

THE STRUGGLE FOR REGULATORY AND ECONOMIC SPHERE OF INFLUENCE IN THE *MATATU* MEANS OF TRANSPORT IN KENYA: A STAKEHOLDER ANALYSIS

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Abstract: The *matatu* is a small-scale public means of transport in Kenya. This paper analyses the struggle for regulatory and economic sphere of influence in the *matatu* means of transport in Kenya. The main finding in this paper is that the origin and growth of the *matatu* in Kenya has brought to the fore contending economic interests as well as the scramble for political influence, dominance and subordination. These contending interests arise due to an array of individuals, groups and businesses that are linked to the *matatu*. The realization of these interests affects the running of the *matatu* business as reflected in escalating costs, violence, risk of road traffic accidents and poor terms of service for workers. The conclusion in this paper is that the future of the *matatu* in Kenya will be affected as long as the business continues to straddle the economic, social and political spheres.

Introduction

A unique feature in Kenya's transport sector has been the rapid expansion of the *matatu*, a small-scale means of transport. The *matatu* plays a significant role in the movement of people, goods and services in Kenya. Ogonda (1992) notes that since 1973 when *matatus* were given a presidential decree to operate, they have grown to compete and complement the public bus transport companies in towns and rural areas in medium- and long-distance passenger transport. The term *matatu* is derived from the Kikuyu term "mang'otore matatu" which means "thirty cents", the then standard charge for every trip made (Aduwo, 1990). The *matatu* means of transport provides work indirectly and directly to institutions and individuals. Indirectly, it offers work to vehicle assemblers, insurance companies, garages and petrol stations. Directly, it offers work to drivers, conductors and stage workers. Thus, the *matatu* contributes to employment-creation and income-generation in Kenya in both direct and indirect ways.

There is an array of persons, businesses and institutions associated with the *matatu* means of transport, a situation that has led to multiple political, social and economic interests and conflicts in this transport sector. The basic concern of this paper is to analyse the struggle for regulatory and economic sphere of influence in the *matatu* means of transport in Kenya. The paper specifically discusses the nature and effects of interaction among the stakeholders in the *matatu* transport sector in Kenya.

Theoretical Orientation

The analysis in this paper is guided by the central ideas underlying the political economy perspective. Political economy basically deals with the socio-productive or economic relations. Political economy studies production from the standpoint of relations between people during the process of production. It investigates the forms of ownership of means of production, the place different classes and social groups occupy in production and the relations between them, and the forms of distribution of material wealth. Political economy explains the laws which regulate the production and distribution of material wealth in human society at different stages of its development (Nikitin 1963). These relations reflect the struggle by different stakeholders to get benefits from the production and distribution of goods and services.

An important consideration in stakeholder analysis is the importance and influence of different stakeholders. As shown in Fig. 1, there are various combinations of influence and importance. Some stakeholders have both high influence and high importance. The existence of stakeholders with varying degrees of importance and influence implies that there are various levels of interaction whose impacts

on the issue at hand will be felt in different ways. This state of affairs is also bound to lead to conflict of interests, also affecting the nature and operation of the activity at hand.

