

THE LAND ISSUE AND THE LAMU PORT PROJECT:
THEIR IMPACT ON LAMU PEOPLE AND
WAPWANI.

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The Lamu region produced agricultural surpluses during the precolonial era and the agrarian economy remained healthy into the independence period. At independence however all land was taken by Government and became Government land. Only those with title deeds were recognized and most of these were in the urban Lamu Island. Farm land on the mainland was not recognized and no documents were given to farmers who were farming their land since before the arrival of the British. The Government did not recognize Trust or Communal land. Since then the lack of secure land tenure has become a critical problem and has contributed to the District's current underdevelopment. Indeed, the legal status of land in Lamu District has undermined the welfare and livelihoods of the district's indigenous Swahili to a worse degree than other minority communities and marginalized areas in Kenya.

Several factors account for the uniqueness of the phenomenon in Lamu: 1) communal land classified as Trust Land in other regions remains under state control in Lamu; 2) development of the indigenous economic sector has suffered from chronic insecurity, poor infrastructure, and other constraints imposed from above; 3) prejudicial attitudes within the Provincial Administration and civil service have acted to deny local communities their basic rights as citizens of Kenya; 4) state settlement schemes have acted as a mechanism encouraging upcountry in-migration, providing them with title deeds and support with seeds, fertilizer and even finance, while deny these to indigenous farmers.

It is necessary that we begin to assess the impacts of the District's continuing land insecurity situation by examining the indigenous economy.

If the maritime sector has always been the central pillar of the Lamu economy, land-based activities such as agriculture and forestry were always integral part of the annual economic cycle. The trade winds defined the traditional shipping season: the dhows sailed as far as Arabia and India during the months of the gentle Kaskasi northeasterly winds. However during the more turbulent Southeasterly Kusi, they were limited to local transport. The Kusi also limited fishing activities to the inshore fishery.

The month of the Kusi winds is Lamu's poor season. Consequently most of the labor force in the maritime sector relied on farming to make up the deficit in household income. The *konde* farms, based on shifting agriculture and located mainly on the mainland, were a critical element of the economic cycle that employed large number of Bajuni and other local inhabitants during the months between April and September. Mainland agriculture in turn contributed to local food security while generating produce for local and regional export.

Yet Lamu District today is one of the most underdeveloped region of the Coast and of Kenya. Why?

After independence, several specific and critical factors contributed to the underdevelopment of Lamu District. These were:-

1. The waves of shifta banditry during the immediate post-independence era led to the abandonment of mainland settlements and farms. The 1960s 'Shifta' problem morphed into decades of chronic insecurity, and this upset the seasonal balance between agrarian and maritime activities—which in turn impacted across the larger economy.
2. The Government never recognized or helped in anyway until today the IDPs resulting from the shifta banditry. Many of the internally displaced mainland Bajuni turned were dispersed to different parts of the coast and as far as Tanzania.
3. Agricultural production suffered severely, and mangrove cutting and trade was stopped. Lamu's overall economy collapsed – dow building, agricultural export, transport – all stopped, leaving small scale fishing as the only economic activity. Hence poor economy and unemployment led to indigenous capital flight and considerable out migration of people from the islands as well as the mainland;
4. From the 1970s, Government began to initiate settlement schemes in the District and brought a large number of peasants from up-country to these schemes. The up-country migrant
3.
Farmers in these state settlement schemes are being provided by the Government with title deeds and support with seeds, fertilizer and even finance, while denying these to indigenous farmers. Some of these schemes are on land which was owned by local farmers but have been taken from them without their consent and no compensation – despite continuous demand by the original owners of the land.
5. Given the support the migrants have received from Government, they have thus quickly improved their economic situation and have become better off than the local farmers. Furthermore the migrants have renamed the local places they live in with names from their region, maintaining their cultures and refusing to adapt to local cultures – including maintaining their own language. \more importantly they have actively entered into local politics and with the support of the provincial administrators, have become prominent and powerful in local Government committees dealing with land issues, education etc.
6. In Lamu District, the Provincial Administration, the security services, land and other Ministries are all manned by people from up-country. This has been the case since independence. Critical positions the Administration, security and various Ministries (especially Land) are often occupied by people from one ethnic group who for a network that acquires land for themselves, their relatives and friends and support in-migrants in all possible ways. Underlying the personnel in Government institutions and the in-migrants is an assumption and an attitude that they are the people with power and are superior to the indigenous people because they speak English and have links to the center of power in Nairobi – a colonial mentality which have made local people feel that they are under a new form of colonialism – after the British.
7. Lamu people applying for plots of the settlement schemes have suffered systematic discrimination. As a consequence, agriculture supports 73.6 per cent of the district population but only 20 per cent of the local farmers have land title deeds; and most of the 20 per cent are from up-country.

14. Equally significant, Lamu is home to a society that has historically propagated a sophisticated and non-violent Islamic religious tradition. In a world and region where extremist religious ideologies are on the rise, this unique product of cross-cultural interaction sustained over the centuries remains an important model for tolerance and mutual understanding—a point dramatically underscored by the activities of militant Islamist militias across the border in Somalia.

In conclusion, we can argue that the perception that Lamu is ripe for development by outsiders is fallacious. Rather, the Lamu mainland and archipelago were already developed when Kenya became independent, and despite negative developments over the past decades it remains a unique 'open society' model of development worthy of preservation, especially in current circumstances.

Any audit or cost-benefit evaluation of the current situation must factor for the long-denied citizenship rights of the indigenous population while accounting for a number of unique cultural values and environmental services present.

This paper aims at informing Wapwani as well as others on the problems Lamu people have faced in the past, are facing now and likely to face in near future. It is being presented to the Pwani Professional Think Tank (PPTT) and the Coast People's Forum in order to generate a collective support of Wapwani to the Pwani problem facing Lamu people.