problem and ultimate end goals. I considered each of these macro-level perspectives in an earlier chapter, but this chapter privileges the lived experiences of marriage as a process in a context of social and economic precarity.

In this chapter, I move away from macro-level discourse and action and investigate instead companionate trappings that occur in all marital forms, whether legally solemnized or not. I problematize the companionate ideal as increasingly inaccessible to socioeconomically marginalized individuals and couples in Kibera, leaving them to choose from alternative conjugal routes that allow them to attain the ideal through less secure routes. Through an ethnographic lens, I examine how various marital forms—whether formal or informal—can pose a trap or danger to women (as well as men). I argue, then, that security is less about the legality of the marriage and more about the social and material context of each companionate relationship. To support this counternarrative, I provide, in contrast to the "failed" marriage

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stories, insights into two successful marriages, including one successful, agentive tale of come-we-stay, the antithesis to moral marriage debates in Kenya. As a whole, this chapter aims to complicate claims that informal marriage poses a greater threat to women than formal marriage, or that issues of legality and solemnization can be privileged over material and social realities, which remain central to conjugal decision-making and outcomes.

Joy's Cautionary Tale: "You Have to be Careful"

I learned Joy's story backwards, or at least out of chronological order, the way anthropologists often learn the stories of those we get to know well over many years' time. A protracted storytelling contrasts sharply with the rapid timeline versions of a life history often extracted from a one to two-hour, one-time interview. Instead, over tea and walks and long-distance calls, gaps are slowly filled in as trust and friendship solidify. Pieces connect. Seemingly contradictory information begins to make sense. I learned Joy's story backwards. I then walked alongside her for a time as friend and confidante as she journeyed forward. This, then, is how I will relate her story to you.

—2009—

I first met Joy in 2009. She was living off and on infrequently with her husband, whom I will call John, and her two young sons, ages 4 and 7 in the Kibera's Olympic Estate area on the border with Gatwekara, an interior slum neighborhood. They lived in a one-room shanty house, rented at 1500 KSH/= per month (around $15 USD). The shanty is located about a ten-minute walk away from Olympic stage inside a corrugated iron gate. Set back from the road, the compound is spared from the incessant noise of traffic. Joy's home is set centrally within a row of houses. Just inside the padlocked wooden door embedded within corrugated iron sheet walls

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sit plastic chairs for lounging, a coffee table, television, and radio. With this set-up, the home is ready at all hours to receive guests who might, and hopefully will, pop in unannounced during the daytime hours. To receive guests is an honor. Adjacent to these furnishings hangs a large white sheet, which divides one-third of the room from the other two-thirds. On the other side of the sheet hides a bunkbed as well as a cook stove and stores of dishes and foodstuffs. Several times a week, furniture is moved out and the concrete floor is given a deep sweep and scrub to keep the apartment as free from dust and mud as possible. The walls are decorated with colorful hangings, including a calendar and a cartoon image of a white Jesus with a warm smile and his arms outstretched, halo shining. Like many Kiberans, Joy takes pride in her home and a revolving set of visitors keep the place full of laughter, gossip, counsel, and comfort.

Joy works as an in-home maid for an expatriate Israeli family. She brings home around 400 KSH/= per day ($4 USD) with no benefits. Like most Kenyans in the informal economy, she has no sick leave, no paid vacation, no medical insurance. Further, when her employers travel up-country home areas for short or long periods of time, sometimes with little notice, Joy finds herself out of work, picking up odds and ends jobs in the *jua kali*[30] here and there until her more consistent employers return.

Joy self-identified as being married in 2009. And while Joy and John's marriage was not without love, Joy characterized him as an economically and emotionally inconsistent husband and father. He was not reliable, a characteristic she attributed to his Kisii ethnicity. "I knew one thing," she told me. "With Kisiis, they marry so many women. And second, they run from one

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[30] Literally, KiSwahili for "hot sun," referring to the informal economy. Part III of this dissertation is centered on the *jua kali* and the connection between the insecurity of both local economic practices and marital forms.

woman to another even if they are married." Joy was a Luo, and from the time John began courting her, she expected that he was not practicing sexual monogamy, though his affairs were discreet and protected her from social shame. In light of these fears, Joy had repeatedly deflected his advances in those early days and was adamant: "I never wanted to marry him." I was not to understand why she did finally consent to an intimate relationship until many years later.

—2010—

In 2010, Joy and John separated. They were not divorced and not fully intimately uncoupled; rather, they were no longer co-residing. Joy lived largely alone with her two boys. For the most part, the three were happy on their own. Daily life was a constant struggle, but mother and sons settled into a comfortable, content routine.

Joy complained to me that her and her sons' comfortable routine, even if spent eking out a living, would intermittently be interrupted by unexpected visits from the boys' father. These visits were always short, usually over the course of a weekend, as John now had another wife and family with whom his natal family expected him to live full time. John and his new wife shared the same ethnic background, both hailing from Kisiiland, which was the preferred arrangement among his relatives. Despite the brevity, John's visits to Joy were full and oftentimes disruptive. John might bring the boys treats, toys, and sugary candies. He would sometimes undermine Joy's rules for the kids, giving them more freedom in one instance, but becoming angry with their childish way in the next. The children often resented him, feeling protective of their mother, even as they were excited about receiving both him and his gifts. He would also bring money for Joy to help support the boy's educational costs and other family daily needs. On these infrequent visits, John would also demand that Joy perform her wifely duties of having sex with him. Joy neither wanted to nor thought she had much of a choice. And

despite her better judgement and keen health concerns, she had unprotected sex with her husband several times a year, even knowing that he was having sex with other women whose health statuses she knew nothing about. Perhaps with a sense of foreboding, Joy cautioned me as she was also speaking to herself:

> You just have to take care of who are you dating and who are you in love with…Men can just go. I haven't seen many of them [since] the time I've stayed in Kibera…you just prefer to stay alone, even if you have kids…Because of the world today, there are so many diseases…so you just have to precaution him. It's not a matter of you going [around] and me to take care of the consequences…You have to be careful…I don't know if the other woman precautions him, so it gives me worries sometimes…You never know what might happen.

The boys would get angry with their father as well when he demanded intimacy from Joy. Not only were they displaced from their beds, they were also losing the time they usually had with their mother to themselves. After a few days, John would go away again, and it would take another week for Joy to reinstate order and routine. Soon enough, however, the three would fall back into the familiar daily routine, without a husband or father, but with a little more financial resources from his brief visit to the city. They were never sure when and if he would be back to visit again.

—2013—

In 2013, Joy and John no longer lived together. Even the shorter periods of cohabitation had ceased. Joy considered herself single, and she began referring to her marriage with John as a come-we-stay union, as an informal thus more easily dissolved marriage. She reported to me quite factually that she was done with men and that she wanted to stay alone, supporting herself and her boys without the help of any other man. When funds became limited, however, Joy did what she needed to do to make sure the boys could stay in school. In desperate need of school fees one year, Joy showed up at John's brother's (her sons' paternal uncle) place of work and

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publicly shamed him in front of his colleagues and bosses for being an absent uncle while his

nephews suffered and his brother neglected his fatherly duties.[31] To quickly end the

embarrassing scene, the boys' uncle told Joy to go home and he would send school fees to her

right away. He followed through promptly with his promise to provide funds likely both out of a

sense of duty and to avoid another such encounter with Joy. Usually, however resources could be

conserved easily enough, and Joy could support herself and the boys on her own. Life was not

perfect, but she and her sons had each other and their health, two foundational necessities for a

"good life" (Berlant 2011; Calestani 2009; Fischer 2014).

—2015—

"I've tested positive," Joy told me fearfully in a quiet voice over a Skype call in 2015.

The news was devastating. For years, Joy spoke with pride about how many precautions against

STDs she took, how careful she was, except with her husband John. She warned me of the

dangers of men. She spoke with suspicion of men's sexual behaviors and secrecy. She was slow

to trust men, she said, and kept her eyes on the future ahead, especially on the futures of her

young sons, futures that would likely be much brighter in the absence of their mother's newly

diagnosed chronic disease. When I heard the news of her HIV status, I had little else to say in my

shock except that I was deeply sorry. She responded, "I only pray to God that I will live to see

my boys grown." Those two boys: her whole world. Joy had dropped to below 90 pounds, was

incredibly exhausted, couldn't find relief for dry and peeling skin, and was wracked with worry.

I asked what she needed, and she told me she was in a desperate search for good lotion for her

painful skin condition. She was also just beginning antiretroviral (ARV) treatment, provided

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[31] See Shanti Parikh 2009 for more on women's public shaming strategies in East Africa.

freely by a local, Kibera clinic and was hopeful the medication would also provide quick relief. It wasn't for another year, when I was back in Nairobi, that I learned the details of how she contracted HIV.

<p style="text-align:center">—2016—</p>

In 2016, over a two-hour dinner, Joy began to fill in the gaps for me. In 2010, she told me, 15 years after their first meeting, John's character changed completely. He had gotten fired from his job, which seemed to be the precipitating factor. For Joy, this was the turning point in their relationship. "He came with a letter in the house. He told me, 'You see Joy, the company has decided to fire me because they have been reducing the number of workers because the company is not doing well, and now it has happened that it is my turn.'" Joy said, "2010 is the last time he appeared in the house. After that he started sending SMS ["short message services" or mobile text messages] telling me, 'Do your own thing. Don't think of me like someone who is living. Assume that I am dead.'" The loss of financial support from John also resulted in a weakened emotional bond.

The history of Joy's emotional bond with John was fraught from the beginning though. Joy and I had been friends for eight years before she confided in me that her first-born son, now 14, had been conceived out of a forced sexual encounter. Joy had first met John back in 1995. They were friends, and she had no intention of marrying him. She remembered her younger self as a serious girl, not interested in dating or being anything more than friends with the many men she was close to. Rather, she enjoyed being a matchmaker, or mediator, setting up the guys she knew with girls she thought they would be compatible with. Even if a guy showed interest in her, or especially when she was the object of desire, Joy would try to convince him that he would be

happier with another woman she knew and would introduce him to. With eight younger siblings, Joy felt the responsibility to not get sidetracked from her plans to be successful in school and career, so that she could contribute financially and emotionally to her large, struggling family.

At 28, not long after her friendship with John began, Joy was still single and cautious, but her particular dreams were not meant to be. John, who Joy now calls Baba Matthew, was keen on Joy. She said, "I was very, very careful. Even if Baba Matthew came, he knew very much and very well [that] I was hardcore. In a way, that even coming together with him, he had to use force." I was shocked by the phrase 'use force.' "Could you say no?" I asked. "I couldn't say no," she replied. "Because now we were friends in a way that we could not think of anything beyond somebody harassing me to an extent of sex. So that time it was different, and it was on that day that Matthew [was conceived]."

Baba Matthew had been unsuccessfully pursuing Joy, and when he grew tired of rejection, he forced his way on her. As I inquired further, Joy explicated, "It was kind of rape…I was ashamed to tell everybody because everybody knew we were friends. We could go to my auntie's place. We could go to our church. He used to be the secretary of everything, so if I tell somebody that this is what has happened to me, people would howl!" Her first-born came out of this violent sexual encounter, and she recounts that if she had not had a child by him, she would not have ended up in a long-term conjugal-like relationship with Baba Matthew.

"How did you get sick?" I asked rather abruptly, and perhaps guided more by my frustration than my interview protocol. "It is because of him," she replied. Joy thinks she was infected in 2013, which was the last time she was intimate with John.[32] Upon learning of her

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[32] It is likely Joy had been infected for much longer than the two-year period before diagnosis due to her advanced symptoms by the time she went for HIV testing.

positive status, Joy attempted to contact her children's father, but he did not respond to any of her text messages or calls. I asked her if she thought this uncharacteristic behavior might be because he also knew his status.

> Maybe he knows or he doesn't know, but one thing I know [is that] he might know he is sick because I can tell from the way he came to me last time, how he was behaving. He came, and he had some medicine…he told me this medicine cleans the blood. Then I asked him, 'How does it clean the blood?' It was four tablets. He told me, 'I bought them, but you can have these two.'

In the end, Joy refused the unidentified medication. Then I [told] him, 'Me, I don't like taking medicine." "So, he was trying to medicate you," I asked, completely astonished. "Yeah," Joy continued. "That is where I came to know he knew [of his status] because while he was there at Ongata Rongai, he called me, and it was the month of April 2012 during Easter. Then he was screaming 'Wooi! Me I'm just alone here. I am an orphan. Nobody wants to take care of me.'" Joy called Baba Matthew's brother, who went straight over to the house to check on him during this manic episode. When he arrived at the place where he stays, he found that the new wife had left him in the house alone. Further, he was very sick and had nothing. No food. No money. No medicine. Joy began to have a gnawing feeling that he was unwell. Still, not experiencing any severe symptoms herself, it wasn't for three more years that she found out her own HIV+ status.

—2018—

Once receiving her HIV status, Joy was able to qualify for free ARV treatment at Shining Hope for Communities (SHOFCO), an agency working in Nairobi slums[33]. Since beginning treatment, Joy has kept the HIV under control and is living healthy and strong. As of this writing

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[33] SHOFCO is the acronym for the internationally-known non-profit, Shining Hope for Communities, based in Nairobi. It was founded by a young Kenyan who grew up in Kibera, and the non-profit's work is focused on transforming urban poverty in Kenya's slums. For more information, you can visit their website shofco.org.

in 2018, Joy and both boys are doing well. She wrote to me recently in a handwritten note about her joys and sorrows, "This is Joy. A happy, courageous woman. You see her always happy, social, and with many stories to tell. Happiness is a part of my life style."

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Joy's marriage was unsolemnized, but it is not the lack of legal marital protection she complains of. Rather, she laments the loss of an intimate partner who was at one time economically supportive. Joy contracted HIV from a sexually promiscuous husband, but she does not contribute her inability to avoid this misfortune to the informality of her marriage. Rather, because her relationship with John was held out as a marriage, Joy did not have the right to deny the sexual advances of her presumptuous husband. Joy has struggled financially, but when in extreme need, she goes not to the courts but rather makes claim on the responsibilities of socially but not legally recognized kin. Thus, the narratives at the center of the last chapter, which argue that the extra-legality of cohabitation is what puts women at risk do not hold up in stories like Joy's.