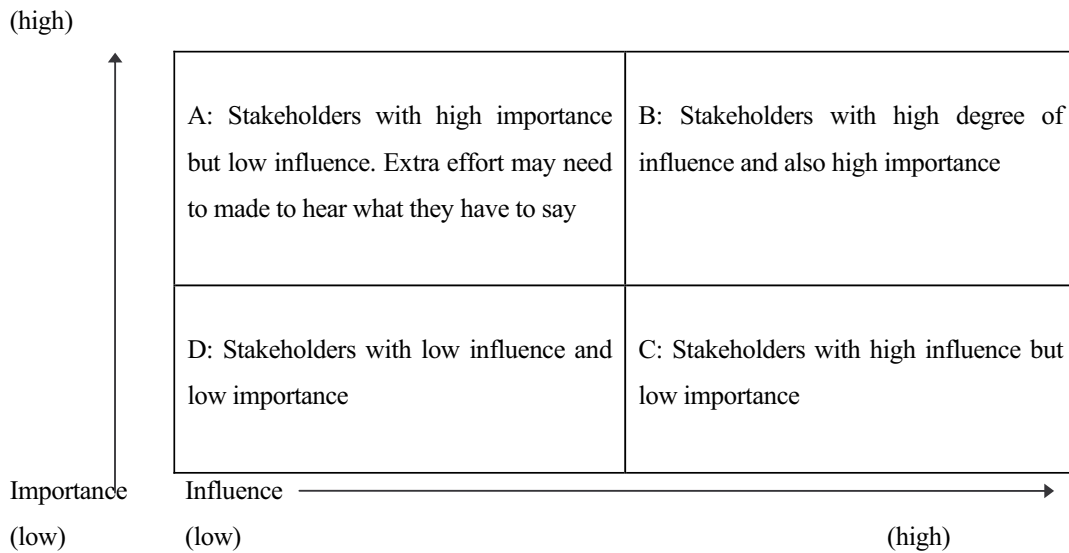


Fig. 1: Stakeholder Analysis Framework

Source: Adapted from McCormick (1997)

The stakeholder analysis framework provides a basis to address the following questions in this paper:

- a) In what ways have economic and political interests influenced the origin and development of the *matatu* means of transport in Kenya?
- b) Who are the stakeholders in the *matatu* means of transport? How do these stakeholders interact? What are their perceptions and interests in the *matatu* means of transport?
- c) What have been the effects of interaction between political and economic interests on the *matatu* means of transport?

These questions are addressed in the sections that follow.

Historical Basis of the Regulatory and Economic Struggle in the *Matatu* Transport Sector

A discussion is offered in this section on the temporal development of contending forces in the *matatu* means of transport, organisational dynamics in the *matatu* sector and the growth of *matatus* in Kenya's space economy.

From a pirate to a recognised transport sector

The *matatu*, right from the time of its entry into public transport service, has been an arena of contending economic and political interests. Its entry in public transport in Kenya can be dated to the mid 1950s, when they started operating in Nairobi and were considered an illegal commercial entity. The *matatus* faced harassment from the Nairobi City Authorities and the Kenya Bus Service, a major transport monopoly in Nairobi. It had to take a presidential intervention for the *matatu* to break in the transport niche that was the domain of a multi national company working in collaboration with the local civic authority. Following a visit by a group of businessmen to the late President Mzee Jomo Kenyatta, the *matatus* received official recognition when a presidential decree was given in 1973 (Weekly Review, 18 December 1998, Macharia 1987). The decree allowed the *matatus* to carry fare-paying passengers without obtaining Transport Licensing Board (TLB) and public transport service (PSV) licensing. However, as this means of transport assumed importance, other decrees, legislations and actions were made concerning the *matatu*, for example, the need to have public service vehicle (PSV) licence. This was to ensure that the exchequer collected some revenue from the *matatu* industry.

Organisational dynamics in the *matatu* industry

Since the official recognition of the *matatu* means of transport in 1973, the sector grew in significance to the extent that the owners formed a national association to control the operations of the sector and also press for their demands. All the *matatu* operators in Kenya were expected to belong to this association, that is, the Matatu Vehicle Owners Association (MVOA). A new *matatu* operator was expected to apply to the association to be allocated the route of operation. The association had a magazine.

The formal organisation of the *matatu* industry attracted the attention of both the government and political opposition groups. The opposition groups saw this association as an important ally to advance political motives. This is why the association, while being disbanded, was accused by the government of providing a venue for political activism and destabilization. The association was also accused of having been penetrated by rich individuals who were oppressing the weak members by, for example, assigning them to routes that had very few passengers. Following the disbanding of the umbrella *matatu* association, individual operators were allowed by the Government of Kenya to operate on any route. The interest in getting the support of *matatu* operators by politicians did not end with the disbanding of the national *matatu* association.

As Kenya entered the period of agitation for multipartism and political reforms, the support of *matatu* operators was sought for. During the pro-democracy agitation and demonstrations in 1990, *matatu operators* played a catalysing and facilitative role. For example, the *matatu* drivers were among the

first to greet each other using a two-finger salute. This salute symbolised that time was ripe for two or more parties and not just one political party as was the case then. The *matatu* operators were also instrumental in disseminating political propaganda (written and through songs) to the travelling population. Whenever a demonstration would be called for by political activists, *matatu* operators would join, paralysing the transport system in the country. They would do this despite a stern warning from the government that those who would join would have their PSV licences withdrawn (recollections by the author).

