

**UNIVERSITY OF GHANA**

**LEGON**



**CENTRE FOR MIGRATION STUDIES**

**MIGRATION IDENTITY AND LAND RIGHTS: A CASE STUDY OF THE NUBIANS**

**IN KIBRA NAIROBI KENYA**

**BY**

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**THIS THESIS IS SUBMITTED TO THE UNIVERSITY OF GHANA, LEGON, IN**


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**DECLARATION**

I, Fatuma Ahmed Mohamed hereby declare that except for references to other people's works which have been duly acknowledged, this thesis is the result of my independent research conducted at the Centre for Migration Studies, University of Ghana, Legon, under the joint supervision of Prof. Dzodzi Tsikata, Prof. Delali M. Badasu and Prof. Steve Tonah. I also declare that as far as I know, this thesis has neither in part or in whole been published nor presented to any other institution for an academic award.



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## **DEDICATION**

I dedicate this thesis to my dear parents Mrs. Zeena Mohammed and Brigadier (Rtd) Mohamed, My brothers Fadhil and Yahya and Sisters Zuhra and Zeena and family. My dearest and beloved family, whose never-ending encouragement, abundant patience, countless sacrifices, keen interest and infinite love that they have showered upon me, led to the realization of this thesis. Thank you for taking perfect care of my children during my absence. Thank you for your precious support throughout this academic journey. Respect to Grandmother Abuba Kiden, fondly known as Mama Zeena, thank you for transmitting our family's story and the Nubian way of life, as it was, for over a century that you have experienced.

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I wish you God's abundant blessings.

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## LIST OF ACRONYMS

ACERWC	The African Committee of Experts on the Rights and Welfare of the Child
ACHPR	African Commission for Human and Peoples' Rights
AIC	African Inland Church
BIEA	British Institute in Eastern Africa
CBD	Central Business District
CBO	Community Based Organization
CDF	Constituency Development Fund
CLGLS	Commissioner for Local Government, Land and Settlement
CNO	Chief Native Officer
COHRE	Centre on Housing Rights and Evictions
CRCK	Constitution of Kenya Review Commission
CRF-OK	Community Rights Forum of Kibra
DC	District Commissioner
EANA	The East African Nubian Awards
EAP	East African Protectorate
FGM	Female Genital Mutilation

IBEAC	Imperial British East Africa Company
ID	Identity Cards
IDP	Internally Displaced Persons
IEBC	Independent Electoral and Boundaries Commission
IFRA	French Institute for Research in Africa
IHRDA	Institute for Human Rights and Development In Africa
IOM	International Organization for Migration
KAR	Kings African Rifles
KIHBS	Kenya Integrated Household Budget Survey
KNBS	Kenya National Bureau of Statistics
KLC	The Kenya Land Commission also known as Carter Land Commission
KLC	Kibra Land Committee
KNA	Kenya National Archives
KNBS	Kenya National Bureau of Statistics
KNCHR	Kenya National Commission on Human Rights
KPHC	Kenyan Population and Housing Census
MC	Municipal Council
MCA	Member County Assembly

MCNAO	Municipal Council Native Affairs Officer
MP	Member of Parliament
NACOSTI	National Commission for Science, Technology and Innovation
NCE	Nubian Council of Elders
NCLTD	Kibra Nubian Community Land Trust Deed
NGO	Non Governmental Organization
NHIF	National Hospital Insurance Fund
NLP	National Land Policy
NRF	Nubian Rights Forum
NYS	National Youth Service
OSJI	Open Society Justice Initiative
PEV	Post Election Violence
PSV	Public Service Vehicle
RKLC	Report of the Kenya Land Commission
SIT	Social Identity Theory
UK	United Kingdom
USA	United States of America
SDA	Seventh Day Adventist (SDA) Church

SDGs	Sustainable Development Goals
SPSS	Statistical Package for the Social Scientist
UNDP	United Nations Development Programme
UNESCO	United Nation Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNGA	United Nations General Assembly

## GLOSSARY

### Nubian words

Adhan	Arabic for call for prayer
Bamia	Okra or lady fingers
Birish	Woven floor mat
Bouza	Trouser
Daku	Early morning meal before starting to fast for the day
Dis	Reeds used for weaving
Dofur	To weave
Doluka	Nubian traditional dance
Firinda	Beans stew
Fundu	Pestle
Gomborora	Meetings
Gufo	Traditional woven basket
Gum beredu	To wake up and bath - name of a water point where young children used to bath
Gumas/ Lidim	Dress

Gurbaba	Colorful piece of traditional cloth worn as a skirt underneath a dress
Gurusa	Sour flat pancake made from fermented maize meal eaten with stew
Gurusa din	Sweet pancake eaten mainly for breakfast
Heena	Natural dye made into a paste and applied on hands and feet during weddings and Idd ceremonies. Also used to dye hair.
Hijab	Headscarf
Iddah or Iddat	Mourning period for a widow
Iftar	Evening meal when breaking fast
Jumaa	Friday communal prayers
Kanzu	Long dress clothing worn by men
Kibra	Nubian for forest,
Korr Goonyo	River of frogs – a river in Kibra where many frogs lived nearby
Kuta	Traditional woven food cover
Kisira	Rectangular light pancake made from fermented maize meal flour
Kofta	Beef minced meat stew
Korr	Nubian for river
Kuta	Food cover
Labi	Refers to Non-Nubians (derogatory)
Lebere	Light dried pancake made from fermented maize meal flour

Liwali	Chief
Madrassa	Religious school
Majlis	Council of Elders
Mkati kuta	Deep fried snacks made of wheat flour
Matatu	Swahili refers to mini van or bus for public transport
Mulkiya	Traditional vegetable stew
Murkaka	Grinding stone
Nikaa	Religious marriage ceremony
Nyerku fundu	Mortar
Rogus	To dance
Sabala	Dance partner
Souk	Market
Ramadhan	Ninth Month of the Islamic calendar when Muslims observe fast
Suksuk	Beads. used to make necklaces and bracelets)
Tabaga	Woven food tray
Tarbush	Hat worn by men (often red in colour)
Toub	Piece of cloth worn over the dress and also used to cover the head
Wakil	Advisor appointed for a newly married couple

### Swahili words

Askari	Soldier
Boma	homestead or enclosure for livestock
Huduma	Swahili for service
Kambi	Swahili for camp. Refers to a village in the study
Kavirondo	Members of Luo, Luhya and Kisii ethnic communities in Kenya
Kipande	Swahili word, [a piece of identification worn around the neck by natives during colonial period. Also refers to an identity card
Kipini	Nose pin
Kofia	Head cover worn by men /boys
Makanga	Tout
Mkokoteni	Hand cart
Mzee	Elder Respectful word to address older men. Also refers to old man
Mwenyeji	Swahili, literally a local person, become one of them
Shamba	Farm/land
Wakili	Lawyer

**Other words**

Boda bodas	Motor cycles for public transportation services
Enkare Nyrobi'	Maasai word for 'where the water is cold', corrupted to Nairobi
Ushago	Local slang for rural home/upcountry in Kenya
Waragi	Local name for Nubian gin (in Uganda)
Tuktuk	A motorized auto rickshaw used as a means of transport for taxi service.

## ABSTRACT

Countries worldwide could either be origin, transit or destination countries, or all three. Migration can be voluntary or forced, and the resultant effects for migrants and countries involved presents diverse challenges. In this regard, migration is therefore an important area of study. Research has been done on issues related to migration and identity. However, little is known about the inter-relation among migration, identity and land rights focusing on a particular group of long-term migrants. Such a group comprise of Nubians in Kenya, precisely in Kibra, Nairobi. The community's migration from Sudan was initiated and planned by the British colonials who were moving deeper into eastern Africa. The study does this by examining the evolution of Nubian identity, determining the association between their migration status, identity formation and access to land. Further, the study examined the colonial legacy of Nubians, a long-term migrant community and their integration process into the nation state of their destination country, Kenya. The continuities and changes in Nubian identity and implications for their citizenship and access to land. Other issues discussed include: internal rural-urban migration into Kibra and the impacts, competition for resources, statelessness, citizenship, discrimination, ethnicity, and marginalization of minority communities. The study was conducted in Kibra constituency, Nairobi in Kenya in the following five villages: Kambi Muru, Lindi, Makina, Makongeni and Salama. Overall, a questionnaire was administered to 279 respondents to collect quantitative data, FGDs, in-depth and key informant interviews, life histories and observation methods were used to collect qualitative data. The findings indicate that identity is not static and its flexibility was manipulated to suit particular situations to the advantage of the Nubians during the pre-independence and post-independence periods. Ultimately, their identity was expected to reflect that they were part and parcel of Kenya and its people. Migration and interaction with others led to changes in the culture of the Nubians which necessitated collective efforts towards preserving their cultural heritage. Moreover, the study revealed that in-migration to Kibra by the inhabitants was achieved mainly through chain migration from the rural to urban area with the main reasons being perceived employment opportunities. Out-migration by Nubians from Kibra is seen as upward mobility, however the out-migrant Nubians maintain a strong link to Kibra. The reasons for the out-migration include better living standards and environment for family, and security of tenure for land purchased outside Kibra. Nine out of every 10 of the interviewees had lived in Kibra for more than twenty years and about 73 percent of both of their parents were born in Kibra, further demonstrating Kibra as their home. To buttress this connection to the land, eight out of every 10 respondents stated they had no intention of moving out because Kibra is their ancestral home in Kenya. Previous development projects on upgrading of Kibra have not been beneficial to Nubians in particular, who lost land. Collaboration with the Nubians on further development on the land is recommended. The study recommends the development and implementation of policies to protect minority communities and enhance their integration.

## CHAPTER ONE

### INTRODUCTION

#### 1.1 Background

Migration is a necessary and common feature of modern life and it can be forced or voluntary, internal or international. International migration has been fueled by globalization, labour demand and supply, demographic trends, improvement and development in information communication technology and transportation. People also migrate in situations of disparities in wealth, social conditions and human rights (Arango, 2000). The desire inherent in most people to 'better' themselves in material terms encourages people to migrate. Ravenstein (1885, 1889) stated, more than a century ago, that migration is not new and has also been used as a survival strategy to improve on social and economic situations.

Different populations have been moved from their homes to new places for various reasons, among them because they provided a source of labour. For instance, populations from Africa were taken to North America during the Transatlantic Slave Trade. Others were enslaved in the Arab world. Still, other examples include deliberate labor recruitment by Western Europeans of Turks to Germany, North Africans to France, New Commonwealth immigrants to the United Kingdom (UK), and Mexicans to the United States of America (USA) (Castles, 2003). Imperialistic expansion in the scramble for Africa also led to displacement of people, most of whom were forced out of their habitual places of residence a key example being the Nubian community in Kenya.

Long term Migrant communities are confronted with challenges in their new destinations which obliges them to adopt strategies to cope with different situations they are faced with. Kenya has migrant communities who trace their roots to Sudan, Mozambique and Central Africa.

Other long-term migrant communities originated for example, from the Middle East, Europe, and Indian sub-continent, and have settled in the country for generations. Some migrant groups were brought to eastern and southern Africa in the colonial era mainly for labor. Long term migrant communities have to adapt to their new environment in order to fit in. Depending on the context of migration, migrant communities often find themselves confronted with issues such as host-migrant conflicts, integration, assimilation, broken linkages with their origins, identity, belonging, land rights and citizenship. Further, these migrant populations face human rights issues related to migration including statelessness, inequality, minority rights, marginalization, vulnerability, and land entitlement. These issues have not been fully addressed.

However, through legislation, significant efforts have been made in Kenya to address statelessness among once migrant minority communities such as the Makonde originally from Mozambique (Kegoro, 2017), who were recognized as Kenyan citizens in October 2016 and Nubians who trace their roots to Sudan being recognized in 2005.

Still, issues relating to migration, minorities, ethnicity, identity and land concerning Kenya's Nubian community need to be properly understood and addressed. This study is about the relationship between long term migration and citizenship. Specifically, about colonial legacy of migrant communities and how they are integrated into the nation state after independence.

The study examines the inter-relationships between migration, identity and land rights and their implications for the Nubian community in Kibra, a migrant community in Nairobi, Kenya. Identity will be measured in terms of citizenship.

## 1.2 Problem Statement

Nubians, originally from Sudan, were forcefully conscripted to serve British colonial forces, and in the course of their service, they settled in various areas in Kenya; among them, Kibra in Nairobi, where the majority reside (Constantine, 2011). Since then, they have since lived in Kenya, but have experienced difficulties securing the place they could ‘officially’ call home.

After the First World War, they were stranded as the British colonial government declined to facilitate their return to Sudan and, instead, granted decommissioned soldiers a *shamba* (Swahili for farm) pass, which entitled them to a piece of land to settle and farm in Kibra. This land, Kibra (Nubian word for forest) was crown or government land. However, Nubians considered this piece of vast land as reward for their gallant service to the British. The size of the individual *shamba* varied and was in relation to the rank one attained during his service. As long term migrants, who had resigned more or less to being abandoned in Kenya, their links with their mother country gradually diminished and the attachment with their new home in Kibra increased.

Nubians have had flexibility with regard to their identity. During the colonial era in Kenya, Nubians considered themselves as foreigners and referred to themselves as “Sudanese”. This gave them an advantage as they were not considered as “natives” of Kenya, giving them a higher status. Towards independence and afterwards, they started referring to themselves as “Kenyan Nubians”. This raises the question about how long-term migrants such as Nubians negotiate in terms of identity, sense of belonging and integration. Further, how are identities reconstructed for such a migrant community to fit into the nation state after independence and to find acceptance as part of the nation’s population.

Nubians have had difficulty getting access to national identity cards (ID cards), employment and higher education, passports and have been limited to travel (Balaton-Chrimes, 2014, 2015; Lonsdale, 2008). This pertains to questions of statelessness and citizenship. In recent years, a more flexible approach by the Kenyan authorities has helped ease some of these restrictions and most adult Nubians have been confirmed as Kenyan citizens (Constantine, 2011). Still, Nubians undergo vetting before acquiring Kenyan Identity Card that confirms one as a citizen.

Mukras (1981) wrote that the principal problems that have faced Nubians were land, housing, and education. These very problems still apply to date with the exception of education where there has been significant improvement, especially, due to collective efforts by the community. The Nubians' story may not be limited to them, but may be illustrative of some common experiences lived by migrant populations in Kenya and elsewhere.

With the exception of Nubians, all other ethnic communities in Kibra have their rural homes in other parts of Kenya. They also claim a right to Kibra by virtue of being born and living there for many years in relative peace except when land, rent and ethnic politics disrupted the peace notably the Post Election Violence (PEV) after the 2007 general elections (Ndegwa, 2014). This line of thought can be linked to territorial discourses of indigeneity and autochthony, literally to be 'born of the soil' (Geschiere, 2009).

Land is an important and coveted resource people depend on and derive their livelihood from. Therefore, it is in their best interests to claim a right to it as Nubians have claimed to belong to Kibra. According to Lonsdale (2008, p.305), three expressions can be employed to depict Kenyans in connection with land: some 'understand' it, others 'control it', and still others 'work' it. Rural-urban migration led to an influx of internal migrants to Kibra which engendered competition for land, a scarce resource given the high population.

Tension arises from such situations and how the resident migrants and others handle it is of concern in a multiethnic settlement. The issue of long-term migrants and access to land in their destination country and how they negotiate to acquire that access is of interest. In this regard, identity is important as it is measured in terms of citizenship to facilitate access to land for Nubians in Kibra.

Migrant communities are faced with citizenship issues which often marginalizes them further. Prior to 2005, the Nubians, a minority group, were categorized as 'others' before being officially recognized as the forty third (43<sup>rd</sup>) ethnic community in Kenya. To emphasize their marginalization, although according to both the 1963 and 2010 Constitutions of Kenya, the Nubians are entitled to Kenyan nationality, their citizenship has been continually doubted (Sing'oei, 2011). Due to their origins, Nubians are perceived as non-indigenes or foreigners. Over the times, the Nubians were considered as stateless, resulting in both material and psychological prejudices to the disadvantage of the Nubians.

Being stateless officially meant they did not belong, largely because they lacked citizenship and had difficulties acquiring documentation to that effect. Still, possession of the coveted ID cards did not expel the sense of Nubians being 'lesser citizens'. In reality, the ID cards did not guarantee full citizenship as it should in the legal sense because they were still denied collective identity. This scenario illustrates a hierarchy in citizenship and duality of citizenship represented by the ID card which ought to signify equal citizenship among its possessors.

Meanwhile, for the Nubians, Kibra is their ancestral home in Kenya. The Nubians and Kibra are inextricably linked. With their continued existence in Kibra, spanning multiple generations, this has resulted in the Nubians continuous claim to the land in Kibra.

Inferring from these circumstances of the Nubians, there are questions surrounding permanence of residence, land ownership and right to land, and land tenure and security for the Nubians.

At the same time, the rights of non-Nubians cannot be relegated to the background. There is a glaring imbalance in how the expectations of the Nubians are met against the desires of the local populace on the other side. Today, although the Nubians have nowhere they call ‘ancestral home’ except Kibra, where they have lived for many generations, it seems the fact of their migration to Kibra is having a toll on their rights to own their ‘home’. Yet, Kibra and Nubians have not stopped evolving, with increasing population size, accommodation structures, infrastructural development, and division of land and land grabbing, has led to scarcity of land and space. Given that only one-third of Kenya’s land is arable emphasizes why land is so valued that it is linked with national and local politics, and why resolving the land question has evaded the country since independence (Oucho, 2007).

The reason why the Nubian ordeal persists, therefore, needs to be identified and clearly understood in hope that such understanding would provoke critical thinking for a permanent solution for peace, human dignity and social cohesion to prevail. Previous works on Nubians mainly focused on their history and social life. Little work has been done on the issue of Nubian landlessness in Kenya and their attendant struggle for Kibra land and recognition through Kenyan citizenship.

Available literature often focus on one or two components rather than the three of interest to the study: migration, identity and land rights. A study by Smedt (2011) focused on the social history of the Nubians and Kibera, whose main theme was ethnicity. The study found out that Nubians are an example of the limits of the ‘invention theory’ (that tribes were invented by the colonial powers) (Akyeampong, 2006, Spears, 2003).

In essence, the Nubians invented themselves, notwithstanding, under circumstances created by colonialism. The study can be linked to migration and identity, however, it did not consider land issues or its linkages with migration and identity. Balaton-Chrimes (2014), focused on identity specifically, citizenship issues and found out that citizenship status does not guarantee equal treatment for Nubians. Therefore, this study bridges the gap in literature by investigating how migration, identity and access to land interrelate in explaining the situation Nubians found themselves in and the challenges faced.

This research is an attempt to fill the identified gap in the literature by shedding light on the lived experiences from the Nubian community, other residents in Kibra as well as other persons of interest to the study. From the circumstances of the Nubians in terms of rights to land, this study investigates the relationships between migration status, identity formation and land ownership/access. This would help to extrapolate the meaning of the circumstances of the Nubians in light of human right policies.

### **1.3 Research Questions**

The main research question that the study attempted to answer is: what is the relationship between migration status, identity formation, and land ownership/access in the instance of the Nubians in Kibra, Kenya. In order to achieve this, the following sub-questions were set:

1. What is the historical account of the migration and settlement of the Nubians in Kibra, Nairobi, Kenya?
2. How has the identity of the Nubians in Kibra evolved?
3. What is the extent of land ownership/access by the Nubians in Kibra?

4. What is the association between migration status, identity formation, and land ownership/access?

#### **1.4 Justification for the Study**

This study is justified for a number of reasons. First, although literature is available on migration and identity (Ogot, 1967, Oucho, 2002, Geshiere, 2009), land and identity (Ominde, 1965, Parsons, 1997) the nexus between land, identity and migration in literature has been limited, and much more limited with regards to understanding how the three explain the Nubians' land issues in Kibra. Therefore, this study bridges the gap in literature by investigating how migration, identity and access to land play out in explaining the conditions into which the Nubians have been plunged. Additionally, literature is limited in terms of how much is known about the realities of access to land to the Nubians in Kibra.

By investigating the complex linkages of migration, identity and land issues, this study fills the knowledge gap, contributes to knowledge and proposes recommendations and areas for further research. Research evidence produced by this study will help in formulating policies and implementation strategies to address specific issues raised, not only among the Nubians, but also other migrant communities in Kenya and beyond.

The Kenyan Constitution (2010) has a provision on security of tenure for community land which covers 67 percent of the country's territory. The Community Land Act (2016), passed by the Kenya National Parliament seeks, among others, to provide a legal framework for recognizing, registering and protecting community land. One of the primary concerns of the Bill was to ensure that communities are represented in the governance of the land.

This will give them power to negotiate with the government in situations where their land is allocated for a public project (NLC, 2016). This specifically concerns Nubians in Kibra and other communities in the country.

Kenya is a signatory to International Agreements relating to statelessness, protection of its citizens and, human rights, among others. The Nubians have felt their rights have been abused by the state by putting impediments in their way, such as being vetted as a prerequisite for obtaining national identity cards, denial of security of tenure for their ‘ancestral land’ in Kibra, and denial of access to passports to travel, jobs and voting. As ‘lesser’ citizens, they have felt they have been marginalized and have missed opportunities that full citizens enjoy. The Nubians’ migration, colonial involvement, minority status, concerns for right to land, lack of economic and political advantage create a sense of vulnerability among them in Kenya.

The Nubians’ identity issues involve their once migrant status, referring to themselves as “Sudanese” during the colonial era because of the advantages it entailed; switching to “Kenyan Nubian” in the period preceding independence and thereafter gave them some opportunity to fit into the new independent country. The issues surrounding the role of migration in the current disposition of the Nubians need to be explored.

The Nubians’ conditions present a unique case to explore the linkages between land rights, identity and sense of belonging in Kibra.

## **1.5 Structure and Organization of Thesis**

There are eight chapters presented in this thesis. Each chapter will have an introduction and a conclusion. Chapter one is the introductory chapter and will discuss the background of the

study, problem statement, research questions, objectives of the research, rationale and the structure and organisation of the chapters.

The second chapter will review literature in detail to provide a theoretical and conceptual framework platform for exploring the research questions of the study. Chapter three will focus on the research methodology justifying strategies used with details on the mixed methods approach to research, different data collection methods used and the initial fieldwork. Further discussions will encompass both qualitative and quantitative data collection methods, interviews undertaken, and data analysis. Positionality will be discussed, ethical consideration as well as limitations of the study. Chapter four is the first chapter on findings and will describe the socio-demographic characteristics of the study population.

Chapter five will dwell on the migration and settlement experience of Nubians in Kenya commencing with the Nubian's migration process and settlement in Kenya and eventual settlement in Kibra. the chapter will also trace a brief history of Kibra and the changes that have occurred through the years to date and the outcomes. In and out migration in Kibra as well as intentions of migration by Nubians will be detailed.

The sixth chapter is focused on continuities and changes in Nubian identity and implications for their citizenship. It will show how Nubian identity was not fixed and how the community took advantage of this flexibility especially during the colonial period. How they maneuvered their identity to fit into the independent Kenya will also be discussed. As Kibra is now a melting pot of many ethnic communities living together, interactions and perceptions, inter ethnic dynamics as well as the successes and challenges of integration in Kenyan society at the destination area in Kibra, will be discussed in this chapter.

Chapter seven is based on access to land, identity and citizenship. This chapter will discuss the linkages between the three concepts with regard to the Nubian community. It will incorporate issues relating to Nubians and citizenship, touching on their identity and their impact on access to land. It will also look at what effect migration has had on identity and land.

Regulations on land tenure in Kenya with a specific focus on Kibra and the dynamics involved will be discussed to establish a connection with Nubians, originally a migrant community. Chapter 8, will conclude this thesis, draw out the policy implications of the findings made, present the summary, the conclusions drawn, and the recommendations made by the study.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

This chapter provides a review of literature. The aim of the chapter is to provide a conceptual and theoretical platform for exploring the research questions of this study. Literature on the nexus of migration, identity and land rights on particular communities - for example, the Nubian community - is lacking. This thesis seeks to fill this gap and add to the existing literature. Kenyan newspapers have been quoted and referenced mainly because they are an important source of information on key matters concerning Nubians such as citizenship, minorities and land rights. These have provided insights from different writers as well as being current information. Information was corroborated or further details sought to obtain clearance on different issues. The information gathered have enriched the study.

The review provides a background and basis for exploring the links among migration, identity and access to land.

#### **2.2 Migration**

Migration is defined as a form of geographical mobility or spatial mobility between one geographical unit and another, generally involving a change of residence from the place of origin or place of departure to the place of destination or place of arrival. It can also be defined as the movement of persons away from their place of usual residence, either across an international border or within a state (IOM, 2019).

Further, the definition of “migration” and “migrant” are constructed from distinct political, social, economic, or cultural context which vary and can be drawn from a human perspective-migrant, or a geographical perspective-migration (IOM, 2019).

Woods, (2004), defines migration as a permanent or semi-permanent change of residence, usually across an administrative boundary.

Migration is a versatile and complex global issue, which touches every country which are either points of origin, transit or destination for migrants, often all three at once (IOM, 2005). Countries are reviewing policies related to migration and integrating them as part of their development agenda (Sørensen, Van Hear, Engberg-Pedersen, 2002; de Haas, 2007). The Sustainable Development Goals (SDGs) are a collection of seventeen (17) global goals which were set by the United Nations General Assembly (UNGA) in 2015 (UNDP, 2015).

It is the first time that a global-level development framework is recognizing the important contribution of migration to sustainable development and including it in its agenda. Migration is a cross-cutting issue pertinent to the SDGs, and at least eleven (11) out of the seventeen (17) goals contain targets and indicators relevant to migration or mobility (UNDP, 2015). Migration is one of the key defining features of the 21<sup>st</sup> century and significantly contributes to economic and social development. Therefore, it is argued that migration will have a vital role towards achieving the SDGs (Laczko, 2016).

### **2.2.1 Types of Migration and Migrants**

Migration can occur within the borders of a country which is internal migration or, beyond a country's national boundary, referred to as international migration. Migrants can be categorized as those who are legal migrants, illegal migrants, irregular migrants, refugees, and labour migrants.

Causes of migration can be grouped into two main factors: push factors are reasons for leaving a place whereas pull factors which are reasons for moving into a new place. These factors are generally classified into economic and demographic, environmental, political, social and cultural categories (Adepoju, 2010). Ababio Anarfi and Mensa (2018) state that the reasons why people migrate are not static. Migration may be undertaken for diverse reasons. Social and psychological factors of individuals, groups or the community affect migration.

‘Macro-factors’ that contribute to migration include, the demographic, environmental, political and socio-economic situations. Meso-factors are land grabbing, communication technology and links with the diaspora. Micro-factors for example, marital status, religion, education, and personal attitude to migration also have a key role in making the final decision to migrate an individual choice (Casteli, 2018).

Migrants can traditionally be divided into two distinct groups: refugees, fleeing their home country, and economic migrants, who are searching for greener pastures in terms of better jobs and better economic security (Cortes, 2004). Previously, from an economic perspective, interest on migration focused on why migration occurs; it was seen mainly as geographic mobility of labour in response to better income opportunities elsewhere, and as such a major factor in the process of economic development (Harris & Todaro, 1970; Todaro, 1976). The moral question of distinguishing between refugees and economic migrants is easier to comprehend when placed in the specific contexts in which it has occurred (Hollenbach, 2010).

Migration brings about social transformation in societies by increasing the social and cultural diversity of populations, and by contributing to the increase of transnational communities across different geographical regions. Badasu and Darkwah in Awumbila et al., (2018) argue that the migration process has mostly been determined by social factors and setting, at both origin and destination areas of migrants. In their conclusion, they stated that migration and social change are closely linked and exert an influence on each other.

Other processes related to migration include loss of identity and community disintegration, and processes of redefining identity and rebuilding community. Migration can eventually lead to loss of cultural norms, religious customs, social support systems and adjustment to a new culture through acculturation, assimilation and adaptation. Nubians have, to different extents, experienced the impacts of migration and have devised ways and means to mitigate the effects. Migration can have different effects on people, however the impact of migration depends on specific circumstances (De Haas, 2006) for example, migration management.

### **2.2.2 Forced Migration**

Forced migration is a migratory movement which involves force, compulsion, or coercion. The term forced migration has been used to describe the movements of refugees, displaced persons (including those displaced by disasters or development projects), and, in some instances, victims of trafficking (IOM, 2019).

Forced migration has increased in volume and political significance since the end of the Cold War, becoming an essential part of North-South relationships, and linked to the processes of global social changes (Castles, 2003). Types of forced migration include: development induced displacements, for example, infrastructural projects such as dam construction, urban

development and transportation, have forced out populations and resulted in long-term environmental and socio-economic impacts.

Tsikata (2006) gives details related to two hydroelectric power generating projects in Ghana, the Akosombo Dam Project and Kpong Dam on the Volta River which were commissioned in 1966 and 1982 respectively. The projects resulted in displaced communities and had significant impact on their livelihoods which were dependant on the River Volta and the surrounding environment among others. Urban development and transportation projects have also displaced communities such as Nubians in Kibra who have faced several forced evictions over the years, some dating back to 1963. The displacement was to pave way for construction of housing estates, schools, and other amenities (CRF-OK, 2012). The most recent displacement occurred in July 2018, in parts of Lindi, Mashimoni and Makongeni villages, for a road construction project (Author, Observation, 2018). These developments led to forceful displacement of populations from their habitual places of residence.

Natural disasters, environmental degradation and industrial pollution can lead to forced migration. War and civil strife are also causes of forced migration. Another form of forced migration involves trafficking of people across national borders for exploitation as happens in the sex industry. National concerns on border control and national security are key discussions linked to forced migration (Castles, 2003).

According to (Casteli, 2018), 'macro factors' which include the demographic, environmental, political and socio-economic situations are key contributors to migration and are the main drivers of forced migration, and largely out of individuals' control (Casteli, 2018).

It has been suggested that sociologists should be concerned with forced migration since it is an important aspect of social transformation in the modern world (Castles, 2003).

### 2.2.3 Labour Migration

Labour migration relates to migrants who migrate for work purposes. They can be temporary labour migrants who migrate for a limited time for work. Others are highly skilled and business migrants who can migrate under different programs offered by some countries to fill their labour gap with specific skills and add to the human stock of their country for example, Canada's Federal Skilled Worker Programme. According to data from ILO (2019), out of 258 million migrants, 164 million were migrant workers.

Some populations have been forced to migrate for labour purposes. Lovejoy (2011) discusses the transatlantic slave trade, which was facilitated through forced migration, adding that slavery in Africa, as in the Americas, developed from its position on the periphery of capitalist Europe. Many people moved from one place to another as a result of colonialism. Nubians are an example of a group of people who were forcefully conscripted into the colonial forces, comprising the Turko-Egyptian and British armies, while Sudan was under Anglo-Egyptian rule. They migrated further into East Africa as part of the British forces in their mission to establish control over the region. The Nubians, as part of the Kings African Rifles (KAR), also contributed to the British military efforts during the First and Second World Wars in various countries (Adam, 2009, Constantine, 2011).

In the quest for exploration and expansion into the interior of Africa, colonialism was also linked to exploitation of Africa's natural resources. Scores of labourers were required for the production of raw materials for export for example, cotton in West Africa. Labour migrants were recruited from neighbouring countries in southern Africa region, to work in South Africa, Zambia and Congo mines (Adepoju, 2010).

The first group of labour migrants from the sub-Indian continent arrived at the port of Mombasa-Kenya, in 1896 to construct the Kenya-Uganda railway between 1896 and 1903 (Chattopadhyaya, 1970). The sub-Indian continent migrants were a settler community in Kenya and Uganda and European populations were encouraged to settle in new lands in Kenya during the expansion era. Many settled as farmers in the “white highlands” on productive agricultural land, as part of having foot in the empire and this was done at the expense of the local population. Indians and European settlers were given Kenyan and/or British citizenship.

#### **2.2.4 Effects of Migration**

Migration has both positive and negative effects (De Haas 2006). Migration can benefit and cost migrants, societies and governments in political, social and economic terms, mainly in relation to development, integration, health, labour markets, and institutional structures (IOM, 2005). From the 1980s, African international migration has been viewed as an important resource for development in African countries in terms of the Diaspora and remittances (Oucho, 2008).

Benefits of migration to sending countries include among others, skills and technology transfer and employment for excess labour, higher standard of living and a reduction in both poverty headcount, poverty gap and remittances. Remittances include both monetary and non-monetary flows including social remittances (Oucho, 2009). Development agencies both at the national and international level are more involved in assessing and harnessing the benefits from migration, in particular, managing remittances for the development of countries of origin (IOM, 2005).

On the one hand, several studies have highlighted the transfer of remittances and its role in improving livelihoods in migrant households and in the decision-making process (Awumbila *et al.*, 2018, Quartey, 2006).

A study on the importance of overseas connections in the livelihood of Somali refugees in the Dadaab refugee camps in Kenya, found that primarily, the remittances act as an invaluable cushion for the social safety net for the Dadaab refugees receiving child-to-parent remittances from Europe, Australia, Canada and the United States. Horst (2002) also found that the remittances helped to maintain survival and improve private accumulation among the beneficiaries. However, a negative aspect are expenses incurred in tracing the recipients and insecurity they face as recipients and dependency on the remittances.

On the other hand, sending countries may be affected by dependence on remittances and there has been interrogation of whether remittances leverage or entrench poverty (Oucho 2008). Research on Ghanaian migrants has revealed diverse perspectives on the impact of elite return migrants to the country (Asiedu, 2003). Studies have also focused on brain gain and brain drain for both sending and receiving countries through programmes such as the Return of Qualified African Nationals (RQAN) sponsored by the EU and implemented by the IOM, the UNDP's Transfer of Knowledge and Through Expatriate Nationals (TOKTEN). The IOM initiated in 2007, the Migration for Development in Africa (MIDA), which comprises placements and periodic physical and virtual returns, among others to evolve collaborative ventures with the countries of both destination and origin, Diaspora organisations, local authorities and the private sector (Oucho, 2008).

Receiving countries benefit from skilled labour in specialized sectors for example, Information Technology (IT) and health care industry and also low skilled occupations in manufacturing,

agriculture among others. Some negative aspects in receiving countries include public fears of social, economic and security implications. There is also concern of the creation of a migration culture in the youth and encourage irregular migration and bring changes in the social and cultural systems in sending countries among others. The inability to integrate migrant ethnic minorities is also a matter of concern in receiving countries, with issues on multiculturalism and identity (Manuh, 2005). Skeldon (2002, p.80), argues, “the main challenge for policymakers is to facilitate the types of movement that are most likely to lead to an alleviation of poverty while protecting migrants from abuse and exploitation”.

Research shows significant association between environment and migration. Climate change and rural-urban migration in Africa is gaining increased prominence in research circles. Jarawura (2003), investigated the relationship between drought and migration in Northern Ghana. Findings indicate that drought is a major reason for migration, with fifty one percent of the people who had experienced migration, stated drought as a reason for their migrations. Related consequences are lack of food security, low income and lack of labour to work in the farm due to migration. In general, migration brings about social transformation in societies by increasing the social and cultural diversity of populations, and by contributing to the increase of transnational communities across different geographical regions (Gans, 2007). Other processes related to migration include loss of identity and community disintegration, and processes of redefining identity and rebuilding community. Migration can eventually lead to loss of cultural norms, religious customs, social support systems and adjustment to a new culture through acculturation, assimilation and adaptation. Migrants have to different extents, experienced the impacts of migration and have devised ways and means to mitigate the effects.

Migration can have different effects on people, however the impact of migration depends on specific circumstances (De Haas, 2006) for example, migration management.

### **2.3 Types of Citizenship**

Migration occurs in the context of globalization, which has made it possible for people to move from one destination to another. Depending on the context, it raises issues regarding migrants and citizenship in destination countries as was the case with Nubians and other migrant communities in Kenya. Following their migration from Sudan and subsequent retirement from active duty, Nubians were made to settle in Kenya in circumstances by default rather than by design, owing to the British government expansionist yearn (Kabukuru, 2003). Members of the Nubian community members have experienced difficulties with regard to their citizenship in Kenya.

Citizenship and identity are related and have an influence on how a group of migrants (Nubians) consider who they are in relation to where they belong and where their home is. The experience of the Nubians indicate that their identity and citizenship are related.

They also derive their identity from their citizenship as Kenyans. Citizenship as a status, has played a major role in identity formation among Nubians. This study uses citizenship as a major reference of identity of the Nubians, at the country of their destination, Kenya.

In general, citizenship based on circumstances of birth is automatic, nevertheless, in other cases, an application may be required. There are various types of citizenship which are applied by different countries. Citizenship can be acquired by descent (right of blood), referred to as *jus sanguinis*; citizenship based on country of birth is known as *jus soli* (right of soil);

citizenship acquired through marriage is known as *jus matrimonii* and citizenship by investment or economic means (Felfe et al., 2017).

Diverse thoughts from scholars have contributed to the debate on the concept of citizenship. Not surprisingly, citizenship has become less clear as its relevance and prominence have increased partly due to conceptual stretching as a result of the use of citizenship and different views of its users (Heisler, 2005). Migration across state borders is an important factor in citizenship and “the notion of citizenship requires continual conceptual, philosophical, and value clarification,” more relevant (Janowitz, 1980, p.1).

Citizenship can be defined as a relationship between an individual and a state to which the individual owes allegiance and, in turn is entitled to its protection. In this respect, it implies the status of freedom with accompanying responsibilities (Rainer, 2006). A citizen can also refer to a resident of a city as well as in a general sense a person residing within the boundaries of a state. A broad explanation to citizenship is having a membership within a community and being a participant in that community.

Migration is at the centre of citizenship issues including the “portability” of individual human rights (Heisler 2005). In a bid to control migration mostly from developing countries, developed countries have turned to “exclusionary discourses of citizenship” Choules (2006). The opinion that citizenship of a safe and stable country is a privilege has been proposed by among others, Bader (1997) and Benhabib (1999).

To support his argument that citizenship has always meant the exclusion of non-members, Bader (1997b) states that in present conditions, “democratic citizenship in the rich and safe Northern State is increasingly a privilege, and privilege gives rise to dominance” (McIntosh, 2002, p.79 in Choules, 2006).

Citizenship privilege can be accessed through naturalization or migration after meeting specific requirements of the country concerned. The discourse on privileged citizenship supports those who suggest that exclusionary discourses on citizenship are not compatible with justice and not aligned with universal human rights. Both the discourse and practical consequences of citizenship obstruct global social justice and human rights (Choules, 2006). Choules (2006) aimed to show that citizenship privilege is not consistent with social justice or human rights, with the main challenge being finding the minimum border control that is consistent with social justice and human rights globally. This would necessitate the creation of international bodies with jurisdiction to arbitrate the right to enter a country based on universal human rights and global social justice standards, not narrow national interests. Citizenship also involves a certain sense of membership and belonging to a given political community. Bellamy (2008) points out that exercise of political citizenship is best exercised at the state level, but states should maintain an obligation to allow access for non-citizens to membership on non-discriminatory terms.

Citizenship implies recognition to a society or nation state in the formal sense. There are some conditions or regulations which offer guidance as to who is a citizen, and these can be found in a country's constitution. There are several approaches to citizenship for example, liberal, communitarian, republican and global citizenship, each with its merits and demerits, which have demonstrated shortcomings in their application in relation to the Nubian case. Different countries apply different approaches to citizenship. Citizenship should take into consideration various aspects for example diversity and inclusivity and recognize citizens as individuals and by extension, the group they belong to, for example, an ethnic group. In this study, and with particular reference to the Nubian case, the liberal approach of citizenship informs the study. Both the principle of liberalism and the Constitution of Kenya 1963 and the current constitution

2020, are compatible with the principle of equality and tolerate diversity. Notwithstanding some limitations, the liberal approach to citizenship it is considered as the most practical taking into consideration the study's focus on Migration, identity and land rights.

### **2.3.1 The Kenyan Context of Citizenship**

With few exceptions (Ndegwa, 1997; Smith, 2013), Balaton-Chrimes (2016) investigates two kinds of citizenship deficits; those experienced by the Nubians in Kenya and, more centrally, those representing the limits of citizenship theories. On a practical level, it is clear that it is impossible to ignore the role of ethnicity in politics (Eyoh, 1999). In the challenge of constructing a political community of equal citizens, therefore, Nubians faced inequalities also based on ethnicity.

Considering the community's post-statelessness, an approach proposed is one which remains considerate to equality and takes into account the realities of the importance of ethnic difference in the Kenyan polity.

The coveted Kenyan National ID card grants citizenship by giving individual recognition and access to rights and this is in line with the principle of a liberal concept of citizenship. However, in this case, a liberal approach to citizenship does not explain why the Nubians have experienced difficulties with obtaining ID cards. Nubians for a long time have not been fully included in the Kenyan identification system. Moreover, they have experienced being half citizen and exclusion from recognition of their collective identity. The inclusion of some and exclusion of others clearly depicts the presence of a hierarchy and limits full citizenship.

Citizenship in Kenya is composed of several aspects such as membership, rights and political participation in which having a 'territory' is an important precondition leading to greater security and access and enjoyment of the other components of citizenship (Sassen, 2006).

This is one of the reasons Nubians claimed Kibra as their territory being their homeland and ancestral in Kenya.

Given the Nubians' experiences, indigenous and autochthonous ethnicity have eclipsed other possible principles, including nationalism, class and liberalism on citizenship matters. Liberalism and its technologies, including "impartial" citizenship status and identification, constitutions and parliamentary institutions, have some place in Kenyan politics and bureaucracy. Nevertheless, the Nubians' experience shows that liberal ideology and technologies have been reduced to ethnic reasoning (Shilaho, 2015). The Nubians case demonstrates that inequality is characterized by inconsistency within a liberal democracy.

An enduring problem in political theory research remains the difficulty in accounting for inequality among citizens in democracies, a concern of democratic theorists being: what is the relationship between ethnicity and citizenship or what could it be? Balaton-Chrimes (2014) states that a liberal conception of citizenship, as well as using the liberal approach can be used as a channel to pursue and get legal status and individual rights. Even in the acquisition of identity cards, Nubians faced difficulties, among them individual and collective recognition which can be linked to ethnicity. Identity in the study is measured in terms of citizenship which would have an influence on access to land.

As a political principle, liberalism first appeared in seventeenth century England, where the greatest threat to equality and autonomy seemed to be interference from the state and society in people's private lives (Locke, 1690/1986). With this emphasis on autonomy in private life, the liberal political tradition does not consider the difference associated with citizens'

(or non-citizens') private lives, including identities such as ethnicity. Instead, the tradition emphasizes equality in the form of universalism (Young, 1989) which did not in reality apply to Nubians.

The liberal tradition tolerates diversity, as long as it remains confined to people's private lives and does not intrude upon the freedoms or equality of others. From this perspective, the only aspects of identity relevant to citizenship are those pertaining to individual legal entitlement to a nationality, such as place of birth and nationality of parents (Balaton-Chrimes, 2014). Nubians were qualified under these two perspectives, nevertheless, full citizenship was still not unattainable. Other features of identity, including ethnicity, ought not to be relevant to citizenship, lest they corrupt the principle of equality of individual rights and status. From the liberal perspective, difference is only relevant if it is associated with discrimination, of which the liberal tradition is, rightly, heavily critical (Balaton-Chrimes, 2014).

Liberal states, therefore, (in theory) engage in practices and deploy technologies which affirm this doctrine. The difficulties that liberal states face include the recognition of group rights, for example, indigenous rights and implementation of identification technologies. Identity and nationality documentation is one of the most common means used by states to confer legal citizenship status in a universally same and equal way to all those who are legally entitled to it. Identification regimes such as national ID cards (presumably) guarantee state protection of individual rights, and affirm citizens' equality with each other. The challenges to equality and autonomy that liberalism sets out to address are still threats: in that, states and societies can be exceedingly intrusive in people's private lives. It is not clear that prominence on individuality, formal status and blindness to difference, is able to protect against these threats and enhance equality among citizens (Balaton-Chrimes, 2014).

Nor is it evident that allegedly 'liberal' technologies like ID cards even operate, in practice, according to liberal principles. Many have expressed great concern that ID cards are in fact anti-liberal to the extent that they are a significant intrusion of the state into its citizens' private lives. The article by Balaton-Chrimes (2014), connects citizenship as documented status to a liberal conception of citizenship. It also points out the ways in which this approach is useful, as a means of obtaining legal status and possession of individual rights. Further, it identifies ways in which a liberal conception of citizenship falls short of accounting for the Nubians' citizenship problems by neglecting the more collective dimensions of citizenship practice and recognition.