Despite the arguably violent origins of their marriage, Joy remarked clearly that her companionate relationship with John began to falter only after John lost his job and ceased providing for his family. Exchange relationships as not antithetical to "love" relationships have been the focus of much recent scholarship (Cole 2010; Smith 2006; Wardlow 2006) as I outline in the introduction chapter. I found that in Kibera, a site of economic and environmental insecurity, economic support is strongly connected to, even necessary for, lasting emotional connection. At the point at which John no longer supported Joy and the kids economically, neither partner was fully committed to the other. Because they were not formally married, they were able to more easily part ways. Bridewealth did not need to be repaid. Kin did not try to

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intervene or keep the couple together. Civil courts did not need to be informed of divorce. I argue that, in this case, a legal marriage would actually have been an impediment to Joy's eventual liberation from John.

Drawing inspiration from Shanti Parikh's findings from research studies in Uganda that women who stay single are often better able to protect themselves against HIV and other social and health risks, I was concerned in my own research to explore how women define risk across different marital forms, extra-legal and solemnized. That is, I am not only interested in looking at the lived realities of come-we-stay in light of moral discourse against it; I am also interested in understanding how formal marriage itself is also a trap for many "respectably" coupled women. These narratives push against popular and scholarly claims that formalizing marriage protects women from negative health outcomes, and that the quest for respectable marriage itself might put women, like Joy, at risk.

Further, socially respectable routes to companionate marriage are often inaccessible for Kiberan women and men who are met with economic and social barriers to the companionate ideal. Thus, calls for "formal," legal marriage as a safer and more moral conjugal choice often exist in a relation of what Lauren Berlant calls "cruel optimism" to residents, which occurs "when something [they] desire is actually an obstacle to [their] flourishing" (2011: 11). But Joy's story is exemplary of not only the stereotypical tale of the dangers of come-we-stay; rather, Joy's story exemplifies the trouble with companionate marriage more generally, where marriage rights are often the least of women's and men's concerns when a marriage begins to fail.

In what follows, I present two ethnographic accounts of companionate marriage—one informal and one formal, neither fulfilling individual desires nor living up to its globally sold ideal of companionate marriage. Not because the type of marriage chosen or fallen into was

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harmful by nature. Not because of women's inherent victimhood. Not because of men's inherent oppressive malevolence. Instead, these stories show that the project of companionate marriage within a specific cultural, historical, and political context often works contrary to individual desires, circumstances, and possibilities. Sold as the way to achieve social recognition and a desirable modern social status, companionate marriage, legal *and* extra-legal forms, often fails couples and leaves individuals demoralized, if not also sick, poor, and alone.

Marital Trappings

I Can't Trust Him: When Love is in Doubt (Come-We-Stay)

  Like many Kiberans, Sara moved to Nairobi as a young woman in search of education and employment. Sara's sister had moved to the city years earlier and already had a place where Sara could move in. As Sara was studying for a certificate in business management, she met her husband, Moses, who was also studying at a nearby, but different, local college. This was in 2009. While they were courting, as Sara calls it, she unexpectedly became pregnant, and in 2011, before the birth of their first child, they decided to move in with one another. At the time of our interview in 2016, Sara's and Moses' marriage was still in the come-we-stay phase. Sara had met Moses' parents, but no amount of bridewealth had been exchanged between families and the introductions were not enough evidence for Sara that theirs was a traditional marriage carrying legal rights. When I asked if she and Moses eventually planned to formalize, Sara responded pragmatically: [Come-we-stay] is not good for me, but no, I don't have parents. You know parents are the ones who push someone to bring dowry[34], so I don't have someone who is

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[34] My interlocutors frequently use the terms 'bridewealth' and 'dowry' interchangeably, though 'bridewealth' is the more appropriate term by definition.

responsible." Though she herself pushed Moses to begin paying bridewealth to her step-father or to another male elder, he continually responded that he was preparing for it. "Can you tell me why come-we-stay is not good for you?" I probed. "There is no respect. A man doesn't trust you, doesn't respect you the way you expect to be respected."

Sara had doubts about Moses' feelings towards her and the relationship, and while she confessed a desire to remain with him, she also had well-founded concerns. "I don't trust him," she told me much later in our conversation as rapport between us began to grow. "He always cheats on me." She then recounted the many acts of unfaithfulness she had recently caught him in.

The first time was in 2013 when Sara traveled upcountry to visit family. She stayed away from the city for about 6 months, and while she was away, Moses moved another woman into the house. By the time Sara returned, the woman was pregnant. "The girl came to approach me…the girl was like, 'my husband, his name is Moses'…I was like, 'Moses is my husband.'" And the two women fought. Sara never knew what became of the woman and her child, but by 2016, she seemed to no longer pose a threat to the marriage. The second time of unfaithfulness uncovered was in 2015 while Sara was pregnant with twins. She was alerted by a good female friend that Moses was seeing another woman who worked as a bar maid at a pub he frequented after work. Moses made the mistake of buying a new phone for himself, gifting his old phone to wife, but forgetting to delete old WhatsApp messages. "So, when I put on the messages," Sara said exasperated, "the way [he] used to chat with that girl! I got all the messages, so I can't trust him."

In addition to his liaisons with other women, Sara also faced uncertainty about his sexual health as well as bouts of domestic violence, fueled, in part, by her mother-in-law, who she blamed for her Moses' tendencies to beat her. "At first [his parents] didn't agree [to the relationship]. Especially the mother. She wanted, according to my mind, somebody who comes from a rich family because my husband comes from a rich family. Maybe she wanted somebody who has parents."

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Unlike Joy, whose story opened this chapter, Sara's come-we-stay relationship is still intact, as of the writing of this dissertation. However, in her own words, she "could not advise anybody for" come-we-stay. For Sara, there was neither certainty about the relationship nor much power to push the marriage in one direction or another, dissolution or solemnization. She attributed this inability most of all to the fact that both of her parents had died prematurely; thus, there was no one to demand and facilitate bridewealth payments. Sara did not necessarily desire to leave her husband, especially not with three small ones at home dependent on his economic stability and support. But she also had little faith that he would remain committed to her and their children over the long term. It was the infrequent glimpses of love, hope, and possibility that she clung to in the much more frequent times of heartache, distress, and uncertainty.

Sara expressed deep ambivalence about her marital options and desires. She did not want to and could not afford to leave Moses, an option that may have been more attractive and accessible if she did not have small children to consider. Neither did Sara think that Moses would provide consistent stability in the future for her or her children. She had met her husband's parents once they had children together, which is often a strong indicator that

formalization is the next step through the exchange of bridewealth between kin. Yet, there was no one to demand those payments on Sara's behalf. Additionally, Moses's parents did not treat Sara well, even encouraging Moses to beat her as he saw necessary, likely reflecting their opinion of her as an unsuitable daughter-in-law. Women without parents or parental-like male relatives, like Sara, are the least likely to experience come-we-stay as a liminal, or temporary phase in the marital process. They are the least likely, I argue, to find protection in a come-we-stay marriage because they lack strong kin networks to call upon for support.

Contrary to local anxieties that cohabitation degrades the traditional family network, I found that kin involvement remains important to conjugal decision making even when marriages begin in secrecy or without kinship input and approval. The physical absence of kin through death in Sara's case highlights the dangers of informal marriage much more starkly than the arguments from the previous chapter on the importance of legal marital rights.

The Art of Endurance: When Love Dies (Customary Marriage)

The research data reveals that it is not only come-we-stay relationships that result in marital traps. I met Jules at Karanja Stage, the entrance to the estate adjacent to Olympic. Unfamiliar with Karanja, Jules walked me from the stage to her home, a 15-minute leisurely stroll along mostly paved roads lined with businesses and homes. Along the way, we chatted with each other and with others on the road who Jules knew. At one point, a man stopped to greet us. Jules introduced us using first names only. I shook the man's hand and then he continued in the opposite direction. "That's my husband," Jules said, once the man was out of ear's reach. "Oh!" I replied. "I'm glad we met him on his way out. Now we can talk freely," she continued with a smile, glancing at me from the corner of her eyes as we continued walking

forward. I laughed a little, uncertain how she was feeling or what she would be telling me. But if Jules was glad we would be alone, I was, too.

When we arrived at her home, Jules wanted to first show me her chicken farm, which she was quite proud of. In a large pen attached to one side of the house, there were a dozen or so hens. Jules went back in the corner near some vegetation she was growing, amid the chickens, and I took a picture of her standing and smiling proudly at the camera. She explained that she made money by selling the eggs and sometimes, if necessary, the chickens. This was to supplement her irregular income that she gained from the jua kali as a baby class teacher and custodian, a long, tiring, often unpleasant and thankless job.

After we looked around outside a bit, we entered her home together. It was a hot day. A late October day, the sun was out, bearing down directly overhead all day it seemed. And indoors, the air was stuffy and humid, though it was a relief to be out of direct sunlight. I said to Jules as we sat down, "This shouldn't take up too much of your time. I know you've had a long day at work, so I'll leave you to rest a bit as soon as possible." Not a stranger to me, Jules looked at me incredulously, "Child, whoever told you that African women have time to rest?" "No one, mum," I replied shyly. "That's right," she said, placated by my response. And we began talking.

Jules has a big heart, and as usual, she began our conversation talking about how she would like to help those in need outside of Kibera. She bemoaned the fact that most NGOs these days are concentrated in urban centers rather than in rural places where she said she's heard "women are regarded as children…and don't have any say…" We both laughed, likely because of the imagined future that did not (yet) exist and because of the child-like feeling of daring to dream, especially in a place where few escape and when they do it may not be to help others in a

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similar plight. For a while, Jules continued with the specifics of her dream, and I listened with curious interest, and then she abruptly said, "Now let us continue with the program," and I knew it was appropriate to begin with my own questions. I began: "Today I want to hear Jules's story. So, you can start wherever you want…" "Ooh," she replied. "I think I should start from marriage." I nodded.

Jules met her husband in the late 1980s when she was in Form 4 (equivalent to 12th grade in the American education system) and he was in the first year of university study. There was maybe a ten-year difference between them. Jules explained that she was 19 when they met but could not be bothered to calculate his age at the time. This statement reflected her disinterest in talking much (good or neutral) about her husband at all in this interview. Together they had three children—the youngest, 19 years old and trying out a business course before deciding which course of study to take; the eldest, 25 years old and working at his father's place of employment, a national bank; and the middle child, in her first year of university, studying education, but falling behind because of a lack of school fees from the father's paycheck. Jules noted that even early on in the marriage, "My husband was not supportive financially, so I did not like the idea of giving birth to any more children." She continued with his personal character, "He is somebody who keeps quiet. You cannot tell when he has money or when he doesn't, so I told God, 'Take care of these children,' because I have to struggle to meet daily needs." "So, you are paying for everything?" I asked, knowing that he had formal, consistent employment, while Jules was dependent on the jua kali. She explained: "So sometimes [the kids] could ask him, 'Daddy, can you give me 100 bob[35]?' 'What are you going to do with it? I don't have until evening.' And [he would assume] she was going to buy sanitary [napkins], so…" "Ooh," I replied,

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[35] 100 Kenyan shillings, the equivalent of a little less than $1 USD.

understanding that he would see this as an unnecessary expense, or at least unnecessary for a father to finance. "So, he was not supportive, and it is good he has gone out now. I can talk now. He is not here." Her comment after introducing the two of us on the road now became clear. She continued, "I was even wondering, if he would be here, I would not answer your questions, so it is good he has gone."

Jules and her husband had stayed together in a come-we-stay relationship for 10 to 12 years before he paid bridewealth and formalized the marriage. I asked, "Why did he decide to pay brideprice?" "It is customary," Jules replied. "Why did it take so long?" I continued. "I don't know why it took so long. I cannot tell you the reason," Jules replied again. "Were you telling him, you have to pay?" "No," Jules said. "It is his duty to pay. If he doesn't want to pay we can just stay [together]," and with this reasoning, she laughed heartily. Jules's emotional distancing from the long-concluded marriage process was very different from that of women who were hoping to formalize marriage but were still informally cohabiting.

It was a common theme throughout our conversation for Jules to express complete disinterest about the details of her husband's life. After she told me he was studying for his master's at a local university, I asked her what he was studying, and she replied: "I don't know what he is studying. Because he never supported me in my education…I don't want to even also know what he is studying," and then she laughed with great ambivalence. Her husband recently asked to borrow a flash drive for his own studies, and Jules did not allow it because he never once provided for her. She said, "Sometimes I do feel bitter, so painful, but then I tell God, 'No, God, give me the art of *kuvumilia*, mhhh.'" [Give me the art of endurance]. "I don't want to disappoint my children," she said, and again through laughter, "Let me stay in the marriage. It is so painful." "Do you fight?" I wanted to know. She replied with frustration in the negative. "He

doesn't fight. He doesn't take alcohol. He doesn't smoke." She laughs. "He is just that way. I even sometimes tell him, 'Even those people who fight are much better [off] because people can see those people are fighting. They can intervene. But for you, you are quite innocent. Nobody will know what I am going through." She laughed again, this time with evident sadness, as she reflected on the history of her husband's emotional and financial neglect.

Jules is Luo; Juma is Kisii. In both ethnic groups, lineage is traced through the patriline and children belong with their fathers and their father's family. In the case of a separation, which Jules did not see as a possibility, she would lose her children to the father. She explained, "In case I go anywhere else, they cannot. They will get their identity card. They are identified with their father, with their father." She continued further, "I want to keep that institution of family—father, mother, children—the institution of the family. I asked with genuine interest, but perhaps overstepping boundaries: "Do you love him?" She laughed again. "I cannot say I love him or I don't love him because for a man even, in the African community, he should provide financial security. He should provide for the family so that that love can be…mhh…" She trailed off in resignation and asked me directly, "How can you love someone when you are struggling alone?" Laughing, she didn't wait for an answer. "That love now sometimes it dies. Let us speak the truth." "What is the truth?" I asked quietly. "The truth is that there is no love. You have to stay because you are married. You have given birth to children, so the children have to keep you staying." Jules advocated for carefully entering into marriage and felt strongly that, once married, a husband and wife should stay together except for in extreme circumstances, namely in cases of domestic violence, when talking and counseling failed to stop physical abuse.

