

Resisting Development in Kenya's Lamu District: A Postcolonial Reading¹

Ridwan Laher

The Kenyan government's plan to build a seaport in Lamu District has been met with vehement resistance by the indigenous residents of the District. Residents have raised concerns that the government has wilfully failed to include them in any part of the decision. They also point out that the seaport represents a further 'land grab' in a District where the vast majority of residents remain landless 'squatters', five decades after independence. The proposed seaport which forms part of a larger development plan known as the LAPSET Corridor, has induced a tremendous amount of anxiety and fear in the residents. To counter the LAPSET Corridor, residents have begun to organise resistance to the proposal. This policy brief argues that national development planning, which purposefully ignores local participation and needs, is short-sighted and unsustainable. It calls on the Kenyan government to honour the spirit of its 2010 Constitution and move towards transparent and holistic development that includes a process of settling indigenous land claims in Lamu District.

Introduction

It is not unusual to hear political leaders laud and applaud the purpose of development inside their respective nation-states and across the length and breadth of the African continent. Development speak is nothing less than a discourse replete with assorted promises of address, redress, equality and reconciliation. Yet, despite the grandiose motioning, the African landscape is littered with failed development projects that are as fanciful and contrived as they are futile and corrupt. In effect, the national development agenda in all its ideological guises has rendered Africans

entrenched in their underdevelopment and characteristically oppressed by the very liberation politics that were supposed to free them from colonial bondage.²

This policy brief is concerned with the purpose of national development and the course of postcolonial justice and freedom. It can be considered a postcolonial reading in the terms that are borrowed from the academic discourse known as Postcolonialism.³ The overall argument is that governments cannot ignore local conditions, pressures and aspirations in its formulation and application of a national development agenda. A major reason for this is that the postcolonial

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African nation-state is not a coherent entity but rather an artificial construction in which disparate peoples have been indiscriminately lumped together. The processes of postcolonial justice and freedom are not naturally aligned inside of this socio-political reality and, consequently, the African nation-state remains a site of ongoing and disruptive violence.⁴

Any development agenda must, therefore, counter the artificial nature of the postcolonial African nation-state. Development planning must not obscure local needs in favour of national priorities. Instead, local communities must be drawn into the discourse as a precursor for development. This kind of empowerment signifies the purpose of moving away from the disastrous inclination to vest all development in political narratives and plans that assume the discourse of development is a neutral. Development is not a neutral discourse and, therefore, cannot be assumed to be a seamless and progressive outcome of the postcolonial era.

To demonstrate these concerns the case of Lamu District in Kenya's Coast Province is discussed below. The discussion is drawn from field research that was conducted in Lamu District during the months of November and December 2010. The focus of the research was to assess the impact of the Kenyan government's decision to build a trade seaport in Lamu District and to connect the seaport via a road and railway corridor that would run to southern Sudan and Ethiopia. The corridor is known as the Lamu Port-Southern Sudan-Ethiopia Transport (LAPSSET) Corridor and it is described by the government as a flagship project in its national strategic development plan known as 'Kenya Vision 2030'. The LAPSSET Corridor also envisions the construction of an oil refinery and pipeline, an airport and the development of several upscale resorts aimed at increasing tourist revenue in Lamu District. The Kenyan government believes that the LAPSSET Corridor will help move Kenya towards a 'rapidly industrializing middle-income nation by 2030' and has reportedly secured the financial and material support from China to start implementing its ambitions.⁵

The fly in the development ointment, so to speak, is the vehement resistance the Kenyan state has encountered from the vast majority of the residents in Lamu District. The residents allege that they have been purposefully excluded from the development plans aimed at Lamu District. The main reason for the exclusion is because the Kenyan government has not implemented a land adjudication process to settle land claims by

indigenous Lamu District residents that emanated after Kenya received its independence in 1963. The LAPSSET Corridor, it is further alleged, represents a permanent alienation and dispossession (theft) of their land and it threatens the final destruction of their unique history, heritage and culture.⁶

This policy brief seeks to enter into the very tense socio-political space between the residents of Lamu District. The present objective is not to evaluate the feasibility of the LAPSSET Corridor but rather to address the exclusion of the residents from the overall purpose of national development. In keeping with the mandate of the Africa Institute of South Africa (AISA) this policy brief asserts that it is necessary for the Kenyan government to address the hostile fears of the residents. The objective of such an engagement would be to further the course of postcolonial justice and freedom.