Castles (2005), takes into consideration changes in citizenship rules, rise of multiculturalism, hierarchical nation-state system and hierarchical citizenship as well as working towards transnational democracy. He summarizes four main contradictions in the modern state on citizenship as between inclusion and exclusion; between the citizen and the national, between the active and the passive citizen and between the citizen as political sovereign and the warrior-citizen. A more liberal citizenship regime is certainly what anti-statelessness NGOs advocate, as do some scholars of African democracy whose argument is that ethnicity is a purely cultural phenomenon, suitable only to the private domain (Randrajarian, 1996). Citizenship is made up of multiple elements such as: membership rights of political commodities in Kenya and an analysis on the association of linking democracy and ethnicity would provide for important insights on this relationship. Both regimes of citizenship liberal and republican, present a deficit with regard to the Nubians. It could be said that none made them feel fully as Kenyan citizens. With reference to the Nubians' case, it can be said that although Kenya's citizenship laws and institutions may be liberal on paper, in practice, they are not.

For example, they still undergo vetting when applying for ID cards whereas the other citizens are not required to. Access to land was another limitation facing the Nubians as a community.

Apart from Nubians, there are other ethnic minorities in Kenya who have faced and continue to face similar challenges with regard to land rights and citizenship, particularly in accessing the national Identity Card (ID card). Among such groups are the Galjees who live in Tana River county. They are said to be Somalis from Somalia and this has been one of the reasons which has to be “cleared or vetted” before they are considered as Kenyan citizens. Further, some members of the Galjees have been accused of impersonating other ethnic communities with a view of obtaining National Identity (KNCHR, 2007).

Like Nubians, some communities are subjected to vetting to ascertain their nationalities as Kenyans as part of the process to acquire an ID card. These ethnic communities include Somalis, Kenyan Arabs, but also Maasai and Tesos who live in border areas of both Kenya and its neighbouring countries of Tanzania and Uganda respectively (KNCHR, 2007). Other ethnic minority groups include: the Pemba who also have questions surrounding their status as citizens of Kenya - they are originally from Pemba Island, in Tanzania and arrived in Kenya in the early 1960s -, the Makonde of Mozambican origin living in the coastal region, migrants from Zimbabwe who settled in Kenya in the late 1960s and people from Arab communities of Yemeni and Omani descent. The Ogiek and Endorois, who are hunters-gatherers have had cases relating to loss of their land. The Ogiek have taken to court several cases against the Kenyan government since 1997 to repossess their ancestral land, against discrimination and abuse of human rights (Kimaiyo, 2004). Other marginalized minorities in Kenya include the Shirazi whose origins are linked to Shiraz and the South Western coastal region of Iran.

### **2.3.2 Ethnicity and Citizenship**

Kenya's multi-ethnic composition exerts an influence on 'citizenship' and the feeling of 'belonging'. I will mainly lean on the liberal citizenship approach and incorporate an aspect of republican citizenship touching on ethnicity. Stephen Ndegwa (2014), states that as a result of "democratic openings" in some African countries, there has been an increase in ethnic competition resulting in delayed transitions or conflict. With reference to Kenya, this situation resulted from the disputed 2007 elections and thereafter the Post Election Violence (PEV). He argues that, the stalled transition reflects the effects of republican citizenship in ethnic political communities and liberal citizenship in the national political community.

This duality in citizenship provokes conflict over democracy considered as liberal majoritarian democracy and resulting in ethnic coalitions differing views in a multiethnic state like Kenya.

Balaton-Chrimes (2016) concurs to the extent that there is a hierarchical nature of Kenya's ethnicized citizenship regime and the multiple aspects of citizenship itself. Further, major traditions of democratic theory hold suspicions for what ethnicity could bring to the polity. An explanation is that civic-republicans view ethnicity as being narrow and encouraging favoritism that will weaken civic allegiance and national unity.

Liberals consider that ethnicity is a form of difference that can only undermine equality, which can also be understood as universalism. Communitarians are, to a certain extent, more willing to consider the notion of some role for ethnicity, seeing community as the most effective way to support liberal values. Generally, communitarians perceive ethnicity as undermining democracy, the reason being that it is insufficiently liberal and unable to promote a sufficient degree of universal equality.

Democracies characterized by ethnic diversity also see ideas of social justice, social cohesion and interpersonal responsibility taught and learnt in the ethnic community, and sometimes translated across ethnic groups (Lonsdale, 1994, 2004; Klopp 2002; Werbner, 2004).

However, the multidimensional nature of ethnicity is not always dealt with sufficiently in either the Africanist or the democratic theory literature and is an emerging area of research and theory (Balaton-Chrimes, 2016). Debate touching on ethnicity and democratic theory literatures remain unresolved, as scholars continue to differ about which interpersonal practices and institutional arrangements are most suitable for dealing with ethnic (and other) difference. Citizenship and ethnicity as forms of identity may be used for the purpose of inclusion and exclusion. Ethnicity has acquired a negative image because it is practiced in the most negative sense (Nyanhoga, 2014) bringing about tension and clashes.

Horowitz (1985) wrote that ethnicity is one of those forces that are community-building in moderation, and could be community-destroying in excess. Ethnicity is also seen as a relational concept; it has to do with insiders and outsiders. Emphasis is put on the information that ethnicity does not act in isolation. It interacts with such additional social forces as the rural-urban divide, the underlying class struggle, the social dialectic between men and women, and the impact of religion on society. Nyanhoga (2014), refers to ethnicity as being the ways in which collective identity gets constituted when members of a particular group move out of their traditional area and confront unfamiliar grounds, in which interactions is not organized by the same kinship and culture as within the same group or culture. However, primordial explanations of ethnicity presuppose that ethnic groups are natural and predate the colonial period (Geertz, 1963).

The constructionists argue that ethnic groups are a modern social construction having been created in the late 19<sup>th</sup> century through migrations, enslavement, conquest and marriage. The administrative imperatives of colonial rule classified people into ethnic blocs to make political and economic management easier.

There is existence of ethnic imbalances of opportunity among the ethnic communities in Kenya. This is according to Rothchild (1969), whose study on ethnic inequalities in Kenya showed that disparities and imbalances resulted from factors such as social outlooks, educational circumstances, differences in regional settlement and investment, among others. The less advantaged alleged that ethnicity was an important factor in determining employment or promotions in the civil service.

#### **2.4. Theories of Citizenship**

Among the theories of citizenship, the work of Marshall (1950, 1964), considered a social pluralist, has become key to conceptualizing citizenship in the 20<sup>th</sup> century. Marshall argued that the prevalent view of citizenship in mid 20<sup>th</sup> century as a set of civil rights and obligations was excessively narrow and formalistic. He saw the gap between social classes in Britain as an obstacle to the effective application of such civic citizenship (Heisler, 2005). Marshall (1964, p.30) went further to divide citizenship into three parts or elements of civil, political and social rights. He also stated that “those who possess this status (of citizenship) are equal with respect to the rights and duties associated with it”. However, a critique of Marshall is that although he was influenced by the Marxist theory, he did not take into consideration inequality. The Marxist theory on citizenship in the 1840’s studied modern citizenship during the French and American revolutions, proposing that limitations of citizenship could be defeated by the lower classes taking over the power after overthrowing the upper classes.

Jones and Gaventa (2002), point out three approaches on citizenship as liberal, communitarian and civic republican. The liberal thought conveys that individual citizens act rationally to advance their own interest and the state's role is to protect them as they exercise their rights (Oldfield, 1990). On citizenship in communitarian thought (Isin and Wood, 1999, p.2) state that:

“Communitarians assert the group as the defining centre of identity and that all other individuals imagine themselves only in relation to the larger community as the basis of common ground”

Central to civic republican thought on citizenship, it should be understood as a common public culture (Habermas, 1998; Miller 1988, and Beiner, 1995). But for migrants, the common public culture notion may not apply to them if the constitution fails to extend citizenship to them. Belamy (2008), examines two types of theories on citizenship: normative and empirical theories. The normative theories try to set out the rights and duties citizens ought to have. The normative ‘models’ of citizenship can be traced to ancient Greece and Rome.

The empirical theories aim to describe and explain how citizens came to possess those rights and duties, and mostly concern the development of democratic citizenship within the nation states of Western Europe. Migrants in democratic host countries may be expected to possess the rights and duties of citizens if they are granted full citizenship.

#### **2.4.1 Liberalism and In (Equality)**

Citizenship is the core characteristic that unites individuals with diverse interests in one society and it is involved in the guaranteeing or denial of rights, in the application of law, in the economic benefits and social services and in the education, among others.

However, citizenship does not promise equality to all people whether within a country or beyond its borders (Choules, 2006). According to Heisler (2005), approximately a century ago, not many people were full, equal citizens even in a formal, legal, sense. Among those excluded were foreigners, women and slaves in the Greek *polis*, the earliest democracy. Others were those without property, minors, ethnic and religious minorities and indigenous people, considered to have second, third, or non-citizenship status (Heisler, 2005; Castles, 2005).

On exclusions and inclusions of citizenship, it is argued that the universalisation of the concept of 'citizen' tends to "hide the realities of exclusions under a veil of formal equality" (Mamdani, 1996; Ellison, 1999, Young, 1989) Belamy (2008) explores the internal and external dimensions of the exclusiveness of citizenship, examining the rationale for the traditional qualifications of citizenship based on class, property, gender, and ethnicity and the internal forces that challenge each. According to him, how far such exclusions are perceived as discriminatory depends on why they are imposed. There are marginalized groups such as Nubians facing similar exclusions and disadvantages (Kabeer, 2000; Mamdani, 1996; Frazer, 1997). In his analysis of post colonial African states Mamdani (1996), argues that colonialists institutionalized whites and elites as economically and culturally superior citizens, and colonized blacks as devalued subjects.

All nations are equal, at least in international legal terms. Nevertheless, there is a marked hierarchy based on domination in military, economic, cultural and political affairs, the highly developed countries, transitional countries, less-developed and the failed states.

Hierarchy also applies to passports and not all passports are equal. Some give easier access to more countries, whereas others have limited mobility (Castles, 2005). Hierarchical citizenship also implies that depending on their citizenship, some people will enjoy a higher level of rights and privileges compared to others.

However, citizens of one country can be lesser citizens in their own country for example indigenous populations such as native Americans and Aborigines in Australia. Castles (2005) classifies the hierarchy of citizenship within nation-states as full citizens, denizens, undocumented migrants, asylum seekers, indigenous peoples and gender divisions.

Currently Nubians would be classified as denizens, being immigrants who have obtained some citizenship rights on the basis of long-term residence and who have now become full citizens. Brysk and Shafir (2004) describe the disparity in the rights enjoyed by citizens and those enjoyed by outsiders as the ‘citizenship gap’. Hierarchy of citizenship facilitates the construction of a “differentiated global labor force” because different countries will seek to attract and admit people with different levels of skills, for example the Canadian high skilled immigrants programme. Countries will also have documented or undocumented workers who are needed for their cheap labor and therefore easier to exploit (Castles, 2005).

#### **2.4.2 Global Citizenship**

Some citizenship theorists have projected the idea of citizenship to a global level. Castles (2005) describes globalization as flows across borders, flows of capital, commodities, ideas and people. Castles and Davidson (2000), argue that the nation-state and citizenship are turning out to be global norms (Castles, 2005).

Similarly, Triadafilopoulos (2001), reiterates that there is a general agreement that globalization is weakening the nation-state and bringing in new types of political organizations.

On a global level, in democracies, conversations on citizenship have shifted from the inclusion of native populations to three overlapping subjects: cultural or communal versus individual rights; the rights, treatment, and status of non-citizens; and the meanings and forms of belonging, identity, and political membership (Heisler, 2005). Migration should then be seen as a major contributing factor to changing notions of citizenship.

Leaning towards the idea of a global citizenship is dual citizenship which “we may have to recognize as the rudimentary form of that international citizenship to which, if our words mean anything, we aspire” (Bourne, 1916, as cited in Bauböck, 2009, p. 475). Other thoughts include external citizenship which is becoming significant for migrants and sending countries whose attitudes towards expatriates have changed considerably according to Bauböck (2009). Similarly, the idea of cosmopolitan citizenship which makes reference to obligations of solidarity that human beings have towards others across state borders and national identities, also supports global citizenship (Nussbaum, 2000; Appiah, 2006).

The earlier view by Carens (1987), backs both ideas of open borders and of equal moral worth. He acknowledges the concern that open borders would threaten the unique character of different political communities, but, only because it is presumed that a huge number of people would come in if they could. Migrants may be considered as a source of threat in the host country due to misconceptions as well as related fears by the hosts. Waltzer (1983) states that most human beings do not like to move, the reasons being, they feel attached to their native land, language, culture including the society they grew up in. They will stay on because of these attachments and will move when life becomes difficult. It has been noted that an estimated 244 million people, only three percent (3%) of the world’s population has been made up of international migrants whereas the vast majority of the world’s population live in

their country of birth. In most countries, migrants form less than ten percent (10%) of the total national population (McAuliffe & Ruhs, 2017).

It is expected that, as a result of open immigration, changes to the character of a community would occur, but it would also infuse and make new ways of life. This would be a confirmation of the liberal character of the community and of its commitment to principles of justice (Carens, 1987). Triadafilopoulos (2001), makes suggestions which are similar to Castles and Davidson (2000) that there is a general agreement that globalization is weakening the nation-state and bringing in new types of political organizations. Scholars of migration and citizenship have argued that high immigration as a result of globalization has challenged traditional forms of citizenship.

According to Castles and Davidson (2000, p.24), citizenship should not be based on a singular or individual membership in a nation-state because, the same nation-state is being eroded. They propose theorizing a "new kind of state that is not constituted exclusively or mainly around the nexus of territoriality and belonging". Generally, it can be said that many immigration countries have moved away from older exclusionary or assimilationist ideas of national belonging, and lean towards more inclusive multicultural models. Previously closed countries are opening up through multiculturalism and immigration, for example Canada (Castles, 2005, p.210).

However, not everyone is in favor of the influence of globalization on citizenship matters. Scholars, including Miriam Feldblum, Randall Hansen and Christian Joppke downplay the singular importance of globalization and point instead to domestic sources of change to citizenship norms and conceptions of national identity (Castles and Davidson, 2000).

Another Sociologist Michael Mann (1997), does not deny the globalised economy as a fact. But, this does not mean that the power of the nation-states is being eroded, since nation-states are not the victims of globalization, but its architects.

## **2.5 The Social Identity Theory (SIT)**

The Social Identity Theory (SIT) has been identified to explain the work which will link identity issues with migration and land rights in particular of a migrant group, the Nubian Community. SIT was first proposed by Tajfel (1978, 1979). As stated by Hogs and Abrams (2006), the SIT focuses on the ‘group in the individual’ and assumes one part of the self-concept is defined by belonging to social groups.

For the application of the SIT, the group will be the Nubians who are a minority ethnic group. According to Tajfel and Turner (1979), people categorize themselves as belonging to different social groups and evaluate these categorizations. Membership, alongside the value placed on it, is defined as social identity. To enhance their self-esteem, people want to develop a positive social identity.

Tajfel (1979) proposed the “minimal group paradigm” and showed that minimal categorization to one group or another makes people discriminate against the designated out-group and favour their in-group. He also structures the definition of a group alongside a cognitive component (knowing about a group membership), an evaluative component (positive or negative evaluation of group membership), and an emotional component (positive and negative emotions) associated with the group membership and its evaluation. Based on his understanding of social groups as outlined, Tajfel (1979) suggested four underlying principles of SIT which are social categorization, social comparison, social identity and self-esteem.

In SIT, a social identity is a person's knowledge of belonging to a social category or group (Hogg and Abrams, 1988). Through a social comparison process, people who are similar to the self are categorized with the self and are labelled the in-group as opposed to the out-group who differ from the self. In general, one's identity are composed of the self views that emerge from the reflexive activity of self-identification in terms of membership in particular groups or roles. (Burke and Stets, 2000). Culture, nation and ethnic background are other categories which have stipulated research in the area of SIT (Hamilton and Sherman, 1994; Oakes, Haslam and Turner, 1994).

Some writers, including Gregor and McPherson (1966), and Turner (1981), have argued that the status relations between dominant and subordinate groups determine the latter's subordinate problem (Tajfel and Turner, 1979). The Nubians have expressed views that they were being treated as second class citizens especially with issues relating to their identity and recognition as full Kenyan citizens, acquiring national identity cards and other formal documents and on land rights issues. Nubians as a group, generally share the same views on some common issues of concern mentioned above, making them employ collective efforts to resolve them.

When most of the actors in a category share the same perceptions, a mutual reinforcement of those perceptions occurs with the consequences of group formation. Further, as persons see an identity between themselves and other in group members, they will also see an identity of interests in terms of needs, goals and motives associated with in-group membership (Turner, 1987).

Ethier and Deaux (1994) examined the maintenance of an ethnic identity and feelings of esteem when individuals are faced with a threat to that identity. The results showed that feeling the increased importance and involvement in one's ethnicity did not occur for all but it happened

only for those respondents who were already more involved in their ethnicity, a process they call *remoothing*. In other words, prior ethnic involvement influences the degree to which individuals make an effort to maintain their group membership (Turner, 1987). Nubians were once the majority with a dominant culture in Kibra. However, they have had to absorb some practices such as a common dominant language spoken which is currently Kiswahili, whether instinctively or for survival.

Identity can also be linked to a geographical area associated with a group of people of people can identify with. Nubians felt that as a minority, their rights especially to secure their ancestral land Kibra was denied to them. Their settlement was not intended to be permanent and they expected to return to their country of origin. Having been brought to Kenya by the colonial forces, they wanted to return to their origin in Sudan which was not to be. Their prolonged stay in Kibra gives rise to the issue of once migrant groups becoming permanent residents. Further, how their identity is constructed, reconstructed and experienced among Nubians as the in group and *vis a vis* non-Nubians, as the out group within the SIT.

Nubians as a group identify with Kibra land as their home. Land remains a sensitive issue the world over. Onalo (2010) states that the capacity to ownership exist in three forms; (i) natural persons, (ii) artificial persons such as corporations, cooperatives and trade unions; (iii) legal owners at equity who include trustees and personal representatives.

Communal ownership is of interest and it is stated in the Constitution of Kenya (2010). Nyakeri (2012), reflects on the historical background of laws that influence land-related issues in Kenya. It is understood that for ownership to occur, one needs to have rights over the property. Kenya became a British colony in 1920.

According to Ogendo (1991, p.54), “The natives were rendered tenants at the will of the crown” as the land owner. Looking specifically at the Kenyan context, interested groups include: tenants, residents, structure owners, non-residents and land owners (Oucho, 2002, p.109). Okoth-Ogendo (1998), focuses on the unprecedented preoccupation with land policy development in Sub-Saharan Africa in the last two decades. These problems have evolved over a considerable period of time and in the light of rapidly changing economic, social and political conditions in the region, reform of land rights and complimentary infrastructure have become inevitable and need to be addressed urgently. Waiganjo and Ngugi (2001) detailed the development of the current legal regime related to the land question in Kenya, suggesting that policies on land matters in Kenya must seek to relate ancestral land rights with current legislation. Failure to ensure that all have access to land with some form of tenure keeps countries and communities locked into cycles of poverty and marginalization, bringing discontent, fueling discord, and highlighting divisions in society (Gichuru, 2008).

Culture as a theme has been focused on widely in literature. Ayisi (1992), describes culture as “that complex whole which includes knowledge, belief, art, law, morals, customs and all other capabilities and habits acquired by man as a member of society”.

It comprises the way of behaving; it is the way we do things, another aspect of culture is the means by which we do things. Acculturation and assimilation are two concepts which are part and parcel of the migration process. Ayisi (1992), further points out that because of cultural contact or acculturation, no culture could be said to be pure. Over time, various elements exert their effect on culture which in turn experiences changes in certain aspects. Nubians have maintained their culture although there have been some changes for example, within the social-economic and environmental aspects and interaction with other populations as well.

The principle of social categorization puts emphasis on the importance of value dimensions and help members to create a positive social identity and feel good about themselves. Nubians, initially due to their privileged status as foreigners, had a higher social standing *vis a vis* the local population. Their categorization caused prejudice against them due to their migrant origin and later, impacted on their access to citizenship and access to land. Social comparison mediates the relation (i) within the group and (ii) with others who are non-Nubians. Among themselves, Nubians had comparisons based on their clans, whereas, as a group they compared themselves with non-Nubians on intermediate factors for example ethnicity, religious affiliation, geographical identity as well as citizenship. Based on these comparisons, emerge the group norms, structure and intergroup relations (Hogg, 2000).

Social Identity ideas imply a distinctive view of the self (Turner, 1982). Initially, Nubians viewed themselves as foreign migrants, and thereafter, as Kenyans. This flexibility in how they identified themselves, contributed to the challenges faced concerning their migration status, were they migrants or non-migrants and consequently, impacted on their citizenship status as well as land ownership in Kibra. Previously, as the dominant group due to social status and higher population as residents in Kibra, Nubians held themselves in high esteem compared to Non-Nubians. Low esteem was experienced mainly due to over population by rural-urban non-Nubian migrants leading to scarcity of land, change of lifestyle, becoming a minority, marginalized and vulnerable group.

The four principles of SIT being social categorization, comparison, identity and self-esteem have been experienced differently through time from pre-independence to post-independence to the present period. The Nubian's change in identity and confirmation of their citizenship, is key to having land rights in Kibra.

Land ownership/access will be supported by the presence of factors drawn from good land governance system by the World Bank (Kaufmann & Kray, 2008), which gauge the administration of land matters in any jurisdiction. Land issues will be discussed in detail in Chapter 7.

## **2.6 Conceptual Framework**

This research traverses the essential elements that make people accustomed to their identity and help them nurture and sustain their sense of belonging. Laying claims to geographical space, as has been discussed in this study, makes land one of the important elements that is necessary to assert one's identity. The conceptual framework that guides this research takes into account three key variables. These are:

1. Migration status
2. Identity formation which is related to citizenship regarding the Nubians in Kenya
3. Land ownership/access

The concepts just outlined were born out of the theoretical underpinning of social identity and of citizenship. More so, in considering the trajectory of the Nubians, the way to explain their land ownership/access must inevitably consist of their migration history, identity, and citizenship. Thus, the conceptual framework that provides the parameters to explain how the Nubians have come to belong to Kibra in Kenya rests on land ownership/access, identity, and migration status.

### **2.6.1 Migration Status**

The term 'migration status' as used in the conceptual framework refers to the categorization of Nubians in Kibra as migrants or non-migrants and never both. The term is an attempt to provide

a measure that indicates whether the Nubians are seen as Kenyan nationalists (non-migrants) or aliens (migrants). Here, cognizance is given to the fact that, the 2010 Constitution of Kenya stipulates that the Nubians are entitled to Kenyan nationality and have, by that provision, gained the status as citizens of Kenya. This entails equal treatment of Nubians as of other Kenyan nationals (Baraton-Chrimes, 2014). This, notwithstanding, may be far from reality. This study goes behind the law to investigate the realities lived by the Nubians in terms of whether or not they are regarded as migrants by the larger Kenyan state.

### **2.6.2 Identify Formation**

Flowing directly from the theoretical exposition of social identity is the concept of identity formation. Social identify, as pointed out by Burke and Stets (2000), is a person's knowledge of belonging to a social category or group. The legitimacy of the Nubians to be identified as part of the local populace is questioned given their origin. Considering the vast space of time that the Nubians have settled in the land of Kibra, Kenya, one may consider it most unfair to deny them permanent residence in the land. This is coupled with the fact that the original home of the descents of today's Nubians in Kibra has been long obliterated, such that these origins cannot be reclaimed by the contemporary Nubians living in Kibra. The antagonism between being identified with Kenya and reclaiming lost identity with Sudan for the Nubians in Kibra produces the concept of identity formation.

Identity formation, as used in the study, puts a searchlight on what has been done to effect permanent stay, or otherwise, of the Nubians in Kibra. Identity formation emphasizes how the Nubians have been integrated into Kenya through their ethnic identity, religious acceptance (or marginalization), citizenship acquisition, and geographical identity. These provide the variables that indicate identity formation as far as this study is concerned.

### **2.6.3 Land Ownership/Access**

What is demonstrated as the crux of this study regards how the Nubians in Kibra, Kenya, are able to lay claims to land properties. The problem identified in this study shows that Nubians, having been contested on legitimacy of their stay in Kibra as Kenyans over a long period until recently, still have issues owning land or accessing same on their own merits. Drawing from good land governance system espoused by the World Bank (Kaufmann & Kraay, 2008), five of the major areas that measure how well land is being administered in any jurisdiction have been adapted as variables to measure facts about land ownership/access. They are as outlined and discussed beneath.

#### **a. Voice and accountability**

This refers to the ability of people to speak out about infringement on their land rights. Also, it indicates the ability of people to demand accountability for management and use of land by people who have been entrusted with land for the good of the generality of the people.

#### **b. Government effectiveness**

This captures the ability of government to manage pressures from the demand and use of land, and to harmonize various interest groups in a manner that preserves peace and stability for the generality of people.

#### **c. Regulatory quality**

This captures the ability of government or state institutions to formulate and implement sound policies acceptable to the generality of people who are interested in the issues of land.

**d. Rule of law**

This refers to the extent to which the generality of people has confidence in and abide by the rules and channels of redress in land misunderstanding. It indicates how equally everyone is treated by the law, and the trust they, especially, marginalized groups have in the law.

**e. Control of corruption**

This addresses the extent to which corruption is checked and fairness and due compliance to law is ensured in land governance.

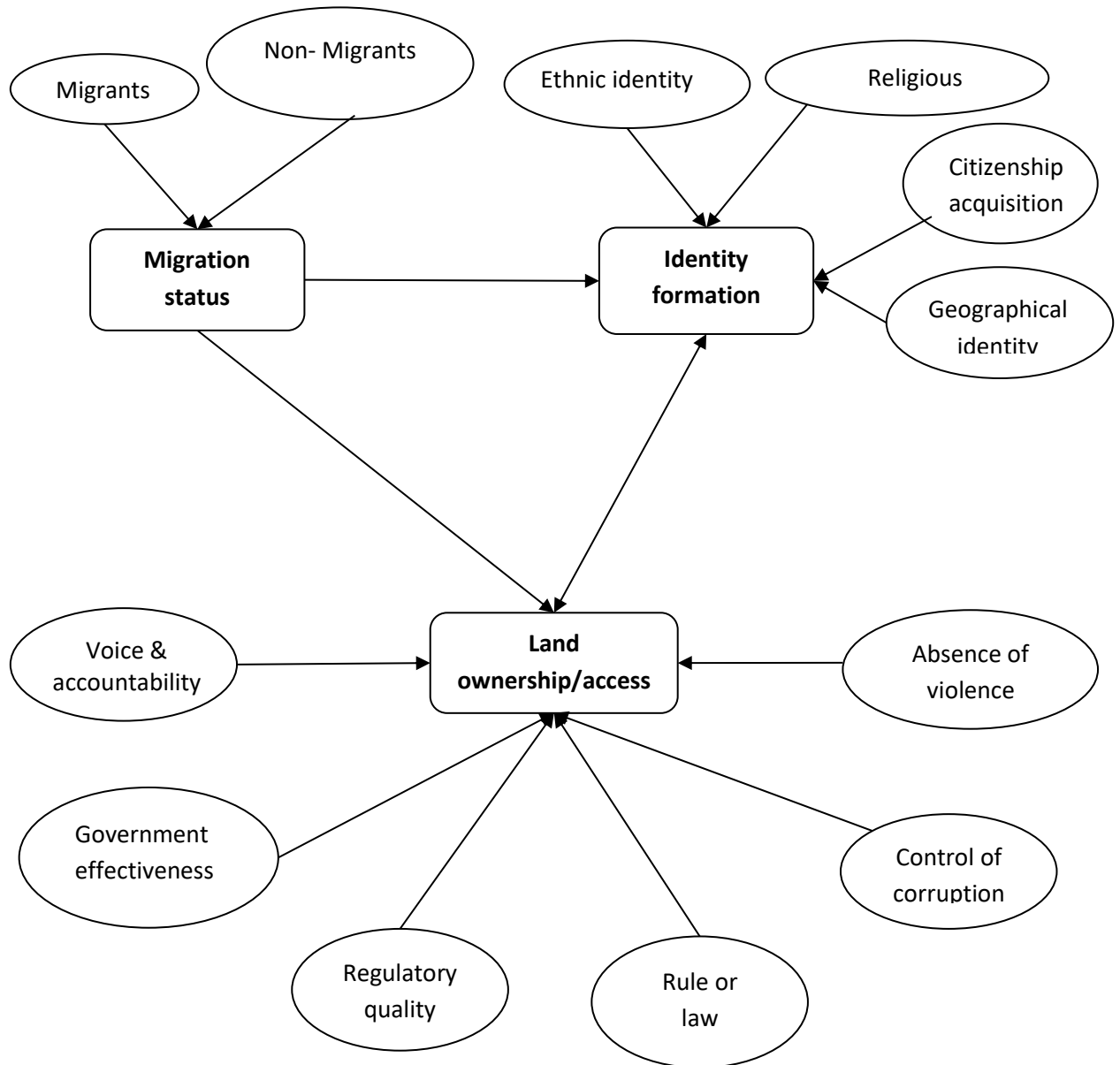
**f. Absence of violence**

This captures the ability of formal and informal systems to resolve land conflicts without disputants resorting to violence and causing physical harm.

Thus, land ownership/access is measured by the facts pertaining to these six (6) considerations. The three basic concepts, that is, migration status, identity formation, and land ownership/access, meanwhile, are conceived to have inherent relationships. The issue of how much of land ownership/access can be explained by migration status and identity formation is the fundamental question that this study sought to explore.

In Figure 2.1, the interrelationships proposed among the three concepts have been illustrated. Migration status and identity formation could have a dependent relationship that needs to be explained. It is proposed that identity formation depends on migration status. That is, in order for people, such as the Nubians, to have gained identity as Kenyans, and people of Kibra for that matter, they must have surrendered their identity with some other origins and established clear facts that entitle them the Kenyan identity. Although the two are interrelated, it is anticipated that the indicators of migration status and identity formation could determine the variability in land ownership/access as far as the Nubians' circumstances in Kibra are involved.

**Figure 2. 1** Conceptual Framework on the Interrelationships between Migration, Identity and Access to land



Adapted from World Bank Good Land Governance System (Kaufmann and Kray, 2008).

The migration status traces the Nubian migrants at different periods. The community was originally from Sudan before settling in Kenya. The first generation were born in Sudan and the subsequent ones, were born in Kenya.

Nubians previously referred to themselves as Sudanese and foreigners, they had a privileged relationship with the colonial administration and advantages over the native population. Identity is shown to be flexible as they changed to be known as Kenyan Nubians in the years proceeding independence and thereafter. This was part of the process to fit in with the anticipated political changes of a country, from a colony to an independent country. Nubians needed to become Kenyans and to be recognized as such. Although they claimed Kibra as their ancestral homeland in Kenya, they could not be given this land because of ‘uncertainty’ over their citizenship given they were originally from Sudan.

The Kenyan Constitution (1963 and 2010) acknowledges Nubians as Kenyans. However, the state was not forthright concerning their identity which had a direct implication on their access to land as a community. The outcome was that, as a community, they had no access to land in Kenya because they lacked official collective recognition as Kenyans. In 2005, the government officially recognized Nubians as the 43<sup>rd</sup> ethnic community of Kenya. However, as individuals, some were recognized officially by being in possession of a national identity card, after attaining eighteen (18 years) which basically means, one is a citizen of the issuing country – Kenya.

The Nubian community’s recognition in 2005, was part of the process to eventually have Kibra recognized as their community land, since their status as an ethnic community of Kenya was officially known. In this study, an attempt has been made to extrapolate the linkage of long-term migrants, citizenship, and land ownership/access.

## CHAPTER THREE

### RESEARCH METHODOLOGY

#### 3.1 Introduction

This part of the study explains the methodology adopted to achieve the objectives of the research. Citizenship is the proxy and identity is measured in-terms of citizenship. It begins with the profile of the study area, and then discusses the research philosophy, research design, field entry, data collection methods, pre-testing, data analysis, positionality, ethical considerations, and limitations of the study.

#### 3.2 Profile of the Study Area

As has already been stated in the study, the Kibra community in Kenya constitute the focal study area. More specifically, the residents of this community are of paramount importance to the study. In this regard, the following sub-sections attempts to describe the study area.

##### 3.2.1 Location, Administration and Population

Kibra is located approximately five (5) kilometers south west of the city's Central Business District (CBD). Nairobi is situated in the south-central part of Kenya at an elevation of about 5,500 feet or 1,680 meters above sea level. Nairobi stretches across 684 square kilometers of land and is approximately 141.75 km or 88.08 miles south of the equator.

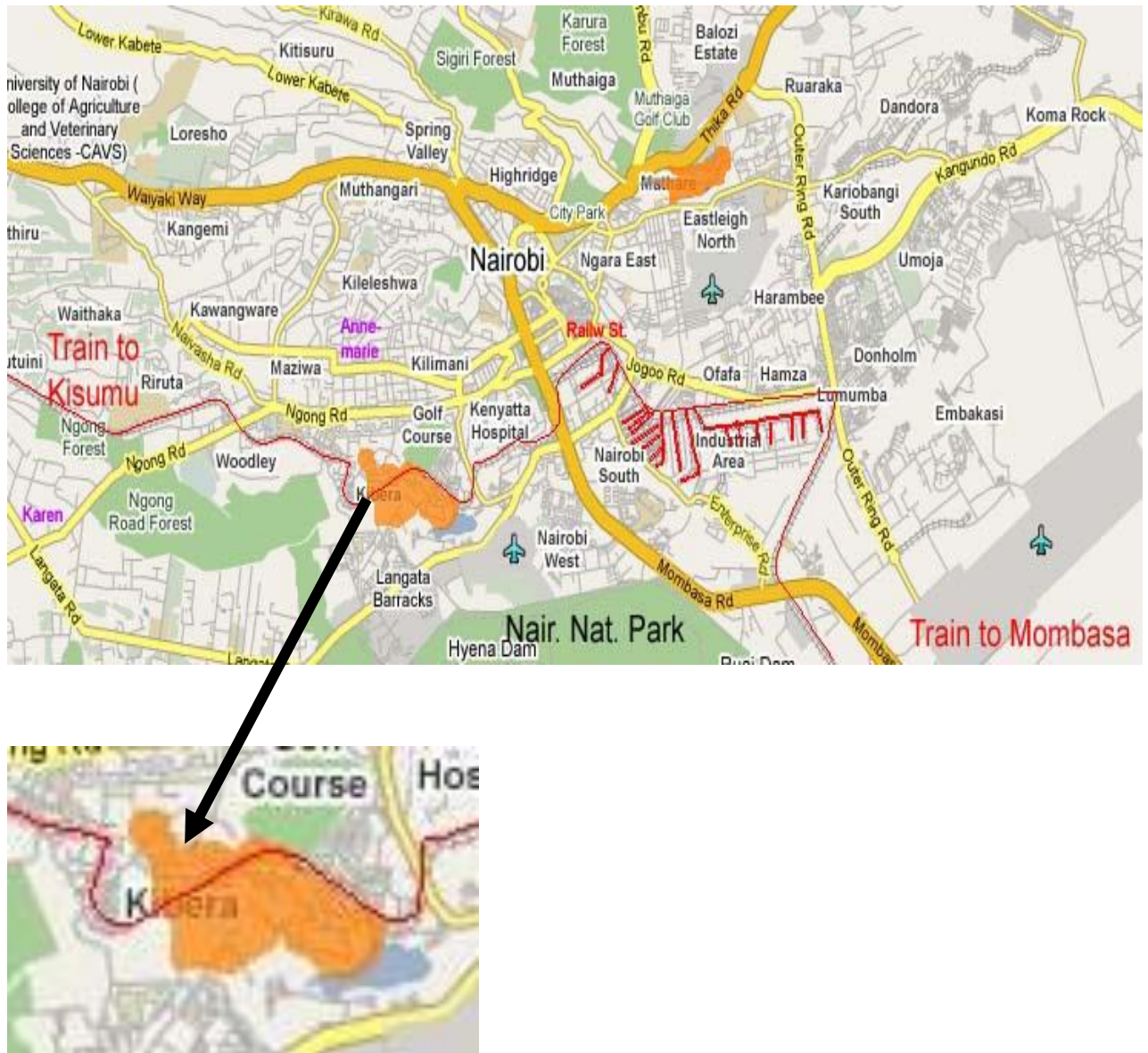
Kibra constituency includes the slum area consisting of several villages and the adjoining estates covering 12.10 square kilometers. Kibra was previously categorized under Lang'ata constituency. It was given a constituency status numbered 278 by the Independent Electoral and Boundaries Commission (IEBC) prior to the General Elections in 2012.

The constituency is represented by an elected Member of Parliament. The five (5) county assembly wards in Kibra are Laini Saba, Lindi, Makina, Woodley/Kenyatta Golf Course and Serang'ombe.

Each of the five (5) ward representatives is elected by the registered voters of the ward and is a Member of the County Assembly (MCA). All MCAs from different wards in Nairobi are members of the Nairobi City County who sit on various committees of the Assembly (infotrack, 2018). The area county sub-commissioner is in charge of administration in Kibra, assisted by an area chief and three sub-chiefs, each in charge of an administrative unit comprising several villages. The area administration offices are in a complex at the entrance of Kibra, commonly referred to as DC, which was previously the District Commissioners office. The area MP, the Constituency Development Fund (CDF) offices and the Huduma center, which brings government services closer to the people, are also located in the same premises. In 2016, Kibra was recognized to have had the best managed Constituency Development Fund (CDF) among the 47 counties in Kenya (constituency 2018).

The Kenyan Population and Housing Census in 2009 indicated the population in Kibra as 170,070 with over 28,000 households representing different ethnic communities (2010, 2009 KPHC Vol II). Population increase can be attributed to rural-urban migration, Kibra offering affordable accommodation and its proximity to areas where it was possible to find work. Population figures for Kibra from different sources have varied to as many as over one million inhabitants. Various reasons contributed to this factor among them justifying the funds from the NGOs working in Kibra. To receive donor funds, it was necessary to present an image of abject poverty in an overcrowded slum place with no basic facilities, and reaching out for much needed help (Mansour, Nubian male, 35 years, NGO employee December 5, 2016).

Figure 3.1: A Snapshot of Kenya showing Kibra



Source: [www.mapkibera.org](http://www.mapkibera.org) (June 2017).

### 3.2.2 Surrounding Features and Infrastructure

Kibra is the area marked in orange on the lower side towards the left. Across the main road from Kibra is Wilson Airport, Lang'ata military barracks. Nairobi animal orphanage and the Nairobi National Park, Lang'ata cemetery, several residential estates.

Bordering Kibra is the Mbagathi hospital and on the opposite side Kenyatta National hospital, the country's main referral hospital. Mutoini river flows through the slum into the Nairobi dam, the artificial 88.9-acre dam. It was commissioned in 1953 as a water reservoir for Nairobi residents which also served for recreational activities such as fishing, sailing and bird watching. The dam which has since been invaded by the water hyacinth and pollution, is no longer functioning as it is contaminated and silted and a health hazard (Mutanu, 2018).

The Kenya-Uganda railway line started in 1896 in the port city of Mombasa, reaching Nairobi, 'Enkare Nyrobi' (Maasai word for 'where the water is cold'), around 1899, Kisumu in 1901 and ultimately Kampala in Uganda, in 1903. The railway line passes through Kibra with both sides heavily congested with garbage and structures and people busy trading in some parts. In some areas, the railway corporation built residential units for those inhabitants whose temporary structures were demolished close to the railway line.

Previously Kibra was not easy to access due to lack of proper main and feeder roads as well as passage ways to the houses. The first tarmac road in Kibra was constructed in 2015, it runs across Kibra from one end to another. Construction along both sides of the roads has increased and most of the structures are shops. The road has also encouraged parents to enroll their children in schools located outside Kibra as school bus services are available within the slum area. The main road and other short feeder roads facilitate the in and out flow of goods and services into Kibra.

Electricity in Kibra has made life easier for many residents but it is also a blessing in disguise. Illegal connections have caused many fires which have resulted to loss of lives and property. In case of fire, there is a high risk of many houses burning and loss of lives as the hoses are very close to each other.

Too many connections have also overloaded transformers causing them to blow up. Live wires hanging loose are a constant risk which have caused fire and death if one touches a naked wire. Availability of electricity has enabled many businesses to operate including rooms which charge a fee to watch mostly movies and football matches. Cases of insecurity have reduced because electricity has lit up most parts in Kibra.

### **3.2.3 Human Activities**

The human activities that were focused on in Kibra include livelihoods, education and socio-cultural development, and health and sanitation activities. A description of these activities has been presented subsequently.

#### **3.2.3.1 Livelihoods**

One of the main sources of income for residents in Kibra comes from renting rooms either for residential or business purposes. Men were mostly engaged in business activities such as transportation services using *matatus* (mini buses) registered under “Lindi Sacco” – Savings and Credit Cooperative Organization. Other forms of transport were taxis, tuktuks, *boda bodas* (motor cycles) and *mkokoteni* (hand cart). Other business activities that residents were mostly involved in were hardware and metal workshops, barber shops, water vending, movies and football screening.

Women were employed or engaged mostly in telecommunication businesses for example mobile money transfer and internet cafés, office services, food related businesses, tailoring shops, hair salons, mini supermarkets and retail shops. Some women have formed groups and are involved in income generating activities such as Makina Women's Group who managed a water kiosk.

There is a "slum bank" which has set its base in Makina village offering banking services to the residents. Local residents have teamed up and offer services as tour guides for slum tourism which provides an income for them. In General, unemployment was a problem. However, the improved infrastructure enabled some people to be self-employed or employed. The informal sector offered employment to many residents (KII, Area Member of Parliament).

### **3.2.3.2 Educational and Socio-Cultural Aspect**

There are several schools which are either public or privately owned, some funded by religious organizations and other NGOs. These include: day care centers, kindergartens, nursery schools, primary and secondary schools which cater for the school going population in Kibra constituency.

The two main religions of the study area are Islam and Christianity which have different denominations represented in Kibra. Approximately 200 churches are also found within the larger Kibra area (kibraconstituency, 2017, Makongeni).

On a daily basis, the *adhan* (call for prayer) is heard from the mosques in various villages in Kibra whereas church services can be overheard when the faithful congregate usually on Sundays or Saturdays for members of the Seventh Day Adventist (SDA) Church. The main mosque located in Makina village, is one of the landmark permanent buildings in Kibra.

This Mosque has had its own title deed and has been renovated and constructed into to a big building with four floors high, which comprised offices, a library and several classrooms for Madrassa (religious) classes. There are also social and sports clubs all over Kibra where members meet to socialize or to empower themselves. There are active football clubs, youth groups, one which has a greenhouse farming project, women groups, gymnasium clubs among others.

A community radio and journal keep people informed on current news and upcoming events Kibra. Religious activities, weddings ceremonies, funeral processions are common sights in Kibra. The different communities have co-habited for many years, inter-married and familiar with the different cultures within their space.

### **3.2.3.3 Health and Sanitation**

Health services have become closer to the people with several clinics and pharmacies located across Kibra. Mobile clinics have been installed for example the Beyond Zero mobile clinic set up in shipping containers offering free maternal healthcare. Several public ablution blocks comprising toilets and bathrooms were constructed in Kibra and have provided the youth with business opportunities. They are connected to a sewage pipe and have reduced risk of disease outbreak due to what was known as “flying toilets.”

However, these services are sometimes disrupted due to water shortages. Toilets are mostly pit latrines and not connected to a sewer pipe. These are drained using sewage exhauster vehicles.

Water has always been a problem in Kibra since the early days of the settlement, however, efforts have been made to improve access to water although the demand surpasses the supply. Illegal connections are responsible for diverting water supply and damaging the main pipes. Each day, residents are carrying containers in search of this precious commodity.

Most houses had several plastic water storage containers lined up along the walls. Others have installed water tanks with a higher capacity of up to 10,000 liters. Several water tanks have been installed courtesy of different organizations or individuals as well as the Constituency Development Fund (CDF) which are points of sale of water for residents. Residents buy water from water vendors stationed at the installed tanks or from those who transport the commodity using hand carts commonly known as *mkokoteni*.

The slum upgrading project was undertaken by the government through the National Youth Service in 2015. Trenches were built along both sides of the road as well as pipes laid for sewage. However, the trenches have garbage thrown into them, and this prevents domestic and rain water flowing and poses a health risk. Most residents burn garbage to dispose of it or throw it at designated places within or outside the compounds. During heavy rains, structures constructed on the lower parts and near the rivers are often swept away causing injury, loss of lives and property (KII, Area Member of Parliament)

### **3.2.4 Description of Study Villages in Kibra**

The five (5) villages were selected based on being part of the original villages and currently hosting majority of the Nubian population. These points informed the decision to select the five villages. Four of the villages as is the case with others in Kibra, all resemble each other except Salama or Karanja.