And though Jules lived for a time with her husband before solemnizing the relationship, she did not advocate for come-we-stay marriage. She saw cohabitation as a counter-institution to

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both African customs and the Bible.

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Jules, like many middle-aged mothers I met in Kibera, was resigned to stay in a loveless, marriage for her children and to live up to societal expectations. Her intimate union began as decade-long, liminal come-we-stay marriage, during which she had three children with her partner. Eventually, bridewealth was exchanged, and the marriage was solemnized according to customary law. One of my research findings is that come-we-stay marriages transition to formal marriage when children born of the union get closer to the age when they themselves will want to marry. One informant explained that this is because a son cannot pay bridewealth for a wife if his father has not done so. According to Jules, her husband was never financially supportive. She does not give any explanation for why she first began living with him, but it is likely that their period of cohabitation began with an unplanned pregnancy. Like Sara, Jules expresses a deep ambivalence, but of a different nature. She does not love her husband because he is not financially supportive, yet another example of the inseparable nature of economic and affective attachment in Kibera. Yet, she cannot leave him because he does not beat her and because she desires to keep her children comfortable and near her.

Taken together with Joy's story that opened this chapter, the stories of Sara and Jules suggest that marriage in Kibera, whether formalized or not, is often a struggle-filled, painful endeavor. But this is not where the chapter ends. Despite extensive scholarship on the difficulties of companionate relationships in contexts of insecurity, and despite my own data which often suggests the same, I provide here glimpses into counternarratives. This is not a simple telling of idiosyncratic marital failures and successes. Rather, through these marital case studies, I argue

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that compounded insecurity (economic, marital, and gender) makes companionate marriage, both solemnized and come-we-stay relationships, difficult to sustain. In the cases that follow, however, security in particular areas of a couple's life—employment, savings, kin networks, education, religion, etc.—increase the chances for sustaining the global ideal of companionate marriage in whatever form. Again, I argue that it is not the type of marriage a couple chooses to enter into that dictates success or failure; rather, it is the material realities within which a marriage is embedded that make the ideal achievable or not.

Circumventing Marital Traps

"We discussed it, and agreed": The Rare Pragmatic (Civil Marriage)

Obtaining a civil marriage is quick and relatively cheap. It is also rare. If one is planning to be formally married, then it is hard to justify that the time and money spent, however little, on a civil ceremony wouldn't be better used for the cost of traveling for family introductions and bridewealth payments. The one couple, Josiah and Jane, who had participated in our household survey and obtained a civil marriage explained their choice in this pragmatic way:

> You know the constitution states it clearly: if you stay with a person for six months,[36] you are her husband or his wife. So, we went to the attorney general. And we said that for now we don't have that kind of money to perform the marriage ceremony, the wedding…We discussed it beforehand and we saw [getting civilly married] as a proper way to handle things cause one day you don't know whether I will die or she will die. What will happen after that? What about the children who are coming? So, we discussed it, and agreed.

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[36] Though the six-month bill did not pass in the 2014 Marriage Bill, it is still commonly referred to as constitutional law.

In the case of Josiah and Jane, obtaining a pragmatic civil marriage did not preclude customary marriage and religious marriage, which remained the ideal. Rather, it lessened any personal and familial anxieties about an insecure period of come-we-stay. Josiah continued, "[In] January we are planning to travel upcountry to introduce ourselves officially, so that we can negotiate on the brideprice. You know the brideprice, if you pay it, it never ends. You will just do it continuously. So, after that we will plan for the wedding." For Josiah and Jane, a civil marriage would be followed by traditional solemnization followed again by a religious ceremony.

Proponents of the 2012 marriage bill, especially women's rights groups, which would have made provisions for come-we-stay relationships' quick legalization, would likely praise Josiah's and Jane's route to formal marriage. At each step, the couple ensures that both partners have equal marital recognition, rights, and protections. Many informants, especially women, were concerned about the death of their partners before marriage formalization. Without proof of formal marriage, the burden of proving presumption of marriage would be upon the widow in order to inherit private property and keep custody of her children. There are many documented cases of widows fighting their husband's family over these marital rights and losing everything that had been mutually owned in the marriage to in-laws. Women also feared that if they were to die before marriage was formalized, they would be treated as unmarried or "wayward" women and be left without a burial place. One woman living in Olympic told me, "In Luo culture it is important that a wife is buried at the husband's home or a curse will come to his children." And another said very succinctly that if bridewealth is never paid, "People grow old in town and die. City council buries the body." To be buried in the city by strangers could keep the spirit from ever finding rest.

However, my research data shows that such cases will continue to be rare. Asking for a civil marriage for many couples, and particularly for men whose wives ask, signaled mistrust or perhaps a scheming plan. When I asked one man who had been married for 15 years why he would not give his wife the formal marriage she asked for, he replied, because "tomorrow she could take half my business if I do that." "Do you not trust her?" I asked. "I don't," he replied. "Yes, we have been together for decade but I am still not willing to risk our having legal documentation." In this way, civil marriage is seen both to protect but also to undermine personal accumulation, especially when there is a lack of trust or commitment from one or both partners. In light of this, Josiah and Jane are outliers in my research findings. It is an important case study to consider both in my future research, but also for policy makers who assume civil marriage as a quick, easy fix for informal marriages without critically considering why it may be an unattractive option for most couples.

"What We Have Is Just Enough for Us": A "Civilized" Economic Alternative (Come-we-stay)

Often come-we-stay marriage is framed in public discourse as either agentive choice for the cautious, modern man or woman wary of getting trapped in an incompatible formal marriage or as the only option available to poor, exploited women who cannot convince their partners to pay bride wealth. Certainly, there are cases that fall at each of these extremes. One informant told me about poverty and marriage: "These guys [in Kibera] are also human beings. They need to marry. They need to fulfill their conjugal rights, but they don't have money, so you find they cohabit—come-we-stay—more in the slums because they don't have the financial power unlike in the estate." But much more often come-we-stay marriage is a slowly evolving relationship form that takes place between two consenting adults who are negotiating their intimate desires and needs.

One local social worker gave a much more nuanced explanation of come-we-stay. He said, "I support come-we-stay 100% as long as it's a relationship not jumped into." He continued and said that come-we-stay is actually going back to traditional ways where a woman goes to live with a man, understands his ways and his family, before making any commitment through the payment of dowry. "None of us is an island," he reminded me, referring to wedding negotiations, making it clear that he was not in favor of traditional marriage being replaced entirely. But anxiety remains that come-we-stay will never transition into formal marriage. And numerous of my informants made it clear that the come-we-stay set-up was something that had been discussed in partnership to make sure all parties were comfortable, especially in situations where long-term come-we-stay was an active choice, as demonstrated by Timothy and Naomi in the following story.

Timothy began our interview speaking strongly against Kibera stereotypes, using his own story as exemplary of Kiberans who have been successful in life, love, and business. Tim was born in Kibera and grew up in the slum, but he studied and worked in other regional countries as a young man. Through networking, he was trained by a Western European business owner to integrate technology into Kibera primary schools. Having been away from home for so long, he had been seeking out a way to combine his passion for technology and education with his dedication to his impoverished home. "I left [Kibera] when I was 22," he recounted. "I went and studied, started working outside, and then I decided to come back and bring back the same [I had received] to Kibera, cause that's my home, so I have to bring change there." Like most Kiberans, Tim was a hopeful entrepreneur. Unlike most Kiberans, however, Tim was also gainfully and permanently employed, allowing his dreams a bit of flexibility.

Timothy was also married with eight kids, two from his own marriage, two from his wife, Naomi's, previous come-we-stay marriage, and four adopted from family and community members struggling financially. He and Naomi were living comfortably in Olympic Estates in a come-we-stay marriage, neither forced by financial hardship nor in direct response against legal marriage. Rather, come-we-stay simply made better sense to both Timothy as well as to Naomi, who was also gainfully employed and seeking political office.[37] Naomi came in and out of the room during my interview with Tim to either agree with something he said or offer elaboration if she felt his answer was not sufficient to the question. Tim explained that together he and Naomi have no plan to formalize their marriage anytime soon.

> Once you come together, the parents are like, 'You have to make it formal,' and you're like, 'No, we don't have that source for now. What we have is just enough for us.' So, use what you could have spent to formalize stuff and build yourself and then in future, according to have you agree, it is good to go official [formal].

In this case, poverty was not an issue, but economic considerations remained. Further, Timothy had a harsh critique of kin marital pressures. He said,

> Our parents need to be civilized, just a bit civilized when it comes to marriage 'cause they are looking at things the way they looked at them in their days…In their days, your father would just call a girl and come together. This is your wife. You know, we just want a bit of a change when it comes to family support, so that is why I like the western setup it is more of your decision than your parents' decision.

Even so, Timothy and Naomi did not dismiss that Tim would likely one day pay bridewealth to Naomi's parents and get married in the church. But on their own timeline.

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[37] There was talk in the community that to successfully seek out political office, come-we-stay would need to transition to formal marriage to be considered a respectable, electable candidate. This was not something either Tim or Naomi brought up in our conversation.

Conclusion

In this chapter, I have centered the multiplicity of the lived experiences of marriage—both extra-legal and formally solemnized unions—in Kibera. I have shown that come-we-stay relationships, as Joy's and Sara's stories, may in fact be harmful to physical wellbeing as well as emotionally and economically unsatisfying, but I argue that it is not the informality of the marriage that makes it so. Rather, marriage in all its forms can be harmful and unsatisfying. Lack of economic support and thus a lack of love in Jules's customary marriage was a constant source of distress for her, and yet she felt she could not leave her husband because the kinship ties that were solidified with bridewealth payments meant that her children would also be affected by the separation. They would belong to their father's family, and Jules could not risk losing them. Further, Jules's husband did not beat her and he had no substance abuse problems, so she did not feel she would even have grounds for a divorce if she decided to pursue separation. In this case, formalization kept Jules trapped in marriage.

Josiah and Jane, on the other hand, found comfort in pursuing the fast-tracked, affordable option of civil marriage before cohabitating as a married couple. They "discussed and agreed together" that this would keep both partners protected as well as any children which may be born even before bridewealth could be paid. For them, civil marriage was the liminal marital stage usually occupied by a come-we-stay relationship. It did not take the place of customary and religious marriage ceremonies, which were planned for the next year. Similarly, Timothy and Naomi found comfort in the flexibility and freedom of a come-we-stay relationship. They also discussed and agreed together that this was the arrangement that suited their large family at the time and that they would not be persuaded otherwise by their own kin, who were informed of the marriage. Come-we-stay was not necessarily a replacement for formal marriage down the road,

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but both Timothy and Naomi were hesitant to commit to any plans otherwise. For them, come-we-stay brought the security they were in search of.

I argue to conclude this chapter that it is not extra-legality that prompts insecurity in marriage as was argued by many conservative and rights groups in the last chapter. Indeed, security can be found in the most legally insecure marriage types. Rather, marriage itself prompts insecurity when gender inequality—with regards to economic accumulation, mobility, education level, and outside support system— within the relationship is stark. To explore this further, I turn to women's and men's unequal participation in the Kibera's informal economy, locally referred to as the *jua kali*.

Part III

Chapter 6

Kibera's *Jua Kali*: A Theory of a Gendered Economic Spectrum

Introduction

In the previous chapters, I laid out the context of insecurity in Kibera and examined how different forms of companionate marriage in Kibera can be both "liberating and shackling" (Smith 2009, pg. 160). I argued that marriage as shackle is less due to the legality of any particular marriage form and more to gender inequality within the intimate relationship. I theorize in this chapter, that this "gender gap" within marriage is due in part to the way the local economy is constructed, experienced, and discursively utilized to support economic behaviors and decision-making within the domestic space. Here, I turn my analytical attention to Kibera's "informal," or *jua kali*, economy as the object of inquiry, exploring the trade-offs between informality's inherent insecurity and flexibility as well as how gendered participation in the jua kali sector both challenges and reinforces hegemonic discourse about insecurity and slum life. I look at the evolution of jua kali over time, local discourse and lived experience of the jua kali's benefits and challenges, resident, and gendered realities of informal economic opportunities and desires. I theorize here that the jua kali sector within Kibera is an economic spectrum on which male workers—"hustlers" and "entrepreneurs"—place themselves, and from which women, who in theory and practice are employed in the jua kali economy, are discursively excluded, which has real material consequences.

The Informal/Formal Binary

The informal economy, as first conceptualized by anthropologist Keith Hart, is "inclusive of the mass of economic transactions that takes place beyond effective state regulation," whether those transactions are legal or illegal (1990:98). According to many scholars (Guha-Khasnobis,

Kanbur, and Ostrom 2006; Hart 2005; Portes 1983), the "informal" economy is perceived as

irregular and unreliable because it does not fall within the purview of state or government

oversight. More literally, the informal economy is perceived to lack the "form" and recognizable

organization that has come to define national bureaucracies and economic systems. Reflecting on

his 1970s fieldwork with slum migrants in Accra, Ghana, Hart sums up this distinction as such:

> I was captivated by what seemed like a paradox: On the one hand the banal individualism
> of a Dickensian mob of water carriers, bread sellers, shit shovelers, taxi drivers,
> pickpockets and bartenders; on the other the communal spirit of hill tribesmen whose
> fathers were earth priests and who expected to end their days as custodians of ancestral
> shrines…It seemed as if the economy were being made, unmade and remade from day to
> day. The central task for everyone was to find a durable basis for livelihood and perhaps
> for accumulation. That was why even a poorly paid job was valued, as a stable core in the
> chaos of everyday life, an island in a sea of ephemeral opportunities. I came to think of
> this as the search for *form*, for the invariant in the variable, for regularity in a world
> constituted by flux, emergency, informality. (1990: 99-100)

To be sure, this does not mean that the informal economy has no structure or that it does not

operate through local logics or take local forms. Rather, the form it takes contrasts sharply

enough to be unrecognizable when set side by side with formal economic structures, as Hart

keenly points out here, and as the ethnographic material presented later in this chapter will make

clearer (see also Gandolfo 2013).