After the umbrella *matatu* association was disbanded, the *matatu* stages and ranks were for a time manned by the youth wingers of the then one single party (Kenya African National Union-KANU) in Kenya up to 1991. Presently, the organisational framework is largely based on route-based *matatu* associations that demand goodwill from new entrants. There is a proliferation of such associations. Route-based associations keep on springing up, either as new ones or as breakaways from old ones. Stage and route *matatu* workers have also organised themselves into “labour” groups (Khayesi, 1997). These workers are constantly seen engaged in struggles over vehicles and passengers. I should point out that the existence of route-based associations should not make the reader think that the sector is disorganised. When a need arises, such as to challenge an unfavourable legislation, *matatu* operators get united and work together as a solidarity group. At the national level, there is now a group calling itself Matatu Welfare Association.

Temporal and spatial spread of the *matatu* means of transport

Since the entry of the *matatu* mode in public passenger transport in the 1950s, the sector has grown both in the volume of activity conducted and importance. In some of the rural areas in Kenya, the *matatu* is the main and sometimes the only motorised means of transport available to facilitate movement of people and goods. This means of transport that is widely used throughout Kenya competes, supplements and complements the transport service offered by trains, buses and bicycles in the country. The importance of the *matatu* in Kenya's political economy is sometimes realized when there is a strike by the operators in Kenya's urban areas including the city of Nairobi and the general country. Whenever this happens, movement as well as other sectors of the economy more or less come to a standstill or are disrupted (Khayesi, 1997).

The *matatu* has almost a 50% share of the modal split in Nairobi. Surveys of means of transport used show that the *matatu* is central in the movement of people and goods in rural and urban areas in Kenya (Khayesi, 1993, 1998; Omwenga et al., 1994).

On the basis of distances covered, that is, range of operations, *matatus* can be divided into four main groups:

- ◆ long-distance urban-oriented
- ◆ long-distance rural-oriented
- ◆ short-distance rural-oriented
- ◆ short-distance urban-oriented (intra- and inter-urban)

The *matatus* are in different physical and mechanical conditions. While some are new and in good mechanical conditions, there are others that are old and in very bad mechanical conditions. The relatively new and comfortable *matatus* serve some of the rich areas while the old, worn out *matatus* serve poor areas.

Current Status of Stakeholding and Effects in the *Matatu* Means of Transport

In this section, a description of the stakeholders in the *matatu* means of transport is first given, revealing the diversity of regulatory and economic interests in this means of transport. This is followed by a discussion of the effects of these interests on the operation of the *matatu* means of transport.

Diversity of stakeholders

The *matatu* means of transport has an array of individuals, businesses and institutions who have stakes in it. Apart from the struggle for regulatory dominance discussed in the preceding sections, there are economic interests pursued by the owners and operators. The *matatu* is not just a business for the low-income and self-employed workers. It is a big time business enterprise now involving the affluent in society. There are reported cases of where one individual may own several *matatus*. There are also other businesses linked to the *matatu* industry, for example, insurance firms, motor vehicle body builders, vehicle assemblers, vehicle importers, garages, petrol stations, driving schools and commercial banks/money lenders. This means of transport also employs drivers, conductors and stage workers. A summary of the categories of stakeholders and their interests is provided in Table 1 below.

Table 1: A Profile of Stakeholders in the *Matatu* Means of Transport

Stakeholder	Main concern
Owners	Income
Workers: drivers, conductors, stage workers and <i>manambas</i>	Income
Passengers	Mobility and safety
Other road users: cyclists, pedestrians, motorists	Safety
Institutions: Local authorities	Revenue

Traffic police	Driver testing and issuance of driving licences Adherence to traffic regulations
Motor vehicle registration unit	Revenue
Businesses:	
Insurance companies	Income
Motor vehicle manufacturers, assemblers and body builders	Income
Motor vehicle repairers/garages	Income
Petrol stations	Income
Driving schools	Income
Paint companies	Income
Sign writers and scribes	Income
Bus operators: urban and country buses	Competition for passengers
Politicians	Solidarity support

Source: Compiled by the Author from Literature Review

Effects of Interaction and Competition in the *Matatu* Industry

The array of individuals, groups and institutions with a stake in the *matatu* industry presented in the preceding section generates a number of conflicting economic, social and political interests. Four of these effects are discussed in this section:

- ◆ unpredictable pricing of service and exploitation in the *matatu* means of transport
- ◆ antisocial activities
- ◆ formation of labour groups/cartels and *matatu*-related violence
- ◆ threat to road safety

Unpredictable pricing of service and exploitation in the *matatu* means of transport

The owners of the *matatus* often complain of high operating costs. To meet these costs, they justify that they have to increase the fares. The *matatu* commuter thus becomes the main source of the money to satisfy the needs of these competing interests by owners and other businesses. The *matatu* operators vary their fares depending on the time of the day, part of the month (prices are inflated at the beginning and end of the month), weather conditions, prevailing transport demand and fares charged by buses.