Postcolonial Squatters

Lamu District is a collection of Islands found along the east coast of Kenya's Coast Province. It comprises 6 166,7 square kilometres with a total population of around eighty thousand people. The vast majority of indigenous residents live in the rural areas with only about ten per cent of them living in the towns of Lamu, Mpeketoni, Mkunumbi, Witu, Hindi, Kiunga, Faza, Siyu, Pandaguo, among a few others. Most of the indigenous residents are Sunni Muslims but there is also a growing community of Shiite Muslims. Smaller communities of Christians and Animists are also present. The major ethnic groups are Bajuni, Pokomo and Arabs, with smaller numbers of Mijikenda, Taita and Somalis. There are also Kikuyu from mainland Kenya who were placed into settlement schemes by the Kenyan government from 1976 onwards. Wealthy white Kenyans along with Europeans, Americans, Israelis and Arabs are among the residents who make up the tourism industry in the District.⁷

Lamu District is not unlike a lot of other postcolonial spaces in Africa. The tension between the oppressive past and the aspiration for upliftment is never too far from daily interactions. The role of the state as an agent or broker between the past and the future is viewed with great suspicion as is the nationalised content that is meant to signify the make-up of the nation. In short, the postcolonial project of the nation-state is controversial and contested terrain. For this reason, residents approach dealing with the official state and its

prescriptive definitions of what constitutes the nation in terms that are best described as disbelief.⁸

In Lamu District, like most other African political spaces, the single most important reason why disbelief signifies the interaction between citizen and state is the unfinished business of land adjudication. Very few people in Lamu District own the land they occupy. In most cases indigenous residents have lived and worked on the land they inherited from their ancestors over centuries, yet they are described in legal terms to be undocumented tenants with no property rights.

'We are nothing more than squatters on our own land. The government can kick us off and they do when they want to steal our land for their own greedy scheming', a resident of Lamu District commented in an informal interview.⁹ The emphasis on 'squattling' and the precariousness of living in constant fear of being uprooted from ancestral lands is a common fear.

The state is seen as reluctant to end the condition of squatting. A prominent Imam said in a scheduled interview, 'They have promised us to fix the land issue but instead they give our land to their friends. Those who have title to land in Lamu District are rich foreigners who pay the crooked politicians in Nairobi. It is theft with the government, the biggest thief. They do not care about us who live here for hundreds of years. They care only about their pockets.'¹⁰

Despite the suspicion toward the authorities, the residents of Lamu District have organised campaigns to press the government to institute a fair land adjudication process. By local accounts the call on government has not garnered a positive response. The land issue remains unfinished and the process of alienating residents from their ancestral land is continuing in what is often referred to as 'land grabbing'. In Shela, which sits adjacent to Lamu Old Town, there are expensive beach resorts and holiday homes that are owned by wealthy foreigners and politically connected Kenyans from the mainland. These properties are prime pieces of land and highly sought after in the international real-estate market. Those who buy these multi-million dollar properties are given title deeds to the properties.

Shela is a short fifteen minute stroll from the dilapidated streets of Lamu Old Town.¹¹ The upscale resort atmosphere is very different than Lamu Old Town. Visitors will be hard pressed to ignore the crude disparities that describe the differences between indigenous life and that of the moneyed class in Shela. The authorities,

however, are expanding the offer of land to the wealthy clientele in Shela. Not too far from Shela are islands which are being advertised for sale to foreigners. Some of these islands are advertised as private residences. To accommodate the increased tourist traffic of foreign visitors and seasonal residents, the authorities expanded Manda Air Strip and in so doing displaced a community of indigenous residents without any compensation.