The informal sector boomed in the "developing" world in the 1970s because "rural-urban

migration…vastly exceeded the growth of a bureaucratic or modern sector of employment" in

many countries of the Global South (Hart 1990: 151). And with "the proliferation of self-

employment and casual labor in the Third World cities," academics and policy makers were in

search of a label for what they saw as a new and growing phenomenon (Hart, Laville, and

Cattani 2010: 142). The informal sector drew a lot of research interest from international NGOs,

development organizations, and policy makers who focused on the economic and bureaucratic

implications of an economic sector where people maintain themselves in urban areas characterized by chronic and mass unemployment and lacks in state-provided social services for poorer citizens. Researchers wondered: How could the informal economy be theorized? What were its potentials? Could the informal economy help close the wealth gap? What were the possibilities even of capital extraction from this large, burgeoning, untapped economy?

In Kenya, this academic and international interventionist debate centered around small, "informal" businesses in Nairobi and other urban spaces. Indeed, the proliferation of small businesses in Nairobi can be traced back to the promotion and implementation of neoliberal ideology and structural adjustment policies in the late 1970s and 1980s as the policies were also pushed by the Kenya state as a way to attend to local economic crises. Policies of economic intervention were implemented through the relationship of the Kenyan state and global international financial institutions (IFIs) in response to a series of global economic crises in developing countries, promising to end poverty through loans and subsequent debt. Gradually, and especially in the developing world, top-down developers came to see the informal economy as a form of development that required little intervention and investment. As early as 1950, the East African Royal Commission wrote,

> Their [African traders'] activities are on a very small scale and, lacking security of tenure, they have no incentive to improve their premises. Yet to clear these areas of their inhabitants would be to destroy what, in some areas, constitutes the only development of African commercial enterprise. (King 1995: 9)

Though Hart's work and coining of the concept of the "informal economy" stemmed from his ethnographic research in Ghana, the concept was first applied by the International Labor Organization in Kenya to describe the burgeoning sector in Nairobi and other national urban centers, and to suggest that the sector had heretofore been misunderstood and might actually be the way to close the wealth gap. Their report, worth quoting at length, says:

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Often people fail to realise the extent of economically efficient production in the informal sector because of the low incomes received by most workers in the sector. A common interpretation of the cause of these low incomes (in comparison to average wage levels in the formal sector) has been to presume that the problem lies within the informal sector; that it is stagnant, non-dynamic, and a net for the unemployed and for the thinly veiled idleness into which those who cannot find formal wage jobs must fall. It is hardly surprising that this view should be widespread, for academic analysts have often encouraged and fostered such an interpretation. Further, from the vantage point of central Nairobi, with its gleaming skyscrapers, the dwellings and commercial structures of the informal sector look indeed like hovels. For observers surrounded by imported steel, glass and concrete, it requires a leap of the imagination and considerable openness of mind to perceive the informal sector as a sector of thriving economic activity and a source of Kenya's future wealth. But throughout the report we shall argue that such an imaginative leap and openness of mind is not only necessary to solve Kenya's employment problem, but is entirely called for by the evidence about the informal sector. (ILO Report, 1972:5)

One of the biggest implications of this report and perhaps its greatest legacy is that the ILO, in taking up Hart's term "informal economy" and praising it as an innovative system to close the inequality gap, minimized the Kenyan state's and global developers' responsibility to the large percentage of unemployed citizens.

In a much later publication (2010), Hart reflects on his ambivalence about having coined the concept of the "informal economy" and how it has come to be commonly used. He says,

I had no ambition to coin a concept, just to insert a particular vision of irregular economic activity into the ongoing debates of professionals in the development industry. The ILO Kenya report, on the other hand, did want to coin a concept and that is what it has subsequently become, a keyword helping to organize a segment of the academic and policy-making bureaucracy. So the idea of an "informal economy" could be said to have a double provenance reflecting its two sides, bureaucracy (development administration) and the people (ethnography) (146).

Too often seen as a sector working in opposition to the "formal economy," the informal economy in the developing world has long been the focus of policy makers, governing bodies, and non-government organizations (NGOs) as a key site of intervention and wealth creation. Yet, the promises of neoliberalism have not been realized by either nations or the individuals affected by these policies. In many cases, neoliberal initiatives have only exacerbated and naturalized

poverty and inequality (Gustafson 2009, Thomas 2016). With insufficient formal employment

(secure tenure and benefits) available and often not enough hours or customers in the day to

make much of a profit in the informal sector, poor individuals continue to struggle. And this

burden is often gendered, falling disproportionately on women who must put food on the tables

through whatever means possible.

In Kibera today, the majority of residents are employed in the informal sector in some

capacity. And though the ILO's misguided hopes that this sector would solve the inequality gap

have gone unrealized, Kibera residents strategically use the *jua kali* economy to meet and exceed

their needs. In what follows, I look at local and gendered constructions of the jua kali as a

spectrum, the tradeoffs between flexibility and insecurity within the jua kali, and gendered

experiences of working in informal economic pursuits. What are the jua kali's limits? What does

informal economic success look like? Who can participate successfully in the jua kali?

Kenya's Informal Economy: The *Jua Kali*

> *Jua kali* in Swahili means 'hot sun'. But over the course of the 1980s, and perhaps a little
> earlier, it came to be used of the informal sector artisans, such as car mechanics and
> metalworkers who were particularly noticeable for working under the hot sun because of the
> absence of premises (King 1995:iii).

As anthropologist Kenneth King notes above, Kenyans began using the Swahili phrase

jua kali to mean more than just "hot sun" in the 1980s: jua kali referred also to manual labor

performed by men in outdoor settings, jobs which took place under the hot sun. In *Jua Kali*

Kenya (1996), King revisits his 1970s anthropological research on Kenya's informal economy in

Gikomba, "one of the earliest sites of informal sector activity within Nairobi," and Githigia, a

small village just outside of Nairobi, for two main reasons: to explore the renewed interest of

developers in the global informal sector and the subsequent changes in policy; and to trace

whether and to what extent informal sector entrepreneurs themselves found the jua kali much changed over the last two decades (xiv-xv). King found that in 1988, prompted by a perceived crisis in the formal sector, the Minister of Technical Training and Applied Technology actively promoted Kenya's informal sector, and encouraged the use of the local concept *jua kali*. The ministry hoped that a localized term, not yet laden with the negative connotations that the informal sector was already burdened by, would establish and uphold a "new image" of Kenya and Kenyans as self-reliant, innovative, and community oriented (King 1995: 28), all the while taking pressure off of the current ruling government to attend to a decreasing quality of life for the common Kenyan citizen and a growing impoverished class. This shift in terminology represented a simultaneous shift in global policy that necessitated economic flexibility and innovation. Kenyans, especially poorer Kenyans, under this neoliberal regime were responsible for their own successes and failings. Failure to succeed was now constructed as a personal failing rather than a structural one. Similar to the American, now-oft conservative phrase "pull yourself up by your bootstraps," which implies that one should be able to thrive without help from any external source, rhetoric about the jua kali in the 1970s and 80s suggested that individuals who were struggling needed only to turn to the offerings of the informal sector, which they could profit from through hard work and self-reliance (*kujitegemea* in KiSwahili. The term was readily picked up by hopeful entrepreneurs and, over the course of the next decade or two, grew to be used to describe all informal economic pursuits rather than simply to designate male, manual, non-contract labor.

From "We're all jua kali" to "We can't all be business owners": Understanding the limits of Kibera's informal economy

Kibera's jua kali is a vibrant sensorium: the sights (butchered animals hanging from shop ceilings and brightly colored flowers and fruit at market stands), smells (animal bones being boiled and bleached for jewelry and local dishes, like chapati and mandazi, being freshly cooked and ready to eat), and sounds (welding machinery, conversations between patron and business owner, and the low hum of generators) are overwhelming, dissonant, and unforgettable. While living and conducting research in Kibera, I visited and frequently observed the more traditional jua kali shops—welding businesses, automechanic shops, and metal and boneworkers. In addition to these, I relied upon the more recently founded microenterprises for my day-to-day consumption, including coffee shops, tailoring businesses, florists, fruit and vegetable market vendors, launderers, and taxi drivers. I also relied on jua kali shops as much as possible for my daily food and drink, Internet and phone credit, and toiletries, both when living in Kibera for a short period of time and when moving in and out from day to day. This was not only convenient as necessities were only steps from my front door, but it was also strategic, allowing me to connect more to the community, become more comfortable with my surroundings, contribute to the local economy, and get more insight into the inner workings of the jua kali.

Figure 18 Kibera Auto Garage

The boundaries of Kenya's jua kali are always shifting. Castells and Portes write that "the informal economy is a common-sense notion whose moving social boundaries cannot be captured by a strict definition without closing the debate prematurely" (1989:11). During a focus group discussion with five Kibera men of various ages and employment experience on economic opportunities in Kibera, one young man provided a more nuanced and updated description, saying, "Jua kali means when it is too hot and you're doing work outside. But I think over time the name has evolved to mean like unstable work. You're not sure if you'll get a job tomorrow." In fact, Kenya's jua kali is now inclusive of many different kinds of work done both indoors and

outdoors and in Kibera, the majority of residents are employed in the jua kali, either seasonally or full-time. Despite this inclusivity, instability within the market remains, and is yet one more insecurity poorer women and men living in informal settlements around the world cope with.

Though the nature of the jua kali has changed drastically over the past half-century, the function of the jua kali has remained relatively the same. In essence, the jua kali is a survival economy for many Kibera residents and for many informal workers around the world. King writes that one of his informants remarked in the 1990s, "We're all jua kali nowadays" (1995: 25), in part because "formal" jobs do not exist and in part for convenience, desire, and opportunity. While some use the jua kali to survive from day to day, others engage in jua kali work for supplementary, and maybe even disposable, income in addition to their formal employment, but explored more below, the ability to earn disposable income in Kibera is often gendered. Tellingly, a middle-aged, single mother of two living in Kibera told me exasperatedly, "We can't all be business owners," a phrase that upsets the narratives King was eliciting three decades ago. Some jua kali workers survive while others thrive, and yet others fall into abject poverty; and, all the while, the gap between the Kenyan wealthy and poor remains wide (see KNBS and SID 2013, Kuo 2016).

The Jua Kali Spectrum: From Hustling to Entrepreneurship

In order to explore how individuals cope with the insecurity of the jua kali, I turn to local jua kali subjectivities, which led me to theorize the jua kali as a gendered economic spectrum. Many male Kibera small business owners with whom I spoke differentiated between entrepreneurship on one extreme as successful jua kali work and hustling on the other extreme as struggling to get by. Both fit under the broad umbrella term of jua kali employment, but from there the characteristics of employment, routine, and pay-off sharply diverge. Hustling is

described as a last resort kind of work, the kinds of jobs many youth pick up when no other form of income is available. One non-hustler business owner explained that hustling is so difficult and the profit so small that many give up trying to hustle after only one day of work "unless [they] have a big heart," meaning that can withstand the long, demeaning days. Examples of hustling include picking through piled heaps of trash on the sides of the road for recyclables that can be sold, going door to door asking if anyone needs small jobs done on the spot for money, and selling small food items near the bus stop during the morning or evening rush. Additionally, the term hustling can apply as well to small business owners who do not yet have a strong customer base and find themselves either going out looking for customers or waiting in their shop for hours with no business to occupy their time or fill their pockets.

"I Was Somebody": Hustling in Kibera

Micah, an electronics repairperson, self-identified as a hustler. When you are hustling, he told me, "you struggle to get something from a day." But he had not always been a hustler, and the stark contrast between his past success in the jua kali and his current daily struggle to provide and survive made clearer to him the extremes that exist on the spectrum of informal labor.

Interested in electronics repair from a young age but without much money to formally study the trade, Micah sat in on college courses at a local university as a non-degree seeking student to pick up vocational knowledge and skills. Early in his career, the quality of his work was still unknown to would-be customers. He said, "Somebody cannot take me as a fundi [repairman], so I started from home…door to door, asking, 'Please do you have a radio I can fix for you?' You know, the more you are doing something, the more you catch up with it." He used these early days to refine his skills while gathering a loyal customer base, the most important

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asset for successful jua kali work. In Naivasha, a small market town about an hour from Nairobi, where he lived with his wife and two children, Micah slowly built up inventory and investment capital in addition to this customer base. "I was somebody," he said laughing nervously with the memories of that not-too-distant distant past. He didn't say much about those days, but he encouraged me to ask his friends about his past successes. "Joshua can tell you everything," he said. "I was somebody by that time."

Like so many Kenyans, Micah's life was upended during the post-election violence of 2007 and 2008. Naivasha was one of the upcountry "hotspots" of "ethnic" violence. As a Luo in a predominately Kikuyu town, he and his family were quickly and violently forced out. "I was beaten in Naivasha," he said. "I left everything. I came here. They took everything that I was having. They raided my workshop, my house. I went home with nothing. Just the way I am … I was somebody at that time. I was having almost everything that a human can have. I was having a car. My workshop was well set … But I went off with only my life."

Having escaped with his life and little else, Micah moved in with a friend in Kawangware, one of Nairobi's many area slums. For a while, he worked out of a friend's home, where he was living, to try to pick up his electronics work again. Soon, though, he felt the need for more independence and freedom, a place of his own. He moved to Kibera, and using some of the money he had left over from his days in Naivasha, rented a shop building in the large Makina Market, where he works presently. Up to this point, however, and more than a decade after the post-election violence, Micah has not yet attained the level of jua kali success he had enjoyed in Naivasha.

As Micah and I talked, we sat in his small rented kiosk also located in Makina market. No customers came by, and Micah did not seem to expect any. Additionally, he complained

about customer's lack of follow-through. "You can bring me something to repair, then you are not turning back for it, even for some months. Already I put my money in it, and I can't get it [back]." The hustling lifestyle is full of challenges, including facing customer-less days during the rainy season, having to close down the shop during political demonstrations, and the uncertainty about the day's success.[38] "Even though it is hard, but you must struggle. The day is up and down. You can get, and you can fail. Today, I've never gotten anything from morning up 'til now." His dismay and frustration were palpable, perhaps exacerbated by his fall from a successful well-respected career in Naivasha to a struggling hustler in Kibera where his connections were much fewer and his inventory and capital sparse.