The main reasons for variation of prices (fares) by operators of *matatus* are:

- ◆ to attract passengers at off-peak hours.
- ◆ to outcompete the buses. It is argued that the recent move by Stagecoach Holdings Ltd. to withdraw from the transport sector in the city of Nairobi was largely due to stiff competition from *matatus* (Weekly Review, 18 December 1998).
- ◆ to increase financial gains to meet the many monetary demands placed on *matatus* by a wide range of stakeholders as shown in Table 1 above.

The terms and condition of work in the *matatu* means of transport are unsatisfactory. A recent study by Khayesi (1997) on the conditions and terms of work in the *matatu* means of transport in Nairobi, Thika and Ruiru towns in Kenya revealed the following:

- ◆ a majority of the *matatu* workers have verbal contracts and are employed on temporary terms. Although some said that they have permanent terms, further questioning revealed that what was being referred to as permanent was a record of their names and national identity card numbers kept by the owners.
- ◆ most of the *matatu* workers have long working hours per day, mainly in the range of 9-15 hours. In order of relative importance, the drivers work the longest, followed by conductors, stage workers and other workers.
- ◆ the *matatu* workers are mainly paid on a daily basis; only a few are paid on a weekly and monthly basis. Drivers in general are paid more than conductors and stage workers. The *matatu* workers have few other employment benefits offered to them than their pay. There are two main other benefits which most of the *matatu* workers stated that they received: lunch allowance and leave off. Thus, the main employment benefit which these workers look forward to is their pay.

The owners argued that they incur many costs in running their *matatu* businesses and this is why they cannot satisfy the expected employment benefits for their workers. The owners also expressed the view that the workers keep back some of the money they collect to make up for shortfalls in their earnings. The *matatu* operation costs are actually high. The costs cover such items as purchase deposits, insurance, road licence, *matatu* route association membership, fuel, tyres, salary, allowance, bribes, overhaul, gear box, maintenance and depreciation. A study by Maranga (1989) revealed that due to the many costs incurred, most new *matatus* rarely made profits. This then partly explains the tendency by *matatus* to overload and operate at high speeds to offset financial pressure on them.

Anti-social activities

In addition to the political and economic conflicts in the *matatu* means of transport, there are social concerns. The *matatu* sector is an “open” one in which a number of unemployed youth are found assisting or loitering. There is a general decay that the *matatu* means of transport provides an environment for anti-social activities such as drug taking, pickpocketing, prostitution (which lay implications for the spread of HIV/AIDS virus), violence and thuggery (Daily Nation 22/3/1997, Sunday Nation 23/3/1997).

Formation of labour groups/cartels and *matatu*-related violence

Stages and ranks used by *matatus* have many stage or rank workers (Khayesi, 1999). Broadly speaking, there are two main groups of stage workers. The first group is made of persons who, on their own, have organised themselves into groups to beckon passengers and control the *matatu* stages and ranks. This group of workers has not entered into any contract with the owners, drivers and conductors. This group has been described as “mafia”, claimed to be supported by powerful persons who use these stage workers to extort money from *matatu* operators (Opala, 1998; Weekly Review - 18 December 1998; Mathiu, 1999). Since the word “mafia” may actually be too strong a description, the proper word would be a business “cartel”. This then means that there are “cartels” that have formed in the *matatu* industry to monopolise and dominate certain stages, ranks and routes.

The second group of stage workers are those who are employed by the owners of *matatus*. To counter the “mafia” group, owners try to hire their own workers to manage the stages. This group does more or less the same kind of work as the first group already described.

The existence of strong interest groups in the *matatu* means of transport (made of stage workers, owners and other stakeholders) partly explains the regular violence and conflicts that occur in this industry. The conflicts take on such forms as:

- ◆ owners versus owners. This kind of violence may erupt when a certain well established fleet of *matatus* attempts to operate on a route already served by another organised fleet of *matatus* (Muune, 1998).
- ◆ touts versus owners. This conflict erupts when vehicle owners would like to take over the stages from the “unofficial” stage workers (Muune, 1998). In December 1998, such violent conflicts were witnessed at the Railways *matatu* stage in Nairobi in which life was lost (Mulumby, 1998; Thuku and Muiruri, 1998).
- ◆ *matatu* operators versus police. This conflict occurs when the *matatu* crew (drivers, conductors, stage workers and even some owners) protest against an action from the police such as harassment and demand for exorbitant bribes. A recent case where the *matatu* crew protested against a police action was in December 1998 when a policeman shot at and killed a *matatu* driver and also wounded a conductor on Thika road in Nairobi. The *matatu* operators on this route protested and in the process, innocent commuters and members of the public were harassed and robbed (The People - 15 December, 1998; East African Standard, 15 December 1998; Daily Nation, 16 December 1998).