#### **3.2.4.1 Salama**

This village was transformed into a residential housing project carved out of the core Kibra area. It was constructed between 1963 and 1971 by the government in a bid to improve housing for the area residents. It is also known as Karanja estate.

#### **3.2.4.2 Makongeni**

Makongeni village was occupied by Nubians since the late 1870s. It derives its name from the Swahili word for ‘sisal makonge’ which was common in the area (CRF-OK, 2012). Presently, it hosts the administrative offices in a complex and is one of the entry points to Kibra with a tarmac road. It lies between the railway line to the south and Makina village to the north. Tap water was introduced during cholera outbreak in the early 1970s and later electricity connected to few homes.

#### **3.2.4.3 Makina**

It is the most centrally located village and hosts key facilities including the main mosque, recreational hall which also hosted community court sessions (gomborora), the first modern school, cemetery as well as shops along the main road. When Nubians settled here, residential areas (kambi) corresponded to different clans such as Baka, Bari, Kakwa, Kuku and Mundu. Some of them kept livestock and owned land which had portions of small forests.

#### **3.2.4.4 Kambi Muru**

This village was the camp of the Muru clan settlers were farmers, fishermen, livestock keepers as well as landlords. The village borders part of the railway line, bordering Salama to the north and Lindi to the south east. This village hosts Nyumba Kubwa (big house) constructed in 1917, meetings were held here by community leaders and it served as a hide out for freedom fighters among them Kenya’s first President, Jomo Kenyatta. A mosque under construction and apartments adjacent to the railway line are among the key features.

#### **3.2.4.5 Lindi**

This one of the largest villages is at the southern-most end of Kibra and bordering Kambi Muru to the north and Nairobi dam to the south. On the western border, Mutoini river, (previously known as Korr – river – Kibra) separates it from Lang'ata. In the early years, it was sparsely populated and most of the land was used for farming and livestock by the Nubians. Key features include the main road constructed along the village. Another road is planned to cut across the village through to Lang'ata and an ablution block constructed as part of the slum upgrading programme. The most visible feature is the mosque, a permanent building which comprised two (2) floors under construction and nearing completion.

### **3.3 Research Philosophy**

The practical work in this research required the cogitation of a proper philosophical approach to follow in order to achieve the stated objectives of the research. Also, the research philosophy of this study is to lead to the logical processes needed to build knowledge about land ownership/access in the context of the Nubians in Kibra.

Researchers agree that there are two broad philosophical paradigms that have been used in social science research to develop knowledge out of research. These are the positivists paradigm and the interpretivists paradigm (Saunders, Lewis & Thornhill, 2012; Bajpai, 2011). The positivist philosophy holds that one cannot claim with certainty that he or she knows something unless there is a preponderance of facts that entail that conclusion or claim. Hence positivists believe firmly in the quantification of data and use of appropriate measurement techniques which will provide objective data from which answers to questions can be drawn (Saunders et al., 2012; Bajpai, 2011).

For this reason, positivism adopts quantitative approaches to data collection and analysis, and yearn to extrapolate more general answers to research questions. On the other side, interpretivism is in direct conflict with positivism. Interpretivists argue that the application of positivism in terms of explaining the ‘how’ and ‘why’ events occur falls short of presenting the true picture. Positivism provides no way of appreciating or explaining what it means for a thing or an event to be what it is. Interpretivists, therefore, take a different stance, arguing that a more subjective approach geared towards constructing the meaning of phenomena from the perspective of the one experiencing it provides a better way of interpretation (Saunders et al., 2012). Thus, the best way of knowing something in truth and reality is by subjective interpretation. In order to leverage on the strengths of both quantitative and qualitative methods social science researchers have often sought to use a third strand of research approach known as the mixed methods (Saunders et al., 2012; Bajpai, 2011).

In this research, both positivists and interpretivists paradigms provided strong philosophical standpoints that supported the process for development of knowledge about the identity and land rights of the Nubians in Kibra. Based on preponderance of facts, the identity, migration status, and extent of land ownership/access of the Nubians could be extrapolated. At the same time, knowledge about the history of the migration and settlement issues of the Nubians in Kibra came through subjective interpretations.

### **3.4 Research Design**

This study adopted the mixed method of data collection and analysis. The beginning of mixed method is dated to the late 1980s with some publications focused on describing what is known as mixed methods by Brewer and Hunter (1989), Fielding and Fielding (1986), Green, Caracelli

and Graham (1989), Bryman *et al.* (2008), Bryman (2017), Morse (1991), and Creswell (1994). As early as 1959, Campbell and Fiske have discussed the inclusion of multiple sources of quantitative information. In the validation of psychological traits, others have advocated for the use of multiple data sources, both quantitative and qualitative, to conduct scholarly studies: Denzin, (1978), Campbell (1974) and Cronbach (1975) advocate for use of qualitative data in quantitative experimental studies. Sieber (1973) combines surveys and interviews. Patton, (1980) suggests “methodological mixes” (Creswell & Clark, 2017).

Mixed method has also been called “third methodological movement” following the development of quantitative and qualitative research (Tashakori & Teddlie, 2003a), the third research paradigm (Johnson & Onwuegbuzie, 2004) and a new star in the social science sky (Mayring, 2007). Greene (2007) describes mixed methods as multiple ways of seeing and hearing and multiple ways of making sense of the social world. Mixed Methods has also been defined as the combination of qualitative and quantitative approaches in the methodology of a study (Tashakori and Teddlie, 1998).

Both exploratory sequential research design and survey designs were applied in this study. The exploratory design is not only akin to the interpretivism paradigm that supports qualitative data, but also it provides the way to explore and develop knowledge about novel area of study. Although the identity story of the Nubians in Kibra, and many issues related to it are not new, the attempt to find how migration, identity, and land ownership/access interlace is a novel area of study, at least, as far as Kibra is concerned. The exploratory design allowed for critical but in-depth questions to be posed and answers elicited to achieve the objectives of the study. The survey design also paved the way to acquire numeric or quantifiable data.

The study consisted of two separate phases in a sequential manner. Priority was given to the collection and analysis of qualitative data in the first phase.

Building from the results of the first phase, a new instrument, a survey questionnaire, was developed for the second phase to collect quantitative data. Bauer and Gaskell (2000, p.39) state that insights gained from qualitative interviewing may improve the quality of survey design and interpretation. The quantitative data results will test or generalize the initial findings in the first phase. The primary purpose of the exploratory sequential design is to generalize qualitative findings based on some individuals from the first phase to a larger sample gathered during the second phase (Creswell & Clark, 2017).

Different worldviews are associated with the different phases. The qualitative phase is linked to constructivism, whereas the quantitative phase is linked to post-positivism. Pragmatism worldview is usually associated with mixed method, focusing on consequences of research, on the primary importance of questions asked rather than methods, and on the use of multiple methods of data collection to inform the problems under study. Thus, it is pluralistic and oriented toward “what works” and what is practical (Creswell & Clark, 2017).

Five key reasons are summarized by Johnson and Onwuegbuzie (2004), for using mixed methods in a single research. These include:

1. To seek convergence and corroboration: This implies that the results from one research instrument for example, in-depth interview, can be verified against the results from a different tool such as household survey.
2. Complementarity: This means seeking elaboration and clarification of results from one method with results from another method.
3. Initiation: discovering contradictions that can lead to a reformulation of the research problem.

4. Development of methods: It implies using the findings from one method to help improve the other method.
5. Expansion: This means seeking to expand the breath of the research by using different methods to investigate different components of the research problem.

Some of the advantages of using mixed method is that it provides a better understanding of research problems than either approach alone (Creswell & Clark, 2017). Given that there are many ways in which reality can be constructed and interpreted, mixed method provides a means for the understanding of complex problems (Sharan, 2002). Mixed method also provides strengths that offset the weaknesses of both qualitative and quantitative research and provides more evidence for studying a research problem than either qualitative or quantitative research alone. Further, mixed method is practical as researchers can use all methods available to address a research problem. Another aspect of being practical is that individuals tend to solve problems using both numbers and words, combine inductive and deductive thinking and employ skills in observing people and recording behavior and therefore it seems natural to use mixed method (Creswell & Clark, 2017).

As previously mentioned, the research employed both qualitative and quantitative research methods for the data collection and analysis. Reconnaissance survey was carried out in the following ways: Scouting walks around the villages in Kibra to understand the geography of the area, establish rapport with community members as part of the entry process to facilitate subsequent visits and make initial observations important for the study. Secondly, Mapping the area in order to divide the study area into manageable research sections and to obtain a general picture of the area.

### **3.5 Reconnaissance Survey**

The initial field visits to Kibra started in September 2016. The national census in 2009 estimated the population at 170,000 and Kibra covers approximately 780 square kilometers. Kibra is approximately 27 kilometers from where I was residing and would arrive in the morning and leave in the evening. I was dressed in a long dress and had my hair covered as the Nubian community women and girls are expected to be dressed as per cultural and Islamic requirements. As part of the field entry process, I met with my key informant and his wife at their home and was well received.

We discussed the research, in particular the protocol to follow before embarking on the actual fieldwork and organizing for the interviews. I often met with him before and, or after the interviews to discuss and confirm for the next interviews. I obtained a lot of information from these informal discussions which covered all the themes of the research. The Key Informant was instrumental in introducing me to specific members of the community and plan entry into the field. His wife also was helpful in contacting women for some of the Focus Group Discussions. A meeting was held with the area administrator to inform her about my intention to conduct research in Kibra and shown the approval note from the issuing authority. A brief discussion was held about the main themes of the research.

The next meeting was at the office of the Nubian Council of Elders. I was welcomed and shared the overview of my research. I was then invited to share a meal and given reassurance of their support. I was well received and they expressed their happiness that I had chosen to research on the Nubian Community. The Council of Elders are custodians of some documents pertaining to the Nubian community.

Their other roles include participating in negotiations on land issues, conflict resolution and dealing mainly with cases of inheritance based on Islamic laws. On subsequent visits, I reviewed documents including copies of maps of Kibra and initial allocation of *shamba* (Swahili for piece of land) to those who served in the KAR.

Initially, I made some visits to Kibra just walking through the different villages and observing the ongoing activities. This also gave me an idea of the geography, spatial arrangement, types of construction, economic and social activities and interaction among the inhabitants. I also visited various homes along the way where I knew the family as well as exchange greetings with members of the community even though I did not know or recognize them then. The informal interactions helped establish rapport with the community members. Nubians were recognizable mainly from their dressing, men usually wear a *kofia* or *Tarbush* on the head, sometimes with a long *kanzu* (Kaftan) women and girls wear long clothes and cover their hair. I observed that exchanging greetings and having a brief conversation along the way among community members irrespective of age, was a normal occurrence.

The Nubians also freely exchanged greetings and pleasantries with the non-Nubian residents in Kibra. As much as Kibra is a vast area, these exchanges made it feel small, like one village where they all know each other. The transect walks around Kibra gave me a better idea to plan the background survey and location of the villages and boundaries as well as main geographical features such as a river, road, and railway line.

The informal interactions were an opportunity to inform Nubians about the study. This was a communication strategy to spread the word and inform the community. Information was also disseminated through the Mosque and social media platform notably for Nubian group fora on “WhatsApp” and “Facebook”.

### **3.6 Positionality**

The concept of positionality, which refers to the notion that the characteristic of a researcher (that is, age, gender, education, class, cultural, and ideological background, and other statuses) vis-à-vis the researched can influence access to informants and the data that are produced.

(Mohammad, 2001). Further, positionality refers to the possibility of the researcher's background or characteristics affecting the collection, interpretation and analysis of data collected (Bourke, 2014).

Being a member of the Nubian community, I was aware that I may be perceived as an insider or as an outsider by different community members. In some instances, I felt as an insider or an outsider. I felt an insider because I was welcomed as one of them even though I did not go to Kibra regularly. I did not feel that the community members made me feel like an outsider. However, in some instances, I felt like an outsider because of the differences in our lived experiences even though we belong to the same ethnic group.

The Nubian participants were also happy because a fellow Nubian was studying the community as opposed to non-Nubians. They felt that I would understand their issues better than non-Nubians would.

I was often introduced in relation to my parents and grand-parents who were known, and in this respect I was able to meet with some participants easily and this may have influence on their willingness to participate and share what they considered privileged information.

I also felt participants in general engaged freely because I did not live in Kibra and therefore to understand their views, I needed to get as much inside information as possible from them. An advice was given to meet an elderly Nubian man in his 80s but warned that he was grumpy and rarely entertained anyone. I first consulted his family, who then approached him and he accepted. He retrieved old photographs to show me and explained in detail on various themes

in the research. I visited him three times at his invitation, which surprised many. On one occasion, an elderly female participant reminded me that the information she was giving me, a recipe to prepare a traditional Nubian meal was “top secret”. She noted that she intentionally omitted to mention some procedures and ingredients to others who wanted to know how to prepare Nubian traditional foods.

Bogdevic (1999) states that people getting to accept us is all about rapport which is governed by one main fact, being who you are. He further advises that to build a good rapport, one should be unobtrusive, honest and open and engage in as much reflective listening as possible.

Although I was predisposed to some information about the community, I maintained an open mind. I first established a rapport based on seeking knowledge and emphasized to the participants that they were approached because I wanted to hear their views and experiences directly from them as the source. I wanted to learn from them.

To handle my positionality effectively, I triangulated data and information collected to ensure a more balance data is collected using a variety of methods as outlined in the methodology. It was important to create a space of trust and cooperation in order to arrive at the right balance without influencing the opinions and feelings of respondents.

### **3.7 Data Collection Procedure**

Two strands of primary data were utilized in this study. There was the qualitative data and the quantitative data. The procedures used to collect them were essentially different. Both helped to obtain the relevant data for analysis. When conducting the research, it was reassuring for the participants to know that the research was approved by the National Commission for Science, Technology and Innovation (NACOSTI), the local administration and that the community

elders were aware. The research assistants and myself were often asked if the project was funded by donors as most projects in Kibra are. An important point which I made clear was that it was a self-funded research as a component of my studies and solely for academic purposes. This made it clear and there were no financial expectations although in some cases, there was a covert indirect inquiry “if something small would be given”.

After the interviews especially with the elderly in the community, I would offer items such as milk, bread, sugar, cooking oil, flour, rice, fruits, vegetables and usually for the younger ones in the homes, some snacks. Bringing something to a home when you visit is a normal occurrence. Rarely do people come visit empty handed. In this regard, what I offered was not seen as a reward for participating. I was also offered something to eat or drink in the participants homes. Usually, after the FGD, tea and snacks would be shared among the participants and myself. In general, the majority of the community members were aware of the research and its purpose and this made them, in my opinion, receptive.

### **3.7.1 Quantitative Data Sample Size Determination**

A survey of 279 households was undertaken from the villages of Lindi, Makongeni, Makina, Salama and Kambi Muru, core Nubian residential areas. Specifically, Nubian households were randomly sampled to obtain a general understanding of household issues such as composition of household, marital status, migration experience, identity and lands issues. Key Informants were asked how to identify Nubian households within the five villages. Selection of households was random because I did not know the location of all the Nubian households. The selection was random to the extent that the person who helped me find the Nubian households did it randomly and not purposively.

Due to the geography of the area and that there is no proper physical planning of where the houses are constructed, it presented a challenge in terms of using other sampling procedures. In some areas, there are no clear-cut boundaries as before and one village overlaps with another. These were some of the reasons which led to the choice of applying cluster sampling which was expected to give all households in the five selected villages, a possible chance of participating. The selection of villages was based on the core areas where Nubians first settled.

The sampling was purposive at the level of the respondent in each of the households, this being the head of household. An inclusion criterion was designed for women, for every 5 males interviewed, a female participant was included. I realized that there was a sufficient number of women who were head of households and thus did not employ this criterion. The approximate total number of Nubian HH in Kibra was approximated at 1,200 (Smedt, 2011). Although time has elapsed and this number may be subject to change, the information about the HH garnered in this study tentatively shows that the figure may lie between 901 and 1200 HH. Apart from this, there was no accessible statistics on the number of Nubian households in Kibra. The lack of this statistics on Kibra is accentuated by the fact that the last census conducted in the community dates far back as 2009, signalling the need for up-dated statistics of the population of Kibra. But in this study, maintaining the highest approximated number of HH at 1,200, the sample size was calculated at 95% confidence level, and margin of error given as 0.05. Given the mathematical model of Miller and Brewer (2003), the sample size was determined as 300 HH.

That is:

$$n = \frac{N}{[1 + Ne^2]}$$

Where ‘*N*’ is the known population of Nubian HH in Kibra (1,200); ‘*n*’ is the sample size; and ‘*e*’ is the margin of error (0.05) or the 95% confidence interval). This gave the following:

$$n = \frac{1200}{[1 + 1200 \times 0.05^2]} = \frac{1200}{4} = 300$$

Therefore, 300 HH out of 1,200 HH implied that for every 4 HH, 1 HH was to be selected. The definition applied to household (HH) here means an independent housing unit. Often, there could be one or more households in a *boma*. A *boma* (with reference to Kibra) refers to a homestead or compound, usually followed by the name of the family residing there. It can also generally refer to a shed for livestock. In each HH selected, the head of the HH was the primary focal person, in whose absence a successor in was interviewed.

After screening the returned questionnaires and retaining the usable ones for further processing, it was realized that the data collection process produced 279 usable questionnaires. thus, the sample size used for the study was 279. This represents a high response rate of 93 percent of the 300 participants expected. Although the response rate was not 100 percent, 279 questionnaires retrieved were usable. This representing 93 percent out of the initial 300 questionnaires which provided an adequate number for the study.

### 3.7.1.1 Quantitative Data Collection

Five research assistants were trained on data collection and taken through the questionnaire.

Due to the large area to be covered, time and financial constraints it was essential to have

assistants who had previous experience in research and preferably in Kibra. However, one of them was in his second (2<sup>nd</sup>) year in university, willing and was available for the five (5) days which we conducted the survey. I accompanied him on the first day of the survey.

All the research assistants were fluent and could express themselves well in spoken and written Nubian, Kiswahili and English. The assistants were also selected based on where they lived. The participants were familiar with the assistants from the same village. This offered flexibility and it was also possible to carry out the survey in the evenings or early mornings at the participants' home. Some interviews were also carried out at the mosque after prayers as agreed upon by some head of households. One recurrent question the participants asked was on the benefit that the research would be to them as individuals, to the Nubian community and in general to all Kibra residents. This was a question I appreciated because it reflected an interest in the research and its outcomes.

I met with the team every day after the fieldwork to review the questionnaires I collected the previous evening. Thereafter, I gathered the day's questionnaires and discussed with them details of how the survey proceeded, including any challenges or need for clarifications. These discussion sessions were important as I gathered more information and they also shared what they discovered as new information and their experiences on the field. It was also an opportunity to consult with them on their own opinions of issues affecting them as Nubian youth. The meetings were also used as a means of quality control and to verify if the right procedures were followed.

Data was gathered for five days in the five selected villages with the support of five research assistants. The questionnaire was administered to the head of household and in his/her absence, another visit was planned or the person available at that time, if capable, responded to the questions. Data was collected using a questionnaire consisting of open and closed-ended

questions designed to gather information on socio-demographic characteristics of the head of households, household composition, migration experience, identity, land issues and expectations. Where necessary, the participants were guided to understand the questions by data enumerators engaged within the community who facilitated the process. These enumerators were provided the basic training for the exercise and, because they were familiar with the community, the data collection exercise was well conducted.

### **3.7.2 Qualitative Data Collection**

In the qualitative approach to data collection (first phase), purposeful sampling was used to intentionally select participants and the strategy employed was maximal variation sampling as well as snowballing. Individuals were expected to have different views and in-depth knowledge views on the key issues of the study including Nubian's migration, identity, Kibra and land.

#### **3.7.2.1 Focus Group Discussions (FGDs)**

The purpose of convening FGDs was to bring together participants of similar backgrounds and experiences to participate in a group interview and to arrive at consensus building among homogenous groups. Discussions were on major issues that affected them, and issues on which they could express their opinion or build consensus as population sub-groups (Patton 2002: 236).

FGDs were conducted, an audio recorder was used and also notes were taken. In all, 10 FGDs were conducted in the following villages: Lindi 2, Kambi Muru 1, Makongeni 2, Salama 4. The FGDs comprised of 5 female and 5 male groups. The groups comprised of between 6 to 10 participants. The main criteria used to form the groups was based on sex, age, residence, inter-ethnic marriages, and rural-urban migration and ethnicity. These groups comprised of (i) Nubians born, living in Kibra who are in their 50-60s, (ii) Nubians born and living in Kibra

who are in their 30-40s (iii) Nubian born in Kibra but currently living outside Kibra, (iv) non-Nubians married to Nubians (v) and non-Nubian residents of Kibra.

FGD participants were recruited with assistance from multiple gatekeepers as well as through snowballing. Participants were drawn from different villages in Kibra and those who are non-residents. Separate discussion groups were held for women and men for ease of discussions.

It was also the norm for the Nubian community being Muslims, most interactions for example meetings, were normally limited to those of the same sex or separate sitting arrangements.

Before the FGD started, a brief introduction was given on the research, with emphasis on anonymity and request for their informed consent. Some participants started off being careful but were encouraged to fully participate as the discussions were going on. I would also call upon specific participants to air their views to ensure all present participated. The discussions lasted on average an hour to an hour-and-half. Some discussions on different issues reflected a point of view based on the participants sex, experience and observation. The discussions covered changes and challenges in Kibra and within the Nubian community, inter-marriages, relations between Nubians and non-Nubian residents, identity, migration and land issues. Similar issues were raised and possible solutions proposed in the different FGDs perspective.

The majority of the FGDs started with discussions of what happened in the neighborhood recently or what events were lined up. These revolved on issues such as the demise of a community member, a planned fundraising for a wedding, a community meeting called by a political aspirant campaigning for an elective post in Kibra, a transformer which exploded and caused a fire, security, water scarcity, among others. These stories provided an insight into the relations of the inhabitants, what was going on in the different neighborhoods and also served

to inform the participants who were not yet aware. Sometimes there were different versions on an issue and they sought to clarify it among themselves.

The FGD for Nubians currently non-resident in Kibra but who were born and lived in Kibra before, had a different outlook and mindset from those who were still residing in Kibra. This group both males and females shared their reasons for out migration, differences between Kibra and their current residence and their unchanged attachment to Kibra. Moving out of Kibra by former residents is considered as an achievement and upward mobility. The FGD guide is attached in Appendix B.

### **3.7.2.2 In-Depth Interviews (IDIs)**

IDI method was suited due to its strengths for an exploratory study such as this one (Bryman, 2001). In-depth interviews were held to gain more detailed information on the subjects being explored in the study. The information needed could be obtained specifically from the interviewees. The different interviewees were recruited mainly through snowballing. The female and male participants were expected to have different experiences hence different opinions.

A total number of 6 in-depth interviews were undertaken in the following villages: Lindi 1, Makina 1, Makongeni 2 and 2 interviews in Salama village. The participants were selected with assistance from gatekeepers and snowballing, based on their knowledge of the Nubian community, Kibra and their lived experience. Snowballing method was employed to identify the participants. The interviews were both formal and informal resulting in a deeper understanding and clarification of issues. The Chair, Council of Elders expounded on the role of the organization within the community and particularly with regard to citizenship and land

rights issues. A Nubian grandfather from Kibigori Nubian village in Kisumu county, West of the country, expounded on land, identity economic and migration issues specific to Kibigori. Others were a former elected local area representative who expounded on land grabbing and three grandmothers who shared on their different experiences and knowledge on specific aspects of the community. Saturation point was reached on matters related to problems and challenges generally encountered by residents. These were on issues related to security and sanitation. Subsequent interviews did not dwell in particular on these two issues. Each interviewee had a specific topic to discuss. Key Informant Interviews (KIIs)

Four (4) KIIs were conducted with the following villages: Makongeni: (i) One of the sub-county Chief who represented the local administration, under the Ministry of Interior and (ii) Kibra Constituency Member of Parliament. Salama village: (iii) One member of the vetting committee. Makina village: and (iv) One representative of a Community Based Rights Organisation-Nubian Rights Forum. The key informants were selected based on, among others, they were close to the community, their knowledge of the community's history and processes undertaken in relation to land and citizenship as well as on administration of the area. Further, their selection was also based on their specific knowledge on a particular subject and position within the community and in Kibra. Discussions with one of the administrators, a government appointee who informed of their work in general and the main problems in Kibra.

An interview was held with the area Member of Parliament who expounded on the changes that have happened in Kibra both positive and negative as well as the future plans for Kibra. Land, which is a key issue, was also discussed. A representative from an NGO working on land rights and citizenship issues among Nubians in Kibra was also held. Key informants from the Nubian community in Kibra were reached mainly through snowballing.

Their information was corroborated with other participants'. Information they gave were also relevant points to encourage discussions with other participants.

These discussions were held in English, Nubian and Swahili languages. Translation and transcribing was done for analysis. The Key Informant Interview guide is illustrated in Appendix C.

### **3.7.2.2 Life Histories**

Eight life history interviews were conducted in the following villages: Lindi 4, Kambi Muru 1, Makina 1, Makongeni 1 and 1 in Salama. These interviews were essential for obtaining information on the way of life during the early years of settlement in Kibra, changes which have occurred over time within the Nubian community and how their lives have been affected. In Life history interview, the subject is invited to look back in detail across his/her entire life course through documenting the "inner experience of individuals", how they interpret, understand and define the world around them" (Faraday and Plummer, 1979:776).

Some life histories were carried out over a number of days and up to three visits. A total of eight interviews were done. Some of the participants invited me to return and offered to show me pertaining to the Nubian history and their personal lives. Life histories gave the participants an opportunity to relive their experiences through recollection of events and how life was in the past, through the years to the present. New information was learnt and gathered in the process, and others verified. Most of the informants were between their late 70s to approximately 100 years. They have seen and lived through changes some of the younger generation are not aware of.

They were willing to share their information of a “glorious past” because I had not experienced it and also to have it in record. Their life histories were also part of the community’s history. Also interviewed was a Nubian male in his early 50s. He had a unique experience to share regarding his family’s eviction, the effect on his parents, siblings, himself and the pending court case which has lasted for many years. The interview schedule is provided as in Appendix C.

In Table 3.1, the list of interviewees or all the participants engaged in qualitative data collection have been presented. Pseudo names, given as *Interviewee 1*, *Interviewee 2*....*Interviewee ‘n’*, have been given to the interviewees to aid identification of the respondents.

### **3.7.2.3 Observation**

The above data collection methods were complemented with on-going observations of daily life in Kibra. Observation is one of the methods used to gather data and involved noting down important elements of one’s personal or visual experience in the field for example:

the surrounding environment, gender relations, dressing codes and ongoing activities, interactions, organizational or community processes among others (Maykut and Morehouse, 1994).

Observation was carried out through direct observations and participant observations. As participant observer, there was keen observation on what was going on among the participants in a given situation in an effort to gain deeper understanding while also participating in the setting, for example in the FGDs. Subsequent observations were guided by initial discoveries. (Kumar, 2011). There were instances where covert observation technique was used, whereby the motive for observation was not disclosed. This allowed for a more accurate impression of real life (David and Sutton, 2004). Observational data was collected in the form of field notes.

These were organized and categories developed. Pictures were also taken as a form of observation data. In addition, data was collected through electronic mail correspondence and telephone conversations. Official documents and relevant legislation were referred to from among others: the Kenya National Archives, French Institute of Research in Africa (IFRA) and the British Institute of Research in East Africa (IBEA) libraries, and the internet. Relevant studies were consulted on issues of migration, land, ethnicity, culture and identity.

**Table 3.1: Description of Participants in Qualitative Data Collection**

<b>Pseudo names</b>	<b>Description of the Interviewees</b>
<i>Interviewee 1</i>	Mzee Imran 78 years, Male, community elder, , September 22-28, 2016, Makina village
<i>Interviewee 2</i>	Nubian Male, great-grandfather, Mzee Gamal 81 years, November 23-24, 2016. Lindi village
<i>Interviewee 3</i>	Nubian elder from Uganda, Moustapha Khamis Kenyi, 68 years
<i>Interviewee 4</i>	Mzee Omar, 98 years, December 6, 2016. Lindi village
<i>Interviewee 5</i>	Mzee Abu, Nubian male, 70 years, December 16, 2016. Salama village
<i>Interviewee 6</i>	Abuba Nuria, 86 years, September 30, 2016. Salama village
<i>Interviewee 7</i>	Elderly Nubian female, Mama Asha, 90 years September 30, 2016. Salama Village
<i>Interviewee 8</i>	Mama Amina, Nubian grand-mother, 79 years, December 7, 2016. Makongeni village
<i>Interviewee 9</i>	Maza Jemila, Nubian Great-grandmother, above 90 years, December 1, 2016. Lindi village
<i>Interviewee 10</i>	Abuba Kemsu, Nubian great-grandmother, 94 years, September 30, 2016. Kambi Muru village
<i>Interviewee 11</i>	Abdalla, Nubian Male, 54 years, December 8, 2016. Lindi village

<i>Interviewee 12</i>	Mama Zara, Nubian grandmother, 70 years, November 30, 2016. Lindi village
<i>Interviewee 13</i>	Abuba Siam, a great-grand mother aged 98 years
<i>Interviewee 14</i>	Maza Mariam, grand-mother, above 85 years December 12, 2016. Lindi village
<i>Interviewee 15</i>	Mama Amina, 79 years, December 7, 2016. Makongeni village
<i>Interviewee 16</i>	Elderly Nubian woman, Abuba Kems, 94 years, September 30, 2016, Kambi Muru village
<i>Interviewee 17</i>	Maza Kaltuma, Nubian great grandmother, 86 years, September 30, 2016. Salama village. Female FGD 20-40 years, September 9, 2016,
<i>Interviewee 18</i>	Mzee Abdul, Nubian grandfather 75 years, September 8, 2016. Salama village
<i>Interviewee 19</i>	Maza Jemilla, Nubian great-grandmother, December 1, 2016. Lindi village
<i>Interviewee 20</i>	Sadik, Nubian Male, 50 years, November 19, 2016, Makina Village
<i>Interviewee 21</i>	Daudi, 44 years, male non-Nubian resident, FDG November 24, 2016, Lindi village
<i>Interviewee 22</i>	Malik, Nubian male, 41 years, September 29, 2016. Salama village
<i>Interviewee 23</i>	Abuba Salha, Nubian great grandmother, December 15, 2016. Kambi Muru
<i>Interviewee 24</i>	Hawa, 42 years FGD participant, Nubian Mother, September 29, 2016. Salama village
<i>Interviewee 25</i>	Hawa, female 53 years, November 26, 2016, Salama village
<i>Interviewee 26</i>	Hussein, Nubian Male, 48 years, FGD November 26, 2016. Makina village
<i>Interviewee 27</i>	Yusuf, 30 years, Nubian Male, FGD November 26, 2016. Makina village
<i>Interviewee 28</i>	Maza Zuhra, Nubian grandmother, 70 years, In-depth Interview, November 30, 2016. Lindi village
<i>Interviewee 29</i>	Mzee Marjan, 74 years, community elder, September 27, 2016, Makongeni village
<i>Interviewee 30</i>	Osman, 60 years, Nubian Male, September 30, 2016. Kambi Muru

<i>Interviewee 31</i>	Life history interview, Mzee Omar, 98 years, great grandfather, December 6, 2016. Lindi village
<i>Interviewee 32</i>	Mama Asha, 90 years, September 30, 2016, Salama village
<i>Interviewee 33</i>	Aunty Fauzia, 67 years, November 19, 2016, Lindi village
<i>Interviewee 34</i>	Musa 25 years old, Male, September 29, 2016. Makina, Kibra
<i>Interviewee 35</i>	Mansour, Nubian male, 35 years, community activist, December 5 2016, Adams Arcade, near Kibra area
<i>Interviewee 36</i>	Abu, Nubian male 30 years, November 23, 2016. Lindi village
<i>Interviewee 37</i>	Mr. Ahmed, 69 years, Nubian civil servant retiree November 19,2019
<i>Interviewee 38</i>	Ali, 35 years, a Nubian male born in Kisumu
<i>Interviewee 39</i>	James, Male,59 years old, non-Nubian resident in Kibra
<i>Interviewee 40</i>	Mama Asha, 90 great-grandmother years, September 30, 2016. Salama village
<i>Interviewee 41</i>	Medina 44 years, Nubian mother, November 26, 2016. FGD Makina village
<i>Interviewee 42</i>	Maza Mariam, above 85 years, life history interview December 6, 2016. Lindi village
<i>Interviewee 43</i>	Fauzia, 37 years, September 29, 2016. Salama village
<i>Interviewee 44</i>	Zena, 35 years, September 29, 2016. Salama village
<i>Interviewee 45</i>	Mary, 59 years, September 26, 2016, Salama village
<i>Interviewee 46</i>	Male, Musa, 35 years, December 5, 2016, Lindi village
<i>Interviewee 47</i>	Mama Zayana, Nubian mother, FGD, December 8, 2016. Makina village
<i>Interviewee 48</i>	Mr. Koor, 69 years, December 8, 2016. Makina village
<i>Interviewee 50</i>	Nubian female, Arapha, 41 years, September 28,2016. Salama village
<i>Interviewee 52</i>	Mama Asha, 90 years, Nubian great grandmother, September 30, 2016. Salama village
<i>Interviewee 53</i>	Adam 56 years, Nubian Male, September 23, 2016 Lindi village
<i>Interviewee 54</i>	Maza Kaltuma, 68 years, Nubian grandmother, FGD, September 28, 2016, Salama village

<i>Interviewee 55</i>	Hussein, Nubian male 50 years, FGD, November 26, 2016, Makina village
<i>Interviewee 56</i>	Yusuf Nubian male FGD, November 26, 2016, Makina village
<i>Interviewee 57</i>	Falsid, Nubian Male 56 years FGD, November 23, 2016, Lindi village

Table 3. 2: Summary Description of Participants in Qualitative Data Collection

<b>Villages</b>	<b>FGD 10 (5M 5F)</b>	<b>KII 5 (3M 1F)</b>	<b>IDI 6 (3M3F)</b>	<b>LH 8 (2M 6F)</b>
<b>Lindi</b>	<p>i) Nubian Males, born-raised in Kibra,50-70y 8 participants 23/11/2016</p> <p>ii) Non-Nubian Males Rural-Urban migrants 7 participants 24/11/2016</p>		<p>i) Abdalla, 54 y M, 8/12/2016</p>	<p>i) Maza Jemila 93 y, Great grandmother 1/12/2016</p> <p>ii) Maza Mariam 85y, Great grandmother 6/12/2016</p> <p>iii) Mzee Gamal 81y, M, Grandfather 23/11/2016</p> <p>iv) Jidi Omari ,98y M, Great grand father 6/12/2016</p>
<b>Kambi Muru</b>	<p>iii) Nubian Females born in Kibra, out migration. 9 participants 24/10/2016</p>			<p>v) Abuba Kemsu, F 94y 30/09/2016</p>

<b>Makina</b>	<p>iv) Nubian Males, born in Kibra, out migration . 8 participants 6/10/2016</p>	<p>i) Chair COE-M, 28/9/2016  ii) Head-NRF 50y, M, 19/11/2016</p>	<p>ii) Noor, M, 8/12</p>	<p>vi) Abuba Siama, F, 98y, 19/11/2016</p>
<b>Makongeni</b>	<p>v) Nubian Females, born and raised in Kibra, 50-70y 8 participants . 28/9/2016  vi) Nubian Females, 20-40y, born raised in Kibra, 6 participants 29/09/2016</p>			<p>vii) Abuba Amina F, 79y 7/12/2016</p>
<b>Salama</b>	<p>vii) Nubian Males born and raised in Kibra 7 participants, 29/9/2016  viii) Non-Nubian Females Rural-Urban migration 10 participants 26/10/2016  x) Non-Nubian Females married to Nubian men 6 participants 29/09/2016</p>	<p>v) Member vetting Committee, M, 16/12/2016</p>	<p>iii) Mama Kaltuma, F, Grandmother 30/09/2016  iv) Mama Zuhra- 70y F, 30/11/2016  v) Uncle Hamid-M, Grandfather, 16/12/2016  vi) Abuba Salha Grandmother, F</p>	<p>viii) Mama Asha, F 90y, 30/09/2016  Grandmother</p>

	X) Non-Nubian Males married to Nubian women , 6 participants 30/9/2016			
<b>Total</b>	10	5	6	8

### 3.8 Pre-testing

The questionnaire was developed following the qualitative interviews (See Appendix A). Pre-testing was done and questionnaires were piloted and some changes were made.

Pre-testing was done in November 2016 in the five study villages namely Lindi, Kambi Muru, Makina, Makongeni and Salama. During the piloting phase, it was realized some wordings needed to be changed and questions made simpler for ease of understanding. Further, some respondents could not read and therefore, unable to complete the questionnaire without assistance. Questions were translated orally in Nubian language to respondents and their response were written for them for those who could not read and/or write. This ensured accurate data collection and a high response rate.

### 3.9 Data management and analysis

The qualitative data collected was large and its analysis was cumbersome due to the large unstructured textual material generated (Bryman, 2012). The names assigned to the respondents in the work were pseudonyms. Raw data from audio recorded interviews was first translated from Swahili and Nubian which is the language of the target community into English, and transcribed into text based version of computer-usable form for use in data analysis. Data was then reviewed, edited and errors removed.

Analysis from the qualitative interviews were done manually and consisted of systematic thematic analysis and deductive reasoning, to get information out of the interview data obtained in the study. The views, thoughts and opinions in the interview data were reorganized in line with the study research questions that they addressed. Themes emerging from the interview data were used to determine which specific research question was being addressed at a given point. Qualitative data was more in terms of volume collected through IDIs, KIIs, FGDs Life Histories and informal discussions as well as observations.

Quantitative data collected through the survey was coded and analyzed using the SPSS package to generate frequencies and calculate the mean on some variables. Descriptive statistics used included frequency tables, cross-tabulations, graphs and charts. The Statistical Package for Social Scientist (SPSS) was used for quantitative data entry and analysis of multi-variate data.

### **3.10 Ethical considerations**

As the field work was conducted in Kenya, ethical clearance was obtained from the National Commission for Science, Technology and Innovation (NACOSTI, 2018), and was also sought from the Ethic Committee for Humanities, University of Ghana. Throughout the fieldwork, we were conscious of prayer times which had to be observed and some interviews postponed to after prayers. Friday was particularly important and interviews were scheduled to end before midday to ensure enough time to prepare for *Jumaa* or Friday communal prayers observed over lunch time. Interviews started around 2.30 pm which gave the participant time to returned home and eaten lunch.

I was empathetic depending on the context and especially to one elderly lady interviewee who narrated her experiences in the midst of tears, laughter and nostalgia. At such times, I proposed that we stop and continue at a later time and that she was under no obligation to continue.

She recomposed herself and insisted that we continue. I was also conscious of the effort and energy for the interview and would ask if the respondent preferred to take a break and continue later.

Although the participants recorded their names and contacts on the information sheet, confidentiality and anonymity was assured. We were advised which areas not to go to and to finish the fieldwork in good time for security reasons. Some of the interviews were conducted early in the evenings either at the mosque or in the homes of the respondents. No security problem was encountered. Some of the questions relating to Nubians' past led to the (in) famous Nubian Gin which was brewed by women and Female Genital Mutilation FMG which was practiced and abandoned in the 1980s. I felt discussion was limited on both activities because of the negative impacts associated with alcohol and health risks associated with FMG and the participants preferred not to converse about them.

### **3.11 Challenges encountered in the study**

Data on population size in Kibra and in particular on Nubians was unreliable. Several estimates of Kibra's population have been given between 170,000 to over 1,000,000 residents. An application was made to obtain micro-data from the KNBS on the number of Nubians and Nubian households in Kibra. However, this was considered to be sensitive information as it was targeting one ethnic community. Clarification was made and that the study was for academic purpose but this request did not materialize. Issues of ethnicity are generally a sensitive matter especially in Kenya whereby the community you belong to matters in terms of politics, employment opportunities among others.

I clarified that my research was focusing on the Nubian community, nevertheless my request was not successful. I opted to use data from Smedt (2011), which estimated Nubian households at 1,200.

Due to the general costs related to the field work, the survey had to be undertaken within a specific time frame of five days. Literature on Nubians is also limited. Despite these challenges, the data collected is credible and information verified with other sources.

## CHAPTER FOUR

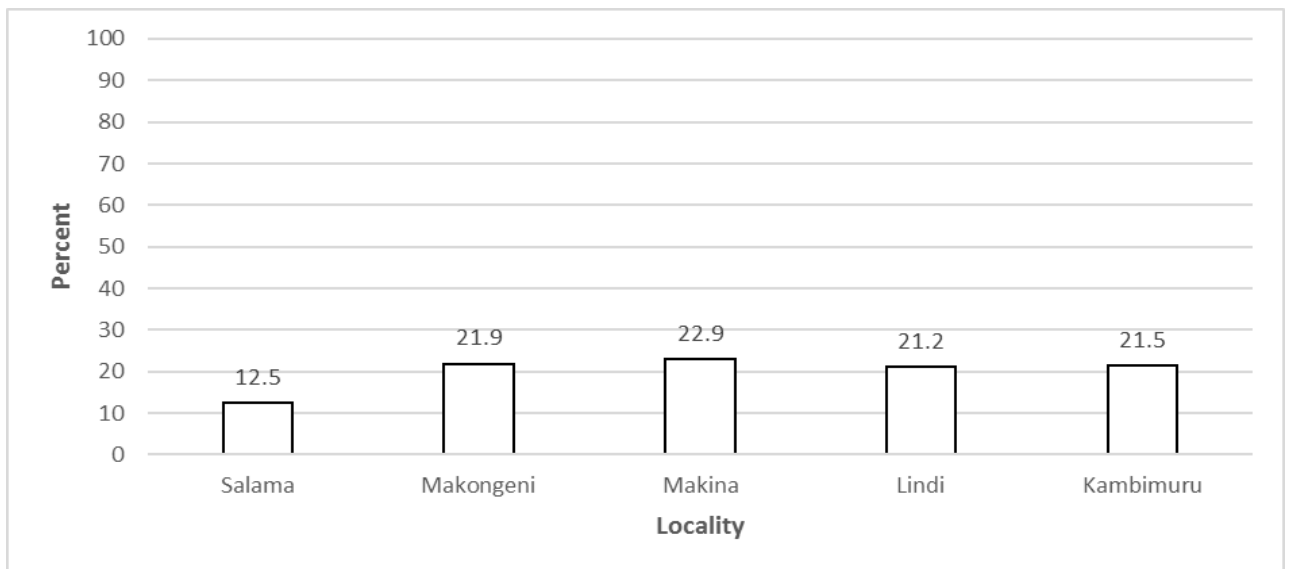
### SOCIO-DEMOGRAPHIC CHARACTERISTICS OF RESPONDENTS IN THE STUDY

#### 4.1 Introduction

This chapter is on the socio-demographic characteristics of the respondents of the study. This part of the study pays very close attention to the participants from the households from whom quantitative data was obtained. The information drawn from the data on the characteristics of the respondents is important because it helps to have a fair thought of the Nubian community in Kibra. This is in relation to: distribution of the respondents, characteristics of the respondents by sex and locality, by locality and age and identity of the respondents relative to the household head. This chapter will further elaborate on distribution of the respondents by highest level of education attained, their occupation, marital status, their distribution by clan and also by number of children alive. The five major villages in Kibra were covered in this study and had respondents in their diversity emerging in the analysis as would be presented. The findings about people from households in the various localities are, particularly, important because such data are currently limited in availability.

#### 4.2 Distribution of the Respondents by Locality

The respondents were selected from five localities. As can be seen from Figure 4.1, a little more than one-fifth of the participants were recruited from each of the following localities: Kambi Muru (21.5%), Lindi (21.2%), Makina (22.9%) and Makongeni (21.9%). However, just slightly more than one-tenth (12.5%) was recruited from Salama village.

**Figure 4.1: Distribution of Respondents by Locality**

Source: Field Work, November, 2016

#### 4.3 Characteristics of Respondents by Sex and Locality

The results of the analysis indicate that slightly more than half (54.9%) of the respondents are males whereas females constitute 45.1 percent. Significantly, there were more than twice as many males as females in the study from the Kambimuru and Lindi localities (Chi Square=22.756;  $p<0.001$ ). The latter had 28.3 percent of males against 12.8 percent of females whiles there was 26.3 percent of males against 16.0 percent of females in the former. In the Makina, Salama, and Makongeni localities, however, females, constituting 32.0 percent, 22.4 percent, and 16.8 percent, were significantly more than males representing 15.8 percent, 21.0 percent, and 8.6 percent respectively. The findings, especially, regarding identity formation and land ownership/access relative to these localities in view of the representation of the sexes may be interesting.