When I asked if he ever got bored, he replied, "You can't be bored because I'm used to it." Micah not only lamented the challenges of the jua kali. He also reflected on the flexibility and freedom he enjoys as a jua kali worker. "Jua kali," he said, "that's my living. I'm getting everything from it…Jua kali, you can do what you want. You can take your own break. That's the difference [with formal employment]...In the jua kali, you employ yourself." In addition, as other jua kali business owners stated in our conversations, one can set their own price for goods and services and retain the full profit. Micah continued to dream up innovative plans for the future. He told me, "My plan is, when I get some cash, I want to start a business as buying some [chairs] and sell them at the other places … when I get money, that's what next." Micah was not always a hustler, and he did not see himself hustling as a permanent condition. Instead, with the necessary capital and customer base, he hoped to move from hustler to entrepreneur. Until then, he placed himself at the lower rungs of what is possible in self-employment.

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[38] In fact, the trauma Micah experienced in Naivasha prompted him to close down his business every day that there was even a hint of political volatility. "I didn't open… I was afraid because, you see, once beaten by a snake, you can't pass there."

Figure 19 Aerial View of Makina Market, Kibera

"It is a Good Job That Advertises Me": Entrepreneurship in Kibera

When I first met Juma, a tailor in Kibera, he was standing behind a colorful display of hanging dresses and raw fabrics, training a young girl who was learning to sew as his apprentice. He greeted me warmly, showing off his store with pride, and then we sat down and began talking. Juma, a business owner in the same large market as Micah, was decidedly anything but a hustler. He described hustling as going around and looking for work minute by minute with meager prospects for much profit making. In contrast, being a successful entrepreneur in the jua kali, he said, means "you have something at hand that you are doing though you are not employed by the government." Juma went on to describe the different levels of formality in

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employment from hustling to semi-permanent jua kali employment to contract labor (often referred to as governmental work even when it is work done outside of governmental offices), where so many of the available formal jobs are found.

Juma proudly described the idea for his own business stemmed from his own interests as a youth: "Being that I…never wanted hard work, sweating work…I had to come to tailoring which doesn't need much energy. I had a passion for it. I loved it, so I put [in] effort and focused, and I invested a lot. That's why I am who I am today." Today, Juma is his own boss. He doesn't have to work on anyone else's schedule, and he can go home when he wants to and come in as early or late as he feels, depending on his calculation of how much time it will take him to complete his clients' requests, which are usually for outfits for weddings, job interviews, travel, and special occasions for children. "I just feel comfortable with that," he told me about not being under someone else's control and supervision. The quality of Juma's tailoring and dressmaking is enough to advertise the business on its own and attract new clients. He said, "I am known by my neat work and good finishing. So, you find if a customer comes today, and I make her a clothes, she goes, and somebody looks at it and asks where she made it. So those are the kinds of contacts that comes or me. It is a good job that advertises me." And the jua kali offers Juma flexibility and the necessary income to survive. "I am earning a living out of it," he said. "I have taken my children to school, so I am happy about it. I am really enjoying myself because without this I couldn't be where I am right now today."

In one sense, Juma's and Micah's stories of jua kali work are similar. They have similar praises of the jua kali: it offers flexibility and independence, and it puts food on the table. But their lived experiences of "informal" business work are in stark contrast to one another. Micah struggles daily to find customers, and that struggle leads to the inability to accumulate profit

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necessary to keep the business running and growing and sometimes the inability to make even enough for the day's needs. There is a constant anxiety and a felt sense of frustration. Juma, on the other hand, has a real faith in the continued success in his business because of his good reputation and wide customer base. Thus, he finds a joy in the work that is not eclipsed by anxiety. He does not worry about day to day profits and can afford to take off a few days for holiday or when he is sick or just tired. In a sense, the business runs itself as long as Juma shows up and keeps doing good quality work. Hustling then is equated with struggle and exhaustion, while entrepreneurship is more highly correlated with the more desirable aspects of the informal sector: flexibility, freedom, and profit accumulation.

Choosing the Jua Kali: Hustler-Entrepreneurs in Kibera

While some men lament that they are struggling hustlers and others proudly proclaim they are successful entrepreneurs, there are others who are business owners who consider themselves to be successful and yet do not excuse themselves from the hustling label. For these men, the jua kali is inherently inconsistent and unstable and a business might be successful one day only to fail the next.

Larry, the co-owner of a Kibera shop located at one of Kibera's many busy stages, is one such shopkeeper who collapses the jua kali spectrum, placing himself in the middle and describing himself as both a hustler and a successful entrepreneur, a hustler-entrepreneur, as I call it. Larry defines the jua kali broadly as any job done outside of an office. Office jobs, he explained, are white collar jobs associated with corporate office spaces, cubicles, suits, 9 to 5 work hours, and Nairobi's Central Business District (CBD). Despite having a large and loyal customer base, unlike Micah the struggling repairman, Larry does not exclude himself from the

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hustling lifestyle, unlike Juma the successful tailor. "Us outside here are hustling—the guy

roasting maize, my mama who is cooking there for me maybe lunch when I am pressed…and,

yes, I include this job," Larry said, as he pointed from behind his shop window to various people

along the road selling their various goods and services. He did not differentiate between one and

another, not by type of work, success of work, or notably, gender of worker.

Born and raised in Kibera, unlike most urban Kenyans who move to Nairobi as young

adults, Larry got his first formal—often locally referred to as "permanent" and distinct from

"casual"—job as a firefighter with the Kenyan G4S, the nation's largest private fire and security

service provider. By all measures, this was a financially secure, stable, and respectable job. A job

that any Kiberan should feel lucky to have obtained. At the same time, Larry opened up a Kibera

shop with his longtime friend and now business partner. After the post-election violence that

rocked Kibera, Larry moved from Kibera to Kawangware, another Nairobi slum, in search of

physical security for him, his partner, and their child. While leaving Kibera for a more stable

home, Larry and his business partner, John, began a new jua kali shop at the entrance to Kibera's

estates once calm was restored and residents started to take full stock of the amount of

destruction to their home.

> D: "We started the job immediately after the post-election … because everything now here
> had been burnt. We took ... advantage, and took the space … Here we don't pay rent. We
> took it as a place belonging to us."
>
> A: "You bought it?"
>
> D: "We didn't buy. After the post-election violence, this place was burnt. There were no
> shops. There was all ashes. We took this place as base, somewhere the guys could relax
> and do their thing. Then we set up a small shop outside."

Out of the ashes, Larry and John provided a safe base for their large group of friends to come,

hang out, and rest while simultaneously founding their new business, taking advantage of the

many space vacancies left behind after political clashes left most businesses burned to the ground.

Together, Larry and his partner planned to sell a wide variety of necessities in the absence of a nearby supermarket—laundry soap, milk, bread, soda, cigarettes, candies, toilet paper, and more. Larry soon found himself working eight to twelve-hour day shifts at the fire station in Nairobi's Central Business District and the night shift at his Kibera shop. Because of the time and energy his permanent job demanded, he said about his own business: "I was coming in like a worker," rather than the co-owner. In 2014, Larry resigned from his permanent post. He wanted to turn his attention to his entrepreneurial efforts in Kibera and to cultivate a lifestyle that was more in line with his desires. "I quit," he explained, complaining about the work as both exploitative and dangerous. "Sometimes we used to work a double shift, and you can imagine you have been to a fire in the morning. At night you're asleep. At 7 again you're called to a fire. The next morning you come feeling you have been beaten seriously, and there is not that much money." Despite the risks of entrepreneurship in the slum, including political volatility that shuts down business from time to time, frequent fire hazards from dense settlement, difficulty keeping the store stocked, and even "eating one's own inventory" in times of need—Larry found being his own boss in the *jua kali* preferable to working under someone else's timeline, pay schedule, and rules.

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Understanding local conceptions of the jua kali as a spectrum provides insight into two aspects of informal economic participation. First, these narratives of success and agency in jua kali work push back against hegemonic discourses of slum life as desperate, hopeless, and passive. In contrast to these narratives as well as literature on the informal economy that argues

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that informal employment is a kind of last resort survival safety net option, my research reveals that jua kali work, particularly for men, may also be chosen as a more desirable alternative to the formal labor market. Despite where they identify themselves on what I call the jua kali spectrum, all three men found benefits in jua kali work and asserted their desire to be their own boss and reap their own profits. Second, my research reveals that a theory of jua kali spectrum may be limited to men's experiences and perceptions. I turn now to an analysis of the gendered jua kali to investigate why the tradeoffs between flexibility and informality in the jua kali economy are largely enjoyed by men alone.

The Gendered Jua Kali: Women and Survival Work

During a men's focus group[39] on Kibera's *jua kali*, one man, Oopondo, told me, "You find that most of the casual jobs that are around, they're for men. They are jobs that require a lot of energy and commitment, so you find that most women are not able to do that."

When I asked further about the many women I knew (in fact, every woman I knew) who worked tirelessly in the *jua kali*, doing jobs I thought were considered both men's and women's work, Oopondo continued with a comment that absented women entirely from the *jua kali*. "They're casual workers. We don't call that employed … they're survivors, not employed." Why, I wondered, are women survivors when men are simply employed? Why was hustling, a labor form that several men I talked to identified with, not also considered survival work? What is the different between "survivors" and "employees"?

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[39] This focus group as well as a women's focus group are at the center of the following chapter. Briefly, the focus group consisted of five men living in Kibera of varying ages and employment experiences. We talked specifically about come-we-stay marriages and jua kali work in Kibera.

My data suggest that one reason for this difference may be couched in gendered domestic responsibilities. While men experience the jua kali as an alternative to the "formal" labor market in which gains are made by taking risks with businesses that may fail but offer a higher payoff when they succeed, women often confirm men's narratives that they must take whatever job presents itself to them because of the gendered burden of feeding children, paying school fees, and maintaining a household. Micah, for example, can afford to hustle at his electronics shop because his children were not depending upon his daily gains for food. This does not mean that men like Micah do not contribute to the household. Rather, that is not often the primary goal of men's daily labor. Women's hopes of opening their own jua kali businesses, while not absent, are often set aside in order to take lower paying informal jobs that are nonetheless sure to pay enough for the day's needs.

Evidence of women's sometimes singular focus on their children run throughout the previous chapter and the chapter which follows this one, but I continue Sara's story here from Chapter 5. Recall that Sara is a young mother of three children under three years old who recently found out her cohabiting partner had been cheating on her and who could not easily work with such young children at home told me. She told me, "My dream is to own my own business … a boutique …. In five years, I would like to have a different life, a bigger house, my kids in private [school], own my own business. I have a lot of dreams." But for now, she felt, these dreams could not be pursued. Sara's uncertainty about her partner's continued financial assistance and physical presence meant that she might have to eventually find whatever work may be available in a time of need.

In line with cultural expectations of masculinity, women told me that one must let the man think he has power "kidogo tu," or "just a little bit," in order to keep the peace within the

house. The implications of such peacekeeping, however, are that women may cultivate a dependence on men who provide inconsistently because of the unevenness of risky business ventures, while the women themselves give up their dreams of innovation and opportunity in order to provide daily for their children. In this way, the hegemonic narrative from the outside of slum suffering gets flipped upside down by Kibera men's entrepreneurial efforts while also reinscribed onto Kibera women's bodies and labor. During a women's focus group, one young woman who did not have any dependent children suggested that the jua kali was gender neutral, saying, "Most people [in Kibera] are self-employed, not unemployed." But my data suggest that women with young children who describe themselves as living "hand to mouth"— a phrase commonly used to mean that one has only enough resources to satisfy immediate needs without assuredness of where future resources will come from—do not consider themselves employed. Employment for these women, for mothers, is often equated with security and consistency. If the father of their children is not providing the necessary resources, and they themselves do not have formal employment, women label themselves, as the men do earlier in this section, as survivors.

Women at Work

In interviews, women may talk more than men about the burdens of ensuring work is always available, which usually entails taking low-risk, low-paying, more time intensive informal jobs, but the details of work were not entirely absent. Caroline, single mother of two young boys, works two informal jobs to make ends meet. Each day, Caroline wakes at 4am to begin preparing flavored ice to sell to school-children and Kibera residents desiring a cool treat in the heat of the day. She showed my research assistant and me exactly how she makes ices, which includes cutting individual plastic strips from a large reel, sealing one end of the strip with something similar to a candle, adding the juice she mixes for freezing, sealing the other end, and

then storing them in her personal freezer at home to set. She showed my research assistant and me her full fridge and freezer full of prepared ice. Once she completes her early morning ice preparation, she gets her boys ready and off to school and heads herself to her daytime job in Kibera: a janitor at one of the local primary schools. This manual job is both tiresome and unenjoyable, and Caroline lamented how much she hates cleaning toilets. But, she makes 350 shillings per day at her school job, the equivalent of $3.50, and often cannot do without that more or less consistent income. Once done at the school, she begins selling her ice treats either from home, where people know to come, or on the streets, especially near schools letting out for the day.

My research assistant and I had visited Caroline during the ice buying rush, and in the short time we were there, she completely sold out of a large box of ices—sold for 1, 2, and 5 shillings each ($.01, $.02, and $.05 respectively) depending on the size of the treat. Caroline reported that she can make between 300 and 500 shillings per day on this work alone, bringing her daily income to between 650 and 850 shillings per day on days that she is able to work both jobs. When school is out of session, the school is closed and there are less customers around to buy the ice. With both jobs and her sons to care for on her own, Caroline sleeps only three to four hours per night. Her children are keenly aware of how hard she works, and once the voice recorder had been turned off, Caroline said to me sadly that her older son "asks sometimes why he doesn't have a dad to pay his school fees."

Microfinance and Gendered Intervention in Kibera

To complicate the arguments in this chapter a bit more, I look at microfinance institutions operating under the guise of economic development and empowerment in Kibera as one way to

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explore the gender gap in the jua kali. In *Markets of Dispossession: NGOs, Economic Development, and the State in Cairo*, Julia Elyachar makes a Marxian argument that "valorizing the cultural practice of the poor as a form of social capital, and financializing their social relations of debt mediated by NGOs is an important aspect of accumulation by dispossession" (29). And *accumulation by dispossession* as defined by David Harvey is "the continuation and proliferation of accretion practices that Marx had designated as 'primitive' or 'original' during the rise of capitalism," including privatizing communal property, colonial resource extraction, and perhaps most important for this study, and "most devastating of all," according to Harvey, "the use of the credit system as radical means of primitive accumulation" (2007, 34-35). Hansen and Vaa write on the deleterious effects of structural adjustment policies (SAPs) of the 1980s that "given the changing processes of work in the informal economy, new ways of doing things are emerging, turning conventional social organizational practices on their head or reinventing them in the new disguise of gender, generation, and globalization" (2004, 14).