- ◆ opposition politicians/*matatu* operators versus central or local government. This conflict arises when opposition leaders come out in support of *matatu* operators to show their solidarity with the operators to challenge actions taken by the government. These actions are perceived as unfavourable to the *matatu* means of transport. A recent example of such a conflict was in May 1999 when seven opposition members of parliament led *matatu* operators in a protest march to the City Hall in Nairobi to challenge the alleged allocation of a *matatu* stage to a private developer (Luchebeleli, 1999).

Threat to road safety

The behaviour of *matatu* drivers is a matter of concern to other road users and the Government of Kenya. These drivers violate traffic rules with impunity. The typical behaviour of *matatu* drivers in Nairobi (and generally in Kenya) that endangers the lives of other road users has been vividly captured by Shorter and Onyancha (1997: 87-88) who write:

“ *matatus* do not follow the Highway Code, but the “My Way Code.” They dawdle while touting for passengers and then make up for the delay by driving at breakneck speed between stops. They regularly break all speed limits. They pull out in front of traffic. They stop in the middle of the road, without pulling in to the side. In fact, they stop anywhere in order to pick up or set down passengers, especially at roundabouts. They usually give no signals. They overtake on the inside and often use the verge instead of the road itself. They weave in and out of traffic, overtaking on hills and corners, ignoring right of way at roundabouts and road junctions, and violating the “Keep Left” rule at traffic islands. They race other *matatus*, sometimes forming a line abreast across the road.”

The behaviour described above then explains, to a large extent, the increasing number of *matatu* accidents in Kenya (Khayesi, 1998; Shorter and Onyancha, 1997). Overloading of passengers in *matatus* is partly due to lack of passenger vehicles at peak periods and also a desire by the operators to maximize profits. The high speeds at which these vehicles are driven is partly meant to make more trips, thereby carrying more passengers and augmenting the financial gains. These gains are deemed necessary because of the fact that the *matatu* business offers direct and indirect financial benefits to a number of individuals and institutions: owners, drivers, conductors, stage workers, commercial banks, petrol stations, insurance companies, local authorities and some corrupt traffic police officers (Table 1).

Despite the difficult working environment already discussed in the previous section, the *matatu* workers, especially drivers and conductors, are expected to raise a good amount of money to meet the financial obligations associated with the *matatu*, leading to speeding and overloading, exposing the passengers, operators and other road users to great road traffic accident risk. This kind of behaviour that is underlain by the commercial factor often results in *matatus* initiating and/or causing considerable accidents and traffic conflicts (Maranga, 1989). A study of road traffic accidents and conflicts on selected T-junctions in Nairobi revealed that *matatus* initiated more conflicts than any other vehicle type (Maranga, 1989). Tunbridge clearly brings out the disregard for safety by *matatus* by observing:

“Racing for time and battling against stiff competition, safety is invariably thrown to the wind. Pity the pedestrian who is in the way as a *matatu* tries to skip the queue of traffic by speeding along the pavement” (Tunbridge, 1998: 54).

A recent study on road traffic accidents in Kenya reveals that *matatus* and buses are fairly involved in road traffic accidents (Table 2). The dangers facing passengers in these vehicles is intensified by the fact that their protection is very inadequate as seen in the easily detachable seats used, poor vehicle maintenance, excessive and reckless driving.