It is hard to ignore that the Kenyan government has embarked on various schemes that have removed the indigenous residents from the development equation. Far from acting in the interests of expanding postcolonial justice and freedom, the Kenyan government is found acting against the interests of the indigenous residents in Lamu District. It is, therefore, hardly a big surprise that the vast majority of residents are suspicious and fearful of the much touted LAPSSET Corridor. The past has proven that the Kenyan government has not spent too much time with the concerns of the residents and most of them expect that the LAPSSET Corridor signals the final take-over of their land, a kind of internal colonisation.

Local Resistance

Not too much is known about the LAPSSET Corridor and its place in Lamu District. The Kenyan government has used the media to laud the aims of the corridor but very little about the actual planning is known in public. Lamu District residents see this kind of development thinking and posturing as being consistent with past practices. There is an intense volatility expressed in the sentiments encountered in research interviews and casual encounters.

A disabled man in his late thirties approached this researcher at a roadside eatery on the way to Witu and introduced himself as 'an indigenous man'. He wanted his words to be recorded as a testament of resistance against the Kenyan government and he began speaking in a deeply emotional manner that impressed his anger and frustration over the land issue and the government's development plans. He said in part:

'You are welcome here in Lamu but tell the truth about Lamu when you are at home. Lamu is our paradise and those government thieves in Nairobi want to steal it from us. I am an indigenous Lamu man who has never left here. The Kikuyus and other foreigners who have been placed here by the government now own my land

and I am a squatter on the land. The same land my father and his father and his father worked for food. We are worse off under those bastards. We do not recognise them. They only steal from us and keep us poor. Lamu does not belong to Kenya and we will take it back. We were better off under the British. At least in the 1800s Lamu was a happy place with good economy and people lived good [sic]. 1963 brought nothing for Lamu. We are not important to those who rule over Kenya today. They ignore us and steal our land and want to remove us because they fear Islam and our culture. Tell that to your people because it is the truth.¹²

The interaction was startling in its intensity but not too far removed from the kind of comments that are commonly offered. The alienation and dispossession the man expressed is shared among the indigenous residents. So too is the anxiety and fear of living in suspended terms as the next move of the government is unknown.

In mid-December 2010, the Harakati Okoa Lamu Forum convened a scheduled meeting at its offices in Lamu Old Town to chart a resistance plan against the LAPSSET Corridor proposal. The meeting was organised by Lamu Environmental Protection and Conservation (LEPAC), a community-based activist group that seeks to protect the environmental integrity of the islands that make up the Lamu District.¹³ In attendance were indigenous residents and development stakeholders drawn from Lamu District and other areas in the Coast Province of Kenya, and beyond. Among the 60 or so attendees were community elders, indigenous leaders, political leaders, gender activists, political and environmental activists, youth leaders, religious leaders and students. The organisations they represented included: Kenya Marine Forum; Lamu Beach Management Unit; Council of Elders; Lamu Youth Alliance; Riadha Academy; Kililana Farmers; Lamu Conservation and Development Network, among others.

LEPAC intended the Forum to be a community gathering to discuss the impact of the LAPSSET Corridor proposal. In addition, LEPAC along with the Nairobi based Development Management Policy Forum (DMPF) had invited a delegation from Natural Justice South Africa and the Centre for Minority Rights Development (CEMIRIDE) and Inuka which are Kenyan human rights non-governmental organisations, to discuss the efficacy of a Bio-Cultural Protocol (BCP). A BCP was being considered as an instrument to demonstrate to the Kenyan government that the

residents of Lamu District were concerned about the influence a proposed sea port would have on their heritage, culture and the environment.