I argue, along with other scholars who have looked specifically at the impacts of micro-credit lending on poorer borrowers (Karim 2011) that dispossession by accumulation through the credit system encourages gender disparities in the local Kibera economy, ultimately leading to a situation where men think of women and women to think of themselves as survivalists while men, even when doing the exact same job, are labeled entrepreneurs. Let me unpack this a bit more using the following dialogue from the women's focus group, which will be at the center of the next concluding chapter:

> 3: I can also say in Kibera most women are not economically empowered, so most of
> them still live below poverty level. You can see my former field, I am an ECD [early
> childhood education] teacher, but I am not in formal employment. I am employed by an
> individual who pays me [so] little that I can't say I am employed. So, we are below
> poverty levels. At the same time, there are also some micro-finances. These micro-

finances, they are also increasing a lot of poverty in women. There are maybe micro-finances from banks to these women and these women are selling succotash, mandazis, which fetch small amounts of money. You end up using all the money for household use, and then you find the borrowing interests have gone high and the microfinance agents follow you to the house and have to carry some of your things [away]. They auction them, so that is increasing poverty.

1: Basically, you are living from hand to mouth.

2: I can also add there's unemployment because there are some women who cannot even raise a hundred shillings to start their business. Not all of us can raise that money.

A: And how common is micro-financing in Kibera?

2: They are so many here. We have [names several micro-finance firms]. They are so many, and you would be tempted to take and after taking you can't raise the amount and they come to auction things in your house. There are also individuals who have come together and raised money. They call them Shylock. They give you [money] at 30%. If you have an emergency in your house, maybe someone is sick, you go there to borrow money, they give you 3000 shillings and you return with an interest of 30%, which is so high, and you're desperate, so finally they will come to your house and they will carry your things. They can carry even the mattress you sleep on, and they sell at a throw away price. So, women in Kibera still have that kind of suffering. At least 100% most houses in Kibera 70% women are the bread winners, so there's that burden at the same time it has led to the rate of sexual immorality to go high. According to me once you are married you have to be faithful to your partner, but now this problems with borrowing money and you have to return the money, if you don't return the money, they come to your house to get your things so to avoid that shame, you go to another man to borrow money. After sleeping with them and you may end up contracting HIV and other STI diseases.

Here, women cite micro-credit banks as a source of exacerbated poverty not of empowerment. They are reflexive about their relationship of dependency on micro-credit banks, but they cannot refuse loans and neither can they afford to use the loaned money for business capital as dictated by the bank when there are more immediate needs like food to put on the table. With no business and the loaned money spent, the loan and accumulated interest go unpaid until the bank repossess whatever the woman may have in her home to make good on the loan, taking

everything down to even the thin mattress the kids sleep on. There is no empowerment to be found in this relationship.

Men, however, do not always see this negative side of development's more intimate relationships with women. Rather, they see it as a threat. One man told me, "Most women in our area are getting empowered in these small businesses. If you notice, they are not kicking men out, they are moving away," in reference to what happens when a relationship falls apart. By marginalizing women as survivalists rather than successful entrepreneurs, men are confronting the disparities they experience in navigating development organizations in Kibera, who are more likely to lend to, support, or invite in women and children over men. In turn, but not necessarily directly linked, they exclude women from jobs they label as men's jobs as seen in the following dialogue.

> 5: A woman can give herself to do the hard work she finds, but if I were the employer, I would choose a man to do the job because a man can carry heavier things than a lady.
>
> 2: What I have seen here in Kibera is that there's no gender equality to do with self-employment…Us young men we see not so much into self-employment. We want to be employed. So, there's no gender equality. Men fear some works like tailoring.
>
> A: Selling fruits? Washing clothes?
>
> 5: In fact, a hundred percent of those that do those jobs are women.
>
> 4: The only clothes men wash are their clothes, and that's not work.
>
> 1: But you find those jobs like washing clothes are very limited, not everyone is willing to get their clothes washed.
>
> …
>
> 2: Just to start washing clothes, that's exclusive for women, coming to security guard not all security companies will employ women, and if they do…out of a hundred men they will pick two women. Because women can only work during the day, they can't work at night.

A: Why?

2: Because of their gender. You cannot allow a woman to work at night. Maybe in a construction company, she can't guard it at night. That is too risky. Secondly, a lot of companies don't hire women majorly in security because of the natural things like giving birth. You see, you will be forced to give this lady like three months leave of absence, which means she will not be productive so most companies discourage women from those kinds of jobs. So, as much as you feel there's a lot of opportunities for women, those opportunities are scarce. There are areas they can't work. Again, on the construction, if you look at the number of women to men, there are some women you will find in construction, but mostly to take porridge, tea chapatti. They supply food. When you supply food, you cook in your own house and then you supply at construction site.

5: You see a man cannot do that, but we also have women who work at the construction who carry stones.

2: There are women in construction, but if you take twenty men, you will realize the ratio is two [women] to three [men].

3: And those three will be at the lowest level [of pay].

In this exchange, we see that men do not allow for women's full participation in either the jua kali or the "formal" labor market. In men's own words here, "There is no gender equality." The lack of equality is linked directly here to the risk posed by the female gender. Men argue that women are physically weaker than men and may be less productive, thus posing a financial risk to an employer. Women are also expected to get pregnant and bear children, and thus they are likely to need maternity leave, another form of financial risk. Lastly, men argue that women should not work at night because their physical safety would be at risk. Safety from whom is not specified, but all present in the focus group know that it is other men who might pose the safety risk—perhaps male bosses, co-workers, or simply strangers out on the streets as women travel to and from work on foot or by public transportation. Women had a different perspective that actually collapsed men's and women's work into a more unified, genderless category created by the necessity of insecurity.

A: What kind of jobs do men do, and how different is it from the jobs women do?

2: Most of them [men] do casual work.

3: I don't know why, but I don't think there's any difference because nowadays I see all genders doing anything, like I have seen female touts. I have seen men selling groceries, have local hotels, and those are considered jobs for women.

A: Is this different from like ten years ago?

2: I think there's a difference because some years back they used to think that some jobs are only for women. Nowadays even you can get women digging a hole, but some years back that was only done by men.

A: Even in constructions and security guards?

2: Yes, many women are doing that.

A: And what about washing clothes?

3: Men do that, trust me, I have seen one. I have even seen men braiding hair. I was shocked.

2: For me, I haven't seen them washing clothes, but braiding hair I have seen.

1: But I can say the men in Kibera now have trying [more] than the previous ten years. For example, ten years back, you could get several men just idling around, hanging out there. Whenever they see you, they ask for money.

3: They used to wait for the woman to provide.

1: But nowadays, they are work in industrial area, construction sites. Nowadays they make so much money.

In contrast to men, women in this exchange note that over time the lines between women's and men's work have blurred. Men are often found to be doing what was historically noted as women's work (i.e. washing, braiding hair, selling groceries), while women can do all the jobs men can do (i.e. digging holes, working as a tout, security jobs). Additionally, while women felt that unemployed men used to loiter and then depend on women financially, now they do whatever job they can find, and are now making lots of money. In the next and concluding chapter, I look at how the gendered manifestations of informal work connect directly to the way

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women and men experience come-we-stay and other forms of marriage at varying levels of insecurity.

Conclusion

The informal economy is crucial to any urban center's ability to function (Hansen and Vaa 2005), and it may provide individuals a way to survive in the absence of 'formal' employment opportunities (Hart 1973). Yet, those who depend upon the jua kali (or other local manifestations of the informal employment sector) for survival often express frustration and despair that they are left with few or no other options to obtain financial resources and stability. What happens when the jua kali fails to provide for an individual's survival needs? Where should an individual turn when the jua kali does not allow them to attain their individual material and experiential desires? As a last resort kind of economy, residents imagine that the jua kali will provide when they are in need while knowing that it functions on an unstable and inconsistent basis. What is needed for economic equality in Kenya is not the further encouragement of the jua kali. Rather, as Hansen and Vaa concisely point out, "Quite simply, the Kenyan economy will need to grow, create more and better paid jobs and provide alternative opportunities for investment while enabling the state to intervene much more in urban housing then it did over the last two decades of the twentieth century" (2004, pg. 172). Thus, the jua kali is not an equal or even good-enough substitute for state-provided social services and opportunity. This acknowledgement of the jua kali's limits, however, does not foreclose the possible benefits and opportunities that people derive from the jua kali spectrum, as I describe in this chapter.

Kibera men are particularly able to push back against the limits of the jua kali and work their way from hustler to thriving entrepreneur. Men are able to take survival for granted and

trust that the jua kali is there for them when they are in need of financial support through their participation in the jua kali is often uneven. I call this as a "gendered jua kali spectrum" to theorize both success and agency within the informal market for men. Simultaneously, I find that men reproduce hegemonic discourse about the difficulties of slum life and abject poverty when they talk about women's participation in the informal economy as survival work. In practice, this survival work is exactly what men hustlers are doing, but women are often excluded from the hustler identity. I argue further that this gender exclusion is based on the gendered expectations of household contribution and responsibilities.

This analysis of gendered participation in the jua kali is not a neat parsing out of informality's fact or fiction nor even of its goodness or badness. But exploring the lived experiences of the jua kali in Kibera through a gendered lens allows for an understanding of the trade-offs of flexibility and independence offered by jua kali work; the limitations of the jua kali for both men and women; and how the informal economy itself can become gendered and how marginalization can get reproduced internally within an already hyper-marginalized space.

Chapter 7:

Gendered Insecurity, Marriage Ambivalence, and the Question of Love

Introduction

In this concluding chapter, I explore the connection of the dissertation's themes—insecurity, marriage, and the economy in Kibera—linking Parts I, II, and III more explicitly with three main arguments. First, I argue that investigating the practices and experiences of the local institutions of marriage and the economy together gives insight into gendered material and affective realities in spaces of insecurity, like Kibera. If, as scholars have argued and my data has shown, love and money are often mutually constitutive, then looking at intimate relationships where there is often a persistent lack of resources is crucial to understanding intimacies in insecure environments, environments that unfortunately are found in richer and poorer nations throughout the world. Second, I return to legislative attempts to regulate cohabitation in Kenya because of its perceived threat to women and to the morality of the state and argue that my data reveals that legislation is off-the-mark in regard to the on-the-ground challenges of conjugal formation in Kibera. It is not, I argue, simply that women and men want to be legally married but cannot afford solemnization. The economic barrier to marriage legalization is only one of many problems that cannot be solved by constraining or transforming informal marriage practices. Rather, marriage itself is viewed with great ambivalence. The root causes of this ambivalence—financial cost, social risk, gendered experience, and individual desire—should be at focus in future legislative debates about and interests in marriage. Complicating this is that many, if not most Kibera residents with whom I interacted, are migrants separated from kinship networks that historically have structured social bonds, protective networks, and meanings. Third, I conclude with a discussion about love, exploring love's absence, at least by name, in my field data and

how I see love as relevant to my research findings. Before diving into these arguments, I first describe new ethnographic data to be used in this chapter.

Focus Group Data

To explore my conclusions, I pull the data analyzed in previous chapters as well as data from two focus groups I facilitated in December 2014 and January 2015—the first group was composed of five men, the second was composed of five women, and both were organized around the topics of marriage and the economy in Kibera. The men and women participating in the focus group ranged in age, from their early 20s to 50s. Thus, both groups included a mix of young people and middle-aged folks, who were considered as elders within, and probably outside, the group discussion. Nearly all of the focus group members of both genders were employed in the jua kali. About half the men in the focus group were either legally married (after a period of come-we-stay) and about half were single youth. In the women's group, one woman was a single youth. The rest of the women were either legally married or separated from come-we-stay partners. Aside from the few unmarried, self-identified single youth, all participants had children of various ages.

These meetings were held within a few weeks of each other at a local community center called Kibera Town Centre: Human Needs Project located near the railway portion which divides Olympic Estates from Kisumu Ndogo Village.[40] See Figures 20 and 21 below for how the center is situated within Kibera, geographically and socially. I rented private rooms in the center to hold

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[40] The center was founded by actor Connie Neilson, in partnership with contractor David Warner and a team from the University of California at Berkeley. Residents told me that while the center does help to bring affordable clean water and facilities to locals, it has also helped bring safety to a high-trafficked area of the slum that was historically haunted by gangs. Now there are lights as well as more community events that deter gang-related activity.

group discussions and activities as well as one-on-one interviews. When I lived in Kibera, I also used the facilities to do my laundry, print, and get a strong cup of coffee.

*Figure 20 Kibera Town Centre's Opening Banner.*

Figure 21 View of Kisumu Ndogo taken from the second story of Kibera Town Centre.

Both focus group discussions were lively, even heated at times. Often, I would pose a general

question and participants would take up the topic and ask and answer more specific questions of

each other for long stretches of time before coming to a consensus and delivering a more or less

formal response to my original inquiry. There were frequently congenial disagreements within

the groups, but these were usually indicative of an age gap. Disagreements, thus, were often

explained away as generational differences or resolved as elders imparted wisdom to what they

thought of as inexperienced, naïve youth. In many cases, youth were eager to hear elders' words

of caution and life stories. Each focus group took around two hours, was audio recorded, and

transcribed.

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Focus group data is used in this chapter to more explicitly highlight and compare gendered realities, perceptions, and debates about marriage, work, and insecurity in Kibera. Where ethnography better serves my argument, I draw more from data included in past chapters and scholarship discussed earlier in the dissertation.