**Table 4.1: Distribution of Respondents by Sex and Locality**

Locality	Male		Sex Female		Total	
	N	%	N	%	N	%
<b>Total</b>	<b>152</b>	<b>54.9</b>	<b>125</b>	<b>45.1</b>	<b>277</b>	<b>100.0</b>
Kambimuru	40	26.3	20	16.0	60	100.0
Lindi	43	28.3	16	12.8	59	100.0
Makina	24	15.8	40	32.0	64	100.0
Makongeni	32	21.0	28	22.4	60	100.0
Salama	13	8.6	21	16.8	34	100.0

Pearson's Chi Square=22.756; df=4;  $p < 0.001$

**Source: Field Work, 2016**

#### 4.4 Characteristics of Respondents by Age and Locality

Table 4.2 gives the statistics on age distribution in each of the localities. Respondents aged 25-29 years constituted the more than a quarter (26.8%) of respondents from all the localities, and is the dominant age group. Just a little over one out of every ten respondents were more than 59 years (14.9%) or from 18-24 years (12.3%), 45-49 years (10.1%), and 50-54 years (10.9%). These results reflect a youthful population of the study population as the differences were significant (Chi Square=73.489;  $p < 0.01$ ). Thus, the population has some good potential to grow into the future. The definition of youth varies and the UN categorizes those aged between 18-24 years as youth whereas the African Youth Charter defines youth as persons between 15-35 years (Unesco, 2018). The ages 25-29, as identified, intersect with the description of youth in many senses.

**Table 4.2: Distribution of Respondents by Age and Locality**

Age	Locality											
	Kambimuru		Lindi		Makina		Makongeni		Salama		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
<b>Total</b>	<b>59</b>	<b>100.0</b>	<b>59</b>	<b>100.0</b>	<b>64</b>	<b>100.0</b>	<b>61</b>	<b>100.0</b>	<b>33</b>	<b>100.0</b>	<b>276</b>	<b>100.0</b>
18-24	9	15.3	6	10.2	11	17.2	3	4.9	5	15.2	34	12.3
25-29	21	35.6	6	10.2	12	18.8	17	27.9	18	54.5	74	26.8
35-39	3	5.1	3	5.0	5	7.8	13	21.3	1	3.0	25	9.1
40-44	2	3.4	7	11.9	6	9.4	6	9.8	2	6.1	23	8.3
45-49	4	6.8	6	10.2	10	15.6	5	8.2	3	9.1	28	10.1
50-54	8	13.5	8	13.6	9	14.0	4	6.6	1	3.0	30	10.9
55-59	2	3.4	3	5.0	6	9.4	7	11.5	3	9.1	21	7.6
>59	10	16.9	20	33.9	5	7.8	6	9.8	0	0.0	41	14.9

Pearson's Chi Square = 73.489; df=28;  $p < 0.001$

**Source: Field Work, 2016**

#### 4.5 Identity of Respondents relative to Household Head

As earlier mentioned in the study, household heads were the focal persons for data collection. In some instances, however, the absence of the household heads was met. In such situations, a relation to the household head who was satisfactorily regarded as the next in line became a proxy in this study. Table 4.3 shows that, more than half (56.9%) of the participants in the study were, themselves, the household heads. In the absence of the heads in some households, spouses (27.5%) followed by sons and daughters (11.2%) were, inter alia, the people from whom data was collected. Incidentally, most of the respondent the nuclear family and the rest were part of the extended family who lived within the household.

Nephews/nieces and other relatives formed the minority; only one respondent each which is equivalent to a small percentage of 0.4 percent.

**Table 4.3: Identity of Respondents Relative to Household Head**

<b>Participants' Identity</b>	<b>N</b>	<b>%</b>
<b>Total</b>	<b>276</b>	<b>100.0</b>
Head	157	56.9
Spouse	76	27.5
Son/Daughter	31	11.2
Grandchild	2	0.7
Brother/Sister	6	2.2
Father/Mother-in-law	2	0.7
Nephew/Niece	1	0.4
Other Relatives	1	0.4

**Source : Field Work, 2016**

#### **4.6 Distribution of Respondents by Highest Level of Education**

Table 4.4 shows the highest levels of education attained by the participants. The highest percentage (36.6%) of the participants are educated up to secondary education level. Immediately following this, is a quarter (26.4%) of the participants with primary level of education. Less than two in every ten (14.9%) of the participants also had other tertiary levels of education besides the fact that about one in every ten (10.9%) of the participants was educated up to undergraduate level. A very small percentage (1.8%) of the participants received Islamic religious education in Madrassa and 4.3 percent had neither formal nor religious education. Although the highest educational level of the participants was saturated around primary and secondary education, the possibilities of one person being highly educated (up to tertiary level) considerably suggest there is a good transition from primary education to higher levels of education.

Relative to the various localities, Kambimuru had the highest percent (45.0%) of the participants with secondary level of education.

Lindi had 42.4 percent of the respondents with secondary level of education, but with the highest percent (20.3%) of the respondents with undergraduate education. This is indicative of a better possibility to transition from secondary education to university education in Lindi than in the other localities (Chi Square=73.487;  $p<0.01$ ).

Over the years, the Nubian community in Kibra has put emphasis on education with several organizations formed with a particular interest in education matters, and whose efforts can be seen in the level of education attained by the participants as indicated by the results. As a minority ethnic group in Kenya, education is key to cohesion and integration into the mainstream Kenyan society.

**Table 4.4: Distribution by Highest Level of Education**

Edu level	Locality					Total
	KambiMuru	Lindi	Makina	Makongeni	Salama	
	%	%	%	%	%	%
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
No Edu	8.3	3.4	3.1	5.0	0.0	4.3
Pri	20.0	18.6	45.3	28.3	12.1	26.4
Sec	45.0	42.4	40.6	25.0	24.2	36.6
Ugrad	5.0	20.3	4.7	11.7	15.2	10.9
Pgrad	5.0	3.4	0.0	13.3	3.0	5.1
Tcol	16.7	6.8	6.3	15.0	42.4	14.9
Madr	0.0	5.1	0.0	1.7	3.0	1.8

Notes: Edu level = Educational Level; Pri = Primary education; Sec = Secondary education; Ugrad = Undergraduate; Pgrad = Postgraduate; Tcol = Other tertiary college; Madr = Madrassa

Pearson's Chi Square=73.487; df=24;  $p<0.001$

Source: Field Work, 2016

#### 4.7 Occupation

As can be observed in Table 4.5, the highest proportion of respondents were self employed (36.1%) whereas, the second highest proportion of respondents (31.4%) were unemployed. Unemployment is one of the challenges faced by the youth, not only among the Nubians but country wide. The Kenya Integrated Household Budget Survey (KIHBS) 2015/2016 (KNBS, 2018), shows that at least 1.4 million Kenyans who make up the country's labour force are unemployed against an active labour force of up to 19.3 million, with 17.9 million in gainful employment. Those in the public service numbered 17 (6.1%) and a fifth of participants (20.9%) were in the unskilled/skilled sector.

**Table 4.5: Distribution of the Respondents by Occupation**

<b>Occupation</b>	<b>N</b>	<b>%</b>
<b>Total</b>	<b>277</b>	<b>100.0</b>
Unemployed	87	31.4
Self employed	100	36.1
Public/Civil Service	17	6.1
Retired	15	5.4
Unskilled/Skilled	58	20.9

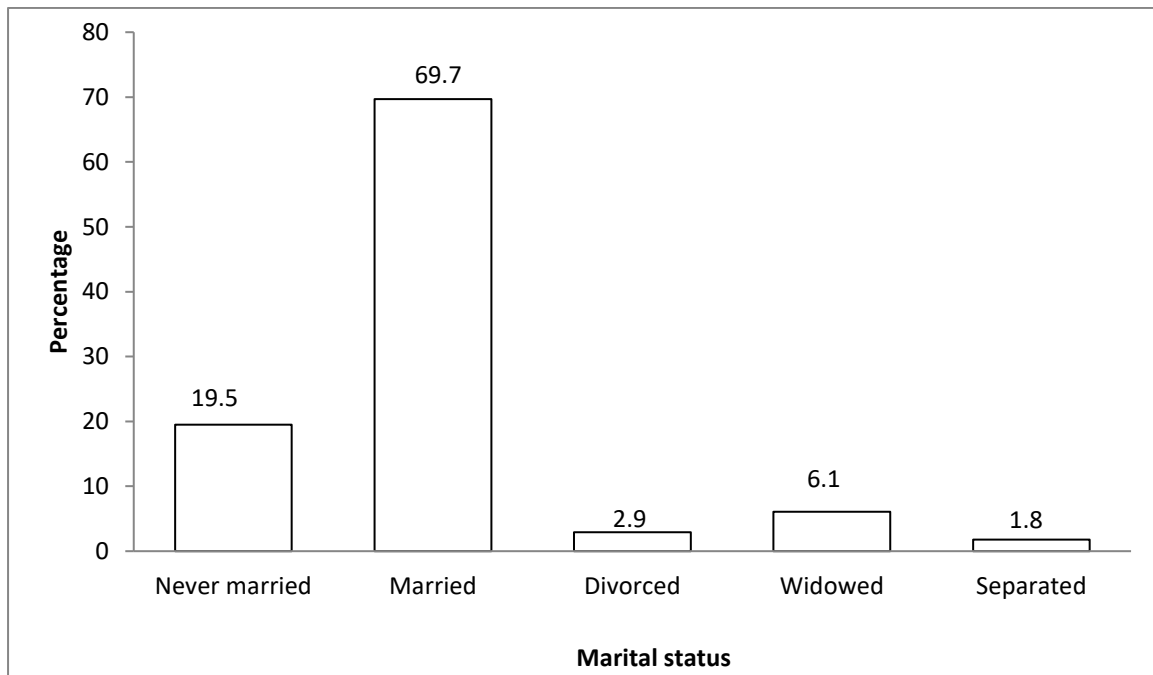
**Source: Field Work, 2016**

#### 4.8 Marital Status

Figure 4.3 shows the marital status of the participants whereby the majority (69.7%) were married. This is consistent with marriage being considered important and, therefore, encouraged from a religious and cultural perspective.

The participants who had never married were nearly one-fifths (19.5%) of the total participants, and 2.9 percent were divorced. Those who were in unions but separated were very few at less than 2 percent (1.8%).

**Figure 4.2: Percentage Distribution by Marital Status**



Source: Field Work, 2016

#### 4.9 Distribution of the Respondents by Clan

The percentage distribution of the respondents by clan is shown in Table 4.6. Out of 279 respondents, the highest proportion (44.1%) of the respondents, that is, more than two in five of the respondents, indicated that they belong to the Nubi clan. Nubi clan is the official clan of all Nubians in Kenya. Regarding the other clans, about one-fifths (21.5%) of the respondents indicated that they belonged to clans conveniently labelled as ‘others’. Perhaps, these are several varied minority clans or less familiar clans.

Meanwhile, below 10 percent of the respondents were distributed over residual clans, namely, Bari, Lendu, Kakwa, Mundu, and Dinka. This shows the predominance of the Nubi clan and many Nubians still identify with this clan although the clan today may not be as significant as it was the early years of settlement in Kibra.

**Table 4.6: Distribution of the Respondents by Clan**

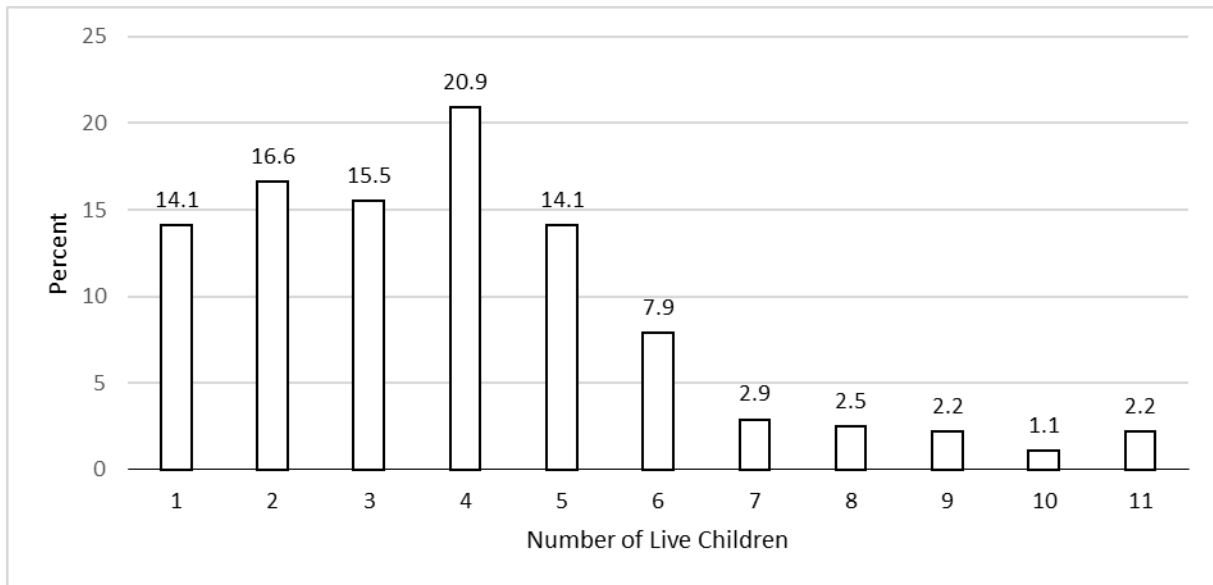
<b>Clan</b>	<b>N</b>	<b>%</b>
<b>Total</b>	<b>279</b>	<b>100</b>
Bari	25	9.0
Lendu	18	6.4
Kakwa	14	5.0
Mundu	20	7.2
Dinka	14	5.0
Nubi	123	44.1
Others	60	21.5
Don't know	5	1.8

**Source: Field Work, 2016**

#### **4.10 Distribution of Respondents by Number of Children Alive**

Table 4.7 indicates the percentage distribution of the respondents by number of live children they have. One in every five (20.9%) of the respondents have four live children. Those who have 10 or the maximum of 11 children who are alive children constituted a small percentage of 1.1% and 2.2% of the respondents. Parents were likely to be in a polygamous family setting.

**Figure 4.3: Distribution of Respondents by Number of Children Alive**



**Source: Field Work, 2016**

In addition to the results just discussed, the data from the respondents on whether they were, themselves, born in Kibra produced the following results. About nine out of every ten (90.3%) of the respondents were, in fact, born in Kibra. This attests to the longstanding argument that the Nubians in Kibra deserve to be established as citizens, who have their ancestral home in Kenya. Most of these respondents who were born in Kibra are among the many who have also given birth to 4, 5, 6, or more children in the land of their birth.

#### **4.11 Conclusion**

This chapter has provided some essential characteristics of the respondents covered in this study. It is an important step towards understanding the human and environmental perspectives in which the Kibra community is situated. The socio-demographic characteristics of the respondents in the study from Kibra has paved the way to appreciate where the participants are coming from and the value that they bring to the critical issues of identity formation, citizenship, and the migration question concerning the Nubians.

The five main localities in Kibra, listed in descending order of the number of participants gotten from them, include Makina, Makongeni, Kambi Muru, Lindi, and Salama. Majority of the participants were born and raised in Kibra, just as many of them have also began procreating with many of them well advanced in age with children. The participants in the study were more youthful, mostly aged 25-29 years. Education, although considerably good, is promising to increase with potential to transition from secondary level of education to tertiary level of education. The topical issues that affect Kibra regarding the migration, identity and citizenship of Nubians would also be the concern of the participants. The next chapter of the study addresses questions regarding migration of the Nubians.

The demography of Nubians in relation to their identity indicates that the youth represent a higher percentage of the population. They have the motivation and capacity to speak out on issues affecting their identity and their community at large. Further, on land rights, they have been involved in various efforts to have Kibra recognized as the community's land. As the youth, they will need a place they can call home which has security of tenure and not live in fear of being evicted. Being active on community matters also brings about visibility with regard to the Nubian community. Living arrangements within the households include nuclear as well as extended family residing in close proximity. This type of setting fosters unity and close family relations, including the feeling of belonging to the community. In this respect, their collective identity is enhanced. Analysis show that Nubians are a highly educated population have the potential to be eligible for job opportunities. This segment of the population, will be expected to uplift the community in their different capacities. In terms of numbers, they are a minority in Kibra and therefore have to form political alliances to determine their elected representatives. The population is also young, which has the energy and potential to drive forward collective community efforts.

## CHAPTER FIVE

### MIGRATION AND SETTLEMENT EXPERIENCES OF NUBIANS IN KENYA

#### 5.1 Introduction

This chapter focuses on explaining the migration of the Nubians and their settlement in Kenya, precisely, Kibra. A historical overview of Kibra's transformation from a forest to a respectable settlement in a farming environment and crucial transformations it has undergone have been highlighted. Factors leading to the decision to migrate, the central role of migration, both in and out of Kibra, leading to significant and irreversible changes that have occurred and their effects have also been discussed. The findings provide the relevant answers to the fundamental research question "What is the historical account of the migration and settlement of the Nubians in Kibra, Nairobi, Kenya?". Data from pertinent studies in this research area, legal documents, administrative documents, reports, primary data from interviewees and quantitative data from households have been used collectively to make cogent findings.

#### 5.2 Migration Experiences of the Nubians from Sudan to Kenya

For their expansion activities in Eastern Africa, the European colonialists needed natives to help them in their quest. The British Empire established the East African Protectorate (EAP) in 1885. From 1920 onwards, it was known as the Kenya colony and in 1964, the independent Republic of Kenya was formed. The Nubians are descendants of slave soldiers of the Egyptian army that was ruling parts of Sudan before the Europeans came there.

They were forcefully conscripted into the army in Sudan and were incorporated into the British Army to fight in East Africa in the late 1880s (Constantine, 2011).

They were cut off from the main body of the army during the fighting in Khartoum in 1885 and later, they were moved into East Africa through Uganda and Tanzania where their services were required.

In 1897, a group of the soldiers who were serving alongside the British colonial forces mutinied against the colonial forces. This contingent comprising mainly of Nubians and other Africans was later to become what was known as the King's African Rifles (KAR). The Nubians were skilled in using modern weapons and were different from the Africans who fought with their spears, bows and arrows (Kareithi, 2012). Lugard (1893), wrote that some of Kenya's Nubians have their origins in one particular group of soldiers and their dependents: those who were stationed in Equatoria, a province of the Sudan cut off from the Egyptian administration in 1883 during the Mahdist revolt. After a two-year period of isolation, these soldiers were incorporated into the Imperial British East African Company (IBEAC) by Frederick Lugard. They later became the backbone of the protectorate armed forces, then of the colonial armies of Uganda and Kenya, playing a crucial role in the imperial project in East Africa (Lugard, 1893).

The presentation above is a brief explication of the migration pattern of the Nubians as presented in literature. In interrogating the history of this migration by interviewing key persons in Kibra, interviewees were asked to give the historical account of the migration of the Kenyan Nubians, as they have come to know it. The views and insight obtained largely corroborated the illustrations in literature as elucidated above. A key informant said his father enlightened him that, most of the descendants of Nubians in Kenya were a group of soldiers who were from Equatoria (Juba) in South Sudan (*Interviewee 1*).

These were the group of soldiers that have been described as soldiers and others who were migrants, and would sometimes settle in a place for some time and continue with the journey.

The soldiers lived in *zara'ib* or garrisons, together with their wives, concubines, servants and gun-boys, forming military, social and economic communities (Johnson 2000; Smedt 2011). Far back in time, Austin (1903) showed that Nubians were trained soldiers and had knowledge and experience in handling sophisticated weapons. It took the British about two years to finally subdue the mutiny, helped by loyal protestant chiefs and units of the Indian army who had to be transported to Uganda. Their action was perceived as high treason as this was at a time that the Imperial British East Africa company was trying to secure Uganda, the source of the River Nile. Consequently, the Nubians were denied repatriation to Sudan, their country of origin and instead were dispersed to different parts of East Africa.

Another interviewee added that these soldiers, while migrating, settled in several destinations. The Nubians intermarried with other communities they interacted with and together, they continued the journey. Those who joined them along the way were assimilated and became Nubians. Using his case as an example of the assimilation, he stated that:

“...My mother was from the Turkana ethnic community. The Turkana are a semi-nomadic ethnic community from north west Kenya whose county borders Uganda to the west and South Sudan and Ethiopia to the North.”  
(Interviewee 2)

Emphasizing the role of women who were married to Nubians, Interviewee 1, in his account of the migration process, said:

“Nubian women carried with them their basic household items, including utensils such as grinding stones known as *'murkaka'*, pestle and mortar made of stone, among others. They introduced to East Africa culinary delicacies such as *mandazi* and pancakes known as *gurusa din*. They also brought with them their *savoir faire*/knowledge of brewing gin known as *Waragi* in Uganda and Nubian gin in Kenya.” (Interviewee 1).

A Nubian elder from Uganda, Moustapha Khamis Kenyi, 68 years, attempted to explain the paradox of Nubians' Islamic religion and alcohol use – two 'elements' which are not compatible in ordinary circumstances. This occurrence emerged from the role that Nubian women played in the lifestyle of the Nubians. He was quoted by the New Vision, a Ugandan newspaper, saying:

“You see, when our grandmothers came from Sudan, they were not very good Muslims like we are today. They carried with them the formula of making Waragi (Nubian gin) all the way from Sudan.” (Mureithi, 2012).

This shows that Nubian soldiers moved along with women, notably, their wives. These women contributed to the evolution of some aspects of life of the Nubians.

### **5.2.1 Movement to and Settlement in Kenya**

This section of the analysis interrogates perspectives on how the Nubians have come to settle in Kenya. Data was obtained from the key informants and analyzed together with data from secondary sources to ensure that triangulation is achieved. The movement of the Nubians was felt across the East African region, but their settlement in Kenya can be premised on a number of considerations.

In response to the historical account of how the Nubians came to settle in Kenya, a key informant, a 78-year-old Mzee Imran, explained that as follows:

“Some Nubians crossed into western Kenya from Uganda around 1853, when the King of the Mumia community, Nabongo Mumia, was still a child aged about five (5) years. ...books did not have that date but dates referred to are much later around the 1880s and 1890s. To date, the Nubians are still in Mumias town, having contributed to its establishment as well as other areas where they first settled. The Nubians then spread further to the interior of Kenya. All the above routes eventually led to Kibra in Nairobi” (*Interviewee 1*).

Several other interviewees alluded to the above or many other movements of the Nubians in the East African region that may have spilled over to Kenya. The implications of all that was said is that the Nubians have had varied interactions with various populations in the region, including Kenya. Some of these interactions were responsible for the settlement of the Nubians in Kenya. It is on record that the KAR formed in 1902, fought for the British in both World Wars. While in the military, the Nubians spoke Arabic, the language the Arab commanders used, and they later learned English and Swahili for communication during their service in East Africa. (Kareithi, 2012).

Nubians can be found in the East African region and played a vital role in the development of the region. A majority are found in the neighboring countries of Kenya and Uganda and to a lesser extent in Tanzania where they have been assimilated through marriage. In Kenya, the community can be found in some major urban centers where their first-generation members settled when they came to Kenya. Adam (2009), a descendant of an ex-serviceman, states that other detachments that had fought for the British in East Africa like the Indians, were repatriated back to their motherland where they were to assimilate back to normal lives.

The Nubians had no option but to remain in Kenya once they were decommissioned. To affirm this point, the exposition given by one of the interviewees on how the Nubians have come to settle permanently in Kibra, Kenya, reads as follows:

“Some of the reasons leading to their stay in Kenya were that they had no attachment with those they left in Sudan, most of them were not born in the Sudan and did not know any place or any person there. This situation was an advantage to the British colonial government as they had a reserve of recruits whenever they required in Kenya. The colonial administration would turn to the Nubians to provide recruits.

They lived in villages adjacent to the army barracks where they were stayed in temporary structures, built on land they did not own.

This led to the establishment of informal villages which grew into urban centers or slums in the case of Kibra” (*Interviewee, 1*).

It was the habit in those days, in the military forts in East Africa and Somalia, to allocate some land to the soldiers to cultivate and grow food for their families. Retired and demobilized soldiers were also given land near the barracks. Like the Egyptians before them, the British used the Sudanese soldiers’ sons for the recruitment of new soldiers, and found it very convenient to have a reserve force of veterans close at hand in case they needed experienced soldiers on short notice (Smedt, 2011). The Nubians settled in different parts of Kenya. As part of their duties, they were also mandated to guard the railway stations and settled at their work stations. They lived mostly along the railway lines at designated places which became villages and some eventually grew into towns. In the western part of the country, they live in Kibigori, Kibos, Kisumu, Ahero, Sondu, Kisii, Migori, Mumias and Bungoma. In the Rift Valley area, they are found in Eldama Ravine and Nandi. In central Kenya, they settled in Nyeri. Those who were on duty in Kismayu in Somalia came to Kenya through the East and settled in Marsabit, 532 kilometers from Nairobi, Isiolo, and Meru a town on the slopes of Mount Kenya, 271 kilometers north of Nairobi. Other Nubians settled in Machakos which is not far from Nairobi city at a distance of 66 kilometers. Towards the coast they settled in an area known as Mazeras situated about 19 kilometers from Mombasa, Kenya’s second largest city (Smedt, 2011).

There were three routes that the Sudanese soldiers used from Sudan to get into Kenya, and eventually some settling in Kibera. The first entry was through Uganda and into Western Kenya. The second entry point into Kenya was by direct recruitment by the British in Egypt and northern Sudan to be dispatched to Somalia (Jubaland). This particular group gained entry into Kenya through the East, some settling in the following towns: Meru, Isiolo and Marsabit.

The third entry point into Kenya was through Tanzania; for those recruited by the Germans in Cairo to assist in suppressing native uprisings along the German East African coast (Smeidt, 2011).

As their forefather's did before them, the Nubians have intermarried, and particularly those who live outside Kibra speak the dominant local ethnic language where they have settled. However, within the household, some continued to speak Kinubi, the Nubian language. A majority of Nubians settled in Kibra in Nairobi, located in the south-central part of Kenya. It started as a colonial rail settlement when the railway reached Nairobi and the colonial railway authority established their headquarters in Nairobi in 1899. In 1905, Nairobi became the capital of British East Africa Protectorate (BEAP) and was declared a municipality in 1919 and it was granted city status in 1954 (Boedecker, 1936 & Achola, 2002).

### **5.2.2 Settlement in Kibra: The Early Years until Independence, 1904-1963**

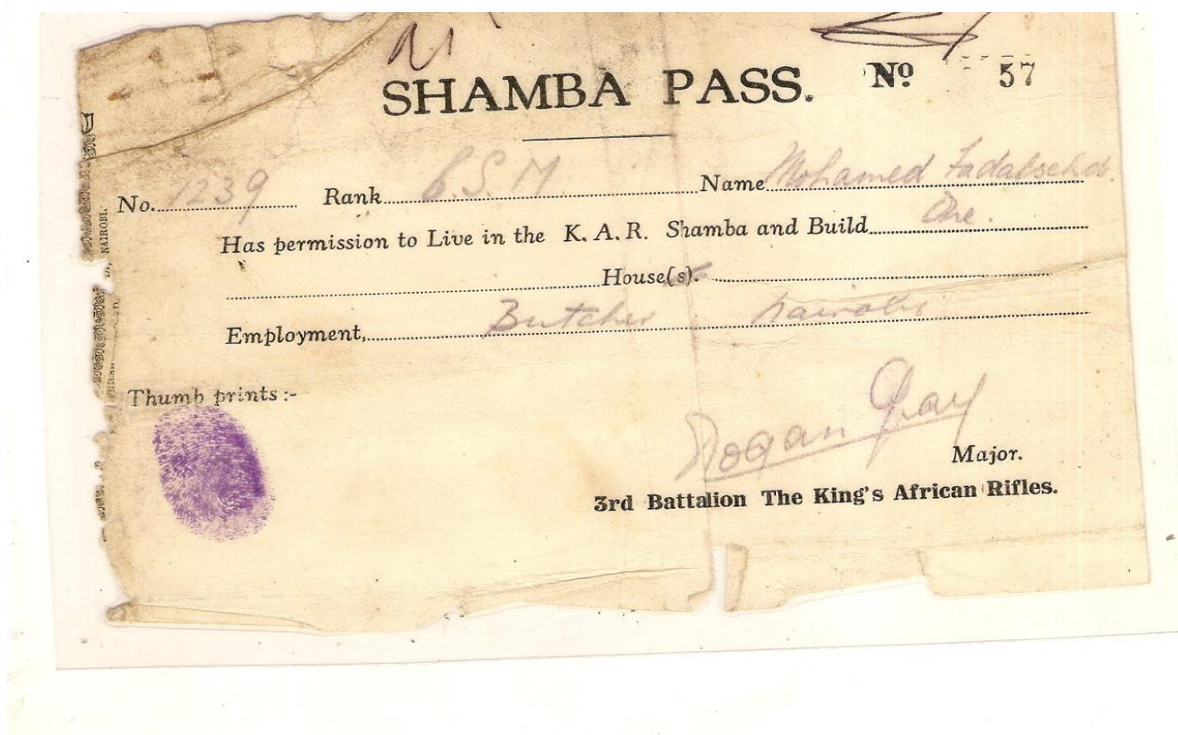
The history of Kibra is also the history of the Nubians. The name and place known as Kibra is synonymous with Nubians because they consider it their ancestral homeland in Kenya. Kibra is a Nubian word meaning 'land of forest' which depicts the place as the Nubians found it. It has been variously spelt as Kibira, Kibeia, Kebera, Kibira and Kibera in official documents dating back to the colonial administration. The area reverted to its original name Kibra, as it is officially known in the year 2012 following the creation of a constituency bearing the same name. Kibra as well as Kenya is a land of migrants with different communities migrating from different places before finally settling in their present location.

Prior to the Nubians settling in Kibra, the area had no residents and was used by the Ogiek and Maasai pastoralist communities as grazing land.

In 1903-1904, the barracks of the KAR, Buller camp, was moved a few kilometers south of the city centre which was outside the municipal boundary.

In the 1904 Maasai Agreements, the land was ceded to the British, and in same year, the army was allocated the adjoining land to carry out military exercises (Carter, 1933, Balaton-Chrimes, 2015). This land (Kibra) was set up as a military settlement zone dedicated to the Sudanese ex-soldiers and those who were active at that time. After being discharged from the KAR, the former soldiers were given a *shamba* pass which entitled the former soldiers to settle and farm in Kibra (See Plate 5.1).

**Plate 5. 1: A Sample of the Shamba Pass**



**Photo by Author, November, 2016**

The size of land given varied, and was in relation to the rank that one held at the time of leaving the KAR (CRF-OK, 2012). A list of plot numbers and their respective original owners as shown on the “Kibra land survey and allocation 1934”. This exercise was a survey of buildings and *shambas* in Kibra (CRF-OK, 2012, p.4-5). Although there have been renovations undertaken, some of these numbers have been preserved and are still visible today. Observations in this study revealed a house in Lindi village had the number 43 fixed on the main door whose occupants are family members/children of the ex-soldier in the KAR whose name appears against the plot number (43) listed on the original map. La Fontaine’s (1947) investigative report, indicated that approximately ten (10) non-Sudanese ex-soldiers, granted permission to settle in Kibra, were natives of Abyssinia, Congo, Tanganyika, Nyasaland and the Coast (La Fontaine, November 11, 1947. File 17-MAA 2/5/172/iii).

The area known as ‘Kibera’ is registered as L.O 1702 measuring approximately 4,197 acres. It was surveyed in 1917 as a military reserve area and gazetted as such in 1918 with details of its boundaries (The East Africa Protectorate Official Gazette/Kenya Gazette, 1918). The Kenya Land Commission (KLC) otherwise known as Carter Land Commission (1933), reported that the area was originally assigned to KAR in 1904. Although there was no evidence to show why a large area was required, it was thought that one of the aims was to provide a home for the Sudanese ex-*askaris* (soldiers) (RKLC 1933, p.171; Smedt, 2011).

In furtherance of the idea that the land, vast as it may be, was earmarked to accommodate Sudanese soldiers, it was said that:

“The Nubian villages in this area also provided a source of recruits for future soldiers. It was expected that the soldiers’ sons would also be engaged in the KAR. It was a common practice that, in recognition for their good service, they were given an opportunity to bring on board someone, usually a son or relative (*Interviewee 2*).

A specimen permit to reside in Kibra given to individual ex-soldiers reads:

“3<sup>rd</sup> Battalion King’s African Rifles. Serial No. 126A. No.138 Rank CSM Name BABALLA DAHI has permission to make a *shamba* in the military reserve and build a hut. NAIROBI AKINSON Captain Adjutant Depot 3<sup>rd</sup> KAR” (File RN 7/3 State Land 39 Kibera, Kenya National Archives (KNA)).

The permits did not have any standard wording and they were recalled and new permits issued in 1928. The text of the new permits gave permission to live in the KAR area called *shamba* and to build a house but no sort of title was conferred. A total number of two hundred and ninety-one (291) permits were issued between 1913 when the practice started and 1934, when it ended, and only eleven (11) permits were given out between 1930 and 1934 (File RN/7/19 Kibera. Letter dated March 26, 1926 from Commissioner Local Government, Lands and Settlement to Town Clerk). In 1928, the military handed over the supervision of Kibra to civilian administration under the Nairobi District Commissioner. As a result of laxity in the administration, many Africans moved into Kibra in search of work and accommodation (Smedt, 2011).

The housing and settlement situation in Nairobi then, was in five (5) categories: (i) a native location at Pangani whose growth was spontaneous, (ii) a planned location at Pumwani, (iii) a municipality housing scheme, built and owned by the municipality which rented rooms to natives (iv) government and railways housing schemes to house their African employees and other provisions made by the government and by the railways company for the housing of their African employees and (v) a reserve at *Kibera* for Sudanese ex-soldiers of the KAR (RKLC, 1933, p.166).

### 5.2.3 Nubian Settlement and Organization in Kibra

It is said that man is a social being and is organized into groups (Freedman et al., 1952). Nubians' organization was based on clans. The study posed the question to the effect of bringing how the Nubians organized themselves and settled in Kibra. During a life history interview, it was explained that by an elderly interviewee that:

“...the ex-soldiers and their families settled forming eleven (11) villages according to their respective clans and some villages bore their clan names. These were Kambi Lendu, Makina, Lindi, Lomle, Toi (Nubian for open ground), Gumberedu/Galalima/ Kambi Kirwa, Lain Shabaa (shooting range), Langata, Makong'eni, Sarang'ombe, Kambi Muru”(Interviewee 4).

*Kambi* means ‘camp’ in Swahili language but in this respect a village is more appropriate, hence the Lendu clan lived in Kambi Lendu and in Kambi Mundu were found members of the Mundu clan.

Another interviewee, illustrating how the Nubians named a place with a pool that was used for bathing said:

“When we woke up early in the morning, our mothers would tell us to go and bath. The place where we always had a bath, a natural pool was therefore named Gumberedu” (Interviewee 5).

*Gumberedu* is a Nubian compound word composed by ‘*Gum*’ and ‘*beredu*’. “*Gum*” means ‘to wake’ or ‘get up’ and “*beredu*” is ‘to bath’. This suggests that the names of places were also related to the activities associated with them. Interviewee 5 further mentioned that “*Korr Goonyo*”, which translates ‘to river of frogs’, was so named because “there were many frogs around it and they croaked a lot” (Interviewee 5).

The Shilluk, Dinka, Fur and Nuba clans settled in Sarangombe and Lomle area, whereas Makina and Lindi villages were mostly settled by the Bari. The different Nubian clans settled in different villages within Kibra. The Tagalaw settled in Galalima, while Mundu settled in Langata and Toi villages. The different clans shared some common practices but also had their own practices. They spoke their clan language among themselves and communicated in “Kinubi”, the common language when members of the different clans met (*Interviewee 6*).

A chief or “*Liwali*” was the overall Nubian chief in Kibra and each village had its leader, usually the senior-most ranked soldier. The main leadership and/or authority was vested in the council of elders (*Majlish shu’uba or Majlish shauri*). The community was informed of meetings by messengers who would beat drums as they traversed the villages announcing for a meeting known as “*gombororo*” (*Interviewee 7*).

How Kibra was then, is a far cry from what it is today, as narrated through the lived experiences of different interviewees in this study. A large part of Kibra was still without inhabitants and the surrounding areas were forests and wild animals would roam about. An interviewee recounted a story they were told when they were young about how a Nubian relative walked from Lang’ata across the valley to Kibra after receiving news of his brother’s demise. On the way he passed a lion and a lioness who wanted to attack him, but the lion restricted her. The man kept praying until he reached his destination (*Interviewee 8*).

Kibra had clean and permanent rivers flowing through the area such as *Kor* (river) Kibra, *Kor* Kambi and *Kor* Atia. These were sources of water for basic uses as well for farming, fishing and swimming for the younger ones. Mzee Abu, an interviewee from Salama village, recalled his younger days, when the boys would mostly go fishing and hunting for birds and animals such as gazelles, dik-diks and rabbits.

Girls and women would fetch water and wash clothes by the river. Produce from the farms sustained the families and the surplus was shared. Extra produce from the farm was put in a basket and placed at the entrance of the homestead for others to take a share. Children would also be sent to give the basket to the neighbors or family members. They had food security, according to the narratives. Nubian homesteads were set in large clean compounds and consisted of several units as noted by some informants.

“Kibra was not what you see today. It was clean, there was a lot of space, we had big shambas, the air was clean and the whole area had no rubbish dumped everywhere like you see today. During those days, Nubians were the majority and we were not crowded like today. I feel sorry for our people living like this, I wish you could have seen how it was and how we lived, at least try to imagine! Now, everything has completely changed. When I think of those days, my heart breaks and I feel very sad. If our parents and grandparents would wake up and see what has become of our Kibra, they would not believe their eyes, they would cry and return to their resting place” (*Interviewee 9*).

A reporter’s description of one Nubian house he visited was this:

“Although their homes are made from conventional African building materials-mud and wattle, they are houses in a western sense. They are divided into rooms for the various family functions and, despite the outside appearance, those houses I entered gave the appearance of barrack-room cleanliness and orderliness.” (The Sunday Post, August 24, 1958, p.15).

This description was confirmed during my fieldwork. The houses visited were clean and generally, for those that had an enclosed compound, they were also well maintained, some with flowers and trees.

### 5.2.3.1 Social / Religious Life

Both monogamy and polygyny were practiced, as allowed by Islam which would explain the relatively large families then, hence, the need for adequate accommodation. Over the years, there are fewer polygynous marriages. The Nubian descent is unilineal, whereby the ancestry is traced through the father's lineage (CRF-OK, 2012). Nubians had a communal life in their villages in Kibra, with their own language, dress code, cuisine and ceremonies. They also had specific areas within Kibra where traditional rites were performed.

Each of the villages had recreational facilities such as playing grounds for children which doubled as ceremonial grounds for weddings and other activities. There were two (2) main associations then namely, the Sudanese Association whose members were mostly older Nubians and the Union of Sudanese which had a majority of younger members. The community boasted of the Nubians' Sudanese Brass Band which participated in cultural exchanges and provided entertainment at wedding ceremonies as well as to the first President of Kenya, H. E. Mzee Jomo Kenyatta, in 1961, upon his release from detention.

The main hall for the whole community was built in Makina village, where the main mosque stands to date. A small distance away is the communal cemetery, a sacred and protected place by the community where generations have been laid to rest. Some villages like Lomle had their own cemetery then, however due to evictions and displacements, over time all were interred at the communal cemetery (CRF-OK:2012, *Interviewee 1*).

Over the years, the different clans merged, forming a common Nubian culture and language. The official name of the unified 'clan' is Nubi, and the language is Nubian which also refers to a member of the community, who is a Nubian.

Another interviewee attempted to give a picture of how life in the Nubian settings looked like. She mentioned the clans, marriage, intergroup customs and rituals, and how these practices have changed among the Nubians today.

She said:

“We used to live in our own villages according to the clans. However, over the years, we started mixing with each other through marriage and other people moved from their villages to others. Some customs from one clan were accepted into another clan and you can find different rituals in a wedding which originate from different clans and are all part of a wedding ceremony. Some rituals have now been forgotten and not practiced any more. We mixed and now we have one language and we are all one people” (*Interviewee 10*).

Nubians are Sunni Muslims and tolerated continuation of some traditional practices but conversion to another religion was rare and neither accepted nor tolerated. An elderly lady in her late seventies stated that it was unheard of that someone would convert from Islam to Christianity during her time, it did not happen. Another elderly interviewee, Mama Amina, remembers a case of a Nubian woman who had children with a non-Muslim but lived in Kibra. She later migrated and went to live with him in the rural area but was not sure if she was still a Muslim or not. She spoke of a female relative who, a few years ago, went to live with a non-Muslim male with whom she had children.

“Our family was very strict and did not want anything to do with her. She had caused us a lot of pain and embarrassment especially because you feel it from other Nubians when they ask about her. It felt that we had let the whole community down because we did not play our role in guiding her especially from a religious point of view. She was disowned by the family, she’s an outcast” (*Interviewee 11*).

### **5.2.3.2 Education**

Children attended Madrassa (religious school) as well as formal school. The first permanent school was Kibera Primary also known as Old Kibera commissioned in 1953 (Madrassatul Falaah-Makina, Management Committee Annual Report 2016).

The colonial administration would build institutions as a reward for some communities for their cooperation and loyalty. One such example is the Kibera Primary School for the Nubian community children. The Kibera Primary school was one such school and provided basic education for children. The school was an acknowledgement of the service to the crown by the ex-soldiers and dedicated to their descendants. A commemorative plaque at the school reads in part as follows:

“THIS BUILDING COMMEMORATES THE GIFT OF STG 2,000 FROM THE ARMY BENEVOLENT FUND IN GRATEFUL MEMORY OF THE GALLANT AND LOYAL SERVICE RENDERED BY THE SOUDANESE SOLDIERS WHO DIED IN THE CAUSE OF EASTERN AFRICA IN TWO WORLD WARS AND WHOSE DESCENDANTS WILL BE TAUGHT IN THIS SCHOOL....”

The commemorative plaque further states that:

“... THIS SCHOOL WAS OPENED BY HIS EXCELLENCY SIR EVELYN BARING K.C.M.G KCVO IN THE YEAR OF CORONATION OF HER MAJESTY QUEEN ELIZABETH II 1953...”

**Plate 5. 2: Commemorative Plaque at Kibera Primary School**



**Photo by author. October 31, 2016**

### **5.2.3.3 Marriage and Family Life**

Women are the primary caregivers and home-makers. Therefore, girls were brought up in preparation for marriage and to be a mother and run the home. Their upbringing was aligned to fit into this role. From a young age, girls were taught to cook, clean and make traditional handicrafts such as *kuta* (food cover), *tabaga* (food tray) and (*birish*) woven floor mat, which were part of her wedding package.

These handicrafts were also offered to a bride as gifts and held in high esteem as important and valuable gifts. Arranged and early marriages were common and most young girls in their early

teen years were taken out of school to get married to older men whom they could have either known or not.

One of the reasons for early marriage was to avoid girls getting “spoilt”, meaning befriending males and/or worse, becoming pregnant. Once informed of the marriage, the girl had no say or choice in the matter. Mama Zara, a grandmother, narrated that:

“One day after school, I was informed by my mother that I would get married the next day. I found women at home who were to prepare me for my wedding. I got married to a man I did not know, I met him for the first time on the wedding day. Afterwards, my teachers sent messages asking me to go back to school, but I was too embarrassed. I felt wasted and sad because I was a good performer, especially, in mathematics, and I really liked school. I promised myself all my children girls or boys would go to school and have the chance which was taken from me. My marriage was ok and we remained together until my husband passed on a few years ago. I am happy and thank God all my five children have all finished secondary education, and three have university degrees. Two went to specialized colleges for professional training, one is a teacher and the other is a hairdresser” (*Interviewee 12*).

Some girls ran away to avoid early marriage hence, it was kept secret until the last minute. The interviewee further said that:

“The marriage negotiations were finalized in secret and once you were informed of your wedding, the women would keep a close watch over you as you were being prepared for the ceremony which was normally the next day or the day after so, you also didn’t have enough time to prepare your escape plan, although I know of one friend who escaped just before her wedding!” (*Interviewee 12*).

A different arrangement for marriage was organized through forced abduction as experienced by Abuba Siama, a great-grand mother aged 97 years during a life history interview. Abuba Siama remembers she was married aged about fifteen years old.