After about an hour long presentation on the make-up of a BCP and its role in presenting socio-cultural, political, and environmental concerns, the audience was given an opportunity to voice their concerns. The audience participation described a very emotional, frustrated, and fearful community. The vast majority, all except for two men in their early thirties, disagreed vehemently with the Kenyan government's development plans for Lamu District. Foremost among the concerns is the secretive manner in which the Kenyan government has gone about its plans for the port. 'We have not been consulted. The government is disenfranchising my people. They are taking away our indigenous way of life and we stand in opposition to this planned dispossession', retired school teacher and local historian Mohammed Ali Baddi complained. 'They are hiding something. They want to steal our land from under our noses and without any compensation for the hundreds of years and more we have lived in Lamu. We are being forced to disappear', a youth leader added. 'This is ethnic-genocide being waged by our own government on us here. We are indigenous people but our heritage, our history, means nothing to the government. They say this is development, we say this is destruction and death,' an elder who was a retired academic summed up the emotional frustration and fears expressed at the Forum.¹⁴

An eloquent speaker at the Forum, an elderly man who was introduced as an academic and Professor of Marine Biology, rose with authority to tease out the elements of land alienation and government corruption. Despite his academic style his comments captured much of the same thinking expressed above by the man at the roadside eatery on the way to Witu. The Professor said in part:

'The Kenyan government does not care about Lamu and its people. They are corrupt and they only want to make money here. They are absent in our lives but they steal our land and sell it to foreigners and bring people from up-country and give them title to land here where we have lived for centuries without owning our own land. We are then squatters on our own land and these foreigners and up-land people are landowners in the land of our ancestors. Now they want to build a port in Lamu. They say it is in all our interests. All Kenyans. But is it in the interests of the indigenous people of Lamu who are ignored? If they want our land for the

port they will just take it. We have no rights to the land. They can do whatever they want and we will be destroyed. This is ethnic-genocide being practiced by the leaders in Nairobi. We will disappear as our numbers grow smaller and the foreigners take over our political lives and our economic lives. Lamu will disappear. Our land is already disappearing.¹⁵

The Professor's comments were met by wide agreement and speaker after speaker rose to add personal detail to the overall frustration and fear expressed in his comment. The general expectation was that the Kenyan government would not respond to any list of demands, as has been the case in the past. A sense of powerlessness pervaded the political space but it was not a sign of resignation or defeat. The LAPSET Corridor is perhaps the greatest threat to the continued existence of Lamu District. Thousands of skilled workers will be needed to build the corridor. LEPAC pointed out that they, in consultation with other community organisations, have called on the government to explain where these workers would be found. They even argued that before the development process begins the government should implement an Affirmative Action policy that would train local workers for positions in the LAPSET Corridor. The government has as, at the time of this writing, not responded to LEPAC or its sister organisations.

In effect, the LAPSET Corridor, like the absence of land adjudication since independence, has been a matter obscured by the central planning of the government in Nairobi. It is, unfortunately, a recurrent trend in the politics of postcolonial rule. Local concerns that stand in the way of grand development schemes are ignored or repressed. This kind of practice is destructive and in the parlance of current development speak, distinctly unsustainable. The need to include local communities in development planning and implementation is a necessary condition to further the postcolonial course of justice and freedom.

Conclusion

The residents of Lamu District are expanding their campaign to grab the attention of the Kenyan government. In early March 2011 a delegation from LEPAC and its sister organisations attended a formal gathering hosted by the DMPF in Nairobi to discuss the proposed LAPSET Corridor. A decision was reached to include a human rights angle to the pressure that is being brought by the

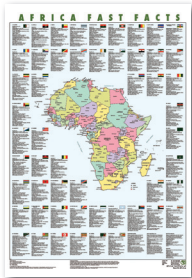
residents. Members of the delegation therefore subsequently engaged the Kenyan Human Rights Commission (KHRC) to emphasise the articles of the new 2010 Kenyan Constitution which requires the state to engage indigenous communities in settling land claims and also to include them in the processes of development planning and implementation. The new Constitution is emphatic in its prescription that the state is responsible for the development of indigenous communities. This includes protecting and promoting their intellectual property, language, culture and heritage.¹⁶

Against the backdrop of the new Kenyan constitution and the determined action of a large part of the indigenous community and others in Lamu District, a political space for progressive change has opened up. The Kenyan government would be well advised to make use of the opportunity to advance the spirit of the new Constitution and seek a bona fide engagement of the residents and their leaders. Such an engagement must include the setting up of an overview commission made up of residents and state officials to address the unfinished business of land adjudication. This is the necessary first step to demonstrate a serious political will to end the land stalemate in Lamu District.