"Trust is Like Virginity": Gendered Realities in Come-we-stay and the Jua Kali

"To be a woman you need to be strong, bold, and courageous" —Kibera woman

For my dissertation, I investigated both come-we-stay marriage and the jua kali together as two "insecure" institutions in Kibera that nevertheless also offer some residents what they need and desire and what might be difficult to obtain otherwise. Here, I connect how I see the gendered practice of come-we-stay as affected by and affecting gendered jua kali economic participation, or rather how I see my analysis of the two separate institutions cohering through their gendered natures. My data reveal that the trade-offs between insecurity and flexibility are often gendered so that men are able to reap more of the benefits of insecure, or "informal," practices. Specifically, I argue that marriage as negotiated alongside pursuits for livelihood—be it pursuits of a "bare life" à la Agamben (1998), or of material accumulation—is a more visibly gendered project, which is why it has drawn so much public attention. Otherwise, it would seem incredulous that no one is also attempting to legislate jua kali practices in Kenya, which are often viewed by macro-level actors as empowering rather than exploitative, as discussed in Chapter 6, in a similar way they are attempting to legislate come-we-stay. Analyzing together these two institutions—both fraught with insecurity but also promising flexibility and more expansive possibilities in times of economic depression and scarcity—allows for an analysis of marriage,

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rights, and exchange beyond a simple value judgement of and policy intervention into "informal" affective practices.

To begin, I return to my conversation with hustler-entrepreneur Larry described more in Chapter 6, who connects the two institutions of marriage and work through the importance of trust. During a long conversation about his work as an entrepreneur in Kibera's jua kali, Larry mentioned how important it is to build rapport with customers. I asked whether then trust was important in business as well, and Larry replied emphatically,

> Very much! Not even [just] in business. Even in marriage. In many aspects of life. I think it is very important because like I [do] as a worker, partners, we have to trust each other. You have to trust each other because it is about money, so trust has to be there…If it breaks, I must say it like virginity: you lose it once, and it is completely [over].

In the absence of legal documentation or an agreement between two kinship groups, couples rely on trust to bind a come-we-stay union just as individuals do when they enter into a jua kali business partnership or open a tab for a consumer to build a customer base. Trust, in Larry's explanation, appears as a means by which individuals, men in particular, contend with insecurity and ambiguity in marriage and money. Larry himself was in his twelfth year of cohabitation with his wife because he said he still had an underlying suspicion that her interest in formal marriage might be to obtain legal rights to his growing business.

Women, however, had their own concerns about legal marriage that did not include marrying for money. In the following dialogue, middle-aged women and one young woman (participant 1) talk about the difficulties of marriage and desire to forego living with a man who may be violent and a drain on resources. I begin here with the quote that began the introduction of my dissertation.

2: You know in Kenya we still concentrate on permanent marriage. Even if you go through many problems you are told to stick with your husband. They [undefined others] still emphasis stable marriage, permanent marriage. You get married, you have kids, you take care of the kids. Even if you are passing through many challenges, you have to stay in that place that you are married.

3: But as you grow, the harder it becomes.

1: That was in their [elders] time. Nowadays, you can't stick to a man and you are suffering. You have to find your ways.

2: In our days, if you go back to your family, they tell you to go back [to your husband].

1: I wish I was born back then.

A: you wish you were born back then?

1: Yes, life seems to be easier. I think marriage is something that should be holy, and then you are married, the first five years is like the honeymoon stage.

3: Nowadays, it's not even five years. It's months. You are married today. After two days, you are beaten thoroughly. You are told all types of things.

1: That still exists?

2: Of course, it still exists.

1: Women being beaten?

2: You have not seen? Are you not a Kenyan?

1: I am Kenyan, but I thought that ended.

3: They do it every now and then, even here in Kibera.

…

A: And what are the reasons for [women] being beaten?

1: I know one. Alcohol.

3: Alcoholism. When one doesn't trust the partner. Financial constraints. Maybe the man left a hundred shillings in the house, he has come, and he wants to eat ugali with beef, and he expects the hundred shillings to buy meat, and that money can't buy.

A: Then he blames it on the woman?

3: Yeah.

A: …What can [women] do?

2: Some of them stick to their marriages but some, they leave the man.

…

1: Some were married and then became single.

A: And they left with their children?

3: Normally, they stay with their children.

A: And they afford enough by working casual work?

1: Even if you can't afford, they have to try.

2: Even if they will sell vegetables, they will do it instead of being in a marriage that you are beaten [in] every now and then. So, we prefer staying alone. As long as you can take care of your children. They are the most important thing.

…

4: You need to be careful before you get in [to marriage]. Do the evaluation and see if you are fit. By the way, to be a woman you need to be strong, bold, and courageous. Before you get into marriage, you should have your own [bank] account. If you are working and still single and planning in future to get married, you better save for the future…Those who are in, we used to be told by our pastor, 'Those who are in marriage want to get out, but those who are out, want to get in.' Do you know why? One, maybe it's just the excitement of having a man so you just see the man you don't see any problem…When you wake up, you heard him snoring at night. He wakes up to complain. Then you start asking, 'Is this what I wanted from this man?' Now you feel like you want out. When you are not prepared, it's difficult. 'Where's my socks? Where is my shirt?' When he comes home in the evening, you ask [for] money for supper, and he asks even, 'You can't afford to buy food for today only.' So, you need to really plan if you want to get in. Are you physically fit ready to receive him? What about when you see messages from another lady? Will you still receive him? Will I tolerate or be patient enough? Does he mean it when he apologizes? There's a lot of questions you have to ask yourself before you get in. Prepare yourself psychologically.

3: Prepare yourself in case the man runs and leave you with the children.

…

4: Nowadays, men just go when they see a lot of responsibility. They just go...

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3: For me, most communities live in Kibera. We have the Luos, the Kikuyus, the Kisiis, the Luhyas, and the problems are the same. Whenever they see the burden of the family, they have to run away. Then they go for a much older woman. Maybe the children have been married. They go where there's no responsibility. They don't want to pay school fees

…

3: In ten houses, [in] only three maybe the man is the provider. These seven houses the mother is the bread winner.

In some instances, participants 2, 3, and 4, who were middle-aged women, were speaking directly to the very young participant 1, advising her of the pitfalls of marriage and addressing what they clearly thought of as her naivete about marriage. At times, the conversation would shift so that the older women were also talking to each other about their own unhappy experiences, resting in solidarity with one another and offering support through recognition and agreement. One woman was in a marriage she desired to leave; the others had either been abandoned by an intimate partner or had left their partner. All had young children they felt solely responsible for. Aside from the youth participant, the older women expressed no interest in marrying or living with a man full time again.

In this long excerpt, which I felt worth quoting at length, I want to draw your attention to two points. First, women emphasize the need to calculate the benefits and risks before marriage, a cost benefit analysis of sorts. It is not a decision made lightly. Is marriage worth it? Is a woman fit or prepared for the challenges that may come? Is a woman ready for being let down by unfilled promises of marriage? Is a woman aware of the gendered burden of marriage that often falls on women, including bearing, raising, and supporting children?

Second and relatedly, women's experiences in Kibera have led them to argue that men in Kibera are responsibility averse. In the excerpt, participant 3 suggests that 7 out of 10 households are financially supported by women and indeed of the four married or once-married focus group participants, all four considered themselves breadwinners. In Chapter 3, I presented quantitative data which showed that it was more likely for households where married, working adults were employed in the jua kali, rather than the "formal" economy, to be in come-we-stay relationships. Returning to the arguments present in Chapter 6, I argue here that the way women are often labeled as survivalists rather than jua kali workers and the way that men understand their mobility on what I call a jua kali spectrum translates into gendered ways that money gets redistributed into the household. Women's earned income is expected to be communal and spent on "survival" goods and men's earned income is more easily accumulated and saved by men for personal use. Further, by placing women into the marginal category of survivalists rather than successful entrepreneurs, men are able to contend with the discrimination they experience in navigating development organizations in Kibera. These development agencies are more likely to lend to, support, or invite in women and children over men, causing men to feel isolated and needing to rely on their own skills to generate income versus women who have access to NGO resources. In turn, but not necessarily directly linked, NGOs, other development agencies, and Kibera men exclude women from jobs they label as men's jobs resulting in valuing money earned in gendered ways.

How money gets distributed back into the household is also gendered, as shown especially in Chapter 5. I argue here that women's identities, externally imposed and internalized as survivalists mean that much of the money they earn is expected to go towards items needed for survival, including food, rent, clothing, and often school fees. Recall from Chapter 5 that

Jules's husband did not want to give his daughter money because he thought she needed it for sanitary pads and that such finances should be provided by his daughter's mother or his wife. Women work and spend to survive, according to men's perceptions. Men do not expect women to accumulate and save. Women do not expect that they will be able to accumulate and save. On the other hand, men, more easily able to embrace an entrepreneurial identity, see themselves as having earned their money through hard work and risky business ventures and therefore able to keep the money for themselves. It is less likely that men's money will be used communally, and even then, the way men's earned money is spent for the household is closely calculated by the man himself. This discrepancy, and specifically men's withholding of finances from the household or men's inability to contribute financially to the household when jua kali work is not fruitful, leads to marriage ambivalence in Kibera as I argue in the next section.

Marriage Ambivalence

Women in Kibera are not simply victims of circumstance, poverty, or patriarchal violence. Neither are men simply un-reflexive oppressors or patriarchal antagonists. Women, even if they understand themselves and are labeled by others as survivalists, call upon their entrepreneurial skills to extract themselves from the male dependency that has been societally imposed upon them in order to care for themselves and their children in the best way they can. At the same time, men are navigating an emasculating environment and often react violently out of frustration and fear. In order to reclaim a societally-imposed masculinity, they turn to the jua kali to try to accumulate the resources necessary to be able to enact a "provider love." The result of these gendered navigations through an insecure environment, I argue, leads to marital ambivalence.

Even in Kibera, legalized marriage is revered as the ideal and most socially respectable conjugal form. For women, being legally married, second only to becoming a mother, is to become fully a woman. For men, getting married is also equated with manhood and being a responsible provider, though it is more socially acceptable for men to delay marriage. Marriage is also regarded with apprehension as the reality of conjugal commitment frequently does not live up to its ideal version of happily-ever-after. What follows moving in with a partner, or celebrating marriage with a wedding? What tensions will arise? What unknown character may come out? Will the domestic violence so prevalent in other homes show up in this home? Will he stay? Will she leave and take my money and children? Is there love in this relationship? Will that love last? These are all questions I heard (and sometimes answered) during my research. The focus on come-we-stay relationships, a marriage form that occupied a liminal space or operated as a more flexible category, is a useful way to understand marriage ambivalence.

In the next excerpt from my focus group material, men acknowledge that come-we-stay marriage in particular may not be advantageous for women given men's motives for the un-solemnized marriage form.

> 4: Come we stay doesn't work for women. It works better for men. In fact, it is disadvantageous to women. If you ask these ladies…they will totally reject this notion of come-we-stay, but if you ask men like us, we will tell you we support come-we-stay and we have a reason. Ladies will not support it. They feel used that after staying a man can just wake up and tell you leave this house: 'I am tired. I feel we cannot continue.' So, you are left with kids and you don't know where to go. Come we stay doesn't favor women. It is a big advantage to men.
>
> …
>
> 1: Don't you say most men engage in come we stay because they want to use the girl? …So, it doesn't work for ladies.

5: Maybe I also want to have many women. I can take one or three [women] and change anytime I want. It's not secure for the women.

And many women would agree with the sentiments expressed by these men. In the following exchange, women explain that empowerment is for a woman to gain the confidence she needs to live alone with her children rather than move in with a man.

1: Honestly, you can't just struggle to keep your family whole and then this guy just comes [and] he doesn't contribute anything. He is an alcoholic, and then he expects you to put up with that. You just kick him out because you know you can do it on your own.

4: … Women need to be educated so that they can be smart enough in a way that even if I am single, there should be enough money. He wants to come in so that he satisfies himself sexually and maybe within that process he will impregnate you, or infect you with diseases, so [about] such things women should be educated.

1: I think women are smart. They know you have to let him go, but they just lack the confidence. If you can do something on your own, why bother adding a burden to it?

…

2: …right now I have four children and maybe due to a lot of problems I have decided to stay alone. He stays alone, and in the meantime, I decide to bring another man in. That one will affect my family, mostly the children. They will never be comfortable with this man. Maybe I can fall in love with this man, but he has no blood relationship with my children, so they will see him as a stranger in the house and maybe they will see me as the person who chased away their father. So, the children will be traumatized. So, we can't advocate come we stay in a marriage that has broken and the children are with their mother. So, we better empower these women that are living single with her children to continue living single. instead of bringing in another man who will affect these kids.

…

4: And you have rent to pay. This is why women are fooled by men into come stay. You come in, you pay the rent plus these other duties, and now you have double burden. So, if a woman can be able to sustain herself and the children, then she should be comfortable.

2: You know a woman is tortured when the children are not well set.

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The women shared horror stories about the violence men and their in-laws sometimes inflict upon children who are not theirs biologically. To punctuate the horror, I was told the story of a come-we-stay partner of a woman who castrated her young son, leaving him to bleed to death in the house while she was away at the market. Once women have children, and if women can find enough money to get by day to day, they see no need for a man to move into the house.

And in this final exchange, men are forthcoming about the troubles they may cause women and their children, whether biologically the fathers or not.

> 5: To me, I usually say the house is mine. I am the person in charge of the house even though I am not paying any rent. If she comes and picks her things and goes, I can also look for a way to pay my rent.

> 4: Ashley, this is what is happening unlike where you come from. A lady who is hardworking will take all her things and leave you in the house empty. She is not kicking you out, but technically, she is leaving you. Normally men are not kicked [out]. They are the ones who are fond off kicking the woman out. For a man will tell you, 'I want you to leave; take all your things and go.'

> A: And they are serious?

> 4: Yeah, if you don't leave, I throw your things outside and lock the door.

> A: And when you do that do you mean also with the kids?

> 4: We are merciless sometimes; we chase even the kids. The kids belong to the mother. When they are grown up, they belong to the father. So, at a time here in Kibera, a big percentage of women are the ones who are kicked out, but when you move from Kibera in posh areas called Milimani, Kilimani, Lavington and Jamhuri, normally a lady will kick the man out because the house belongs to her. She is the one paying the rent. So, she isn't going anywhere. You are the one to go, and you find most of these ladies kicking men out. It is the man who came to the house, so you invited the man in.

> A: For come we stay or?

> 4: For whatever.