As a young girl, she was keen and interested in weaving and cooking, and acquired the skills from her mother. Together, they would weave and sell the traditional handicrafts, giving her a source of income at a young age.

She had an opportunity to travel to Nairobi and stayed for some time with her paternal uncle. There, she was interested in learning and paid attention to her uncle when he conducted his business. She was a self-taught person who learnt to read, write and pronounce basic words like her name and do simple calculations of which she had prior experience from her business activity. She proudly stated:

“No one could cheat me then with calculation, and even until today am still good with numbers!” (*Interviewee 13*)

She went back home and was engaged in buying and selling of various commodities which were needed in her village, which she got from the main market several kilometers from the village. Meanwhile, she continued with her weaving and selling of handicrafts. She was not interested in marriage and preferred to concentrate on her business. One day, a regular visitor, who was a distant relative came to their compound and as she was outside working, he abducted her. A message was sent the next day to her parents and it was understood that marriage preparations were to follow. She was taken to her maternal aunt’s house as she awaited the wedding. She says, those days, you could not question parental authority and went along with the marriage which turned out to be successful. Amidst laughter, Abuba Siama said, much later, she learnt that there was another man interested in her. She said:

“...there was another man who was interested in me but, was discouraged by the same man who later became her husband! As a deeply religious person, I advise that one should make the best out of a situation, have patience, be respectful and pray to God for guidance as I always did”. (*Interviewee 13*).

The girls' parents choose for their daughter a "*wakil*" (Arabic word for representative). This word is similar to *wakili*, which means 'lawyer' in Swahili. The girl would consult the *wakil* in case of a disagreement with her husband.

"Once you were married you remained married! You could not go straight to your parents' home you went to your *wakil*'s house! If the problem was resolved, the *wakil* took the girl back to her matrimonial home, sometimes without the parents' knowledge and life would go on as if nothing had happened. However, if it was a serious issue, parents would be informed. An example of a serious offence would be "in case the husband beats the wife, it was considered a serious offence, often the norm was for the wife's brothers or cousins to beat her husband and thereafter, the issue was resolved. She would be escorted back to her matrimonial home accompanied by a small delegation and with gifts, just like a bride again!" (Interviewee 14).

Unwanted pregnancies were rare and kept a secret. The girl would be sent to relatives outside of Kibra and as far as Uganda or the child would be raised by the grandmother as her own or by the mother's married sisters. Usually most male family members were unaware of the unwanted pregnancy. It was a very serious mistake to an extent that the interviewee would lower her voice and change her tone and gestures to reflect how serious it was to be expectant before marriage (Interviewee 15).

With regard to gender relations, in general, everyone had their role to play in the household and structurally, there were established patterns of authority and power relations. Men were the head of the family and were also community leaders who conducted negotiations and made decisions. Women were care givers and maintained the homestead. Most of the men worked outside the home. Many Nubian women lived comfortably and had a higher status, given that they had good clothing and household items.

Some of these items were from foreign countries or other parts of the country where their husbands had been to in the course of their work or to visit. Most families had more than one non-Nubian domestic servant, to assist with the domestic chores as well as farming and attending to the livestock. Over time, as most men had retired and some engaged in businesses in Kibra, women started seeking financial independence by selling traditional handicrafts as well as through the sale of the Nubian gin and as land ladies. The women could afford to buy expensive traditional clothes such as “*gurbabas* (colorful piece of traditional cloth worn as a skirt underneath a dress and *toubs* (piece of cloth worn over the dress) as well as jewellery for themselves and their daughters. This was a turning point as some women were financially independent whereas some men had less money. Some women became very wealthy, inspiring others to work harder in order to attain a similar status. Although the financial independence brought a change especially to the women, it did not radically alter the prevailing gender relations:

“Even though we (women) had our own money, we still knew what was expected of us in running the home.” (*Interviewee 16*).

Another interviewee shared the following thoughts:

“Let me tell you something, we Nubian women have always been hard working and do not wait for handouts. Our grand-mothers and mothers were never lazy! You see, even now, some women have formed groups and cook traditional food or make tea at functions like weddings and are paid for it. Some travel to other parts of the country and even travel outside the country and bring things to sell especially clothes, others have their own shops! The Nubian woman should not just stay in the house, she should do something to bring her some money, so she doesn’t rely on her husband. Life is hard, not like during our times. If the man has to provide everything and you are not helping, he will lose respect for you and things will go wrong in the home. The problem now is our men, they are not even men! Most of them are just lazy!

They just sit, chew miraa [or ghatt, stimulant leaves of a tree], and watch films or football and chat the whole day, they are useless! Our fathers and grandfathers were the real men and they worked hard!” (*Interviewee 17*).

FGDs with females revealed that generally, women were perceived to be more hardworking than men as some were of the opinion that women would not let their children starve and would therefore work hard to ensure there is enough at least, for the children. Another view was that it was much easier for women to engage in small businesses such as making snacks for sale or even tailoring. However, this was dismissed as an excuse by other participants. During my walks through the villages, in the course of the fieldwork, I observed certain spots referred to as “base” where men would congregate and while their time away, catching up on different issues, watch football matches as well as chewing the leaves of a stimulant plant commonly known as *miraa* or *ghatt*. For some, it was a daily activity, while for others, it was a several times a week affair.

#### **5.2.3.4 Livelihoods**

After the Second World War (WWII) was over, many Nubian soldiers were demobilized and the army lost its appeal among the younger generation. Nubians also worked as civil servants in government offices as drivers, clerks, guards and also in the police service. They diversified their activities and their economic well-being depended on businesses such as running butcheries, sale of extra produce from the farm, trading among others. In one of the discussions with the participants in the study, it was mentioned that:

“...women and girls would weave traditional handicrafts such as *birish*, *gufo*, *kuta* and *tabaga* both for personal use and for sale” (*Interviewee 18*).

As indicated elsewhere in the study, the Nubians introduced the Nubian gin into East Africa, and had a monopoly on Nubian gin production and sale for at least three decades (Smedt, 2011).

This was the main economic activity then especially for the women who brewed. For Nubians as Muslims and as prescribed by Islam, alcohol is forbidden. However, in this circumstance, the gin was a traditional drink and its use was contrary to religious teachings. The proceeds from the sale of the gin also allowed the Nubians to have a high standard of living compared to the non-Nubian residents in Kibra. Further, Nubian women were able to earn their income from the sale of gin, allowing them to construct and rent out rooms becoming landlords. This made them an economic force within the community. The spread of distilled liquor in East Africa is associated with the colonial rule and more so with the Sudanese soldiers. Kibra is situated near a big town and an army barracks. These became ready markets for the Nubian gin (National Archives documents; *Interviewee 1*).

An elderly woman who brewed Nubian gin said:

“I used to brew Nubian gin in the shamba because it was safer in case the police came, they used to look around the compound and not far in the middle of the shamba. Some people would drink and take some gin away in plastic jerricans or bottles” (*Interviewee 19*).

One interviewee, a 52-year-old man, shared the view that his mother brewed and sold the Nubian gin. He said:

“My mother was among the Nubian women who brewed and sold the Nubian gin. Together with my brothers and sisters, we would sometimes assist by fetching water or firewood needed for brewing. We would also be on the lookout for the police who came to look for those brewing the gin. We were brought up with the proceeds from the sale of gin.

My mother's earnings supplemented my father's income and provided us with our basic needs. It was a good business then although with risks as the law could catch up with you!!!" (*Interviewee 20*).

Local people had the opportunity to learn the skill and enter the liquor market only when, the Nubian women who moved on to another economic opportunity in Kibra, the rental business, which was initially almost fully controlled by Nubians.

A major persistent challenge that affects the livelihoods of the people of Kibra is availability of sufficient water. Kibra was not intended to be a permanent settlement, which it eventually became. This was emphasized by the then Municipal Council of Nairobi, refusing to have piped water connected to the settlement, with the reason being:

"It is highly desirable that the natives should be removed from Kibira to a suitable location" (File RN/7/19, February 6, 1937).

However, there was no decision yet as to where they would be moved to. Another reason was that, Kibra was then outside the city boundary and therefore was not considered to be entitled to a permanent water supply. A Nubian great grandmother shared that in the 1940s-1950s, her mother would travel from Kibra to Meru, a town situated approximately 271 kilometers North of Nairobi, to deliver and nurse her siblings in their early months due to the acute water problem in Kibra (*Interviewee 19*).

In 1944, water was first connected for sale at a point. As the municipal county's boundaries were enlarged to accommodate some parts of Kibra for example, the railway station and proposed agricultural trade fair show ground, water supply was eventually connected to Kibra (File RN/7/19 Kibera Location, October 11, 1951).

In a letter dated December 20, 1954, from the office of health, lands and local government to Mayor Alderman R.S. Alexander, showed that a decision was made to reopen the pipeline on humanitarian grounds for the Kibera school children at a charge (File RN 7/3 Kibera Location).

The presence of illegal residents also posed a challenge to the livelihood in Kibra as only Nubians were allowed to live in Kibra previously, although there were Nubians from other parts of the country who were also residing in Kibra illegally, by virtue of being Nubians. Some members of other communities had to have a permit to get into Kibra. Some had built houses whereas they only had grazing rights. The restriction limited activities of non-Nubians in Kibra which would reduce the fluidity of the community.

The administration proposed to fix a disk on the doors of the Nubian houses, as a way of identifying illegal residents. The Nubians strongly objected to it, seeing it as an insult similar to putting on a *kipande* [a piece of identification worn around the neck by natives]. However, they did not object to painting a number on their doors even though it was not practical as it could be copied by illicit squatters (File PC/CP 9/15/3, Letter from DC to PC, Nyeri, dated April 27, 1931). A letter from the Municipal Councilor to the Town Clerk dated August 29, 1938 (File PC/CP 9/15/5) indicated that:

“The conditions in the native village Kibera requires investigations” and that there was a “possibility that an enormous amount of natives, who are not entitled to reside in this location are occupying quarters there” (File PC/CP 9/15/5).

As a way of controlling movement in Kibra, permits for residents, employers and visitors were introduced.

Some of the main issues which preoccupied the administration up to 1963 were resettlement, compensation, future development of the area, overcrowding, illegal residents, settlements and buildings, brewing of Nubian gin, drunkenness and crime.

A government administrator stationed in Kibra further identified the main problems currently faced in the area as follows: insecurity, crime, illegal firearms, gambling machines, brewing of *chang'aa* a local illicit brew, derived from the Nubian gin, and drug abuse. The administration also deals with cases of domestic violence, landlords/ladies, tenants among others. Part of their work also involves referring residents to the right office for their inquiries, issuance of permits for various activities, civic registration, dissemination of information and sensitization on government policies, law enforcement as well as mediation. The administrator further said that poverty and unemployment were mainly responsible for the youth getting involved in many vices. The administrator opined that parents and guardians should be more involved in their children's activities and offer them guidance.

#### **5.2.4 Increase of 'Others': 1945-1963 Post-Independence Period**

Similar to Harare in Zimbabwe and Lusaka in Zambia, Nairobi started as a European city and urban centre to provide services for settlers and work for Africans (Oucho, 1992). Nairobi attracted a stream of migrants from the rural areas as it was also a government and a trading centre. After Kenya's independence in 1963, the policy for unrestricted migration was adopted (Oucho, 1988). According to Ominde (1965), the total population of Kenya is affected by two main types of movements, the international and the internal streams. The international migrants were mostly from neighboring countries whereas the internal was largely due to rural-urban migration.

From the 1940s to independence in 1963, the population of Nairobi and Kibra increased. A large number of Africans migrated to Nairobi in the 1940s during the World War II economy, and they found affordable accommodation in Kibra. The railway industry also attracted migrants to the city who were a source of labor. The increase of migrants over time resulted in a shortage of accommodation and it was reported that by 1941, an estimated 6,000 Africans had no accommodation in Nairobi (Ominde, 1965). The state of emergency period in Kenya 1952-1960 also caused a surge in migration (Ominde, 1965). It was declared on 20<sup>th</sup> October 1952, by the then colonial Governor, Sir Evelyn Baring, due to the Mau Mau uprising against the colonial rule and confinement of thousands of Kenyans. The state of emergency was lifted on 12<sup>th</sup> January 1960 (Throup, 1985).

Mzee Omar, 98 years old, who brought up non-Nubian children and accommodated some mothers and their children explained the following: During the state of emergency period, Nubians in Kibra welcomed mainly ethnic Kikuyus who left their families, properties and even money for safety. Thereafter, those who returned were handed back what they had left behind with the Nubians. Some Kikuyu children were adopted and eventually “became” Nubians (*Interviewee 4*).

Another key event which led to in-migration to Kibra by non-Nubians mainly from the Luo ethnic community in 1969, was the assassination of Tom Mboya, a leading political and labour movement leader. Many Luos who were living within Nairobi found refuge in Kibra and some settled permanently

### 5.2.5 Surveys and Censuses in Kibra

The increase of outsiders in Kibra resulted in the Nubians becoming a minority in their own home. Several surveys were conducted in Kibra over time. A survey undertaken in November 1945, shows there were Sudanese men-619, Sudanese women-835, children-721 and a total Sudanese population of 2,170. 'Others' were estimated at 300 and the total population estimate given as 2,470. A report of the meeting of the public health committee on November 13, 1956, stated it was approximated that 470 families were living in 309 houses in Kibra (According to the 1948 census, of the 118,970 officially recorded inhabitants of Nairobi, 64,397 were Africans. Fifty-four percent (54%), translating to 43,749 were Asians, and only 10,830 or nine percent (9%), were Europeans (Oucho, 1988, p.227).

According to birth place statistics for the 1962 census for the City of Nairobi, a total of 130,628 out of 156,246 Africans were born outside the City (Ominde 1965). This clearly indicates the presence of a majority of migrants. Nairobi as a developing and well-to-do urban area, attracted many migrants from the rural areas due to the economic and social opportunities it offered. Ominde (1965) states that:

“One of the most powerful consequences of the evolution of Kenya's economic regions has been the gathering momentum of internal migration” (p.49).

Analysis from the 1969 census data, Nairobi urban area was dominated by migrants from the following areas which had a high population Central, Eastern, Nyanza and Western provinces/regions of Kenya (Ominde 1975, p.52). As most workers were in the urban areas on temporary basis, return migration was also expected. After Kenya's independence in 1963, the policy for unrestricted migration was adopted. (Oucho, 1988).

An influx of migrants through internal rural-urban migration, mainly for economic reasons, caused an increase in the population.

Kibra offered the ideal place due to its affordable accommodation, proximity to employment areas such as the industrial area and surrounding residential estates. Initially, only men migrated from their rural homes and their stay was on a temporary basis as they were expected to return (Oucho, 2002b). Later women started migrating on their own. Families also migrated to reunite in the urban areas. Overall, chain migration contributed to the increased number of non-Nubians to Kibra during the pre-independence period.

### **5.3 Migration Dynamics and Nativity to Kibra**

This section focuses on finding out the migration profile of the Nubians in Kibra. This includes information on whether they were born in Kibra or outside of it. Besides this, the place of birth of their parents has also been profiled. All these evidenced the nativity of the Nubians to Kibra, but also the nature of migration of the Nubians.

Following the independence of the three East African countries, Tanzania in 1961, Uganda in 1962 and Kenya in 1963, the immediate post-independence era experienced unplanned internal, rural-urban migration (Oucho, 2002b). Four types of migration during the immediate post-colonial period were detailed by Ominde (1969) as rural-rural; rural-urban; inter-urban (urban-urban) and urban-rural. Heavy rural urban migration was accelerated by independence in 1963 and continued unabated for three (3) years to around 1965 (Kinuthia, 1992).

The Kenyan Population and Housing Census in 2009 indicated the population in Kibra as 170,070 with over 28,000 households (Government of Kenya, 2010, 2009 KPHC vol II). The population increase can be attributed to rural-urban migration, as most of the respondents also said and as indicated by the census figures.

Kibra offered affordable accommodation and its proximity to areas where work was available. The majority of rural urban-migrants residing in Kibra are non-Nubians. The main push factor included a comparatively high rate of better opportunities in the urban areas than in the rural areas such as perceived employment and business opportunities, availability of social amenities and infrastructure have been the major pull factors that have attracted many migrants to the city. Most of those who live in Kibra from the rural areas mostly came through chain migration. They were encouraged to come by their relatives with whom they lived initially before moving out to live on their own.

They were also helped to find jobs or were trained in different craftsmanship such as carpentry and welding, with the relative being the principal trainer. The importance of social capital in the migration process to Kibra was mentioned in the FGD. It has largely been responsible for the migration dynamics in Kibra as it was believed among the discussants that there has been more in-migration than out-migration. One of the interviewees, a relatively young man at 44 years, said:

“I was invited by my uncle who was a welder in Nairobi. I came from Kakamega in western Kenya and stayed with him in Kibra. I became an apprentice in his workshop which was just outside his room and eventually, I was skilled, moved out and now have my own welding business. I have my sister’s son from home who is here with me and he is also learning to be a welder.” (*Interviewee 21*).

There are some Nubians who migrated from outside and within the country to Kibra because of marriage, in search of jobs or to seek professional training in colleges, and resided with relatives. A majority of them, some married and settled permanently in Kibra. Out-migration from Kibra is not as significant as in-migration to Kibra. Among the Nubians, few families left for Sudan before independence in 1963 and some came back.

The family of Haji Senussi left for Sudan in 1946 and was compensated by the government for their house in Kibera which was demolished as well as a contribution to cater for travel expenses. However, upon his return, he wrote a letter to the chief Secretary dated January 28, 1950 asking to be granted permission to live in Kibera (Reply letter dated February 15, 1950. PC/CP 9/15/5).

A Nubian, named Shabani Mohamed who wanted to leave Kibera and was paid Shs. 633.95 as compensation for his hut no.100. Compensation of Shs. 431.25 in respect for property in Kibera was also paid to Amna Bint Jabarau (Letter dated February 3, 1950 to Hon. Member of Finance (File PC/CP 9/15/5). Assistance was also sought by a delegation of Nubian elders to facilitate their visit to Sudan to interview the authorities on the issue of Nubians repatriation (File PC/CP 9/15/5) letter dated January 21, 1950 from District Commissioner to Chief Native Commissioner).

Kibra was once a vast land and sparsely populated. Over the years, migration led to an increase in population size, the land acreage reduced due to land grabbing and unplanned constructions and unsanctioned land deals. Apart from fertility and mortality, migration is one of the key changes affecting the characteristics of a population and consequently the growth rate (Ominde, 1975). As more migrants came to Kibra, change was inevitable. From the FGDs, the following were identified as notable changes that happened in Kibra: intermarriages between Nubians and non-Nubians. Migrants population has increased also in terms of births and in the process, there were more non-Nubians than Nubians, making them a minority in their own home. Nubians bearing less children than in previous times has also led to the reduction of their numbers.

Corruption on land deals has seen public spaces grabbed and built upon due to high demand for land. Demand for accommodation exerted pressure on what was available and buildings are

constructed vertically as there is a high demand for housing but no more land to construct on. Land is the main resource in Kibra and a key informant opined that tension is natural when there is competition for scarce resources. Hygiene levels have also deteriorated and risk of diseases increased. Poor planning and illegal construction meant no proper facilities were in place such as drainage and sewage systems as well as waste disposal. The greenery was reduced as well as animals which previously would come to Kibra from the neighbouring areas no longer came (*Interviewee 15*).

The quantitative data obtained in this study with regards to place of birth of the participants involved shows that more than nine in every ten (90.3%) of the participants were born in Kibra. This suggests that they were born in Kibra and have succeeded a previous generation, just as several generations have been replaced by others after them in the evolution of Kibra. These latter generations, therefore, consider Kibra as their home.

Additionally, data shows that the majority (92.2%) of the participants had lived in Kibra for over 20 years. Those who had lived in Kibra for less than one year and between 5-9 years were the least with only one participant each in both categories representing a small percentage of 0.4 percent (see Table 5.1).

**Table 5.1: Length of Residence in Kibra**

<b>Length of stay in Kibra</b>	<b>N</b>	<b>%</b>
<b>Total</b>	<b>269</b>	<b>100.0</b>
< 1 year	1	0.4
1-4 years	2	0.7
5-9 years	1	0.4
10-14 years	7	2.6
15-19 years	8	3
20 years and above	250	92.9

**Source: Field Work, 2016**

Table 5.2 illustrates the fact that more than three-quarters (76.3%) of the participants had their fathers born in Kibra. This is consistent, also, with the fact that the majority of the participants were born in Kibra. One (0.4%) of the participants had a father born in Sondu and another (0.4%) in Meru (see Table 5.2).

**Table 5.2: Father's Place of Birth**

<b>Father's pace of birth</b>	<b>N</b>	<b>%</b>
<b>Total</b>	<b>279</b>	<b>100</b>
Kisumu	12	4.3
Kibigori	7	2.5
Sondu	1	0.4
Kisii	7	2.5
Meru	1	0.4
Mumias	3	1.1
Elda Ravine	6	2.1
Kibra	213	76.3
Others	28	10.0
Don't know	1	0.4

**Source: Field Work, 2016**

Table 5.3 shows that more than three-quarters (76.3 percent) of the participants had mothers also born in Kibra. However, a small percentage of 0.7 percent did not know the birth place of their maternal parent.

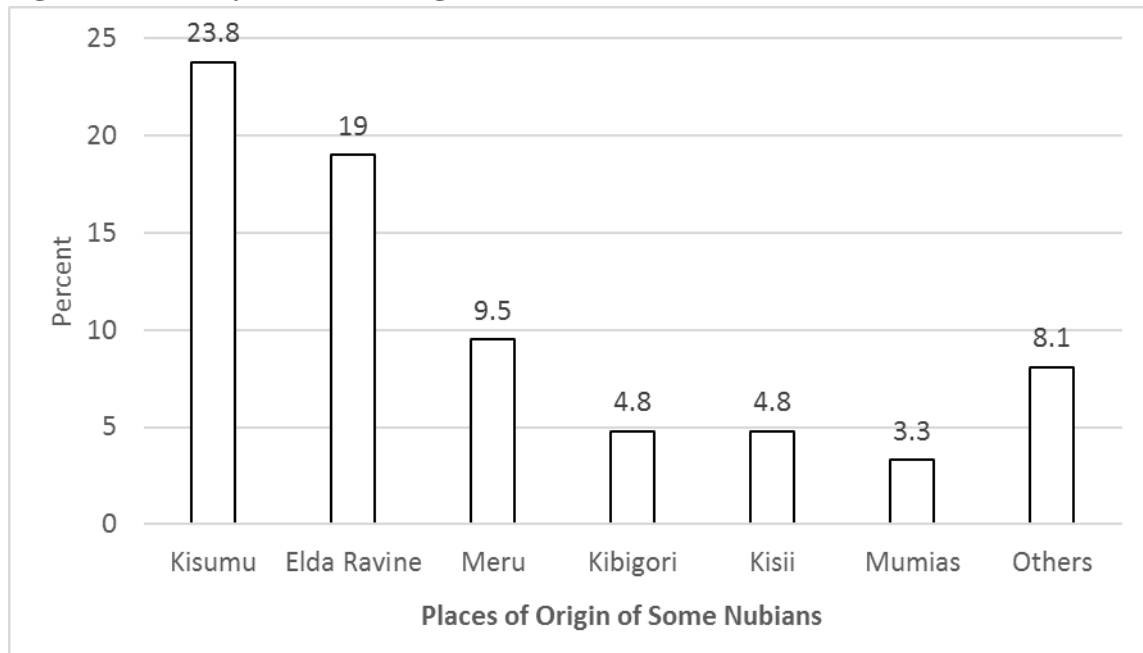
**Table 5.3: Mother's Place of Birth**

<b>Mother's place of birth</b>	<b>N</b>	<b>%</b>
<b>Total</b>	<b>279</b>	<b>100.0</b>
Kisumu	7	2.5
Kibigori	4	1.4
Sondu	1	0.4
Kisii	2	0.7
Meru	3	1.1
Elda Ravine	11	3.9
Kibra	213	76.3
Others	36	12.9
Don't know	2	0.7

**Source: Field Work, 2016**

There is 66.7 percent of the participants who indicated that some Nubians had migrated from the following places prior to residing in Kibra: Kisumu (23.8 percent), Eldama Ravine (19.0 percent), Meru (9.5 percent) and 4.8 percent each from Kibigori, Kisii and Mumias. The rest originated from various other towns. The majority of the participants were born in Kisumu and also the majority migrated from Kisumu to Kibra. Kisumu is the third city in Kenya and the biggest in the western and Nyanza areas. Kisumu also has a Nubian village where the majority of Nubians have lived (see Figure 5.1).

**Figure 5.1: Likely Places of Origins of Nubians in Kibra**

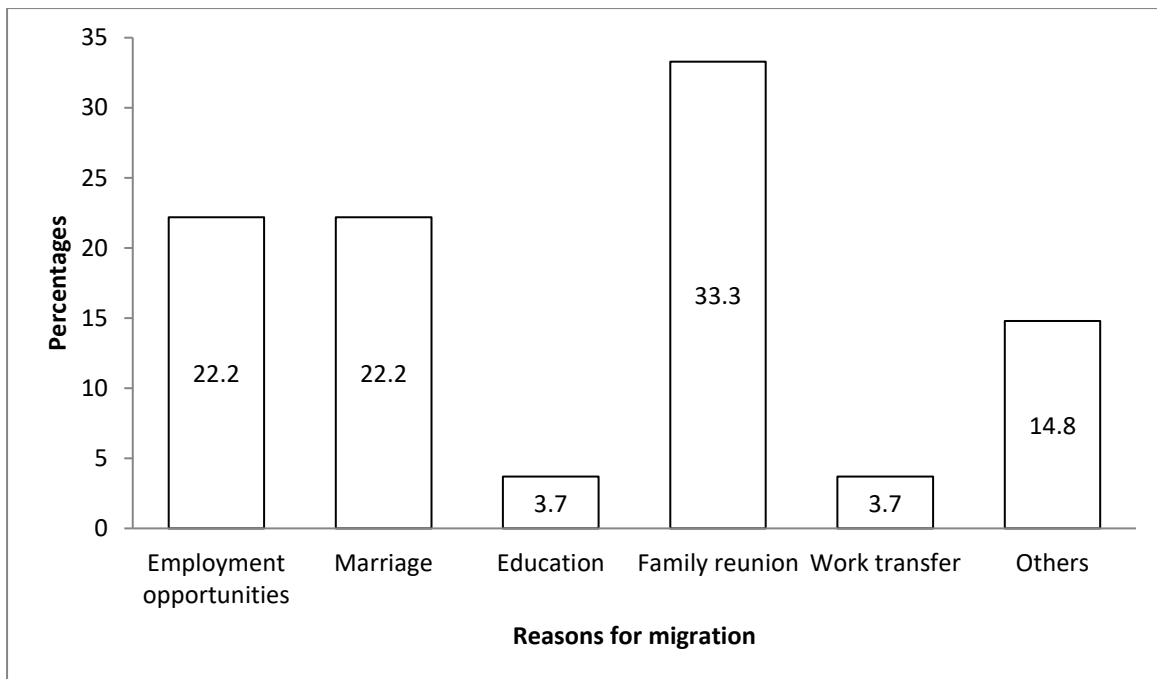


**Source: Field Work, 2016**

As a big city, Kisumu attracts migrants, among them, Nubians who reside in the smaller towns mostly in this region. From Kisumu, the Nubian migrants then move to Nairobi, the capital city for various reasons previously mentioned. This would explain why there were many Nubians in Kibra said to have come from Kisumu. Immediately afterwards, 19.0 percent of the respondents migrated from Eldama Ravine to Kibra. Similar to Kisumu, the town hosted Nubians who played an active role in its establishment and development. Other Nubians from other areas within the rift valley region would also move to Eldama Ravine and thereafter to Kibra. There is in-migration of Nubians to Kibra from other parts of the country.

Several reasons were given by Nubians for migrating to Nairobi. Figure 5.2 shows that slightly more than three out of ten of the respondents (33.3%) cited family reunion as the leading reason whereas about one-fifths (22.2%) stated employment and marriage. A small percentage of the participants (3.7%) migrated because of education or work transfer.

**Figure 5.2: Reasons for Migration**



**Source: Field Work, 2016**

Below is information shared by two participants on their reasons for migrating to Nairobi.

“I came from Kibigori a few years after completing my secondary education. When I arrived in Nairobi, I lived with my elder brother who helped me to find a job. Later, I got married and had one child. I have no intention of going back because I have my family here now and there are no employment opportunities in the village, except farming which has become unreliable and expensive.

It’s a small village and most of my age mates have left. You know if you go there, you will find the grandparents, some of our parents and the little ones. But those who have completed high school are not there. It has become normal that we leave the village because we don’t have much choice.” (*Interviewee 22*).

Another interviewee shares her story below:

“I was born and grew up in Bombo, near Kampala in Uganda. I left my home and country for the first time and came to Kibra as a young teenage bride. Since then, Kibra became my new home! I used to travel to Bombo to see my family but for many years, I have not been able to, especially due to age and illness and by now, most of my family in Uganda are no more. I have my family here, my children, my grand-children and even great grand-children. Kibra is my home” (*Interviewee 23*).

Two FGDs, one for males held on November 24, 2016 in Lindi village, and one for females held November 26, 2016 in Salama for non-Nubians born outside Nairobi revealed that, some of the reasons why they migrated were to search for employment and business opportunities, coming to learn a trade, marriage and family reunion. A majority of all participants knew someone either friends or relatives in Kibra or other areas in Nairobi who had encouraged them to migrate and offered the initial support when they arrived.

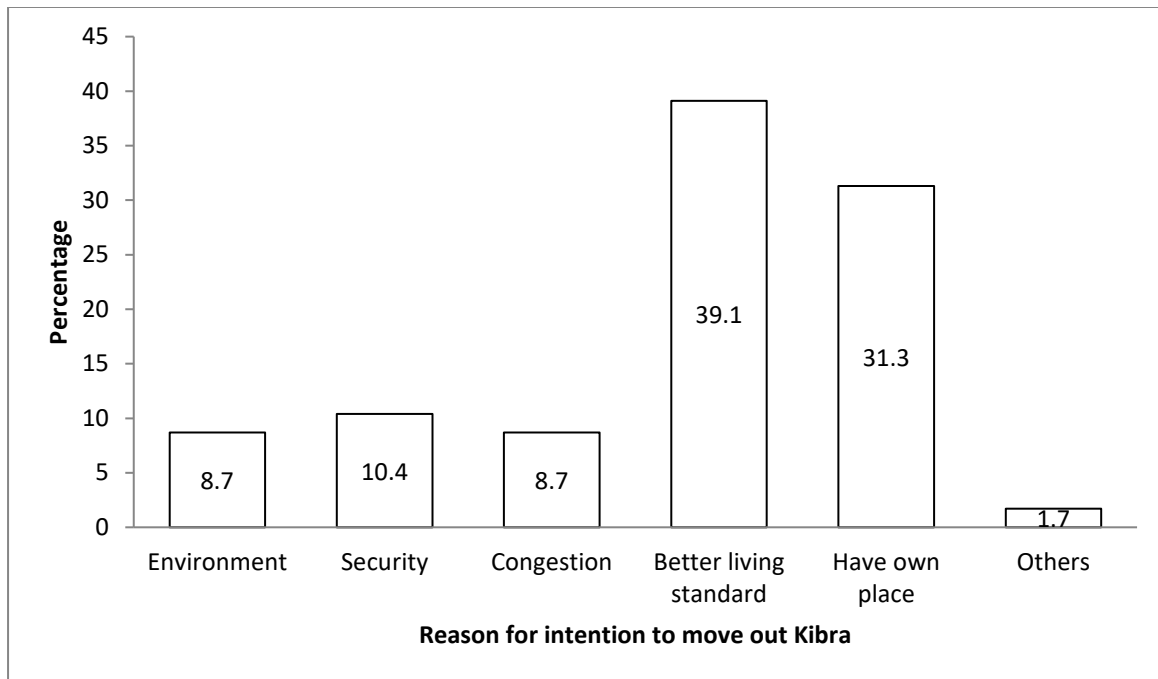
Among the males were businessmen, drivers, welders and barbers whereas, a majority of the women were self-employed and engaged in various businesses in Kibra such as tailoring, selling food, clothes and household items or housewives. Chain migration was a common type of migration among the majority of participants.

Results on the intentions for migration out of Kibra shows more than half of the participants (57.7 percent) had no intentions of moving out of Kibra as opposed to the rest (42.3 percent) who had intentions of moving out of Kibra.

Figure 5.3 shows that among the reasons given for intentions to move out of Kibra almost forty percent (39.1 percent) and one third (31.35 percent), cited better living standards having one's own place respectively and one-tenth (10.4 percent), security.

Environment and congestion represented 8.7 percent and other reasons were at a small percentage of 1.7 percent.

**Figure 5.3: Reasons for wanting to move out of Kibra**



**Source: Field Work, 2016**

Some participants in the FGD who also had intentions to move out of Kibra, shared similar reasons. Kibra has many health hazards among them, ‘flying toilets’, lack of proper sanitation, inadequate water supply, heaps of garbage in the open and overcrowding. Other reasons were insecurity due to crime and drug abuse. A number of participants said moving out would be mainly because they wanted to offer a better environment for their children to grow in.

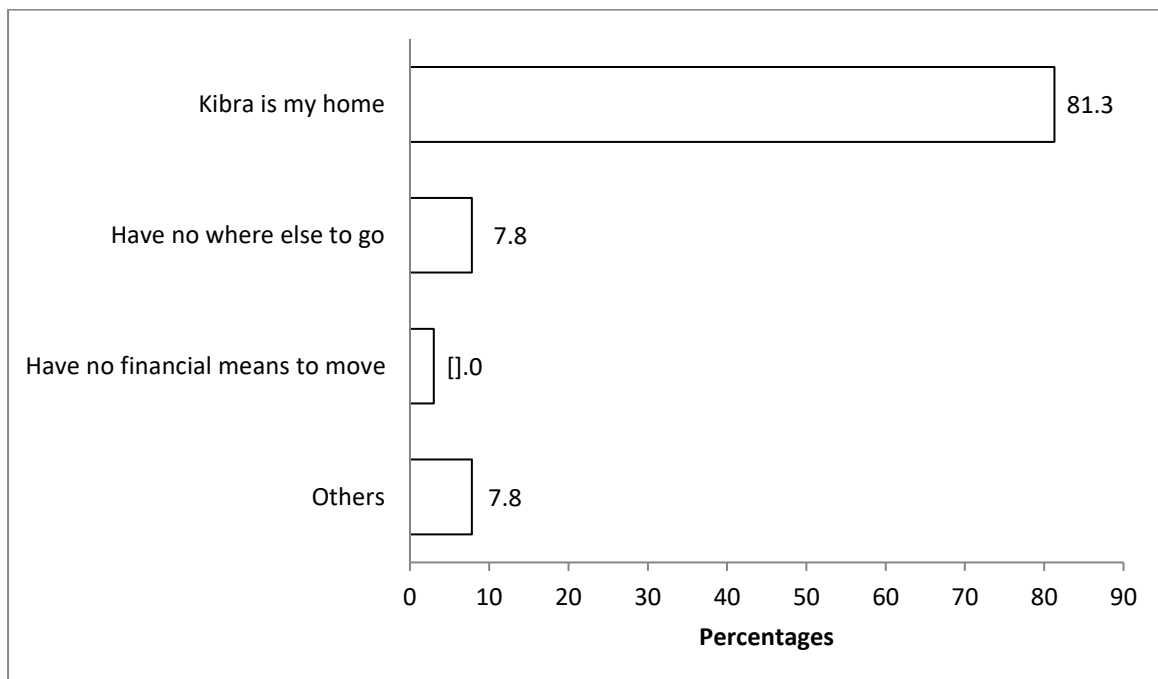
“I was born and brought up in Kibra. I remember it was a safe place with many trees, some open space and relatively clean. We did not dump garbage out in the open and no flying toilets!

Crime was not common and we did not hear of drugs. Today, there are many things that have gone wrong and honestly, if I had the money,

I would move out with my children, to protect them from all the bad things here which can influence them and to offer them better living standards.”  
(Interviewee 24).

Figure 5.4 shows reasons given by participants who had no intention of moving out of Kibra. A majority of eight out of ten (80 percent) stated their reason as Kibra is home, reflecting the attachment to Kibra as their ancestral home in Kenya. Other reasons given such as having nowhere to go, having no financial means and other reasons were all less than 10 percent.

**Figure 5.4: Reasons for No Intention to move out of Kibra**



**Source: Field Work, 2016**

Among the non-Nubians FGD participants, a majority of them also considered Kibra as their home. Responding to a question if she had they had any intentions of moving out, a woman aged approximately 60 years simply answered with two questions: “Why? And go where?”.

Most could not envisage the idea of going back to their rural homes where they came from. their livelihoods were in Kibra. Even if some conditions were not ideal in Kibra, they would stay anyway.

Among the reasons for not wanting to move out of Kibra were that they had businesses they ran, rent and cost of living in general was affordable, they could find casual work in the nearby residential estates or in the industrial area, proximity to the CBD, facilities such as schools and hospitals and some even cited they received free goods and services courtesy of NGOs that operate in the area. One non-Nubian Muslim woman who had lived in Kibra for many years stated that:

Sisi tunauwezo wa kuishi Kibra na imekuwa nyumbani. Tunapata kribu kila kitu tunacho hitaji, mbona tuhame? Hata mimi nikifa, nitazikwa hapa na hakuna malipo, ni bure. (*Interviewee 25*)

Below is the translation from Swahili language:

“We can afford to live in Kibra and it has become our home. We find almost everything we need here, why go elsewhere? In fact, even when I die, I will be buried here, and for free”

She was referring to being laid to rest in the Muslim community cemetery in Kibra as opposed to a public cemetery where charges are incurred to inter a body.

As can be observed from Table 5.4 below, two-thirds of the participants (68.5 percent) knew of family members who had moved out of Kibra as opposed to one-third (31 percent) who did not know. Over one-third (38.4%), being a majority of those who had moved out of Kibra, had settled on the outskirts of Nairobi. Among those who had moved out of Kibra, slightly more than one tenth (13.0 percent) were outside the country.

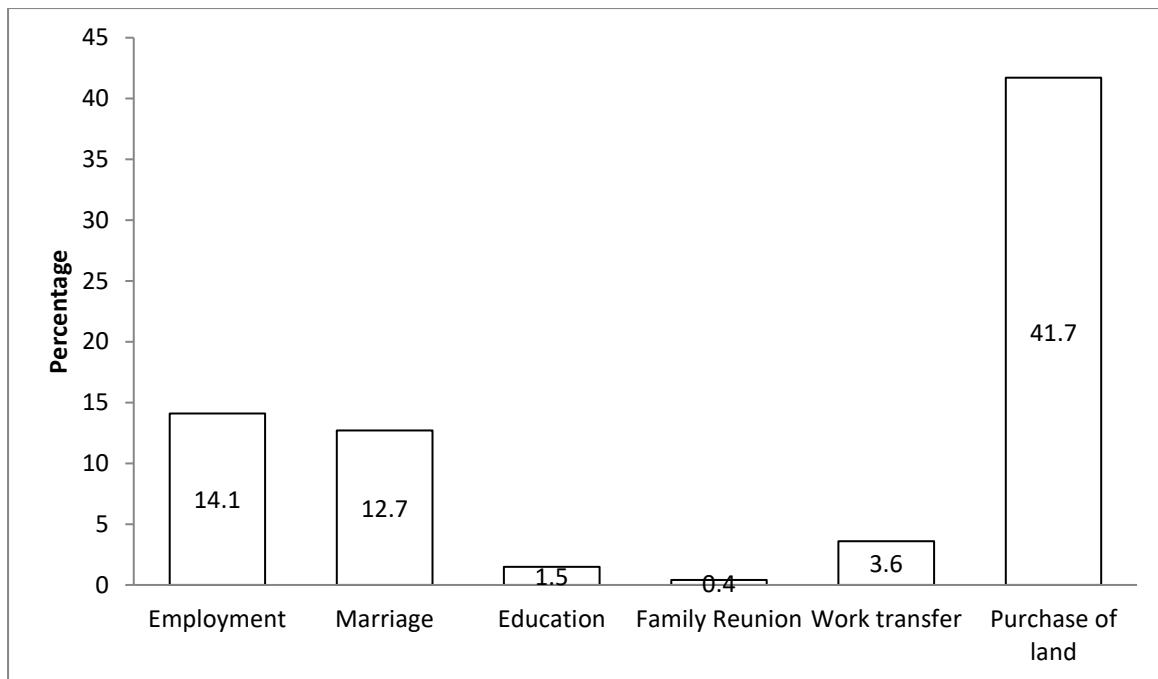
**Table 5.4: Knowledge About Family Movements**

<b>Knowledge about family</b>	<b>Number</b>	<b>Percentage</b>
<b>Know family members that have moved</b>		
Yes	191	68.5
No	88	31.5
<b>Where family members moved to</b>		
Within Nairobi	34	24.6
Outskirts of Nairobi	53	38.4
Other towns in Kenya	33	23.9
Outside Kenya	18	13.0

**Source: Field Work, 2016**

Figure 5.5 illustrates reasons why family members or friends of participants moved out of Kibra. A majority of over forty percent (41.7%) had purchased land and moved out. The Land they bought outside Kibra is owned on individual basis and has security as opposed to Kibra where there is no individual ownership.

Preliminary results show that 14.1 percent of those who moved out cited employment and a small percentage of 1.5% and 0.4% for education and family reunion respectively.

**Figure 5.5: Reasons for moving out of Kibra**

*Note: These responses are not mutually exclusive*

In the recent past years, some Nubians have moved out of Kibra, Factors accounting for this outward movement include employment outside Nairobi or abroad mainly to the middle east, higher education and moving into one’s own house. Most bought land, built houses and have settled on the outskirts of Nairobi in the satellite towns of Ruiru to the north, Ruai to the east, Kitengela and Kisajuu to the south east and Ngong to the south of Nairobi. Those who now reside on the outskirts of Nairobi fondly refer to themselves as those in the “diaspora” (FGDs male and female participants living outside Kibra).

Two FGDs held on November 26, 2016 and December 8, 2016 for Nubian males and females respectively. The FGDs grouped those who previously lived in Kibra but had since moved out. The earliest date of moving out was in 1985, by a female participant and 2011, by a male participant. Apart from the reasons shown on Figure 5.6, others obtained from the FGDs were lack of space within the family home especially for the males with the following explanation:

“Previously, parents would consider the sons or daughters, currently they also have to consider the grandchildren. We who are able to take care of ourselves have to think of the less fortunate. Space has become small because of a big population in Kibra. My former room has been divided into two rooms to accommodate family members. So basically, I don’t have my space in Kibra anymore. What happened was my sister separated from her husband and came back home with her three children. I let her have my room and I also felt it was time to move out. So, I think, if you can move out at an early age it is good you can still come back and help develop Kibra.” (*Interviewee 26*).

Another participant commented:

“I’ll tell you this, all these problems we have in Kibra are now upon us, we have inherited problems! Family inheritance is an issue. My grandfather had some property, however, he always encouraged me to move out if I could find some space outside there, I should go and develop, because what is here is for the whole family. Even though I had a share, which was some space (small portion of land) in the compound, it has reduced there’s almost no space left to do anything with it. I think as providers for the family, males felt more pressure to move out because it was expected of them to go out and look for their own property, marry and move out.

The family kitty has also reduced because there are more people who are dependent on the family earnings. Therefore, I will be part of the problem if I expect to have a share. My parents have educated me and I wanted my independence, which is also what motivated me to move out”. (*Interviewee 27*).

The advantages of living outside Kibra included interaction and exchange of ideas with other people from diverse backgrounds which widens one’s perspectives, being in possession of legal documents as proof of ownership for such as house or land, which gives you tenure of security.