Table 2: Involvement of Various Means of Transport and Users in Road Traffic Accidents in Kenya, 1987-1994

Means of Transport																
Year	Cars and utilities	Lorries	Trailers	Tankers	Tractors	Urban buses	Country buses	Taxis	<i>Matatus</i>	Motor cycles	Hand carts	Pedal cycles	Animals	Persons	Not known	Total
1987	3964 (41.4%)	1069 (11.2%)	57 (0.59%)	106 (1.1%)	187 (2.0%)	180 (1.9%)	413 (4.3%)	110 (1.2%)	1106 (11.5%)	260 (2.7%)	49 (0.3%)	222 (2.3%)	164 (1.7%)	1134 (11.8%)	562 (5.9%)	9583
1988	4115 (42.2%)	1163 (11.9%)	50 (0.5%)	16 (0.2%)	211 (2.2%)	420 (4.3%)	451 (4.6%)	276 (2.8%)	1127 (11.5%)	316 (3.2%)	40 (0.4%)	272 (2.8%)	59 (0.6%)	991 (10.2%)	256 (2.6%)	9763
1989	4259 (42.1%)	1220 (12.1%)	47 (0.5%)	10 (0.1%)	210 (2.1%)	427 (4.2%)	555 (5.5%)	209 (2.1%)	1106 (10.9%)	328 (3.3%)	97 (1.0%)	367 (3.6%)	37 (0.6%)	987 (9.8%)	247 (2.4%)	10106
1990	4247 (41.2%)	1227 (11.9%)	65 (0.6%)	36 (0.4%)	237 (2.3%)	466 (4.5%)	565 (5.5%)	245 (2.4%)	1179 (11.4%)	348 (3.4%)	67 (0.7%)	430 (4.2%)	46 (0.5%)	832 (8.1%)	328 (3.2%)	10318
1991	4634 (41.7%)	1218 (11%)	55 (0.5%)	22 (0.2%)	238 (2.1%)	563 (5.1%)	640 (5.8%)	264 (2.4%)	1306 (11.8%)	421 (3.8%)	106 (1.0%)	581 (5.2%)	61 (0.6%)	709 (6.4%)	292 (2.6%)	11110
1992	4967 (39%)	1311 (10.3%)	34 (0.3%)	20 (0.2%)	244 (1.9%)	575 (4.5%)	699 (5.5%)	300 (2.4%)	2088 (16.4%)	471 (3.7%)	92 (0.7%)	697 (5.5%)	48 (0.4%)	870 (6.8%)	319 (2.5%)	12735
1993	4626 (37.4%)	1291 (10.5%)	94 (0.8%)	41 (0.3%)	191 (1.6%)	557 (4.5%)	624 (5.1%)	290 (2.4%)	1573 (12.7%)	376 (3.0%)	105 (0.9%)	564 (4.6%)	74 (0.6%)	1477 (12%)	472 (3.8%)	12355
1994	4078 (34.9%)	1207 (10.3%)	120 (1.0%)	31 (0.3%)	198 (1.7%)	467 (4%)	534 (4.6%)	323 (2.7%)	1049 (9.0%)	330 (2.8%)	104 (0.9%)	470 (4.0%)	72 (0.6%)	2107 (18%)	593 (5.1%)	11683

Source: Khayesi (1998)

In an attempt to regulate the speed of public transport vehicles, the Government of Kenya required that these vehicles should be fitted with speed governors by March 1996 (Daily Nation, 9/2/1996; Kenya Times, 28/2/1996). There was a strong protest from the *matatu* operators who made a strong presentation arguing that the speed gadget (locally nicknamed *black box*) was very expensive (The East African, February 26-March 2 1996; The People, March 22-28 1996; Daily Nation, 18/3/1996). The *matatu* operators led a delegation to the Minister for Transport and Communication. Not satisfied with the outcome, the operators went in a delegation to see the head of state himself. The government requirement has, as a result, been shelved and there is no public transport vehicle that has been fitted with the *black box*. This goes a long way to show that the *matatu* operators are a formidable group that has an impact on the political economy of Kenya.

Conclusion

The discussion in this paper reveals that behind the provision of service, there are contending political, social and economic interests in the *matatu* means of transport in Kenya. It has been shown in this paper that the origin and growth of the *matatu* industry in Kenya has brought to the fore contending economic interests as well as the scramble for political influence, dominance and subordination. The realization of these interests affects the running of the *matatu* business. The future of the *matatu* means of transport in Kenya will be affected as long as the business continues to straddle the economic, social and political spheres. The problem of conflicts of interest in the small-scale transport sector is not limited to Kenya. Khosa (1995) reveals that the minibus taxi industry occupies an important place in the urban transport market in South Africa. Minibus taxis have the highest share of the African commuter market, having skyrocketed from virtually zero per cent fifteen years ago to 46 per cent by 1992. The South African taxi industry faces stiff competition from the bus transport. Even within the taxi industry itself, competition exists over routes, ranks and licences, sometimes leading to taxi violence (Khosa, 1993).

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