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Kibera men, in their own words, are merciless. Kibera women, in their own words, are not economically empowered. One might quickly jump then to the superficial conclusion that men are oppressing women and women are simply victims of the patriarchy. Many NGOs and other development organizations certainly do jump to such conclusions, which serves only to mask the real structural and state-level realities that do not address the inequality within the nation, and to divide women and men over financial issues instead of encouraging relationships of solidarity. I argue, having talked equally to women and men in Kibera, the situation of marriage, gender, and the economy is much more complex. In this section, I explore the structure of and intervention into environmental insecurity in Kibera as imposing identities onto residents that then get negotiated and reproduced within Kibera in ways that actually discourage gender equality.

As I have written about throughout this dissertation, local experiences in Kibera are often directly opposite of public discourse and popular narrative. In Kibera, poverty and residents' participation in the informal economy are pervasive. In conversations about love, relationships are almost always couched within the context of financial constraints and considerations. Furthermore, the employment and income-generating market is often discussed in a gendered fashion. Kibera's economy is a "…feminized informal economy," whose workers are "involved in trade and marketing, relying on kinship, long-established peer networks and communal ties" (Alexander 1994: 18). These activities are generally deployed to "provide for people's everyday needs" rather than for economic accumulation (ibid.) Turning our attention to men now as much more than patriarchal oppressors, some feminist groups and scholars have argued that "unemployment has destroyed the identity of the male 'provider' resulting in increased violence against women for which they hold the state accountable" (ibid). On the one hand, there is some

truth to this statement, and women find that come-we-stay relationships are more beneficial to them, in that they have more say over economic considerations as well as an easier time leaving an abusive or financially draining relationship that has no formal binding. On the other hand, arguments such as this can doubly-marginalize men, economically and socially. Interrogating how come-we-stay circumvents masculinity performed through domestic violence may prove to be a future avenue of research in terms of women's rights and masculinity studies. Regardless, women and men are both struggling to survive and thrive in Kibera. I am reminded of Barbara Ehrenreich's comment on poverty in the United States: "There are no secret economies that nourish the poor; on the contrary, there are a host of special costs" (1999:37). One of these special costs is affective in dimension, making it difficult to remain, as argued in Chapter 5 and in the next section.

Where is the Love? Affect and Economic Exchange as Mutually Constitutive

> *Somehow, many marriages in Kibera we can say are no longer permanent. They have been broken because of financial constraints.* —Kibera woman

Third, I argue that marriage in Kibera, whether legalized or not, is not simply based on economic exchanges and motives. There is deep, sometimes lasting love. In the Introduction Chapter, I acknowledged the persistent, troubling gap in scholarship on love in Africa. Sex, marriage, law, reproduction, disease is discussed, yes. Love, though, much less so. I would be remiss if I did not return to the subject of love in the context of my study, and ask: where is love showing up in come-we-stay and other marital unions in Kibera? I have two answers for this question, but it's a question I hope to continue investigating in Kibera.

First, often affect and economic exchange are mutually constituted and do not easily survive on their own as much literature as shown (Cole 2010, Hunter 2010, Wardlow 2006) and as my data reveals. bell hooks said in a 2014 conversation with Buddhist psychologist, Sharon Salzberg, that "love is a combination of six ingredients: care, commitment, knowledge, responsibility, respect, and trust" (hooks, Salzberg, and McLeod 2017). Further, hooks writes and speaks often about understanding love as a verb rather than a noun. Love is not necessarily what a person feels or thinks or says; love is what they do, how they act towards another person. In Kibera, an environment rife with economic challenges, love is hard to keep alive and the marital project becomes yet another obstacle to a good life in a hard place. I am reminded of Linda-Anne Rebhun's work on *o amasiamento*, the local term for intimate cohabitation without legalization in northeastern Brazil. Rebhun's findings echo that marriage is neither solely an economic transaction nor one purely based on romantic love and argues that because there is often less status to be found in formal marriage for men than for women, men need to be convinced that solemnization benefits (or at least does not disadvantage) them. In Kibera, I find rather that legitimate marriage brings status to both women and men; however, because of the economic challenges, men are not often able to match their professed romantic love toward their intimate partners with material contribution and support.

As with the economy, the expression of love and affect in intimate relationship is always gendered, both in the way love is given and the way it is received. In *Entrepreneurial Selves: Neoliberal Respectability and the Making of a Caribbean Middle Class*, Carla Freeman argues that "*Entrepreneurialism…*is becoming not simply a mechanism of self-employment—a vehicle for income generation, an economic matter of business, that is entrepreneurship in a narrow sense—but a subtler, generalized way of being and way of feeling in the world" (2014: 1). From

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there, Freeman takes up the global trend of "companionate marriage" and explores how

entrepreneurialism as a way of life has subsumed affect, including intimacies and marriage. I am

interested in the ways jua kali participation is subsuming marriage in Kibera and vice versa.

Historically, anthropological studies of marriage have conceptualized marriage largely as a

modality of economic exchange. This project shows that marriage remains closely connected

with exchange even as the institution of marriage has shifted from being rooted in kinship

relations to a "modern" project of companionate intimacy.

In addition to men's financial inability to pay bridewealth and thus solemnize a come-we-

stay union, marriages, both legal and extra-legal, are ending because economic insecurity strains

the intimate partnership. Women and men both recognize the fragility of lasting marriage in

Kibera. In my field notes, love came up in interviews with men as memories, recalled with a

certain air of nostalgia. Men recalled their feelings of love before marriage as the starting point

for an agreement of commitment between them and their partner. Men's love often made them

want to spend as much time as possible with their partners, taking them out on dates and bringing

them small gifts as tokens of their affection. If these engagements were economically

burdensome to men, men would not share this with their partners until the relationship was more

secure and exclusive. Women were much more interested in telling me about their feelings for

their partner in the present, and often they expressed a love that was fading or had already died

because financial and emotional support that had been promised before marriage did not survive

long into marriage. In Kibera, as discussed in Chapter 4 with Larry's story, it can be difficult to

convince men that legal marriage will not affect their personal finances. In Chapter 4, however,

we can also see partner-negotiated come-we-stay as a shorter phase before legal marriage, and an

expression of love and commitment through the story of Mary and Titus and Victor and Naomi.

Second, love shows up in my recorded interviews with regards to sisters, mothers, children, and close female friendships. Over and over and over. These different forms of intimacies are a great source of inspiration to me and I hope to explore them more in future research projects. In the short fieldwork reflection that follows this conclusion, I talk about one particular manifestation of this sorority in Kibera: the Women of Courage Community Based Organization that formed in 2016 while I was in the field.

Future Research Directions

In many ways, my dissertation research has brought me back to the questions I first asked as a budding anthropologist during my undergraduate study abroad about single women in Kibera, but with a much more refined understanding of the question. My data on which this dissertation is based are full of examples of women in Kibera, who, once they became mothers, made an intentional decision to forego both cohabitation and legal marriage. They told me that this decision was made in the best interests of their children, who they feared would not be treated well by would-be intimate partners who may see their step-children as pesky burdens. For these mothers, single motherhood was the only "secure" path for them and their children.

In the future, I am interested in designing a research project that investigates the intimate lives and conjugal desires and decision-making processes for single mothers whose children have come of age. At what point, if any, do single mothers decide to purse intimate relations, or cohabiting partners, again? What kinds of intimacies do women desire once their children have left home? What social space do single, older women occupy in their communities and families? What are their views on marriage and how have those views evolved since before they became single mothers? These questions are particularly interesting given that many of women's

anxieties about social respectability and reproductive responsibilities will most likely have eased if not disappeared altogether at this point in a woman's life. What are the imagined futures of these middle-aged and older Kiberan women?

Additionally, I am interested in comparative and collaborative research on non-normative marital forms and intimacies (come-we-stay included but also queer relationships) in both the impoverished and middle-class neighborhoods of urban Kenya and perhaps looking beyond to other East African cities.

The complexity of marriage in insecure environments is necessary to look at in-depth in areas, like Kibera, where experiences are not being conveyed to those who make structural decisions affecting populations. Marriage, or conjugality more broadly, as a core institution in societies around the world will continue to present anxieties and be regulated because it represents national and social reproduction, both literally and metaphorically. If policies and legislation do not take into account the needs and desires of the most marginal of their population, then even well-intentioned structural interventions will not succeed in creating a more equal or safer environment for the individuals they are intending to benefit. By investigating frontier spaces, where the interactions of strangers produce emergent forms of intimacies, we can perhaps get closer to Foucault's call for an understanding that "what exists is far from filling all possible spaces" (1997: 140). The possibilities for intimacies then, both in practice and theory, are endless.

Afterword:

Post-Ethnography Reflections

Ethnography lingers with the ethnographer long after the actual process of "doing it" formally ends. It is a mode of constant critique and the reading of, and intervening on, the silent discursive power relations that are written onto bodies, structures, and languages within which we operate. Critical ethnography shifts beyond the native's point of view, beyond "thick description," beyond advocacy, beyond collaboration, and toward new modalities of thinking and acting, of being-in-the world, of dialogue and engagement with other actors who are also engaged in research and activism to find innovative answers toward understanding the human condition (Karim 2011: 40).

I dedicate this dissertation to the Women of Courage, a group of 18 women who came together in the summer of my 2016 fieldwork as a community-based organization (CBO) devoted to supporting one another through hard times. These women taught me much about what it means to be a courageous woman through the stories they told me, the lessons they passed on to me, and through their daily living, which I was privileged to be a part of for a short time. Some of their stories are found here in the dissertation, but I want to end with a short reflection on what I've learned through my engagement with women like the Women of Courage as a graduate student over the past decade—in the field and in the academy. In part, this reflection is in tribute to the Women of Courage as my teachers and potentially future collaborators. As Lamia Karim reflects, I want to explore the small steps I've taken alongside others toward understanding the human condition.

I have heard myself saying many times over the past few years, "I am a fieldworker." I self-identify as a fieldworker more often than I do as an academic, a graduate student, an ethnographer, a writer, a teacher, etc. I've wondered about this, but I believe it has something to do with the meaning I find in the field. Not through the process of data extraction or collection,

but in the one-to-one connections made daily. These connections, often with women and their children, are bi-directionally therapeutic, entertaining, inspiring, and enlightening. Where I sometimes struggle to find meaning in my writing or in the flow of my interview protocols, as a fieldworker—who is first and foremost a listener, a receptacle for stories—I am able to feel the power and understand the utility of being seen and heard and of being witness to this life's many sufferings and joys. And in fact, learning to sit with and attend to others' pain and discomfort has taught me much about how to sit with and attend to my own pain and discomfort. And as I learned to celebrate small victories with others in the field, I learned how to fully celebrate my own small victories. If this was all I learned in graduate school, then it would be worth it. But, of course, there is much more.

In a recent meeting with a social work graduate student I am collaborating with here at Washington University, I joked: "All we anthropologists do is critique." He laughed, and said, "Well, all social workers do is intervene." We laughed together. And then shook our heads. This exchange is an exaggeration of each of our discipline's sometimes narrow aims and foci, but it also made me wonder about the possibilities of a more interdisciplinary approach to fieldwork— the combination of the ethnographic method with a therapeutic framework. Though I don't talk about it much explicitly in my academic writing, my fieldwork was fraught with the need for therapeutic support, a need for which I did not have adequate training. After my first few field seasons in Kibera, I began to volunteer for and receive training on how to support domestic abuse survivors at Peace at Home Women's Shelter in Fayetteville, AR. I also compiled a list of local resources in and around Kibera, so that when one of my informants expressed a desire for support, I was able to take her to an appropriate care giver. While I did find a couple of solid support centers, I also found a dearth of counseling services for Kenya's impoverished. My own

therapist in Nairobi cost me around $60 USD per hour, and that was after a generous discount. At one point, I interviewed a couple of local therapists about their perspectives on the need for therapy in Nairobi's impoverished neighborhoods and found that they felt deeply burdened by the reality that there are few services for an overwhelming need. One middle-class therapist said to me, "You cannot have whole health without mental health," but he also explained that if he were to charge below his average rate of $40 USD per session, he would have a difficult time supporting his own family. There is no easy answer here. But community groups like Women of Courage are coming together to support one another in the absence of structural support. They are teaching each other their money-making skills as they also share their financial resources. They are also listening to one another so that they do not have to talk to and try to console themselves from morning until night. Sisters. Mothers. Friends. Courageous sorority.

Being confronted with this great need in one part of the world sparked within me a desire to study clinical mental health counseling after completing my PhD. This remains the plan. I have taken a full-time job as a proposal analyst with an academic publishing company while I finish up one more 2- to 3-year degree. At the end of my study for counseling, I plan to consider a comeback to academia as well as a counseling practice of my own here in the U.S. Additionally, two members of the Women of Courage have expressed an interest in publishing their stories collaboratively and of creating a document that could serve as a sort of survival-manual, as they call it, for other women in Kibera who are facing similar challenges. I am committed to seeing if we can work together to make their vision come into being.

Regardless of how those details work themselves out, I will always teach. Within the academy, I feel most alive in the classroom, which to me is the "field" of the academic

institutional space. Exchanging knowledge with my students and watching their growth and curiosity is one of this profession's great privileges, and I intend to continue taking advantage of the gift of teaching.

I returned to Nairobi last month, nearly ten years since my first trip to the Kenyan capital I have come to call a second home of sorts, and two and a half years after my last field season, to celebrate the submission of my dissertation draft with dear friends, both Kenyan and ex-pat. It seemed a fitting conclusion in this long journey to the PhD, and there was much fun to be found in such a short visit. As I released the stress of those final months finishing my write-up, I was able to open up more to this reflection on the last seven years of graduate school--in and out of the field, sitting in the classroom, lecturing at the podium, writing in solitude in the wee hours as well as in community over mid-day coffee. Each year brought with it a new academic identity, but what remained constant was my fretting over one thing or another—personal and disciplinary ethics, the job market, my writing skills, my health, the health of my friends and colleagues, finances, the past, the future, and the list continues. Now that I am finished, I find that my mind is constantly looking for something to fret over, and I'm sure it'll eventually land on something that seems worthy. Until then, however, I am simply resting in gratitude for the journey. While in Nairobi, I met up with one of the Women of Courage for breakfast. Her smile, embrace, and continued friendship reminded me of what I've always known but have felt most poignantly in the field: whether we make work our lives or whether work is simply a part of our lives, deep and authentic human engagement is what matters most of all.

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