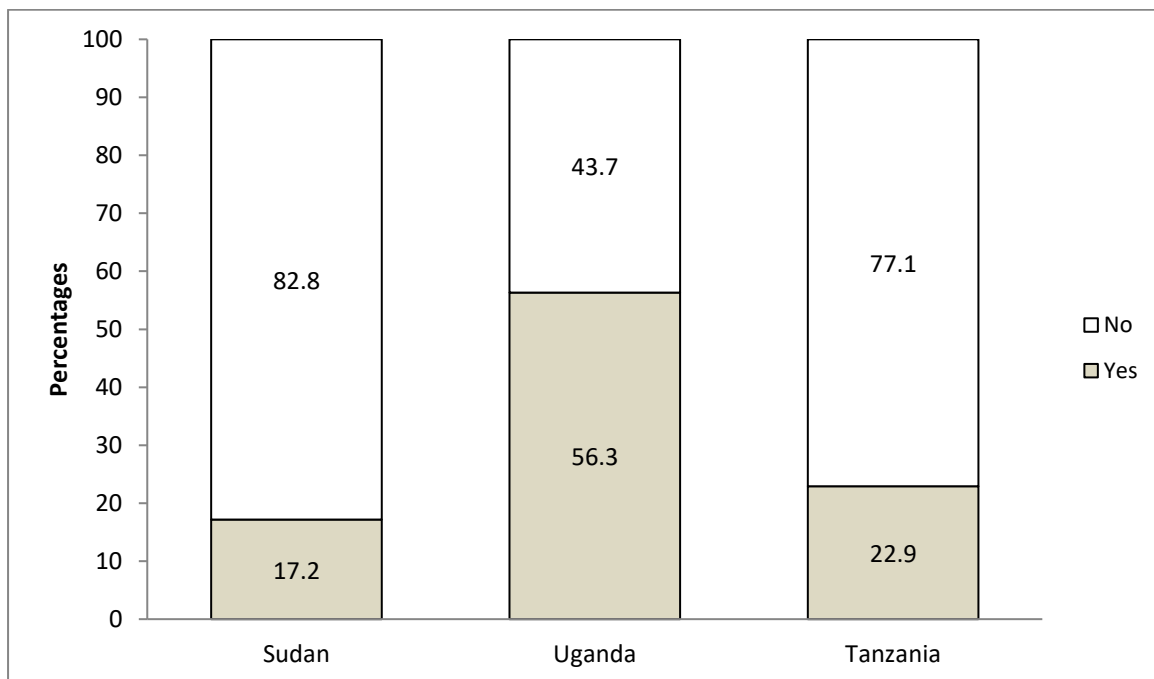
Their children had space in a conducive environment devoid of the vices in Kibra such as laziness, unwanted pregnancies, crime among others.

They all admitted to missing living in Kibra due to the familiarity and family atmosphere, one was never really alone in Kibra and there is no formality as is the case with neighbours when you live outside.

Some visit Kibra at least once a week or more also depending on what events are taking place: funerals, weddings and others. For all participants, the longest they could stay without coming to Kibra was a month.

Figure 5.6 shows knowledge of relatives in the neighbouring East African countries of Sudan, Uganda and Tanzania. Nubians entered Kenya from Uganda and the majority of more than half (56 percent) have relatives in Uganda. Slightly more than one-fifth (22.9 percent) and only 17.2 percent have relatives in Tanzania and Sudan respectively. There are no strong links with or knowledge of relatives in these two countries.

**Figure 5.6: Relatives in Other Countries**

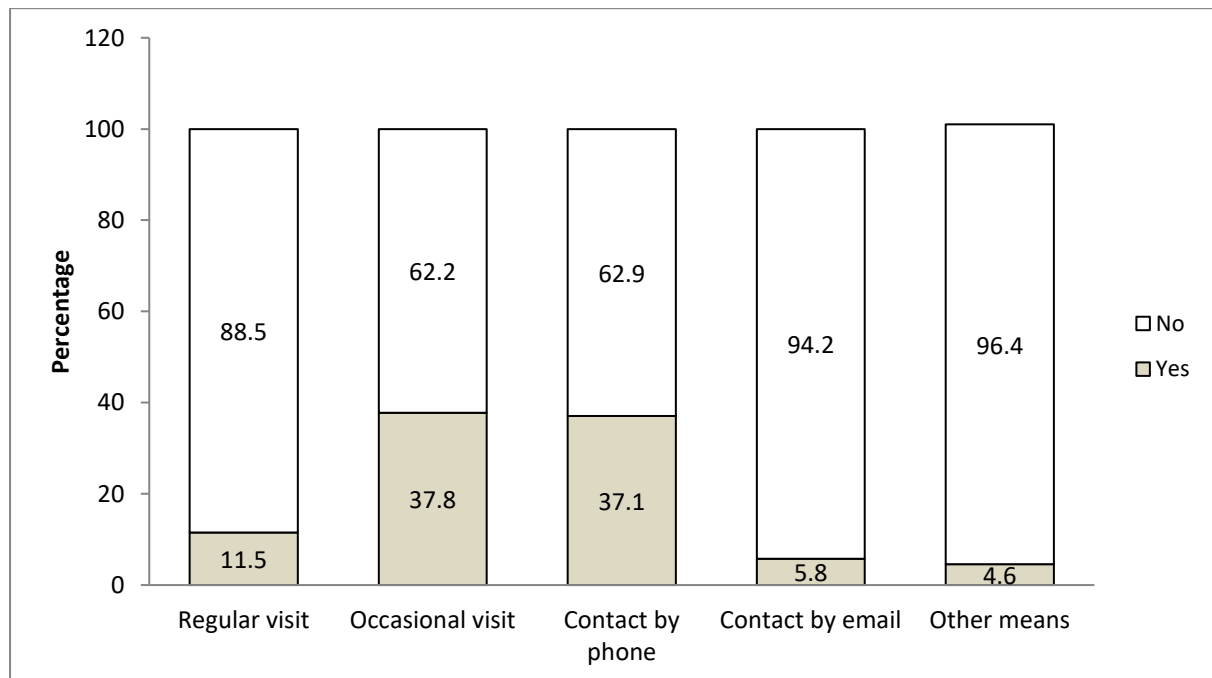


As can be seen in Figure 5.7, the leading form of communication with relatives in other countries is through occasional visits (37.8 percent), and telephone calls (37.1 percent).

Contact by email accounted for only 5.8 percent. Other means used included letters, cards and sending verbal messages with those travelling and meet with relatives.

Many Nubians crossed over to Kenya when the late Iddi Amin, former Uganda’s President, was overthrown in 1978. Among the reasons mentioned included Kenya being a neighbouring country was easy to reach, prevailing peace in Kenya and presence of relatives in Kenya who provided them with the basic needs. There was also mention of Nubians being targeted due to their perceived links with Iddi Amin, in whose government some Nubians were well placed. (Interviewee, Male, community elder, Mzee Imran 78 years, September 22, 2016. Makina). Some went back later, other settled in Kenya, further explaining the link between the Nubians in the two countries.

**Figure 5.7 Nature of contacts with relatives in other countries**



**Source: Field Work, 2016**

Maza Zuhra, an interviewee explained the following:

“I was born in Khartoum in Sudan where my parents lived and worked. My paternal uncle was offered a job in Kenya and my parents allowed me to move with his family and my cousins. I was about ten years old. We settled in Kibra and it has been my home since.

I was married and have my family here in Kibra. I went back to Sudan on very few occasions. My parents have since passed on as well as my other siblings in Sudan. My brother who was in Sudan has since moved to Nairobi. Basically, I have one or two relatives I remember, but we don't communicate much. My parents' generation knew each other because they were born and raised in Sudan, with most of us, the link is practically broken.” (*Interviewee 28*).

#### **5.4 Conclusion**

The chapter has examined essential properties of the migration of the Nubians and their eventual settlement in Kibra, Kenya. Historical information has been analyzed together with the primary data obtained from various interviews and quantitative data. This chapter traced the migration of Nubians from Sudan and their eventual settlement in Kenya and specifically in Kibra, in Nairobi. Migration has been a key element to the changes experienced and observed in the lives of Nubians and in Kibra. As they were not to be repatriated, the future of Nubians in Kibra has been frequently considered by the colonial government, which decided not to move them to a rural district but to regard them as urbanized in Nairobi. From a majority to a minority in their own home, changing livelihoods, dealing with an influx of migrants and shrinking space, Nubians have had to fit into the changing situation. More Nubians are now moving out of Kibra than before, which is considered as upward mobility, with some among them investing back in Kibra.

The majority of Kenyan Nubians' relatives are in Uganda and they maintain regular contact whereas little contact is maintained with Sudan, their country of origin.

The analysis showed that the Nubians were formerly skilled soldiers who worked for the British colonial administration. There is a preponderance of information among the Nubians to this effect. More importantly, the land called Kibra is the legacy relinquished by the forebears of the people who today occupy the land.

Thus, the Nubians call Kibra their home, although it is established that the Nubians were once migrants. The fact that the Nubians were once migrants is, therefore, important to examine the processes leading to the identity formation of the Nubians in Kibra. In the next chapter, there is a detailed discussion of the relationship between identity and migration as far as the Nubians in Kibra are concerned.

## CHAPTER SIX

### CONTINUITIES AND CHANGES IN NUBIAN IDENTITY AND IMPLICATIONS FOR THEIR CITIZENSHIP OF KENYA

*“A people without knowledge of their past, history, origin and culture is like a tree without roots”* – Marcus Gavey, Jamaican political leader, 1887-1940.

*“Culture is the form of all forms of art, of love, in the course of thought, which, in the course of centuries, has enabled man to be less enslaved”* – Andre Malraux, French novelist, art theorist and minister of cultural affairs, 1901-1976.

#### 6.1 Introduction

This chapter examines the identity formation processes and different aspects of Nubian identity and the implications that these may have had on their citizenship in Kenya. Nubians, as they are known today, are a final product of a process whereby different clans merged to form one ethnic community. This chapter details how identity has been formed through changing and manipulating the Nubians’ identity to their advantage during the colonial era as well as in independent Kenya, to reflect the changing political context in Kenya. The relationship between long term-migrants and citizenship has also been discussed. In this context, identity is measured in terms of citizenship.

Change is said to be inevitable and adaptation mechanisms to cope with the changes are a necessity. The changes and effects on identity in relation to migration are also discussed in light of data obtained from the study field and other literary documents. The findings in this chapter attempts to answer the fundamental research questions “How has the identity of the Nubians in Kibra evolved?” and “What is the migration status of the Nubians in Kibra?”.

Living in a multi-ethnic environment, this chapter also investigates the interactions, perceptions, inter-ethnic dynamics as well as the successes and challenges of integration in Kenyan society at the destination area in Kibra.

## **6.2 The Making of a Nubi Ethnic Identity**

Collectively called “Nubians”, the community has gone through changes and transformation both in its composition and identity. Over the years, they formed into a close-knit community with a shared identity. Nubians use the word “Nubi” which is the Nubian language word that they use to describe themselves. Identity is not static and it is shown to change and adapt to different situations as in the case of Nubians. Nubians in East Africa are not homogeneous and from one ethnic community but are a constellation of people belonging to different ethnic groups with origins in Sudan. They migrated and settled in Kenya within their clans and went through a process of identity formation, and eventually becoming one ethnic community in Kenya.

Some academics argue that African ethnic groups as we know them, were inventions of the colonial era. (Lonesdale, 1992; Lynch 2006; Ranger, 1985, 1994). Groupings based on ethnicity were formed so that the administrative units would be manageable and easier to govern. Ethnic boundaries became less flexible during the colonial era as the administration regarded a tribe as a group linked by descent, having a common language and culture, living in a designated area, with a leader and each one belonged to a tribe.

The purpose was to control the natives and their movements; and this led to the creation of native reserves, for example in Kenya (Smedt, 2011). This was also part of the strategy of divide and rule.

The Nubians were categorized as ‘detrribalized natives’, a different category which included all those Africans who ‘cannot be sent home as they either do not know to what reserve they belong, or have lost all desire, and even the means, to live in the reserve to which their fathers belonged’ (File RN/7/19 Kibera. Letter dated March 12, 1927 from to Hon. Acting Colonial Secretary to Chief Native Commissioner). They were Africans who had been displaced by the British and who had developed urban lifestyles and were disconnected from their former ethnic communities. The colonial administration did not consider Africans to be morally ‘equipped to deal with the vicissitude of town life’ (Burton, 2001, p.216). They also thought it was not yet time for Africans to deserve urban citizenship (Burton, 2003).

Nubians represented a dilemma for the colonial administration who were unsuccessful in their efforts to resettle them outside the city boundaries. As Parsons (1997, p.88) suggests:

“While conventional histories of the (King’s African Rifles) and personal accounts of officers are full of praise for the loyalty and service of the Sudanese, the civil administration of Kenya would have preferred them to simply disappear when discharged from the army.”

Similar thoughts were expressed by a key informant who explained that, because the government then did not have a viable solution to the Nubian residency and land issue, the problems were inherited by successive post-independence governments. The Kenyan government “Would want the Nubian problem to fade away, but one cannot just wish away the Nubians” (*Interviewee 1*).

Another aspect of “inventing” tribes was for the use of stereotypes. Some tribes were thought (by the Europeans) to be hard working or lazy workers. The martial races theory was a British philosophy, based on the hypothesis that some people were more martially disposed as opposed to others.

The Indian population was categorized into two main groups. The martial who were seen as brave and physically well-built and fit for fighting, and the non-martial race perceived to be unfit for battle. In the martial race category were Sikhs, Punjabis, Gurkhas, Dogras, among others, who remained loyal to the British during the Indian revolt in 1857 (Tyagi, 2009). Nubians were considered similar to a martial race, dominating among the African soldiers in the colonial armies in Eastern Africa. The colonial administrators chose to work with them particularly because they were outsiders and no allegiance to the natives and had good military skills and discipline, making them ideal for their colonizing mission (Smedt, 2011). A reporter from *The Sunday Post* (August 24, 1958, p.15) wrote with reference to the Nubians that:

“...the Sudanese look very different from Kenya tribesmen: they have a very real, almost martial dignity...”

The Sudanese soldiers and their families were also elevated above other Africans (Leopold 2006; Killingray 1999; Parsons 1999a, 1999b). Before migrating from Sudan, ancestors of Nubians from different clans gathered in a place named *Geber Nuba*, which was the equivalent of a center of excellence. They were trained and educated in, among others, rifle making and fighting skills. Being in one place, they integrated and had common aspects of their cultures and they became Islamized. They possessed technical skills and created a pool for the colonialists. Some Nubians arrived in Kenya graded with their military ranking, for example, the late Captain Adam Hashim who lived in Lindi village (*Interviewee 2*). Parsons (1999), states that Nubians were considered part of the natural martial race groups. The Nubian boys were already in the military way of life having lived adjacent to the KAR barracks.

They were soldiers in the making from a young age raised to continue in their father's line of work. The Nubian males were identified as soldiers.

### **6.3 Change Factors in Nubian Markers of Identity**

In this section, the study explored the elements of Nubian identity and how they play out in Kibera. Data from several sources including literary sources, reports, surveys, and administrative records played an important part in elucidating the issues of identity. Views and responses from the participants in the study primarily projected the issues that received enormous deliberations.

#### **6.3.1 Changes in the Wider Context of Kenya**

The Arabization of Northern Sudan resulted from the penetration of the region by tribes who had already migrated from Arabia to Upper Egypt. It later spread to other geographical areas of the Sudan. In the early seventh (7<sup>th</sup>) century, at the time of the coming of Islam, there were three territories on the Nile, among them, the land of the Nobadae or Nubians which extended upstream from the (1<sup>st</sup>) First Cataract. The term al-Nuba (the Nubians), is restricted to the people of the North (Holt and Daly, 1988). However, currently, the term Nubians refers to those in East Africa. In 1915, the colonial government began the process of categorizing Kenyan tribes and settling them on reserves. Nubians being foreigners, were not classified as native to Kenya and did not have a native reserve.

The Nubians enjoyed a relatively privileged status of non-natives that they valued and protected through their relationship with the colonial government who regarded them as a separate “tribe”, as seen in several documents during that period. (Major Edwards memo 1936, File RCA (MAA) -2/1/3 ii, File Kibera Survey Report 1944).

Leading in the hierarchy of status were Europeans, Asians, Sudanese who were followed by the natives. The colonial government treated Nubians as a homogenous and superior group further promoting a self-consciousness, the formation of external group boundaries and the internalization of beliefs in their superiority to other Africans (Wanji, 1971). Due to their privileged relationship with the colonial administration, the older Sudanese felt that they should not be treated like other Africans. In a Letter from Secretary of Sudanese Union dated October 10, 1940 addressed to Lugard, they stated their preference to pay non-native poll tax than be in the same grouping as natives (File MAA/2/1/3).

Over the years, Nubians had forged into a group with a common religion, culture and language. This transformation occurred as a result of their way of life as well as necessity (Lonsdale, 2008). As earlier mentioned on their origins in chapter five (5), they were from different clans and spoke different dialects and had cultural practices which were also reflected in the manner in which they settled. Nubians were of a higher status then, being 'foreigners' and with higher living standards. As foreign migrants, Nubians did not integrate or assimilate with the local population because some barriers such as their origin, nature of work and relationship to the colonial administration.

Further, in Kibra, in the early years of settlement, there were only Nubians who were allowed to settle. In those days, Nubians did not consider themselves as Kenyans. They were civil servants, played golf and worked as caddies and had businesses among them; they operated butcheries, brewed and sold Nubian gin, which brought them good earnings.

They had a lower rate of taxation, protection, and that period is remembered as a time of peace and prosperity. As a result, until the 1930s Nubians created a social distance with the other residents and native population. They set themselves apart in relation to religion, food, language, dress code and urbanization (*Interviewee 29*).

With the increase of non-Nubians in Kibra as a result of rural-urban migration, ethnic identity and unity became even more important against the migrants. Nubians set themselves apart and perceived themselves as a distinct community. They maintained an employer-employee and landlord-tenant relationship with non-Nubians in Kibra which further contributed to their collective identity formation.

The British colonial administration preferred to work with a group of people who would be allied to them and not to the natives. These people could have been brought from a different country or territory and would have no allegiance to the locals. In East Africa, they chose to work with Nubians from Sudan, in their conquest of the region. Other examples reflecting similar arrangements and comparable to the Nubians are the Chikunda in Mozambique and the Creoles in Sierra Leone. The Chikundas originated from areas far from where they worked and they belonged to different ethnic backgrounds and eventually had a common language. It is suggested that they started as military slaves, however, according to Newitt (2005), they were free clients and soldiers of Portuguese warlords. They worked on the vast estates called *prazos* from mid-18<sup>th</sup> century. As part of their duties, they ensured security of the estates and prevented peasants from running away, collected taxes and captured slaves.

They also had advantages, for example, they were allowed to keep some slaves, they had access to land and could take wives from the local population. Ethnic identifiers which made a distinction between the Chikundas and the native population included facial tattoos and their own language. They had to reconsider their identity when the *prazo* system collapsed in the first half of the 19<sup>th</sup> century. Some among them returned to where they originated from, others maintained their identity and created or joined other Chikunda groups whose main livelihood activity consisted of raiding and trading in slaves.

Others chose to assimilate to the local population. The Chikunda still exist and have maintained their ethnic identity (Isaacman and Peterson, 2003).

The Creoles of Freetown in Sierra Leone have similarities with Nubians on identity formation. They were descendants whose origin were from different groups of slaves from the United States of America (USA) and the Caribbean who were settled between 1787 and 1850. Like Nubians, they married local women and took in some of the local population who became Creoles through assimilation. They had a superior status and advantage over the local population by working for the colonial government.

Until the 1950s, the Creoles identified themselves as foreigners, civilized and Christians to make a distinction from the native African people. Similar to the Nubians, at the end of the colonial epoch, they had to rethink their identity so as to fit in the post-colonial era and denied the very distinctiveness which they had claimed before. They became local as opposed to foreigners (Cohen,1981). The Chikundas and Creoles are examples which demonstrate that ethnic identities can be created and recreated and utilized in different ways in changing social, economic and political circumstances.

This shows that migration impacts on identity and identity formation. As the wind of change blew across Africa and various countries were gaining independence, decolonization presented challenges for the Sudanese. They were faced with splitting their loyalties between the colonial administration and Kenya and its people.

The community had to manoeuvre the difficult task of establishing themselves as Kenyans, especially after having identified themselves as a distinct and higher class of Africans and foreigners for more than six decades (Atieno-Odhiambo, 1977).

At Kenya's independence in 1963, however, the descendants of the ex-servicemen thought it wise to indigenize themselves so that they could fit into the new independent country. They therefore, changed their non-native status to native Kenyan, calling themselves Kenyan Nubians.

They had a group consciousness and formed a collective ethnic identity, with their clan known as Nubi and ethnic community as Nubian. Nubians became one by adapting and adopting practices that were merged to eventually become one community with a common language and culture. For Nubians to be seen as one group and claim recognition, they employed the aspect of homogeneity to claim their “oneness” and collective recognition as an ethnic group in Kenya (Balaton-Chrimes, 2016). The ‘invention’ of Nubis was forced by events beyond their control, facilitated by the specific circumstances created by colonialism and political interest. Colonial rule did have an impact on the ethnic processes that were already taking place (Akyeampong, 2006).

Therefore, given the circumstances, without colonialism, there would not have been a Nubi ethnic group (Smeidt, 2011). Nubians were officially recognized as one of Kenya’s ethnic communities in 2005. Nubians as they are collectively called, are made up of clans such as the Dinka, Muru, Kotoria, Bari, Kuku and Lendu. The Lendu trace their origins to the Congo while the rest, to Sudan. The different clans had specific activities which they were identified with as well as a status position among the other clans. The Lendu and Alur were alleged to practice witchcraft and were looked down upon and consequently they were also feared.

The Dinka were pastoralists and the Mundu were agriculturalists. The Bari were perceived to be united and prosperous and they used to have a club whereby they would make monthly contributions whose purpose was to help members in need (*Interviewee 30*).

When, shortly after Kenya's Independence the Sudanese ambassador commented, in a speech commemorating Sudan's Independence, that the Nubis were after all Sudanese, some young men stood up and protested that they were Kenyans, and not Sudanese (Clark, 1975). They changed their identity and embraced being 'Nubi' as they referred to themselves in public. Changes in names also occurred to social groups.

The Sudanese Association became the Association of East Africa, and the Sudanese Sports Club changed to Kibera Sports Club in 1963. Changing names was not difficult, the main challenge lay in being accepted as 'real' Kenyans (Smeidt, 2011).

### **6.3.1.1 Nubians and Limits of Citizenship**

As earlier noted in chapter two on the concept of citizenship, it was expected that citizenship would guarantee a level ground and equality for all citizens. However, the liberal aspect of citizenship, as theorized by Marshall (1954), did not consider inequality arising due to factors such as ethnicity. Under Chapter Three of the Kenyan Constitution 2010, Kenyan citizenship can be acquired by birth (Article 14) or by registration (Article 15). A Kenyan citizen has rights and obligations which are enshrined in the Kenya Constitution. There are significant changes in relation to citizenship between the independence constitution of 1963 and the current constitution promulgated in 2010. Under the previous Constitution of 1963, obtaining a citizenship of another country while still a Kenyan citizen automatically revoked your Kenyan citizenship, whereas the 2010 Constitution allows for dual citizenship.

Another important change is that previously, a child of a Kenyan woman could not become a Kenyan citizen if the father was not a Kenyan citizen.

The current 2010 Constitution provides that, a Kenyan woman can pass on her citizenship to her child with the constitution stating in its Chapter Three Article 14 (1), “A person is a citizen by birth if on the day of the person’s birth, whether or not the person is born in Kenya, either the mother or father of the person is a citizen” (Kenya Constitution 1963, Chapter V Protection of Fundamental Rights and Freedoms of the Individual, Chapter VI - Citizenship and Kenya Constitution 2010 Chapter Three - Citizenship, Chapter Four - The Bill of Rights).

Kenyan citizens are entitled to various rights, benefits and privileges as stipulated in the Constitution in its Chapter Three under Citizenship, (1) Every citizen is entitled to:

- a) the rights, privileges and benefits of citizenship, subject to the limits provided or permitted by this Constitution; and
- b) a Kenyan passport and any document of registration or identification issued by the State to citizens (Constitution of Kenya, 2010, p.16).

On the retention and acquisition of citizenship:

- 1) Every person who was a citizen immediately before the effective date retains the same citizenship status as of that date.
- 2) Citizenship may be acquired by birth or registration.
- 3) Citizenship is not lost through marriage or the dissolution of marriage.

Taking both Constitutions under consideration, Nubians are citizens. However, their status has remained ambiguous. As a result of difficulties in acquiring key documents such as birth certificates, ID cards and passports to prove their citizenship, they considered themselves stateless.

### **6.3.1.2 Nubians and Citizenship Pre-Independence to Independence Period (1963)**

When they came to Kenya, Nubians considered themselves as foreigners and they were officially recognized as Sudanese. In the years preceding independence, they referred to themselves as Kenyan Nubians. At independence, they officially became Kenyans by virtue of being born in Kenya and also resident in Kenya at independence on 12<sup>th</sup> December 1963 (*Interviewee 31*).

However, to make the citizenship official, one had to make an application for the ID card. The origins of registrations of persons in Kenya started with the issuance of identity cards dates back to 1915 when the Native Registration Ordinance as enacted by the colonial government administration.

The aim was to supervise and control the recruitment of male Africans into colonial labour. It was compulsory for all males aged 16 years and above to be registered, thereafter they were issued with papers kept in a chained metal container known as ‘Kipande’ which was worn around the neck. The Registration of Persons Ordinance of 1947, made it compulsory for all males of all races aged 16 years and above to be registered. Gender-based discrimination with regard to registration was removed in 1978 following the amendment of the Registration of Persons Act (Cap 107, Laws of Kenya) to include the registration of women who were 16 years and above.

Concerning the registrations of foreigners and refugees, an Alien Registration System was established and used to register those within the country’s borders. Thereafter, they are issued with Refugee Identity cards and other relevant certificates of identification (KNCHR, 2007).

### 6.3.1.3 Nubians Citizenship Post-Independence to Date

After Independence, the Nubians who did not have Kenyan Identity Cards were required to apply, and were issued with one. A Kenyan ID card is a rectangle card bearing the logo of the Government of Kenya, and contains: the holder's photograph; biographical data including full names, finger and thumb or palm or toe impression, gender, date and place of birth as well as signature, signature of the registration official, and date and place of issue of the document. Though some Nubians were not aware of the exact dates and years of birth, an approximation was done for example, by relying on when significant events occurred. Some elderly interviewees were a few years older than their children according to details on their ID cards.

A great-grandmother, Abuba Siama, aged 97 years in 2016, was told by her parents and clearly remembers she was born after the "Germans were dismissed", referring to the end of the WWI in 1918 but her year of birth on her ID card is indicated as 1935.

One elderly female life history interviewee recalled that, after independence they were informed of a registration exercise and later issued with their ID cards without problems. However, she confesses she stated she was born in Kibra, whereas her actual place of birth was in Kismayu, Somalia and came to Kibra when she was one year old. She explained she was worried she would not be considered a Kenyan National and denied an ID card (*Interviewee 32*). After independence, some Nubians became stateless by virtue of no longer being Sudanese and not Kenyan because they did not register for Kenyan ID cards.

From the early 1990s, getting ID cards became more difficult due to several reasons and among them was the influx of refugees from Somalia following the collapse of the government and the civil war thereafter.

The government took extra measures and introduced vetting to identify ethnic Somalis from Kenya and those from Somalia and other ethnic communities who live in Kenya and also in neighbouring countries. Vetting was as a result of government administrative intervention as opposed to being created by statute. Vetting committees were initially established in border districts to screen applications for IDs that were lodged in these areas, where the same ethnic community were found across borders of neighbouring countries. The committee was also present in Nairobi to examine applications from Nubians.

Through a Gazette Notice No. 5319 which was published on November 10, 1989, the Principal Registrar of Persons appointed several officers to authenticate Kenyan Somalis. This led to a task force which was known as the Yusuf Haji Special Task Force. The vetting process was first introduced due to security concerns specifically about individuals from Somalia. It was difficult to physically differentiate between a Somali from Kenya and Somalia as they physically resembled each other. The vetting committee was charged with examining applications from ethnic Somalis so as to identify and to ensure only Kenyan Somalis particularly by birth or descent, were given the ID cards (KNCHR and UNHCR, 2010).

Another reason was insecurity as many fire arms were brought into Kenya from Somalia, leading to a rise in armed robberies, banditry and fatalities. With the rise of global terrorism, notably the simultaneous attacks on August 7, 2008 on the American Embassies in Nairobi, Kenya and Dar-es-Salam, Tanzania, more stringent security measures were enforced. These measures affected among others Muslims, Nubians and Somalis who felt they were being targeted because of their ethnicity and faith.

Vetting is seen as a hurdle that Nubians and other minorities are expected to go through to get a national identity card. Due to the lingering doubt of Nubians' identity, being originally from Sudan and presence of Nubians in neighbouring Uganda, vetting was justified by the

authorities. During the vetting process, young Nubians who have attained 18 years faced the committee for interrogation. The committee is comprised of the area's District Officer (chairperson), chief or assistant chief, representatives from the National Security Intelligence Service, Criminal Investigation Department, Civil Registration, the Immigration Department and appointed community elders who have to take an oath of office. The vetting exercise is based on the assumption that the elders and local administrators are knowledgeable of the resident community members

There are complexities which arise due to citizenship issues. Some Nubians were born in Kenya or Uganda and thereafter were brought up in either country. For some of them, having families across the border is not affected by their official citizenship status to either country.

An interviewee shared her story:

“When we were young, my parents lived in Kibigori and my paternal uncle in Kisumu town. My cousins and my sister were married and they migrated to Bombo, in Uganda. We grew up together and we have maintained contact all through these years. For them, Kenya is also home because they were born and raised here. Some of their children live in Kenya, others in Uganda!

They come to visit occasionally but we communicate more often through telephone calls and sending messages. When we travel to see each other's family, it is just like we are still at home in both countries because of the family link and closeness we shared. We still have our memories growing up in one big family and have tried to maintain and preserve this sense of belonging and family without much thought to the boundaries between our countries. Whenever we need something from the other country, we send someone who is travelling or we send using parcel service” (*Interviewee 33*).

Many young Nubians feel intimidated before such committees. Participants recalled being asked intimidating questions and statements for example, “How is Sudan? you were seen in

Kampala, you are a Ugandan, why do you want a Kenyan ID?” This process conveyed to them that they were different and still part of the “others” (*Interviewee 20*). An interviewee in the vetting process explained it is basically to identify between Kenyan and non-Kenyan (Ugandan) Nubians. He said the role of the Nubian elders in the panel was to assist Nubian youth secure ID cards by confirming that indeed the applicant is an authentic Nubian from Kibra or Kenya. Previously, applicants were asked to produce different forms of documentary proof to support their application for example grandparents or parents’ ID cards, whereas they did not have the said documents (*Interviewee 5*).

An ID card is an important document, without which, a person will be limited in what he can or cannot do. A denial of the same would result in the denial of other rights enshrined in the Constitution such as in chapter four, part two, rights and fundamental freedoms: Right to: Article (27) equality and freedom from discrimination, Article 28 Human dignity, Article 36 freedom of association, Article 38 political rights, Article 39 freedom of movement and residence, Article 40 protection of right to property, Article 43 social and economic rights and Article 53 (1) Every child has the right to:

- a) to a name and nationality from birth;
- b) to free and compulsory basic education (The Constitution of Kenya, 2010).

A Nubian male narrated his experience when applying for the ID card.

“We went together to fill the application for an ID with my former classmate and neighbour. He applied and his documents retained and told to come and check at a later date. I was surprised because I was asked for more documents and to appear before a panel with one of my parents and he asked me why?

That was when I knew I was different because I was a Nubian. All along I had no doubt I was a Kenyan, four generations of my family were all born here. I felt as if I was a foreigner and had to prove to them (vetting

committee) that I am Kenyan. It had a negative impact on me and I felt I was less worthy of being a Kenyan citizen. It was harsh to come face to face with the reality of being a Nubian youth applying for an ID card.” (*Interview 34*).

Consequently, not possessing ID cards translated to not being able to apply for passports which limited their travel and missing out on scholarship and other opportunities abroad, open bank accounts, secure employment and vote. They were excluded from participating fully in many activities because they lacked ID cards. Indeed, as a government policy, vetting was directly responsible for the continued perception that Nubians are not fully citizens of Kenya. Lack of ID cards rendered the Nubians stateless (*Interviewee 20*).

I participated at an event by the UNHCR which marked the second anniversary of #IBelong Global Campaign to End Statelessness on November 4, 2016 at the National Museum of Kenya in Nairobi, Kenya. Public discussions on statelessness were held, testimonies by affected persons from Nubian, Makonde, Pemba among others were shared as well as a photo exhibition of Nubians in Kenya was featured. The UNHCR estimated there were approximately 20,000 stateless persons in Kenya then. Statelessness was among key issues which the Nubians presented in court against the Kenyan government.

The community was supported by some NGOs, for example, Institute for Human Rights and Development in Africa (IHRDA), the Open Society Justice Initiative (OSJI), Centre for Minority Rights, Kenya National Human Rights Commission (KNCHR) and the UNHCR among others. Assistance was in the form of legal representation, advice and financial costs of the litigation process.

Cases against the government were filed in Kenyan courts and (ACHPR) the African Commission on Human and Peoples’ Rights of Experts on the Rights and Welfare of the Child (ACERWC) of the African Union (Constantine, 2011).

In September 2011, the ACERWC published its first ever decision on a communication, in favor of the Nubian community in Kenya. It was recommended among other things that Kenya undertake a series of actions to remedy the operation and lasting effects of systemic discriminatory treatment of this community in Kenya's national civil registration and identity documentation procedures to avert statelessness. Another recommendation was for the government to outlaw vetting on the basis of race, ethnicity, religion, national origin or other status (ACERWC, 2017). At the time of the Committee's decision in 2011, vetting procedures had no firm legal foundation, although they were justified on the basis of Section 8 of the Registration of Persons Act, which allows registration authorities Persons Act, which allows registration authorities to request additional evidence of entitlement to nationality (Registration of Persons (Amendment) Act (1987), at para. 8. (Available at <http://www.kenyalaw.org>).

In 2014, Kenya enacted a legislative package that brought the notion of vetting firmly within the security framework, but without any attendant safeguards to guide registration authorities' discretion. A key informant whose organization lobbied for the removal of vetting explained that vetting of Nubians was stopped, however, some elders asked for it to be reinstated, and claimed Nubians from Uganda were also in Kibra and it was re-introduced.

He concluded by saying that vetting for the Nubians is discriminatory in nature and has no legal basis and based on ethnic and religious discrimination (*Interviewee 35*).

In 2005, the government officially recognized the Nubians as the forty third (43<sup>rd</sup>) ethnic community of Kenya, shifting them from the "others" category. However, to date, most people still refer to the forty-two (42) ethnic communities and others. An informant (November, 2016, Makina) attributed this to be out of habit and that it was of "no importance". However, this act gave the community a much-needed recognition and an added advantage to settle issues pertaining to citizenship, acquisition of identity cards and land rights.

To be officially recognized was important and they were given a code number 210 to identify them for the national census (KHPHC, 2009).

Table 6.1 shows that out of the total number of participants (279), a vast majority of 97.5 percent (272) of them are in possession of identity cards as opposed to a minority of only 2.5% or seven participants who did not have. More than one quarter (27.9 percent) experienced difficulties in obtaining the identity cards compared to the majority who were more than seven out of ten (72.1 percent) who did not encounter difficulties. This reflects the gradual ease in the process of obtaining ID cards by Nubians contrary to the situation in the past years.

**Table 6.1: Possession of Identity Card and Difficulty in obtaining One**

<b>Variables</b>	<b>N</b>	<b>%</b>
<b>Possession of identity card/passport</b>		
Yes	272	97.5
No	7	2.5
<b>Difficulty in obtaining an identity card</b>		
Yes	76	27.9
No	196	72.1

**Source: Field Work, 2016**

Although one of the recurring issues was the difficulty in getting ID cards, the majority of all who took part in the study were in possession of ID cards. Those without, cited loss, and waiting for them to be processed. One participant who applied before the year 2000 said it was easier and thereafter it became difficult. He went to fill his application with the area chief, had his finger prints taken and asked to come after three months and he collected his card. Some who went through the vetting process admitted even though it was not easy and wasted a lot of time, they finally acquired their cards.

Discussions revealed that issuance of ID cards was faster in the period preceding elections and some people took advantage to renew, apply or replace their cards.

### 6.3.2 Application Process for Identity (ID) Card and Birth Certificate

A quantitative survey on application process of ID cards by Nubians was done by paralegals in Kibra between 2013 and 2017. The data of the analysis showed that the average delay caused by vetting increased from 41 and 42 days in 2013-to 82 and 109 days in 2015-2017. Consequently, the average waiting time was found to be four (4) months from start of the application process to when it is submitted as shown in the table below.

**Table 6.2: Application for ID Card by Nubians (I)**

Time Between:	Nubian Applicants, 2013 – 2014		Nubian Applicants, 2015 – 2017	
	Normal Applications (at 18)	Late Applications (over 18 and 9 months)	Normal Applications (at 18)	Late Applications (over 18 and 9 months)
First visit to a government office and vetting	30	21	73	77
Vetting and application submission	11	21	9	32

**Source: ECD Nubian Briefing 2017, p.8**

As shown in the table 6.3 below, further results revealed that it took an average of 92 days and 139 days in 2013-2014 and 2015-2017 for an ID card to be issued after submission of forms. Other Kenyans can acquire ID cards in approximately 21 days.

**Table 6.3: Application for ID Cards by Nubians (II)**

	Nubian Applicants, 2013 – 2014		Nubian Applicants, 2015 – 2017	
Time Between:	Normal Applications (at 18)	Late Applications (over 18 and 9 months)	Normal Applications (at 18)	Late Applications (over 18 and 9 months)
Application submission and ID card issuance	95	91	135	145

**Source: Extracted from ECD Nubian Briefing 2017, p.9**

Birth certificates are necessary to enroll at the start of primary school and mandatory when applying for an ID card. Some Nubians aged 18 years and above could not apply for ID cards without a birth certificate. Such a situation leads to lack of essential legal documents. In efforts to compliment the government to meet its goal of universal birth registration, NGOs including the Nubian Rights Forum, and Namati Justice Initiative and Haki Center have held several mobile birth registration campaigns in partnership with UNHCR Kenya and the Kenyan Civil Registry Services, in 2015, 2016 and 2017. Out of a total of 4,704 people registered, 3,978 cases (84 percent) were late registrations (more than 6 months after birth). Late registrations among Nubians accounted for 73 percent (ECD 2017, p.11).

Findings from this study regarding how the Nubians feel about their being full citizens revealed that, eight out of every ten participants (80 percent) do feel they are full citizens of Kenya. The rest, forming one-fifth (20 percent) did not have the feeling of their full citizenship. This reflects some idea that Nubians, as a minority community, are being integrated into the Kenyan society. So, a larger part of the Nubians feel they are a part and parcel of the citizenry of Kenya.

Nonetheless, even to have just one person being uncertain about his or her full citizenship, especially, when Kibra is the place he or she has known to be the land of his or her birth raises some concern.

Although the majority feel that they are full citizens, many participants in the FGD were of the opinion that they did not feel like full citizens despite being in possession of an ID card. This is suggestive of the sense that, although some measures may have been taken towards integrating the Nubians as citizens, there is, underneath, a simmering dilemma with some Nubians that their full citizenship has not been guaranteed yet. As for this one, they may be able to vent it out only upon skillfully interrogating their subjective minds. The participants gave various reasons why they did not feel to be full citizens. For instance, one young man said:

“I am 30 years old, even though I was born and bred here in Kibra, I know I am Kenyan but I still don’t feel like a full citizen, I feel like a second-class citizen. There is this issue of vetting, which is a big problem because they just take us round and round and other communities are not vetted. Also, the problem with our land and maybe also because we came from Sudan.

In fact, we were counted during the census (2009) and we are supposed to be number forty-three (43) among the Kenyan tribes, but people don’t even know that! All these make me feel we (Nubians) are targeted and treated like we are not Kenyans!” (*Interviewee 36*).

There is some difference with regard to ethnic and national identities. Nubians were given official ethnic and national identity recognition, Nevertheless, some did not feel like they were Kenyan citizens, as shared during an interview by Mr. Ahmed, 69 years, Nubian civil servant retiree (November 19, 2018). He explained that, he applied and acquired an ID card in the late sixties, which was proof enough he was a Kenyan citizen according to him. He was employed in the civil service and proud to serve his country.

However, his colleagues employed at the same time with him were advancing in their careers but he was stagnant. After several unsuccessful attempts, he was advised by one of his colleagues to change his ethnic group to a more Kenyan one. As he was born outside Kibra, he indicated the majority ethnic group in that locality and his application for career progression was accepted. He said he learnt the hard way but worked hard and was successful despite his initial challenges. When asked about his ethnicity, he says he always responds that he is a Kenyan (*Interviewee 37*).

A study commissioned by the KNCHR and UNHCR 2010 was in response to grievances received claiming there was discrimination against some ethnic communities or some parts of the country in the issuance of identity cards. Some of the findings were: nationality laws in Kenya discriminate against various categories of persons and lack safeguards against statelessness, The committees established to vet persons before issuance of identity cards are not founded under statute, and they are discriminatory in nature and prone to abuse and there is need for sensitization that stateless persons and those at risk of statelessness are entitled to rights.

The committees established to vet persons before issuance of identity cards are not founded under statute, and they are discriminatory in nature and prone to abuse, applicants lack adequate information on the procedures for issuance of ID cards and they experience bureaucratic delays. Similar to the above stated case, the study also came across applicants who deliberately altered their personal details when applying for the ID cards. Others were advised to do so to make it easier and to expedite their application.

Ali, 35 years, a Nubian male born in Kisumu and fluent in the local language Luo, said he had to include a Luo name as part of his names when applying for an ID card. It was easy for him to assume a Luo name as he was born and raised among them and could speak the language

fluently. Unless he was specifically asked about his ethnicity, it was assumed he was a Luo and he did not see the need to correct. His experience shows how identity is flexible and how one can use it to their advantage. Being a minority among a majority and conversant with their language and cultural practices, he had a double identity and used both whenever the need arises to facilitate processes (*Interviewee 38*).

However, other interviewees felt as if they would be betraying their true identity if they changed some particulars such as name or ethnic community. Prior to Nubians being recognized as an ethnic community of Kenya in 2005, and other minorities who were in the “others” category, issuance of IDs to them was difficult. One of the reasons was that the Government could not issue an ID because, the ethnic community they belonged to was not officially recognized as one of Kenya’s ethnic communities.

A non-Nubian, in the FGD, pointed out that Nubians were Kenyans. His view reflects the normal reasoning that many ordinary people who have lived with the Nubians would support.

The participant who arrived in Kibra 1979, remarked:

“I know Nubians are Kenyans. Weren’t they born here in Kenya? We can’t deny that because in my rural home in Mumias (western Kenya), I grew up with Nubians. Even the Makonde (migrants originally from Mozambique who came in the 1950s) came up just the other day demanding for ID cards and they have been given” (*Interviewee 39*).

So, most of the Nubians have, more likely, been accustomed to the fact that they are full citizens of Kenya. There is, however, a remnant that is not fully convinced of their citizenship. Notably, this remnant can be discovered upon skilful close examination of their subjective feelings about their citizenship status.

### **6.3.3 Migration and Culture Change in Kibra**

In the course time, group members develop their own unique way of thinking and doing. This includes all of the learned forms of behavior evident in the life of a group, referred to as culture of the group by sociologists and other social scientists. These include among others: language, religion, etiquette, myths, dressing styles, games and technology (Freedman et al., 1952). As a result of migration, migrants from different ethnic backgrounds became residents in Kibra. These migrants' different cultures could clash or interact but they eventually co-habit. Nevertheless, some noticeable changes which have impacted and 'diluted' to some extent the Nubians' way of life was as a direct result of migration. Societies have diverse ethnic groups and culture. Cultural diversity enriches a nation and this diversity is what the current Kenyan Constitution of 2010 seeks to recognize and protect. With regard to culture, "This Constitution recognizes culture as the foundation of the nation and as the cumulative civilization of the Kenyan people and nation" (Constitution of Kenya 2010, Chapter 1 Article 11).

Additionally, it states that among its responsibilities, the State will, among others: promote all forms of national and cultural celebrations through literature, the arts, traditional celebrations, science, mass media and other cultural heritage. The State will also recognize the role of science and indigenous technologies in the development of the nation; and promote the intellectual property rights of the people of Kenya. Further, Parliament will enact legislation to make sure that communities receive compensation or royalties for the use of their cultures and cultural heritage; and it will also recognize and protect the ownership of indigenous seeds and plant varieties, their genetic and diverse characteristics and their use by the communities of Kenya (Constitution of Kenya 2010, Chapter 1 Article 11).

Culture is not static and is prone to change due to influences from, among others, migration, as different populations interact. Consequently, assimilation or acculturation may occur usually

as a result of interaction between different communities. Although Nubians are a national minority, initially, they were the dominant ethnic community in Kibra and became a minority due to a large population of non-Nubian migrant residents. Their interactions impacted on certain aspects of Nubians' culture and vice-versa.

Among the Nubians themselves, there were also differences in rituals and ceremonies among the clans, some of which are still practiced for example, during wedding ceremonies. Previously, the Nubians practiced endogamy, with priority given to marrying from within the same clan in Kibra. If a suitable partner was not found, the search would extend to members of the same clan living in other parts of the country in Nubian settlements or across the border to Uganda, for example. Thereafter, there were more marriages from different clans within Kibra or beyond and also intermarriage with other ethnic communities.