It will also be necessary to tie land adjudication to the planning involved in the LAPSET Corridor. As it stands now the situation is an untenable imposition of centralised development planning at the expense of local concerns. The LAPSET Corridor must be filtered through a process of community engagement that is holistic and fair minded. Such a process must implement an impact assessment that is fair and independent. The needs of the local community must be highlighted inside such an assessment and this includes accounting for the influences that the LAPSET Corridor may have on the history, culture and environment of Lamu District. These are reasonable requirements that should be adopted in the spirit of transparency, accountability and inclusive democratisation that the 2010 Constitution imposes on the Kenyan state. In effect, such a course of action will counter the artificial make-up of the postcolonial Kenyan state and act as a favourable advancement of the always difficult process of building a viable and peaceful postcolonial nation-state.

Notes and References

- 1 This policy brief is based on a journal article in *Africa Insight* 40(4) entitled 'Lamu District at the Crossroads: A Narrative of Chronic Trauma and Community Resistance'.
- 2 Beng, A.V. 2007. *Vassal States, Development Options and African Development*. In: C. Senghor et al. eds. *Towards Africa's Renewal*. Vermont: Ashgate Publishing Company. pp. 179–207.
- 3 The author does not assume that Postcolonialism is a coherent discourse or sub-discipline in the Academy.
- 4 See for general discussion: Ake, C. 1996. *Democracy and Development in Africa*. Washington D.C.: The Brookings Institution.
- 5 S. McGregor, 2010. Kenya government invites bids for building of Lamu port on North Coast. Bloomberg.13 September. <http://www.bloomberg.com/news/2010-09-13/kenyan-government-invites-bids-for-building-of-lamu-port-on-north-coast.html>. [Accessed on 10 December 2010].
- 6 This policy brief is based on field research conducted in Nairobi and Lamu District in the months of November and December 2010.
- 7 Mghanga, M. 2010. *Usipoziba Ufa Utajenga Ukuta: Land Elections, and Conflicts in Kenya's Coast Province*. Nairobi: Heinrich Boll Stiftung.
- 8 For a compelling analysis of colonialism and its legacy see: Mamdani, M. 1996. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton: Princeton University Press.
- 9 Interview took place in Lamu District (Lamu Old Town) on 8 December, 2010. The interviewee's name was withheld by request.
- 10 Comments recorded in Lamu Old Town on 11 December , 2010.
- 11 Lamu Old Town is a UNESCO World Heritage site.
- 12 Informal interview took place in Lamu District on the outskirts of Witu on 10 December, 2010. Name withheld by request.
- 13 Author was invited to attend by LEPAC. All comments at the Forum were recorded by the author.
- 14 Comments were recorded by the author in Lamu Old Town on 14 December, 2010.
- 15 Comment recorded in Lamu Old Town on 14 December , 2010. Name withheld by request.
- 16 See Article 56 of The 2010 Kenyan Constitution (passed on 6 May, 2010).



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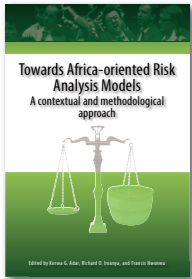
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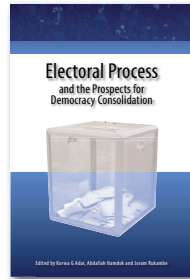
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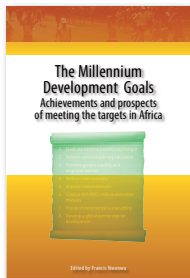
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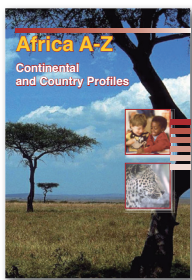
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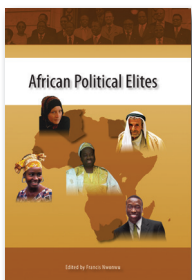
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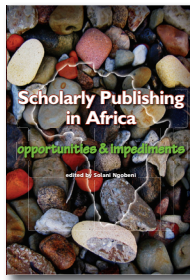
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