Other changes in Nubian marriages are duration of the whole marriage ceremony which can now be held in one day as opposed to the traditional three days where the only form of entertainment was *doluka* dance accompanied by drums and women singing. The *taarab* music which is from the East African coastal region, has been included into modern Nubian wedding ceremonies and has become a common feature. Some women also opt to wear clothes made of African printed materials as opposed to the traditional *gurbaba*. Preference is given to materials such as tie and dye or Ankara also known as Kitenge in the East African region. Some brides wear a formal white bridal dress and a veil as opposed to the traditional *gurbaba*, *toub* and dress and have their hair done in a different way than the traditional cornrow plaited hair.

There is a blend of traditional as well as modernity which has been accepted. Some participants in FGDs pointed out that traditional Nubian names for example, Jonuba, Meremia, Kondusa, Osila, are rarely bestowed on children and are disappearing. Modern versions or names from other cultures mainly Arabic are more in use.

Also mentioned was the behavior of Nubian children has changed with some engaged in vices which was not the case before. They attributed this to several factors such as laxity by parents in upbringing and religious matters, which was explained by lack of time due to a fast-paced life being lived by parents. Another factor was a lot of work from the formal school which does not allow children to have time to attend Madrassa (religious schools). Other explanations given were unemployment, laziness and hard economic times. These led to the youth being idle and without money which made them prone to wrong doing.

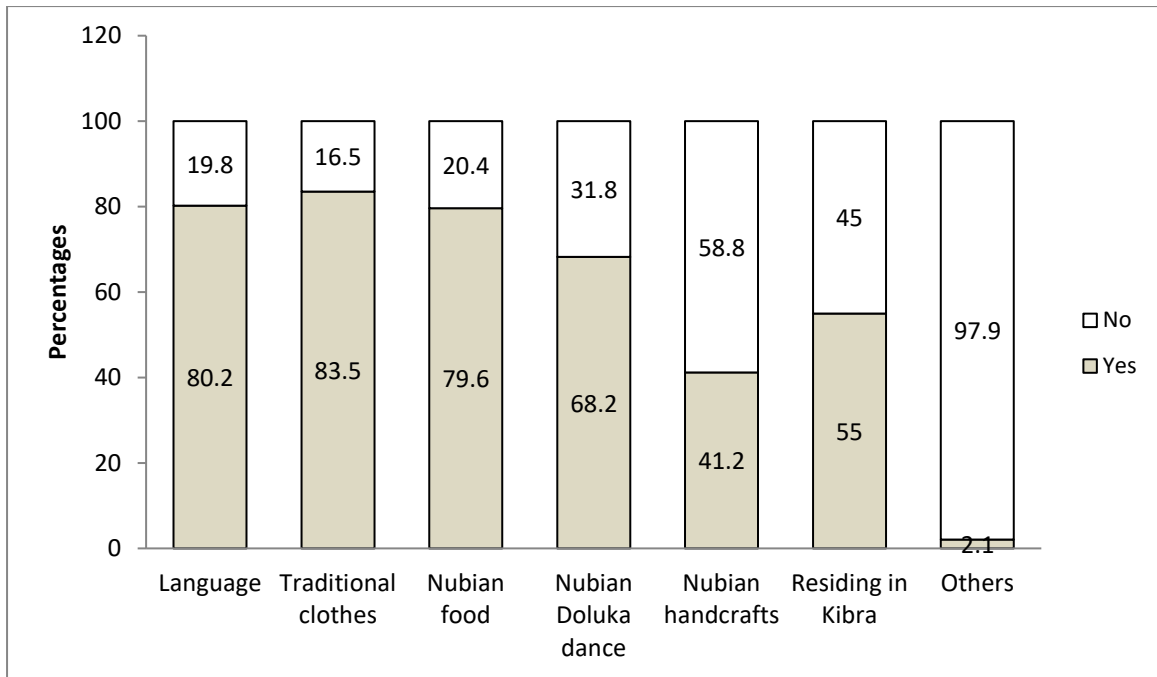
Negative influence from migrants was also cited as a cause of change among Nubians. In this respect, Nubians, especially the older generation, were raised in a different environment and were not exposed to most of the negative aspects as the other generations are exposed to. There were also very few migrants then, therefore the increase of migrants could be linked to the increase in wrong doing. Security is an issue of concern in Kibra with robberies reported. This can be explained for example, by the lack of resources due to unemployment which leads to cases of robberies. Drugs are also more readily available than before and this leads its consumers to get involved in unlawful activities.

The view relating to migrant's negative influence was also shared by the colonial administration. They considered the new generation of Nubians was not a good one as it was of mixed parentage with *Kavirondo* (members of Luo, Luhya and Kisii ethnic communities) (Letter dated April 27, 1931 from DC Hosking to PC, Nyeri. File PC/CP 9/15/3). Intermarriage is one of the results of migration and it leads to mixing of populations. Nubians themselves agreed with the colonial thoughts regarding mixed parentage which was a problem for example in resettlement (Petition sent to the Governor from Nubians, dated May 5, 1931. File PC/CP 9/15/3).

Methods of communication have also changed. For example, previously, invitations to a wedding involved both families having their members go from house to house to invite community members to attend. Currently, various options are offered by new technologies of communication, for example, through social media such as WhatsApp groups or Facebook. Social media is widely used for its efficiency; it reaches a large number of people instantly and it is cost effective. However, there are still those who are informed of events in person such as elderly members of the community, as a sign of respect and importance accorded to them. Other members of the community may not have access to social media but may be informed by those who have access. Social media has also enhanced dissemination of information to community members such as announcing death, upcoming events, updates on ongoing projects and updates as well as mobilizing members and others.

Despite all these changes which have occurred, some aspects of the Nubian identity remain uniquely Nubian. The Nubians who participated in the study responded to what in their opinion best defines Nubian identity. As can be seen from Figure 6.2, four-fifths (83.5%) chose traditional clothes, language (80.2%) and Nubian food (79.6%) and slightly more than half (55%) chose residing in Kibra as what best defines Nubian identity. A high percentage of almost 6 out of every 10 (58.8%) of the participants did not think Nubian handicrafts best represented Nubian identity.

**Figure 6.1: What best defines Nubian Identity**



**Source: Field Work, 2016**

An integral part of what defines Nubian identity are ethnic markers which are uniquely associated with Nubians including traditional food, handcrafts, *doluka* dance, dress code, language among others. The knowledge and skills are acquired and passed on from one generation to another. Traditional foods include *Lebere*, a light dried pancake made from fermented maize meal flour which could be preserved for months and was ideal during their migration. a participant said that, cornflakes is the modern version of *lebere*. *Gurusa and kisra*, are like pancakes also made from fermented maize eaten with *bamia*-okra or lady fingers, *mulkiya* and beef stew.

*Kisira* is very light in weight and consistency as opposed to *gurusa*. *Kofta* or minced beef stew is also eaten with *gurusa*. Another delicacy is *firinda* or beans stew.

Women are recognizable with their distinct dressing comprising a *gurbaba*, a colourful cloth worn as a skirt under the *lidim/gumas* (dress) and a *toub*, a cloth tied at the chest level and used to cover the head. It was worn at home, at weddings, meetings or other community functions with a necklace and bracelet made of beads known as *suksuk*. Young girls wore a long dress or a shorter one with a trouser known as *bouza* accompanied by a headscarf or *hijab*. The hair was done in the traditional Nubian style with a middle line dividing the hair into two parts and cornrows starting along this line towards the left and right sides. Women adorned themselves with a *kipini* or nose ring which young girls wore at approximately seven (7) years of age. Men and boys wore European clothes such as trousers, shirts and jackets and a long *kanzu*-gown and a *tarbush*, a red hat. Some men wrapped a piece of cloth on their heads similar to a turban as worn in parts of Sudan.

**Plate 6. 1: A Doll Representing a Nubian Woman in Traditional Dressing Wearing a Gurbaba**



**Source: Photo by Author, 2016**

The traditional dance known as *doluka* is another unique feature of the Nubian identity usually performed on weddings and other gatherings. Singers are accompanied by drum beats as people *rogus* (dance). Traditional colorful handcrafts are also unique to Nubian identity. Traditional weaving- *dofur* done by women whose skills were passed from mother to daughter on how to weave *kuta*-food cover, *tabaga*-food tray, *birish*-mat and *gufo*-basket. These skills included different techniques which produced intricate designs which were memorized.

The raw material used *dis* is similar to reeds, are prepared, dried and put into boiled coloured water to be dyed and dried. Bold colours used for the handcrafts mainly comprised red, yellow and black. Some basic household items such as *murkaka*-grinding stones, *fundu* and *nyerku fundu*-pestle and mortar, were carried by women during their migration from Sudan to Kenya and can still be found in some homes.

As they settled in Kibra according to their clans, this pattern of settlement contributed to the growth of a “sub-locality identity”. Nubians are associated with Kibra, a Nubian word for forest and vice versa. Nubians have residential identity in Kibra, their ancestral home in Kenya. A study on slum toponymy in Nairobi, Kenya (Wanjiru & Matsubara, 2017) aimed to show how names play an important role as urban landscape symbols. It analyzed names of sub-settlements in informal settlements in Nairobi, among them Kibra. The results showed that Kibra’s names revealed a strong Nubian heritage as well as a diverse ethnic composition. Ultimately the study revealed that ethnic heritage and politics, socio-economic inequalities and land injustices as well as globalization are the main factors that influence the toponymy of slums in Nairobi. Nubians’ ethnic heritage in Kibra is physically present in the form of the communal cemetery, locations where some shrines were located among others. Ethnic heritage and politics also had a role to play in the 2007-2008 Post Election Violence (PEV) in Kibra based on political affiliation on ethnic lines as well as the underlying social and economic inequalities experienced by the majority of residents.

A Nubian wedding is a unique and an elaborate event, the preparations start months before and mainly involve women. The main events can take place between one to three days. The official religious marriage ceremony to exchange vows known as *nikaa* is usually done on Fridays, after the early afternoon communal Jumaa prayers at the mosque. However, there is flexibility regarding the day, time and venue.

Among the Nubians, there are also certain practices which are no longer practiced for various reasons such as health and legal implications.

An interviewee remarked:

“Let me tell you this, our community had some cultural practices which were harmful and painful. There was a procedure known as *dugu kasma*, which was tattooing the lips with a dark ink. Female circumcision (FGM) was also practiced until the 1980s and brewing of the Nubian gin, all of which have long been abandoned. This shows that Nubians are a progressive community as they discontinued these outdated practices.”  
(*Interviewee 1*).

Female Genital Mutilation is outlawed in Kenya. Although, it was banned in 2011, it is still practised by some communities. The Prohibition of the FGM Act, 2011, came into effect on October 4, 2011, is the principal legislation governing FGM in Kenya (KLR, 2012). Although the Constitution 2010 does not specifically refer to FGM, Article 29 (c) and (f) provides for the right not to be subjected to any form of violence, or treated, punished in a cruel, inhuman or degrading manner. Further, Article 44(3) is against forced cultural practice or rite and Article 53 (d) protects every child from harmful cultural practices, all forms of violence... (Constitution of Kenya 2010).

#### **6.4 Institutional Continuities and Change**

By institutional continuities and change, the study acceded to examine changes by way of language and literature and some vessels, such as family and marriage, by which social interaction takes place in the Nubians' community.

#### 6.4.1 Language and Literature

Language serves two functions, as a means of communication and also a carrier of culture (Thiong'o, 2005). Further, he opined that language as culture was the collective memory bank of a people's experience in history.

There are questions about the exact nature of Nubian language but most scholars believe it to be a pidgin or a Creole Arabic (Atieno-Odhiambo, 1977; Heine, 1982; Kokole, 1985; Owens, 1985; Nasseem & Marjan, 1992). The Nubian language as is spoken today, is as a result of a mixture of several dialects which eventually became a new language. Participants shared their views as follows:

“When we were young, we spoke the language of my ‘Bari’ clan and others spoke their own language too. Some words were similar to others. I grew up in Kisumu and we also spoke Jalu, the language spoken by the Luo community and sometimes mixed it with our language. Now the Bari is no longer spoken as it has disappeared, although I remember some words. Nubian today is a little different” (*Interviewee 40*).

Another interviewee said that:

“I was born in Kismayu in Somalia and came to Kibra when I was just one year old. My mother spoke Somali and that was my first language. Here in Kibra as we were growing up, there were different languages among the Nubians according to their clans. Later, we started speaking a common language. However, the Nubian spoken today is still different.

If I speak to my grandchildren and great grandchildren, sometimes they don't understand some words because I still use some words in the old language which was similar to Arabic. I hear the children speak a modern version of Nubian with many Kiswahili words!” (*Interviewee 32*).

Traces of this original cultural diversity is still evident to some extent. Only the elderly remembers a few words of their original tribal languages. Kinubi, the language of the Nubians, has some linguistic homogeneity with Arabic due to their interaction in Sudan.

Many Nubian household communicate using both Nubian and Swahili languages. During the fieldwork, I noticed that the parents and grandparents communicated using Swahili especially to the younger children. When the children were addressed in Nubian language, some would respond in Swahili.

This was attributed to the influence of many migrants from different ethnic backgrounds who all use Swahili as a common language of communication. Swahili has become the dominant language and its influence is noticed as most Nubians use Swahili words mixed with Nubian words. The importance of knowing and practicing one's mother tongue is emphasized by Ngugi waThiong'o who remarked that Knowing all languages of the world but not your mother tongue is equivalent to mental enslavement. However, if you know the language of your culture and add the other languages, that is empowerment (Daily Nation, February 8, 2019).

One participant articulated her thoughts below:

“I think we are the last generation to speak Nubian fluently because our parents spoke to us only in Nubian language. Our children are losing a unique aspect of their culture by not communicating fluently in Nubian. It is our fault as parents, because we are responsible and have an obligation to transmit this cultural heritage to them. Instead, we mostly speak to them in Kiswahili even at home! The children themselves don't speak correct Swahili; they speak 'sheng'! [slang of localized Kiswahili mixed with English].

And because they cannot speak our language, our parents, who are their grandparents have to speak Swahili for them to communicate with each other. This is a sad reality. We need to realize the bigger implication of losing our language. It scares me to think that my grandchildren will not speak our language because my children will not have a language to transmit to them!” (*Interviewee 41*).

Language if not practiced, will be lost. Medina's thoughts echo those of other Nubian parents who have not assured transmission of the mother tongue to their children.

Ngugi wa Thiong'o (2005, p.7) quotes Chinua Achebe in a speech read in 1964 entitled 'The African writer and the English language':

"Is it right that a man should abandon his mother tongue for someone else's? It looks like a dreadful betrayal and produces a guilty feeling. but for me there is no other choice. I have been given the language and I intend to use it."

Other features of Nubian culture were the interaction and relation between different generations which was very important within the community. This was done for example, through a rich oral literature, which would serve as a teaching tool to encourage virtues and shun vice. Stories were often about different animals or human subjects. Mostly, Grand-parents or parents and other adult family members would recount stories to the children. Story telling had its own time which was set aside every day and children would gather and keenly listen to the orator. Children are brought up primarily based on Islamic religion and stories incorporated a religious dimension (*Interviewee 42*).

#### **6.4.2 Changes in Marriage and Family**

Marriage is considered an important institution among Nubians as well a religious recommendation. Several aspects of marriage have changed through the years, some of which are explained below by an interviewee:

"These days I see many young boys and girls in no hurry to get married because some go to work or are still learning. Some cannot find partners on their own, others find and their marriage does not last. And when they decide to marry, it is someone who is not even a Nubian, whom they already know and maybe even have lived together and had a child. This did not happen long ago and we didn't even think of it, you could not dare! Our time, our parents and the whole family was involved in the search for a good partner to organizing the marriage ceremony to setting up your new home. all these steps were taken to ensure the marriage started off well and to have a strong foundation for a family later. Nowadays, marriage is not a priority for the young people.

I even suggest for my grandchildren suitable partners but they say they will bring their own partners whom we know nothing about! The situation has really changed. I think we should encourage arranged marriages!”  
(Interviewee 42).

The family as a unit has an important place in the Nubian community. As a sign of respect, a young person greets elders by taking the elders hand and placing it on his/her chin and then on their forehead.

Showing respect to elders was paramount. Meal times were very valued and it was when the family came together. However with most parents working or away, this is not always the case but it is relived during the month of *Ramadhan* (fasting) when the family breaks the fast together for the evening meal known as “*iftar*” or the early morning meal “*suhur or daku*” (Mzee Marjan, grandfather, Nubian elder, 74 years, September 27, 2016 Makongeni village).

Maza Jemilla, a great-grandmother, interviewed on December 1, 2016 in Lindi village (Interviewee 9), shared her thoughts on the family unit within the Nubian community. She said she has noticed an increase in the number of single parents, living either separately or with their own parents, and more cases of couples separated. Children are mostly raised with grandparents who step in to fill this gap in the absence of parents who may be working, have migrated for employment, education or other engagements. As an elder, her advice is sought to settle different matters including marital problems. She said most young couples quickly think of divorce which is usually the very last option if nothing else works. She said, in her days, they married once and it was for always, the issue of divorce was not even mentioned.

Women were present at home as opposed to now whereby they are mostly absent from the family setting due to work or engagement in other activities outside the home. She sees most young able-bodied men wasting their time and life at their “base” or club house, day in day out instead of looking for jobs.

By so doing, they have abandoned their role of the family head and family provider to the women! Which is why women have to go out to look for 'food' for the family, at the expense of being at home with their children and running the home and eventually such situations affect the marriage.

The lives they lived is different from today's and there are many challenges. She is of the opinion that, more elders in the community should play a more proactive role and offer guidance especially in family-related matters.

Elders have a lot of lived experiences and can advise our community members. This is how it was done during their days and they (elders) should now do the same to the community. She believes that, if the family unit is well taken care of and strong, then the community as a whole will have a strong foundation and move forward.

The family unit plays a key role in the solidity of the Nubian community. Similar to other traditional African societies, kinship provides the most important source of security and welfare for the individual member of the Nubian society.

### **6.4.3 Transmission of Skills**

Lack of generational transfer of knowledge and in traditional skills has resulted in the younger generation not possessing technical skills for example, preparation of traditional foods.

Eating habits have also changed as some traditional foods are now eaten occasionally, and also because it requires a longer time to prepare. Traditional weaving known as *dofur*, is another skill whose transmission has not been assured. A variety of traditional handicraft items are now bought rather than being woven at home. In the recent years, most of the woven items are sourced from Uganda, where some Nubian women weave as an economic activity and source of livelihood.

These skills are not being passed on to the younger generation mainly due to a change in the lifestyle. Further, those who possess such skills are now elderly and no longer practice or not as much as they previously did.

An elderly Nubian woman, Abuba Salha (*Interviewee 23*) in Kambi Muru village, in Kibra shared her story. She was born in Uganda but lived in Kenya since her marriage. She shared that she was an expert in weaving before she got married. She continued and earned her income from the sale of her handicrafts. Orders would be placed for her to make several items, especially before weddings or to be given as gifts or for them to be re-sold.

She was known for the quality of her work and had established a large base of clients. She lamented that she did not teach her daughter how to weave because she was busy working out of Kibra and her grandchildren have no much time either. Over the years, getting the raw materials and the long preparations required became a challenge for her. Together with her age mates, they would go to the river banks and gather the raw materials which were in abundance. However, over the last years, the rivers have since disappeared together with the reeds for weaving. She also mentioned that during their days, they got most of their food and energy needs from the farm. It is no longer the case as one has to buy everything! What was hard for her was to have no option but to buy, especially the reeds to weave! She displayed her fingers saying they are curved because of their position when weaving over many years. Her eyesight deteriorated and she can no longer practice her passion as she did before.

She proudly showed some of her handicrafts displayed in her room. Nevertheless, she said occasionally, she takes out her incomplete *tabaga*-food and advances a bit with every intention to complete it one day.

**Plate 6. 2: Uncompleted Tabaga (Food Tray)**



**Source: Photo by Author, June 26, 2016**

**Plate 6. 3: Nubian Women Weaving-*Dofur*- Traditional Handicrafts**



**Source: Photo from Latasaba Group on Facebook, June 13, 2019**

Another interviewee remarked that:

“When we were young girls, we knew we would eventually get married, it was normal and expected and when it was time, we were ready and knew how to cook, weave and take care of the home. We were being trained from a young age by our mothers. Our work was being a mother and wife, we took care of the family and home and in the early days we didn’t go to school. Husbands and wives were normally from the same clan. Do you know I received a lot of praise and had a good reputation because I was a very good cook? We lived in the same homestead as my husband’s brothers and their families. Each wife had a day to prepare food for all our husbands. If you were summoned because your food was not tasty, too salty or not well cooked, you would be scolded and very embarrassed! For thirteen good years, not once was my food rejected! I miss cooking, once in a while I prepare simple stews, but someone has to be next to me to help. I can’t make those traditional foods like gurusa, kisira or firinda because they need a lot of work and energy! The food cooked nowadays is not as tasty as during our times! It is a pity the young girls have not been taught how to cook, weave or take care of the home.

The older women should have invested time to teach them these skills because they will help them in their lives as wives, and mothers!” (Abuba Siana, Nubian great-grandmother, 98 years, November 19, 2016).

Plate 6. 4 : Preparing Traditional Food-*Gurusa*



Source: Photo by Author, July 5, 2016

Traditional skills have not been passed on and few young girls know how to weave. However, efforts have been made to encourage participation in weaving and cookery classes as part of gaining knowledge of the rich cultural heritage and skills transfer.

#### **6.4.4 Associational Life**

Social capital is a very important resource within the community and it is further strengthened by family and ethnic ties based on obligations of solidarity, which can be mobilized without difficulty (Heckmann, 2004). Community support is evident concerning issues for the common good of members. For example, during the court cases against the government of Kenya on issues relating to citizenship, children's rights and land issues, community members mobilized themselves and participated in peaceful demonstrations to air their case.

Nubians from different professional backgrounds and interests give back to the community in cash or in kind, by reinvesting their experiences and expertise with a positive outcome for the community in general. There are several groups within the community with different objectives such as promotion of education, culture, sports or economic empowerment. Group members can comprise of exclusively females or males. Others extend membership to both females and males. Some are based on kinship or friendship ties or common interests. There are youth groups who are engaged in an agricultural green-house project, other groups for example Nubian souk, aims to promote and preserve Nubian cultural heritage, Sister club and Al Safina who promote Nubian culture through traditional dance performances. Ansar is a women's group which has invested monthly contributions of members in land and real estate.

Other groups are focused on education matters, for example, Haiba Foundation and, Nubian University Students Organization (NUSO) who are involved in matters of education through mentoring, organizing tuition classes, presentation of awards to students, among others.

There are also civil society groups which focus on rights issues of the community, for example, the Nubian Rights Forum (NRF) on constitutional and human rights matters, and Kibra Land Committee (KLC) on land matters.

Others are social, sports clubs such as Gogo Boys Football Club and investment clubs whose aim is to achieve economic empowerment for the members. Collective efforts are also witnessed with establishing Kibra Bait-UI-Maal Charity Fund in 2018 to assist in challenges faced, such as settling medical bills, among others. During the month of Ramadhan (fasting), food and other items are collected and distributed to those in need within the community.

Mengeles is a word from the Kamba ethnic community language, meaning coming together. Mengeles group's slogan is "stronger together". group is made up mainly of males aged between 30-50 years and who are residents in Kibra or must have resided in Kibra for at least 3 years. Membership is also open to those in the diaspora and to non-Nubians. It is more of a social club that aims to become an investment group. Some of their activities include organizing football matches, involvement in civic education of the community and also helping club members, for example, if one is getting married, they assist in fundraising and wedding preparations (Kadir, 41 years, Nubian male, FGD, September 29, 2016, Salama village). Another male youth group is involved in a green-house project on land converted from a dumping ground adjacent to the railway line in Kambi Muru village. Produce from the green house is sold to residents. However, the project is hampered by lack of sufficient water.

All the above groups had some members or a member participating in FGDs or interviews both formal and informal. Some groups had their constitution and were officially registered. Other groups were not registered such as a women's group whose members provided services during weddings and other ceremonies and were remunerated, giving them an income. Another women's group recycled plastic to make bags and baskets for sale. All these groups play an important role in the advancement of the community as a whole.

The associational life is active and important within the community as it fosters unity and closer working relationship among members whose activities have a positive impact on the community and in Kibra in general.

## 6.5 Building Social Cohesion

This section explores the sense of unity among Nubians and in Kibra on a broader scale. The unity of Nubians, especially in Kibra, is a fabric that weaves through and binds various elements that create the identity of the Nubians. The perceptions about unity have, therefore, been examined.

### 6.5.1 Perceptions of Unity and Disunity

As expected in all communities, Nubians also have their strong and weak points. These determine the level of cohesion within that particular group. Table 6.4 shows that 6 out of every 10 (63.3 percent) chose religion, almost half (49.4 percent) selected culture, almost three quarters (73.7 percent) chose community support and nearly one quarter (24.0 percent) chose history in order of importance of factors uniting Nubians. It can be said that Nubians are Muslims, which reflects religion as the first choice by the largest majority.

**Table 6.4: What Unites the Nubians**

What Unites the Nubians	Order of importance				Total
	1 <sup>st</sup> (%)	2 <sup>nd</sup> (%)	3 <sup>rd</sup> (%)	4 <sup>th</sup> (%)	
Culture	36.3	49.4	13.9	0.4	100.0
Religion	63.3	31.3	5.4	0.0	100.0
Community support	6.8	18.2	73.7	1.3	100.0
History	5.3	16.8	53.9	24.0	100.0

Source: Field Work, 2016

Religion continues to play an important role for community cohesion. Nubians are Sunni Muslims who observe the requirements of Islam as taught by the Holy Prophet Mohamed. With the influx of non-Nubians, a majority of whom are Christians, Nubians became closer to their own and religion had more significance as a unifying factor for them.

Families and friends are united in religious ceremonies as Idd celebrations, fasting during the holy month of Ramadhan, naming and wedding ceremonies. These ceremonies are done according to traditional as well as religious requirements. There are approximately 14 mosques in Kibra, these are: Al Aqsa, Darajani, Jeddah, Kambi Aluru, Laini Shaba, Lindi, Lomle, Maaida, Makina, Makongeni Mashimoni, Salama, Soweto and Toi.

With the advent of ethnic radio and television stations in Kenya, different ethnic communities in Kenya in conjunction with these stations and other partners and sponsors, organized events to showcase their traditions including food, drinks and traditional items. Such events were themed for a particular ethnic community for example *Mugithi* highlighting Kikuyu culture, *Ramogi* for the Luos, *Egesa* for the Kisii among others. These events have been popularized and are open to all. Benefits include economic gain, enhancing cultural pride and making the community known to others. Among the Nubians, there has been a resurgence of communal identity through Nubian culture which is now being celebrated and publicized to the larger public. Participation in national celebrations to showcase the Nubian community's culture through cultural dances has enhanced the visibility of Nubians and their inclusion in the 'mainstream' Kenyan society including feeling more Kenyan.

Other events such as appearances on television shows, participation in radio talk shows, hosting the Nubian or *Sabala* (dance partner) night, Nubian *souk* (market) and the East African Nubian Awards (EANA). Nubian cultural ambassadors also play an important role in promoting the culture.

Similar cultural activities are also held in Uganda, for example, the Bombo Community Tourism Project initiative whereby guests are offered an opportunity to experience Nubian hospitality within a Nubian homestead and take part in traditional greeting ceremony, cooking of traditional foods, storytelling, weaving lessons, hair braiding and *heena* painting. (Interviewee 46).

Regional integration through cultural activities is also feasible due to ease of transportation and proximity of the countries where the majority of Nubians reside, in particular Kenya and Uganda. Such events also play an important part in cultural and heritage preservation, promoting a sense of belonging to one common culture and promoting further cooperation among Nubians in East Africa. A participant shared the following views:

“During my days, we used to attend many *doluka* dances especially during weddings. There was a lot of pride in attending *doluka*, weddings and being smartly dressed in our best *gurbabas* and our hair well plaited in the traditional style! It seemed we (Nubians) no longer cared much about our culture. But am very happy in the recent years, we have the *sabala* night and I have even seen Nubians on TV talking about our food and *doluka* and showing our traditional items like *kuta*, *tagaba*, *birish*, and *gufo*! It is good for people to also know about Nubians. Now we are also known!” (Interviewee 47).

Culture is the result of the history of a group of people. Living in an urban metropolitan capital city with different influences, culture is an important element of identity.

“Cultural identities are realities of African heritage, and may be expected to disappear in urban centers (Oucho,1988), where migration results in the adherence to new cultural practices at the destination area. Nubians have managed to preserve their culture to a certain level through ceremonies, books, artifacts, objects, photographs, art, music and oral literature. Cultural heritage in general is in the food, clothes, the religions and the skills learnt.

The Nubian community prides itself and leans on the collective support accorded to members in times of need, for example, during the demise of a community member, wedding and other ceremonies, fundraising, among others. Members travel within the country and beyond the borders when the need arises. Close family members offer the immediate support as others are mobilized and lend a helping hand. Families of those who have lost one of theirs will not be left alone. There are always community members who will pass by the home, to help in different ways. A widow is accompanied for four months and ten days, which is the mourning period whereby she remains within the homestead and known as *iddah or Iddat* as interpreted in the following verse:

“And those of you who die and leave wives behind them, they (wives) shall wait (as regards their marriage) for four months and ten days” (Holy Quran, al-Baqarah 2, p.234) (Translation in English by Al-Hilali, M and Khan M., 2011).

Unity among the Nubians can contribute to having their voices heard by the Kenya government and institutions dealing with land and other human rights issues. It may be concluded that, unity within the community strengthens their relationship with each other and is an asset which has been utilized in the community’s advantage in being heard on matters of concern to the Nubian community. Further, it can be said that the unity agenda is pursued by Nubians through promotion of their cultural identity which fosters unity among them.

According to the SIT by Tajfel, 1979, within a group there are also sub-divisions. There is also the in-group which is the community as a whole and the out-group, which comprises the other. With regard to the group and the individual, all that an individual is and all that he has, and all that he does reflect the influence of the group upon him, which he identifies with (Freedman et al., 1952).

As much as there is unity among the community members, there is also a perception of disunity, to which participants gave their opinions on what causes disunity among Nubians. Within the Nubian community there has been internal wrangles dating back to colonial times.

The Sudanese Association and the Union of Sudanese were two community organizations which had some rivalry related to who was leading and which clan they belonged to. Clan affiliation was stronger with the previous generations who identified with them and also had allegiance to their clans. Generational differences were manifested for example, during the colonial period, when it was said the older generation, most of whom belonged to the Sudanese Association, preferred to be repatriated back to Sudan while the younger ones mostly members of the Sudanese Union wanted to stay on because they were born in Kenya and it was the only home they knew. It is also said the Sudanese Association supported the government's plan to move Nubians to the Karanja housing scheme in Salama village. This resettlement plan was however opposed by the majority of the community members (File Kibera Survey Report 1944; *Interviewee 48*).

As shown in Table 6.5, more than half the participants (55 percent) were of the opinion that lack of strong leadership was the leading factor in Nubian disunity. A small percentage of less than one (0.6 percent) placed lack of commitment as the 6<sup>th</sup> in order of importance.

**Table 6.5: What Disunites the Nubians**

What disunites the Nubians	Order of importance						Total
	1 <sup>st</sup> (%)	2 <sup>nd</sup> (%)	3 <sup>rd</sup> (%)	4 <sup>th</sup> (%)	5 <sup>th</sup> (%)	6 <sup>th</sup> (%)	
No strong leadership	55.0	28.0	15.1	0.5	0.5	0.9	
No strong support	33.3	39.6	24.9	1.1	0.0	1.1	100.0
Mistrust	23.5	20.1	31.5	4.1	16.1	4.7	100.0
Lack of commitment	15.4	30.3	37.7	13.5	2.5	0.6	100.0
Lack of information on commitment matters	14.6	33.8	38.9	8.9	3.8	0.0	100.0
Lack of strategy	15.4	9.9	27.5	2.2	11.0	34.0	100.0

**Source: Field Work, 2016**

Lack of strategy is an important gap which was mentioned by participants during discussions although chosen by 27.5 percent and 34.0 percent as third and sixth reasons respectively, by order of importance. Participants pointed out that, if the leadership was strong, then there would be strong support, which would bring trust and commitment from the community members. Therefore, without these, strategy would not be as important. In other words, a strong leadership would offer guidance in the development a strategy on how best to move forward on issues of concern to the community.

The same thought about lack of strong leadership was shared by other participants in the qualitative interviews carried out. In the early days, a group of elders known as the *majlis*, from the various villages were in charge of the villages. Among them, was the overall leader, a *luwali*, whose position was equivalent to a chief or administrator of the area. The Nubian Council of Elders (NCE) made decisions and offered guidance to the community on all matters.

However, currently, some participants decried the lack of strong leadership. Similarly, the current leadership of the community is vested in the NCE, whose membership is open to any Nubian aged above forty years (40) (*Interviewee 49*).

However, most of the FGD participants did not have confidence in the NCE. A participant commented,

“We need a strong leader who speaks and we listen, who will unite us and help us move forward as a community” (*Interviewee 50*).

Other causes of disunity identified were (i) lack of strong support to the current leaders or elders and (ii) lack of commitment, especially to community matters where involvement is required. Cited also were lack of information in general and in particular on commitments made and a lack of strategy which meant no proper planning could be made on how to proceed with different issues.

Some of the views shared were as follows:

“We lack strong leadership unlike in the previous years when there was a strong leadership under the late religious leader Sheikh Mamudu (Al-Ustadh Sheikh Mahmoud Suleiman 1930-2011) who had the interests of the community at heart. His demise left a big gap. We don’t know who the elders are or what they do. There is no impact of their work, it feels like they are just dormant, just there, which leaves the community without people to guide us. They should play a more active role. You know, some years ago, the Somali community were considered illiterate and backwards. Now you can see they are everywhere, even here in Kibra they are running businesses, they hold high offices in government and are educated. They are well advanced because they stick together and pull each other, they support each other to succeed.”

According to some views gathered from the FGDs, there was agreement that the sense of belonging to a particular clan caused disunity among Nubians.

However, one member of the NCOE said, the clans were of no great importance currently and posed no threat to the Nubians unity as a community. The elder attributed this to the previous strong clan system and sense of belonging which brought members together. Members who identify with a common clan, also support each other and in the process, they all uplift the community (*Interviewee 51*).

Some Nubian participants mentioned lack of information as a cause of disunity, saying they were not aware of information such as the community was officially recognized as an ethnic community in Kenya in 2005. Most agreed that, important information of concern to the community such as concerning the land in Kibra is not well disseminated, which left them unaware. They also decried the lack of community meetings to discuss and be informed about important issues as it was done during the time of the *Majlis* (village leaders in-charge of Kibra).

An interviewee remarked:

“Now we don’t even know what is happening, no one tells us anything, you hear this and that but you have no idea. Before, the Luwali would organize a gombororo (meeting) and a messenger would pass by the villages, hitting a drum and informing of the meeting. We would all go to a specific place where the meeting would be held and we knew what was happening. The elders often met at the Nyumba Kubwa (big house) or in one of their homes to discuss among themselves. When those wazees (elders) made a decision, that was it, they all agreed before the luwali would make the announcement and we all followed what they said. Sometimes I just hear from people who come to visit me that this or that has happened but I hear different versions. Our wazees should to give us information so that we know how things are!” (*Interviewee 52*).

On the one hand, this shows that previously the community had a strong leadership whose authority was established and respected and decisions were made together which portrayed unity at the leadership level and community. The community at large was also involved and were informed.

On the other hand, lack of a strong leadership can be connected to Nubians not knowing what was going on, or how best to handle different situations of concern to the community. Further, loyalty to clans was both a factor of unity and disunity.

Different opinions pointed to the lack of trust and suspicion among Nubians as shared by one of the participants:

“Nubians don’t trust each other! you know during the campaign period, before the 2017 general elections, community meetings were held for us to strategize and agree on who would be elected. However, it was more of everyone for themselves and as a result, some of the elective seats were lost because several Nubian candidates were up against each other and the votes were split. Nubians would rather give their votes to a non-Nubian who will not help us rather than supporting one of our own who would help us”  
(*Interviewee 53*).

In the explanation given, voting is based on ethnicity where each community counts on its members to support one of their own. This was seen as very important to Nubians who are a minority and consequently, do not have the numbers to match the other candidates unless they consolidated their efforts and voted collectively for their own candidate.

Competition among individuals, families and to a certain extent to the clan level was cited as a cause for disunity. A Nubian would be seen to rather help a non-Nubian than a fellow Nubian. Respondents opined that achievements of others could cause differences among them. This can be explained by the differences in social or financial status or living standards among Nubians. Some participants thought that because Kibra has the largest concentration of Nubians in Kenya, they were more prone to have differences among themselves, compared to Nubians who constitute small numbers and residing outside Kibra, for example, in the outskirts of Nairobi, or in other towns in Kenya such as Meru or Sondu.

These non-residents Kibra were perceived to be more united as they are few in an area where another ethnic community was a majority and they (Nubians) were a minority. For example, Nubians living outside Kibra in a common area where they are a minority, are seen to be more united than those in Kibra. A number of participants in a female FGD thought that expectations also cause disunity. It was expected that if you participate in terms of presence and help either in cash or kind, to those in need, then you will also be helped in turn. This help offered to you was equivalent to your return in investment. Knowledge of this system obliges you to help because you feel that you have to. However, previously, this was not the case, as there was no expectation for example of being compensated for helping; people helped for the sake of helping. However, it can be said that reciprocity was expected in return for assistance or services rendered and it was in different forms, cash or in kind, according to one's capacity. Payment in cash is an economic factor.

Disunity among the Nubians has the potential to create a risk of disregard for the people, even on key issues regarding political representation, marginalization, access to land or land rights and citizenship issues. Perceptions give insights to understanding the interrelations among people. There is a general perception among some Nubians that they are victims of circumstances whereas others opine that some problems are self-inflicted. Nubians perceive a proportion of their own members to have misplaced pride, being jealous, lazy, selfish, discriminative and untrustworthy. These descriptions were supported by examples and the views were agreed upon. Those whose origins are outside Kibra felt discriminated against because those from Kibra have preference for their own, for example, in leadership positions within the community.

Discussions revealed that self-interest was attributed to those who have the capacity to participate in community matters but decline to engage members and keep information for their own benefit at the expense of the larger community which engendered mistrust. Some social groups once formed break up because of mistrust. Within the community there is also classification based on those who may be well off and those who are not, intellectuals and the uneducated, among others. Some women noted that, they felt men had “sat on them” or oppressed them just because they (men) paid dowry! Negligence by Nubians was also cited in such circumstances as applying for birth certificates and registering for the National Hospital Insurance Fund (NHIF) even though the officials come to Kibra to conduct these exercises.

One female participant in an FDG share her views:

“Even though we don’t have our godfathers who are well placed to help us, we are also lazy and proud which doesn’t help. I once asked a young Nubian man if he would like to work and be paid to dig a pit latrine. He simply told me that he could not do such work, it was below him because he was too proud! Yet, we are the same people crying we are unemployed because we choose what we want to do!

The young man I am talking about, and there are many like him, prefer to be jobless than earn money from what they consider menial!!” (Mama Saumu, September 28, 2016, Salama village).

Generally, Nubians also thought of themselves as united and supportive of each other in times of need for example funerals, weddings and extending a helping hand to the less fortunate community members. Among ideas floated in the pursuit of collective benefit and development were setting up a common fund to help community members and to invest in properties such as land for members and mentorship programmes for the youth.

### **6.5.2 Non-Nubians at Kibra**

Nubians have lived with non-Nubians even before they settled in Kibra. Kibra being a melting pot of different ethnic communities in Kenya, the interactions and perceptions of both hosts being Nubians and others through their lived experiences would give a clear picture of their perceptions. FDGs held brought out some common perceptions. Nubians viewed the non-Nubians as good neighbours and generally they co-habit without many major differences. Non-Nubians are a source of income which comes from the rent they pay to Nubian for their rooms. Although their presence has been welcomed to a certain extent, it was also seen as a threat due to their numbers which have rendered Nubians a minority in their own home. The competition for resources such as land made them a threat as Nubians have lost a big acreage of land. Access to land is important and identity plays a major role in how different ethnic groups may own the land or claim certain rights over it.

On one hand, migration-induced changes have had an impact on the Nubian community, on the other hand, the community has also had an influence on the non-Nubian residents in Kibra. The participants mentioned Nubian culinary traditions, whereby some among them know how to prepare some traditional dishes and speak the language.

There are those who have converted to Islam as a result of being among Nubians. Female participants in the FDG were from different ethnic groups and some had one Nubian parent who came from different parts of the country. They all spoke and understood well the Nubian language except one (Yasmin) who said she was not very conversant but understood the basic words. The majority of them converted to Islam from Christianity as they married a Muslim and took names reflecting this change. Others were already Muslims before marrying their Nubian husbands.

Those who had no prior interaction with Nubians cited traditional Nubian food, wedding ceremonies, dressing was respectful, traditional clothes-*gurbaba*, and religion as the main differences with their own cultures when they married into the Nubian community.

Another difference mentioned between Nubians and non-Nubians, was the very short time it took and the simple manner in which a deceased person is laid to rest, wrapped only in white cloth. A participant was of the view that it showed how someone comes into the world is how one goes out of it.

Recounting her experience, a female FGD participant said that:

“I converted to Islam and then I got married. My parents were supportive and said to me where you get married, that’s your religion. My Nubian in-laws welcomed me with gifts and we got along well. My biggest challenge was to cook ten (10) kilograms of pilau (spiced rice) as opposed to two (2) kilograms which was the maximum I had ever cooked! In time I learnt how to prepare their traditional foods. Nubians are proud and are very particular about how they prepare their food. When you are serving guests, you are worried in case they ask whether you served them wood or chapati (or roti, soft flatbread originating from the Indian sub-continent). In fact, one can easily tell if it is cooked by a Nubian or not! I also learnt how to be one of them in terms of behavior, cleanliness and proper upbringing of children. I even speak Nubian with my children. The only thing I hate is the word *labi* which Nubians call non-Nubians! It just puts a barrier reminding you that you are not really one of them one hundred percent. Over the years, I have learnt to ignore it, but it still hurts!! Apart from that, now I have become a *mwenyeji* (literally a local or one of them).

A woman is like a seed, where you plant her, she will grow! I am no longer a *mkamba* (member of the Kamba ethnic community in Kenya). A Muslim is a Muslim, no need to highlight my ethnicity. I am Nubian because of my lifestyle” (*Interviewee 43*).

Responding to how they manage their own families and relatives in-law, they said it is a question of balancing and that their families have accepted their decisions and make efforts to do what is in line with their daughter’s requirement as a Muslim, for example, having animals slaughtered by a Muslim in line with religious requirements.

Opinions from non-Nubian FGDs on Nubians were varied. Some female participants thought Nubian women required high maintenance and they spent a high amount of money, for example, ten thousand shillings (10,000) an equivalent of approximately one hundred US dollars (USD100) to buy *gurbabas* or travel to other towns in Kenya or Uganda for weddings and other events. They suggested the money could be invested in schools, to buy motorcycles, engage in business or even in the construction of a hall so that one does not need to hire outside Kibra. However, others were of the opinion that Nubians were anti-development and disputes among them turn potential investors away.

“We (Nubians) should chang’amka (Swahili word loosely translates to activate or awaken) and do business here in Kibra. Some of us (Nubians) even rent houses outside Kibra, it shouldn’t be the case. We should be in charge of where we live!” (*Interviewee 44*).

This participant considered herself as a Nubian by using the pronoun “WE” which was also the case for some participants. The non-Nubian females have integrated into the Nubian way of life. There was a suggestion of forming a group of the non-Nubian women married to Nubian men. In response, some said they would be setting themselves apart which would be easily recognized. Instead, they should join the existing groups in the community depending on one’s interest. The female participants were well integrated into the community although ethnicity remains an issue more on the Nubian community than non-Nubians in inter-ethnic marriages.

Like the women, the non-Nubian males married to Nubian women were attracted to the Nubian culture and some converted to Islam before meeting their current wives and others when they decided to marry the Nubian women. One participant in particular said he liked *doluka* however he no longer attends the ceremony because, the young people meet and fight at these events. However, unlike the women, they do not speak fluently but understand a little bit.

Some revealed that it was mainly due to lack of time and interest in learning the language, others said it was difficult to learn. One participant said he had two cultures as one of his parents was Kenyan, the other Ugandan. This is in contrast to the women who were more assimilated and had become Nubians. By nature of their role and activities within the home and community at large, they had more interactions with fellow women, integrated better and felt part of the community.

Another challenge as one participant revealed was if you were a man of modest means and married a Nubian woman, you would not be considered as man enough or as able and you would be despised. Further, your Nubian spouse could discuss with her family and you would be in an awkward situation especially if you do not understand the language. The participants perceived Nubians as united in general but, in some aspects such as land, their differences kept them from consensus and developing. One participant, a religious leader, said parents have neglected good upbringing for their children and the community should revert back to adhering to religious guidelines.

One FGD comprised of non-Nubian males living in Kibra who arrived between 1978 and 1995 from their rural homes and migrated in search of jobs, or learning a new skill. Regarding their perceptions of Nubians, the group concurred that they had a good relationship with Nubians. However, one added a condition saying “*all is well if you let them be, you don’t contradict them and you pay rent*”. They agreed among themselves that one had to learn how to live with the Nubians. An issue of contention with some participants was in relation to land. Some thought that they too have a right to Kibra, whereas others recognized that it was Nubian’s land. This context in relation to land is discussed in detail in chapter seven.

Most participants were in agreement that the Nubians were united especially when faced with a collective problem for example, during some unrest witnessed in Kibra after the 2007 elections. Participants said their properties were protected by Nubians from whom they rented rooms. In their opinion, inter-ethnic relations in Kibra was fine and that tensions are mostly brought by politicians.

Non-Nubian women who have lived in Kibra participated in an FGD in Salama village. All of them consider Kibra as home and the earliest arrival was in 1973. Unity among Nubians and their way of life was an attraction to them whereas some thought the community was egotistical. This view was countered by another participant who said it is expected, as they have lost their land, they have to think of themselves as all other communities do. Their relationship with Nubians was generally in good terms. A participant expressed her views which the others agreed to that:

“Nubians live like one big family, even as tenants, we feel like we are a part of them. I when I lost my child, the Nubians supported me very much. We ourselves have intermarried with them and even our children have intermarried. I don’t even know if there is a pure Nubian anymore”  
(Interviewee 45).

They all shared the same feeling when they went upcountry after sometime, they felt the urge to come back home to Kibra.

On inter-ethnic relations, despite some tensions during clashes in Kibra, they had no problems. Often, one could not tell which ethnic community one belongs to, if not for the giveaway accent some of them have. Responding to the question whether they would move from Kibra, participants answered in a chorus “*who? why? where to? no!*” Their responses are linked to all the advantages Kibra offers and their attachment to where they also call home.

Members of different ethnic groups originating from the same rural areas prefer to live in particular localities within Kibra. There is more contact in such places in urban areas between different ethnic community. In such a setting, ethnic identity becomes important and more prominent as they feel secure among their own. Ethnic group members are usually the first contact point when migrants come to urban areas who may eventually settle in the same area in a cluster. The residential layout in Kibra was explained by a participant who said that:

“Lindi, Makina and Kambi Muru is where a majority of Nubians live. Members of the Kikuyu ethnic community are mostly in Katwekera. Luos are concentrated in Gatwikira and Kisumu Ndogo areas while Luhya are in Mashimoni and the Kisii are many in Shilanga. Nonetheless, generally, a representation of the above and other ethnic groups reside in all villages in Kibra, some are landlords, a majority are tenants” (*Interviewee 46*).

Efforts to promote peaceful co-existence of the residents in Kibra include the annual Kibra music festival inaugurated in 2008 whose objective is to promote peaceful cohesion and integration through performing arts.

## **6.6 Conclusion**

This chapter investigated migration, identity and citizenship of Nubians, at Kibra, from their own viewpoints as well as those of non-Nubians residing there. Migration is found to be a common phenomenon in the study area and is largely permanent for those migrating to Kibra. Migrants’ identity formation processes allow them to use different aspects of their identity to their advantage. Formed from different clans, Nubians have a group consciousness as one community. Identity is also linked to area of origin and destination area for migrants in this study.

Factors such as the perception that Nubians were non-indigenous or foreigners, difficulties in acquiring and lack of ID cards had resulted in statelessness, marginalization and a disadvantageous position for Nubians in Kenya.

Thus, we can conclude that although that formal citizenship might not guarantee equal treatment in the case of Nubians, the majority of them felt they were Kenyan citizens. Ethnicity matters and is also linked to citizenship. If the ethnic community is officially recognized as one of Kenya's as in the case of Nubians. There exists a culture of collectivism within the community. However, it depends on specific circumstances. Nubians in general were perceived to be either united or not. Non-Nubian females are more integrated with the Nubian community than males mainly due to their interaction in everyday life in a family or environment. Analysis of inter-ethnic relations revealed residents established a mutual relationship built over many years with Nubians even though there are underlying tensions linked to identity and competition for natural resource particularly land and socio-economic benefits. The research revealed residential clusters based on ethnic groups in the villages in Kibra which is similar to the original settlement. Migrants who live long in a certain space will claim residential identity and attachment to that particular land.

## CHAPTER SEVEN

### ACCESS TO LAND, IDENTITY AND CITIZENSHIP

*“When the missionaries came, the Africans had the land and the missionaries had the Bible. They taught us how to pray with our eyes closed, when we opened them, they had the land and we had the Bible”*

– H.E Jomo Kenyatta, first President of Kenya, 1891-1978 (Monday, 20/08/2018 poster seen in a Public Service Vehicle (PSV), Kenya Bus Service, bus number 7C).

#### 7.1 Introduction

Chapter seven focuses to access of land in Kenya, and in particular, community land. The chapter also highlights regulations on land tenure in Kenya with particular reference to land in Kibra. The discussions are linked to the territorial discourses of indigeneity, autochthony in other words, to be ‘born of the soil’ using the Nubians quest for recognition of Kibra as their homeland and securing tenure of security. Discussions on the link between access to land, identity and citizenship will be presented. The chapter is laid out within the following three main periods: colonial era to independence (1963), post-independence to 2005 when Nubians were officially recognized as an ethnic community in Kenya and from 2005 to 2016 when the fieldwork was undertaken (2016). Within these periods, key approaches by government related to Kibra and the reactions of Nubians in response, will be presented.

#### 7.2 Regulations on Land Tenure during Colonial Era (1902-1963)

The authority to allocate land under the Crown Lands Ordinances of 1902 and 1915 was vested in the governor (representing the crown in the colony), and under him the commissioner of

lands. Under their prerogative, grants of agricultural leases, initially for 99 years and later in the 1915 Ordinance raised to 999 years were made to settlers.

Commercial plots in townships and urban areas were initially allocated through a system of public auction while residential plots within municipalities were assigned through public tender (Nderitu, 2008).

The large tract of land which includes Kibra was previously used by the Maasai, a pastoralist community. The land was taken over by the British colonials in the 1904 Maasai Agreements (Carter 1933: Appendix VIII the Maasai Agreements). Kibra was established in 1902 measuring 4,197 acres and known as Kibera Military Reserve for ex-soldiers demobilized as well as those who were still active in the service then. Each was allocated an area to build a house and to cultivate as shown in the *shamba* pass document. In 1928, the area was handed to the civilian administration and known as Kibera Settlement Scheme, under the District Commissioner (DC) or Chief Native Officer (CNO).

Legal documents pertaining to land include title deeds and leases that are evidence of having land rights or ownership to a particular piece of land. Questions have been raised and the uncertainty over ownership of Kibra land persisted over the years. On one hand, Nubians thought the land was given to them in lieu of pension and that they owned it, while, on the other hand, they were considered tenants at the will of the Crown by the colonial authorities, and would leave upon the death of the last soldier or *askari* in each family.

This difference occurred at a time when land tenure, administrative systems and economy were changing in ways that would influence belonging in Kenya based on indigeneity and autochthony (Lonsdale, 1994, Mamdani, 1996). Administration of Africans was based on segregation by ethnicity in homogenous native reserves (Mamdani, 1996). Governance was through indirect rule of the British Empire, administered by chiefs (Balaton-Chrimes, 2015).

During the pre-independence period, land occupation in Kibra was under strict control. Only those who had been allocated plot numbers by the British colonial administration, a majority of them being ex-Sudanese soldiers and their descendants, were allowed ownership and use of the land. The original owners who were allocated land in Kibra, had their names written against the plot numbers on the plan of Kibra Land Survey and Allocation drawn in 1934.

This plan was referred to as “Location Survey of Buildings and Shambas at Kibira 1934”. Nubians expected that they would be issued with formal legal titles for the land based on the strength of the plot allocations (CROF-OK, 2012).

The administrators harassed residents and stopped them from building houses, yet it was not culturally accepted to be under one roof or house with one’s grown up children. Their accommodation was provided as an extension of the main house or as an independent unit within the *boma* (homestead). Repressive, oppressive and discriminative rules were formulated, for example, prohibiting the repairing of existing huts or houses. The authorities used the brewing of Nubian gin as a pretext to prosecute residents. According to the Carter Commission Report (1933), the official recognition of Kibra land was:

“The report of the reserve at Kibera-the area known as Kibera is L.O. 1702 surveyed in 1917, as a military reserved and gazetted as such in 1918. Originally assigned to KAR in 1904, though not gazetted till many years later. Nothing in the gazette showed why such a large area was required, but it is common knowledge that one of the objects was to provide a home for Sudanese ex-askaris (soldiers)” (Carter, 1933, p.170-1).

Upon leaving active service, the ex-soldiers were given a discharge certificate with details of the name, rank, cause of discharge, qualifications as a soldier and war services. This certificate entitled each one to a piece of *shamba* or land in Kibra.

The Nubians did not receive pension for their service and instead had other advantages. For example, they were exempted from paying hut tax for one hut for life. They assumed that Kibra was given to them as their pension. Giving land to ex-soldiers was a common practice in Sudan and Uganda (Johan, 2011). This was also echoed by the district Commissioner (DC) in a letter to Commissioner for Local Government, Land and Settlement (CLGLS) dated October 15, 1930. which stated:

“Provision of free land out of which a living can be made by those long-service Nubians who should, I think, undoubtedly be so provided for as a form of pension, for which there is no other provision.” (File PC/CP.9/15/3).

Another letter dated August 22, 1939 from the acting Chief Secretary to the Union of Sudanese, informed them that they have already been granted holdings at Kibra, after discharge from the military forces in lieu of repatriation expenses (to Sudan) (File MAA/2/1/3 ii). However, the question of the ownership of Kibra remained vague and was understood and interpreted differently by various parties as shown in the following correspondences: In his letter dated August 10, 1931, the Commissioner LGLS regarding settlement for natives, Nubian residents of Kibra, he wrote that:

“I confirm that the land at Kibira was not granted to these ex-soldiers in lieu of pension but permission was given to them to live there until such a time the land was required for other purposes, when other arrangements would be made for them by the government. That, subject to this, it is proposed not to disturb their occupation of the land for themselves or their children.”

Another correspondence dated December 24, 1931 from the DC Nairobi informed the Provincial Commissioner (PC) Nyeri of the opinion of the Crown counselor Mr. Davies:

“...that Nubians are tenants at the will of the crown and the tenancy is terminable by the Hon. Commissioner for lands anytime.”

However, the policy adapted was not to turn them off until such a time when the land is required for other purposes (Letter from Commissioner LGLS, August 10, 1931 File MAA 2/3 Policy).

The issue of the future of Kibra was an important subject.

Kibra had grown over the years to host many people from different ethnic communities and the authorities were keen on controlling the area. The then Commissioner of Police informed the Commissioner of Local Government that, the settlement for de-tribalized and de-ruralized natives, had a negative influence on Nairobi. This was primarily because of its proximity, the vast area it occupied and the terrain made it impossible to control efficiently. It was also a source of illicit gin brewing despite police raids. The huge area rendered police action ineffective. He described the younger generation of Nubians as a “bad type of native” (File PC/CP.9/15/3, letter dated June 5, 1931 addressed to the Commissioner, Local Government).

The then Colonial Secretary, Mr. C. G. Usher, wrote to the officer commanding the 3<sup>rd</sup> KAR Nairobi, advising that the policy to be followed is one of gradual elimination of the KAR *Shamba* settlement on the following lines: a) no further grants should be made to discharged soldiers within the Nairobi township. (b) natives recruited should be repatriated to their reserves or territories upon discharge.

(c) when a plot becomes vacant, no reallocation be made, and permission to reside thereafter is entirely at the discretion of the Officer Commanding 3<sup>rd</sup> KAR. Continued occupation would not be ordinarily permitted. The question of settlement of Sudanese upon discharge was yet to be discussed (Letter dated March 27, 1928, File VQ1/10/136).

Further, the administration advised that the Nubian community should not be allowed to look to the KAR reserve as their permanent home (File RN/7/19, letter dated May 5, 1931).

A joint committee was later formed comprising of the chairmen of town planning, public health, native affairs and works committee, the town clerk and deputy Mayor as ex-officio members to formulate a scheme on the future of Kibra (letter from Town Clerk to Mayor dated July 24, 1945 File VQ1/10/136).

As their residence and land ownership in Kibra became questioned and unsure of their future, some older Nubians demanded to be repatriated back to Sudan, and this would have been a permanent solution to the problem. The administration doubted if many could find their homes in the Sudan or be welcomed as they had severed relations with their place of origin. Another issue not favoring their return to Sudan was that due to inter-ethnic marriages with the locals in Kenya, many of the second-generation descendants of Nubians, were not 'pure' Sudanese but the offspring of mixed marriages with *Kavirondos* (members of Kisii, Luo and Luhya ethnic communities). It was important to keep the Nubians together and therefore decisions concerning Kibra had to be well thought out. A letter dated September 30, 1948, on the subject of settlement of Sudanese in Maasai reserve, from La Fontaine to the Chief Secretary and Chief Native Commissioner read in part:

“In this time of international crisis (post WWII) we must remind ourselves of the wisdom of keeping a loyal tribe, with soldierly traditions, loyal to our cause by just and even generous treatment especially when the action proposed is in keeping with the recommendations of the land commission” (File VQ1/10/139, File Land for Detribalized Natives Kibira 1948-1953).

In a letter dated December 24, 1931, from Nairobi DC to the PC, the view of the Land Commission was that:

“...the legal position of the occupants of Kibira appears to be that they are tenants at the will of the crown, and the tenancy is liable to termination by the commissioner of land at any time. On the other hand, we cannot agree that they have no rights in equity. We consider that the government had a clear duty to these ex-askaris either to repatriate them or find accommodation for them.

They were told they might make their homes at Kibira and in our judgment, they ought not to be moved without receiving suitable land elsewhere and compensation for disturbance, and we consider a similar obligation exists in respect of their widows, or sons who are already house holders at Kibira.” (File VQ1/10/139).

Among the policies the government formulated to implement development in Kibra was resettlement of Nubians, which was discussed on several occasions. A meeting held on October 18, 1950 at the Secretariat, discussed the move of the Sudanese from Kibra and the Sudanese were to be given three alternatives and a limit by which time their houses at Kibera will be demolished. The options were to: (i) take compensation and go to Kibiko (on the outskirts of Nairobi), (ii) take compensation and move into new Kibera and, (iii) take compensation and make own arrangements (File PC/CP.9/15/5).

Nubians were also not keen to be displaced far from the city which offered opportunities such as work for earning a living. In 1930, the administration asked Nubians to leave Kibra and resettle approximately 16 kilometers away in Mbagathi, which they declined. Nubians were again asked to relocate to Thika town, approximately 40 kilometers north of Nairobi. Other areas were proposed for resettlement but Nubians were opposed, and cited they were not within suitable reach, not suitable for agriculture, therefore, they would be deprived the pursuit of agriculture which was their main livelihood activity in Kibra since settlement.

The Nubians used their status as once foreigners to negotiate and deal with the colonial administration to keep their control over Kibra land. As the British brought them to Kenya to help them establish colonies in East Africa, Nubians felt the British had an obligation towards them and especially concerning Kibra land as their home land.

This strategy was successful despite several attempts to relocate them. Plans of resettlement were impractical and the policy was not pursued further. They also did not want to leave the place where they had become attached to and have known as their home.

The Sudanese Association comprising of older men, stated they were not yet “sufficiently educated to understand fully the meaning of freedom of choice, and as old soldiers preferred to be given an order” while the younger members of the Sudanese Union were against any removal from Kibra (File RN/7/19). There was no clear response regarding ownership of Kibra by the ex-soldiers as contradictory statements were issued over the years; and this was a key reason why the land question was not settled since they first started settling on the land in the early 1900s. Generation after generation of Nubians have known Kibra as their only homeland. Some participants in the FGD admitted they did not know the boundaries and acreage of Kibra. A social welfare advisor, Mr. Charles R. Phillip visited the settlement and wrote his observations to the Accountant General at the treasury. He stated that the settlement was originally established in 1904 for the reception of Sudanese *ex-askaris* of the KAR and their dependants. Plots were granted rent-free and was understood that right to stay could not be claimed by anyone except the man or his dependants and permits should not extend to adult sons and married daughters (Letter dated January 17, 1947, File RN/7/19).

Another policy the government tried to implement was to introduce a Bill in the legislative council in 1945, designed to amend the Crown Land Ordinance, whereby the government did not recognize the ex-soldiers freehold rights to land in Kibra (CRF-OK, 2012). In the post-Second World War period, in 1948, the government further developed different policies on development in Kibra, whereby it would be divided into two categories: a model African village to accommodate Nubians and others. The second model would be a temporary settlement to include land outside the village occupied by Nubians.

This meant some Nubians risked to lose their land for the proposed housing development which would be managed by the municipal council. Another policy by the government was a new compulsory housing scheme on tenant-purchase which was to be constructed on remaining land measuring 1,150 acres out of the original 4,197.9 acres. A Nubian man, Mr. Omar bin Ali, a resident in Kibra was quoted by the editor of East African Standard, Mr G. Kinnear in a letter dated April 30, 1948 to the Chief Native Officer, regarding removal of the Sudanese from Kibra. Queries were made about new settlement land, housing and the government using force to build houses in Kibera without their consent. Mr. Ali stated that:

“Kibera area was granted to the Soudanese by the government for our permanent settlement for as long as we remain in this country in substitution of our motherland which we had lost in the Sudan many years ago for the sake of the British government. We could not have lost our motherland if the British government had not brought us here” (*Interviewee 38*).

Further he said they (Sudanese) would not occupy houses being built by the government or railways company and finally stated that “Kibera is in our blood” (File BW1/16/3-MAA 8/117: Kibera 1947-48, Final Report of Colonel (Col.) La Fontaine). The Carter Land Commission Report 1933 section 598 to 608 recommended that, lawful house holders of Kibera be allowed to remain there rent free for the rest of their lives, houses destroyed on the death of house holder, or his wife/wives. Government had the right to move them and suggested terms on which it could be done fairly. Kibra could not be allowed to continue as suggested in the land report because of the steady growth of Nairobi.

The problem would not be solved soon, because even after the death of the original land holders, a second generation would come after them (File BW1/16/3 (MAA 8/117, Kibera

1947-48 Final report of Col. La Fontaine). For fear of losing the land in Kibra, and in response to the different government policies and plans, Nubians' response was passive in general. Several letters were written both by individuals and through their representatives, which detailed their position with explanations. Letters and Memoranda were addressed to the British government in the United Kingdom, the colonial government in Kenya, the municipal council administration and other concerned offices. Meetings were also held through a dialogue-based approach.

Grievances presented included failure by government to introduce land demarcation measures allocating agricultural land to individual Nubian owners, government dispossessing them and rendering them landless, and they were against being put into very closely built houses. The two main issues that the Nubians wanted addressed were: protection of Kibra land and compensation of land already appropriated for various uses (CRF-OK, 2012; *Interviewee 20*). However, despite the Nubian's efforts, they could not hold on to the vast Kibra land or stop it from being used for other purposes. Nubians could also not stop the influx of outsiders into Kibra who were supported by the local authorities, and the large-scale construction of rental rooms. As a result, they lost control over large parts of Kibra. (File RN/7/19 KNA, Kibera location, Carter Commission Land Report, 1933).

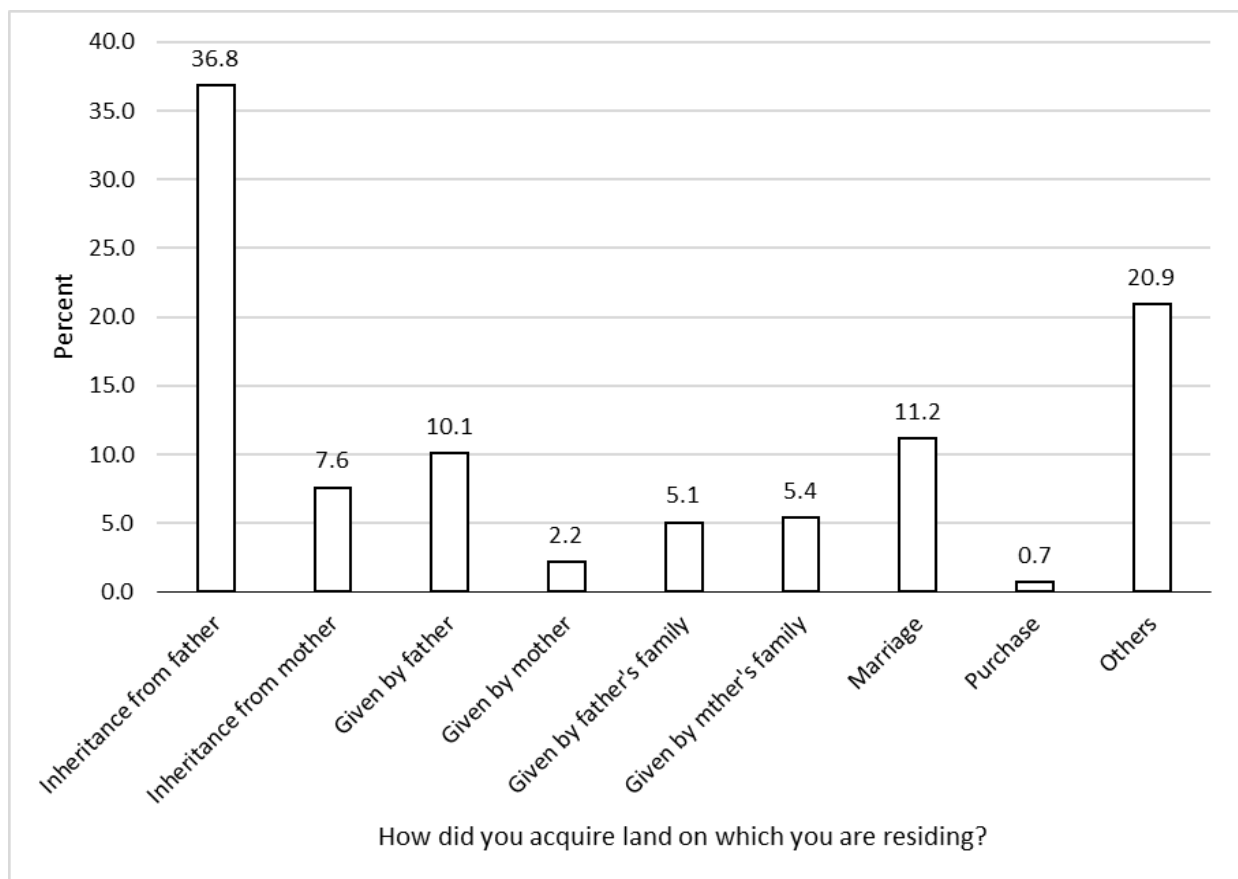
### **7.2.1 Land Acquisition among Nubians in Kibra (Post-Independence to 2016)**

There are two main land tenure systems in Kenya: Freehold which gives the owner absolute ownership of land for life. It is also known as fee simple or absolute proprietorship.

Leasehold system is limited to a certain period (99 years), subject to payment of a fee or rent to the grantor (National Land Commission (2019). Kibra was classified as government land, and therefore no other ownership was officially granted.

Respondents acquired land in Kibra through different means which are discussed in this section. As earlier indicated in chapters 4 and 5, about nine out of every ten of the participants in this study were born in Kibra. In response to how they acquired the land they live on in Kibra, the results showed that 44.4 percent got the land from parents as inheritance, 36.8 percent from their fathers and 7.6 percent from their mothers. A percentage of 12.3 got the land as a gift from various people. fathers (10.1 percent) and mothers (2.2 percent) or from their paternal or maternal families representing 5.1 percent and 5.4 percent respectively. The rest acquired it from marriage and other means (Figure 7.1).

**Figure 7.1: Sources of Land Acquired by Households**



**Source: Field Work, 2016**

Only 2 respondents, equivalent to 0.7 percent, said they bought the land where they live in Kibra. These were Nubians who had no family land in Kibra and came from outside Kibra,

from other towns in Kenya or the neighbouring country, Uganda. As Nubians consider that Kibra is their ancestral land and homeland in Kenya, most of them who live in other parts of Kenya have at least one or more relatives in Kibra and in this way, are also linked to Kibra. Having settled in Kibra from the early 1900s, successive generations have had their family members born, raised and laid to rest in Kibra. Nubians identify with the word Kibra in different ways and what it means to them varies. Table 7.1 shows what Kibra means to respondents. Two hundred and eight (208) out of two hundred and seventy-nine (279), that is 74.6 percent of the respondents said Kibra meant home to them.

A total of (twelve) 12 respondents (3.9 percent) said Kibra meant ancestral land and, for (eleven) 11 (3.9 percent) and nine (9) respondents (3.2 percent) respondents, Kibra meant heritage and identity respectively. As the results show, Kibra is home and for the majority, (74.6 percent) it is the only home they have known and have an attachment to the land. Attachment to land can be linked to culture or history as is the case with the Nubians.

**Table 7.1: What Kibra Means to the Respondents**

<b>What Kibra means to respondents</b>	<b>N</b>	<b>%</b>
Home	208	74.6
Forest	13	4.7
Ancestral land	12	4.3
Heritage	11	3.9
Identity	9	3.2
Others	26	9.3
<b>Total</b>	<b>279</b>	<b>100.0</b>

**Source: Field Work, November 2016**

The FGD discussions revealed similar thoughts regarding Kibra. Some said it was home, motherland, homeland, as well as heritage. An elderly grandfather, Mzee Omar, 98 years from Lindi village declared:

“Asma, kede ana kelem neita. Ana gen ini min weledana, ana marfu be taan u ana meindis bakan taan al anaagder gen, Kibra baara. Anas tai ma sabana tai fini. Kan ana rua bara ta Kibra, ana giarja. Anas tai ma anas wadin dofun umo ini. Kibra bei tai” (*Interviewee 4*).

Translated from Nubian:

“Listen, let me tell you. I have been here since I was born and I know no other home and I have no other place I can stay except Kibra. My family and friends are here.

Even when I go to visit out of Kibra, I still come back here. My parents and many others are resting here. Kibra is my home” (*Interviewee 4*).

### **7.3 Loss of Land in Kibra**

Some causes of land problems can be traced back to the independence constitution of 1963 which had no special provisions to protect the rights of the minorities. According to the Kenya Constitution of 1963 section 205, all land belonging to the former British Crown (Crown lands) was transferred to the President of Kenya, on behalf of the government. This led to some ethnic communities such as Nubians and Ogiek, being rendered squatters in what they thought was their land and home (Kimaiyo, 2004). Land has been and is still one of the most volatile and controversial issues in Kenya, which has been at the very core of most socio-economic and political conflicts in the country (Nderitu, 2008).

Successful land management is founded on rightful ownership, which means being in possession of legal documentation.

A title deed confers ownership of land, allowing the owners to decide on land use and maximize the potential. Legal documentation offers the bearer security over a particular piece of land.

Historical and cultural reasons influence the slow rate of titling. Land ownership was at the core of the fight for political independence whereby white settlers and colonial administration appropriated themselves land and dispossessed locals. The battle for independence was also to reclaim the land. Return of land to the local population was among the key points of negotiation for independence. However, after independence, some top politicians allocated themselves land.

“The land question for this country is one that has touched all communities and therefore is one that has to be dealt with, decisively and properly”  
Constitution of Kenya Review Commission (CKRC, 2003).

The Cultural factor in land management was important in cases whereby land was considered as a communal heritage, for example by pastoralist communities, that could not be subdivided and registered in individuals' names. Land as a whole belonged to the community. Other reasons attributed to the slow rate of documentation of land are corruption, poor record keeping and difficult administrative structures (*Interviewee 20*).

FGD participants gave explanations and reasons why a huge part of Kibra land was lost. The main reason given was lack of legal documentation and legislation to protect land especially for Nubians who were vulnerable, a minority and marginalized community. The *shamba* pass document possessed by the Nubians for the land in Kibra was not taken into consideration in their claim for Kibra.

“The government has not been clear on legislation and ownership. People used to come to the chief and they all used the land to enrich themselves. Everybody who can give money, gets land.

I wouldn't want to give a chief money because this Kibra is not his to sell or give out, he did not come with it, he found it here. The government has also been playing politics with Kibra land issue” (*Interviewee 55*).

Politics was also mentioned regarding loss of land. Nubians as well as non-Nubians lost property including land in Kibra as noted by a participant in an FGD:

“This land issue has been used to align political ambitions and get a political base and secure land for their people (non-Nubians) to settle in Kibra. We Nubians, we didn’t follow this closely and we also lost our land. During the post-election violence in 2007, we lost land and some property in areas where Nubians were few and other Nubians opted to sell. Residents were displaced mostly in Kianda and Katwekera areas. Previously, Nubians and later Kikuyus were the majority, they owned land but in the exterior of Kibra like in Ayany 42 and Kianda. I met an old Kikuyu lady who speaks Nubian fluently and knew our grandparents and laments how they were thrown out of their homes. She was crying saying she saw people die from shock and depression” (Interviewee 56).

Through the years, large areas were carved off Kibra for public utilities such as educational institutions, railway station area, residential estates, agricultural showground, churches and sports fields. Participants mentioned that government policy also encouraged people to settle in Kibra and government officials played a key role in the loss of land. During the interviews and discussions, some Nubian participants blamed fellow Nubians and some non-Nubians for the loss of land. They stated in particular one chief Kamau, who was the area chief and was instrumental in the loss of land in Kibra through corruption, using force and intimidation. As one participant said:

“Kibra became a land for the landless, given out by the local chief.” (Bashir, November 26, 2016, Makina village).

Loss of land was also attributed to Nubians who bought into the idea of *jenga yako jenga yangu* a phrase in Kiswahili language meaning “*build yours, build mine*”.

Its implementation involved those people (mostly non-Nubians) who were able financially, getting into an arrangement whereby they financed the construction of rooms on the Nubian’s land. Nubians were given a number of rooms agreed upon in exchange for the land.

Through this system, more non-Nubians owned rental rooms and became land lords and land ladies in Kibra. Some participants blamed this situation on Nubians being more interested about financial gain and in so doing, they lost their land in Kibra. One participant declared:

“I think money was why we got involved with this jenga yako, jenga yangu. By the time we realized, our mistake, what was remaining of Kibra was not ours anymore. We are the biggest losers, we sold our home. It would have been better to do jenga yako, jenga yangu among ourselves” (*Interviewee 54*).

*Jenga yako, jenga yangu* was a reaction by Nubians to safeguard the few open spaces they still had. Previous loss of land was not compensated and this system guaranteed those who engaged in it some income from his/her share of rental rooms as well as being the owner of the portion of land on which they were constructed. In this case, both the financier and the one providing the land stood to benefit. This system served both as a cause for loss of land as well as being one way of protecting the land.

Some Nubians also sold parts of their land which also contributed to the loss of land in Kibra. A participant noted that once the land was sold, it was lost. The money would be finished, the land would still be there but owned by someone. Further, even if one wanted to buy it back, they could not afford to, because there was also a possibility that it could be developed and would cost much more than the original price. The new owner would also not be willing to sell (*Interviewee 57*).

Another opinion stated that the elders then, did not take the issue of land seriously which led to its loss. Hussein, a male participant of 50 years agreed that:

“Our wazees (elders) were partly to blame. There was some confidence in our grandfathers that land was like a birthright. They didn’t really read the signs of time. The fight for independence in Kenya was also a fight for land

taken away from Kenyans, so that it could be secured. They didn't have it in mind that, fighting meant, taking ownership and we lost grip of what was ours, Kibra land" (*Interviewee 57*).

Land in Kibra was also lost by forcefully evicting the owners and thereafter taking over their land. This was a common practice used by the administration.

The term forced eviction as defined in general comment No. 7 of the Committee on Economic Social and Cultural Rights, is "The permanent or temporary removal of individuals, families and/or communities against their will from the homes/or land that they occupy, without the provision of, and access to appropriate forms of legal or other protection" (COHRE, 2009:13).

These evictions further led to their marginalization as a community. A common pattern was established in subsequent eviction as follows: eviction and demolition of houses, pilot housing construction undertaken on part of the land, and the rest left undeveloped. On completion, bids for houses were open and allocated without specific consideration for evicted Nubian plot owners. Those evicted searched for accommodation in other unaffected villages among family and friends. While complaints to government were largely ignored, after a number of years, the process would start again following the same pattern. Forced migration or involuntary displacement are seen by many as regrettable but necessary cost of development.

One of the interviewees Abdalla, a Nubian Male, aged 54 years, narrated his experience based on his family's eviction during a life history interview held on December 8, 2016, in Lindi village. This is his story:

Abdalla's grandparents lived in Lang'ata village and were among the pioneer Nubian settlers. He said his grandfather was like a king of the area, his grandmother used to brew the Nubian gin and passed on the skill to her daughters.

The land was big and all his grand-parents' children and their children, were accommodated on their own space on the family land. They were born and raised in Lang'ata, which he described as home and at the same time *ushago* (rural home). His family lived comfortably, in a clean environment with orchards where many different fruit trees grew, they cultivated crops and kept livestock, mainly cattle.

As far as he could remember, the first signs of eviction started around 1973, he was 11 years old. The prisons department took over a large portion of their land and converted it to their farm. Over time, other people who had money bought parcels of land which was taken from the family's land. These transactions were facilitated by the local administration who intimidated his family. He regrets that at that time, the other people knew the value of their land, but unfortunately, his family did not. They were left with approximately 10.5 acres of land and his uncle 8 acres. In 1978, some Nubian families were evicted and came to live on part of their family land.

In March 1979, Chief Kamau led the administration in evicting them after a seven days' notice to vacate. He regretted that most of his extended family members had already moved out to avoid being forcefully evicted as had happened with other Nubians. His immediate family was left alone and said they had no power against the administration. They were the last ones to leave and were forced out. Other areas of their land were occupied by squatters.

Abdalla said his father went to Lindi village and told his predicament and a Nubian elder who had a large *shamba* allowed them to settle. The area they were given was full of sisal plants which they had to clear. They made several trips from Langa'ta to Lindi carrying their belongings. They removed materials used to construct their house in order to reconstruct another house in Lindi village. Abdalla vividly remembers he carried on his head, one piece of iron sheet which was removed from the roof.

In the process of moving out, some of their belongings were stolen, others damaged, others were left in their former compound. They were assisted by other Nubians who gave them materials to construct their house and came to assist them, others gave them some money, food and clothes. Other families had not found a place to resettle and Abdalla said he was asked by a female administrator to write their names and some then were allocated areas to resettle. He said there was tension among the different families mainly because of boundaries' especially after those who were evicted settled in other villages.

Later, Abdalla and some of his relatives tried to follow up on the land issue but, it was too late. They were locked up in jail several times to intimidate and frustrate them so that they leave the matter alone. He remembers that whoever they approached for assistance also wanted to be "remembered" if they succeeded in their quest to get their land back or were compensated.

To be "remembered" meant the person expected to be given something and benefit in exchange for his assistance. As at when the interview was done, there was a case they filed against those who had illegally acquired their land. The case was filed in 1999 and is still ongoing, 17 years later. The grandchildren, who are the third generation, to which he belongs, are the ones who pursue the land case. He explained that they used the *shamba* pass document which was given to the ex-soldiers (his grandfather) as authorization to settle on Kibra land. He added that his grandparents were also buried on that land which further goes to prove their claim of ownership.

Abdalla stated that the eviction and prolonged court case has affected his family and himself. They were traumatized, especially his grandparents, his parents and the elderly, some of whom did not live long after. They were reduced to beggars and died in poverty. He explained that their lives changed completely. They had everything and lost a lot to only remain with the very minimum and they were depressed. They had to start all over again.

He revealed that sometimes when he closes his eyes, he sees his home in Lang'ata as it was, the animals and the farm. They had a good life and all his needs were catered for then. Occasionally, when he walks across to visit that area, his memories overwhelm him. There are certain areas which cannot be accessed and he feels as if he was trespasser, even though it is his family land and part of his heritage. He said those memories will never go out of his mind and he suffered from stress related to that eviction.

In response to what he would do should the court rule in their favour, Abdalla said he planned to invest in buying land elsewhere or in a project which will generate income for him but more importantly to cater for his children's future. He would also like to construct even a small house, or have a piece of land where his children will know that was their ancestral home. Would he move out of Kibra and live elsewhere? He responded it would be difficult to move out. Kibra was home, most of what he needed was available and the city centre was nearby. He also explained he had responsibilities which required his attention such as managing his rental rooms which are his main source of income. However, he would consider moving out to raise his children in a better environment and to expose them to other experiences which would open their minds. Kibra, he said, was not what it was when he was growing up. He says many migrants (non-Nubians) are involved in vices for example drug abuse, alcohol intake and theft, and have impacted negatively on the Nubian children. Abdalla pointed out that when he was young, Nubians were the majority in Kibra but became the minority.

On a light note, he admitted that together with his fellow Nubian age mates, they were also involved in delinquency but, they reformed as a result of their parents' strictness and religious teachings which guided them. Abdalla says, he is not alone in feeling the pain of what happened. He occasionally meets with his peers who also lived in Lang'ata as well as other

villages in Kibra who suffered the same fate and those who did not. When they meet, they relive the memories which elicit different feelings to date.

Nubians and other residents of Kibra have lived with the threat of forceful removal, demolition or resettlement. After independence, the government declared Kibra as government land, rendering all residents, including Nubians, squatters. Several evictions were forcefully carried out without compensation. Among the Lomle residents who were evicted, compensation would be given to those whose relatives' graves could be identified as proof (CRF-OK, 2012, File KY/12/3, Kibera Site and Service Scheme no.1). Nubians in Lang'ata lost their land and property, and most of them were accommodated in Lindi village where there was space available.

From the lived experiences of forced eviction, it can be seen that those evicted are rarely consulted or fairly compensated. Consequently, they are left homeless and impoverished, having lost their belongings, assets, important documentation sources of livelihood, social support networks among others. as a result, they are driven deeper into poverty and exposed to greater vulnerability such as violence among others.

Forced eviction is among the common human rights violations, often accompanied by violence. Kibra has experienced several evictions as a result of development projects, social and political conflicts as experienced in 1995 and during the PEV in 2007-2008. Through the years, residents and particularly Nubians, have lived in fear of impending evictions some of which have occurred. This was due to lack of requisite land documentation which meant they did not have tenure of security. Further, authorities did not follow proper procedures before eviction and lack of government support for the poor. Most residents in Kibra abstained from making improvements in their homes as they faced an uncertain future. The threat of evictions and the actual evictions, consist of barriers to human development (COHRE, 2009).

### 7.3.1 Modern Housing and Permanency

Several modern housing development projects were responsible for the loss of many acres in Kibra. Planning for these projects started before independence and were initiated and completed in the post-independence era.

Several estates were built on Kibra land as well as in other parts of the city to cater for the growing needs of residents. The proposition to develop a model extramural village on Kibra land was discussed in 1942 at the municipal level (File RN/7/19 Kibera Location, letter dated February 5, 1945 from Municipal Council Native Affairs Officer (MCNAO) office, Nairobi to town planning committee. ref. item 9). “Very suitable area of land on L.O 1702” between Kibera and Lang’ata road was being considered for such project. They were however cautious that:

“... any proposals for the utilization of this land would have to be made with the utmost caution and discretion because the land is individually owned and its owners (the Sudanese) are land-conscious in the extreme”  
(File RN/7/19 Kibera Location).

The land in question was protected by very strong sanctions in the Native Lands Trust Ordinance. It was considered that the future of this area lies in its development. The native population was at fault for putting pressure on the land, for denuding the land, for the uneconomic and unscientific use of the land, forest and water. They were also blamed for the destructive use of river beds by man and beast and increasing drawing off water from the rivers. Therefore, it was urgent to find “sustenance and prosperity” for a rapidly increasing population.

The first suggestions of Kibra becoming a permanent residence was in 1945. It was suggested that an area of land south of Kibra be divided into plots and properly laid down in a town plan. This area would be brought under the Municipal Council (MC) and serviced with roads, water supply, refuse removal among others.

Permanent houses whose designs would be approved, could be built by the MC and either leased to lawful residents in Kibra, their sons and other Africans who qualified or sold on terms to occupants. Conditions would be laid down to prevent sub-letting, keeping of livestock or misuse. Cultivation would be restricted to small gardens or to allotments. The Kibera development plan for residential units. A map registered as DRG. No. 86/64/1 and Kibera No.3 dated December 2, 1964 showed a map of Kibera having a preliminary sketch lay for residential units (File RN 7/3, File State). These conditions did not favour the Nubians, who farmed and kept livestock on the land.

The years between 1963 to 2004 were characterized by evictions and construction of housing estates on Kibra land. Among the estates were Jamhuri estate (1968) on Sarang'ombe village land, Ngei, Onyonka and Otiende estates (1968-1979).

Others were Southlands, Ngei, Onyonka, Civil Servants, Rubia, Dam estates, and National Housing Corporation estates being the most recent developments which occupied Lang'ata Nubian village, Salama and Fort Jesus, Woodley estates (1963-1971) on part of Toi village, Olympic village (1968) constructed on Galalima village land and remaining land used for construction of AIC church between 1987-1988, Ayany estate (1977-1980) in part of Lomle village. Moi girls high school was extended into part of Kambi Lendu village after forceful eviction of villagers. Highrise estate (1988) was built within Laini Shaba village. The Slum Upgrading Project Commissioned in 2004 saw residents, relocated to a decanting site as the construction was undertaken.

Land left undeveloped in the vicinity of the estates were occupied by squatters. In general, these developments were of little or no benefit to Nubians, and were carried out at the expense of the majority of Nubians who were rendered landless and homeless.

**Plate 7. 1: Langata viewed from Lindi Village, Kibra**



**Fieldwork 2016. Picture by author. November 23, 2016, Lindi village**

Allocation of houses was also compromised as influential people sought to manipulate the process in their own favor or in favor of their acquaintances. Most Nubians did not benefit from the housing projects as they had limited access to estate housing. Some cases involving the allocations was whereby a Member of Parliament (M.P) requested for council housing arguing that his children go to Kibera school (File RN 7/3, June 26, 1964 Galgall Godana, M.P).

This demonstrates that those who could influence the allocation based on their status manifested their interest in acquiring a house.

This trend put Nubians at a disadvantage. Another example concerns the then Lang'ata Member of Parliament Hon. Mwangi Mathai, who wrote a letter to the General Manager of National Housing Corporation expressing his wish to be involved in the projects in his area (Kibra). The projects bore a great social impact on the people he represented and he also wanted to be involved in the allocation of the houses (Letter dated August 3, 1977. File Kibera Site and Service Scheme No.1 Ref. KY/12/3 Ministry of Housing). Former residents of Lomle village who were evicted expressed their disappointment, citing only thirty-five (35) out of eighty (80) former residents were allocated one-room houses and allowed to add two more rooms. Out of 520 newly constructed houses, non-Kibra residents were allocated four hundred and eighty-five (485) houses, in the Kibra Development Housing Scheme in Ayany Estate (File KY/12/3, Kibera Site and Service Scheme no.1). February 13, 1979 letter from Ahmed Fadlala to Hon. Oloiptip, Minister of Home Affairs).

This illustrates there was some interference in the projects especially in the allocation of houses which put at risk those who were meant to benefit initially. Cases of interferences resulted in some Nubians not benefitting from the allocations and having lost their land. This also validates Nubians opinion that the majority did not benefit from the housing projects as expected (Table 7.3 Opinions about slum upgrading project by the national government).

### **7.3.2 Strategies to Protect Land in Kibra**

Initial reactions by Nubians against government policies which led to loss of land were passive and did not yielded the desired results. As no title or legal ownership of Kibra by Nubians was

available, it was land which was “up for grabs” for all who could afford to acquire land through the chief or other means who took advantage of the situation. Land in Kibra was becoming scarce and there was competition for it.

Nubians sought to protect the remaining portion of land in Kibra collectively through their elected representatives, civil and human rights societies, legal representation and peaceful demonstration.

At the individual level, different strategies were used. The land issue caused division among the Nubians with different groups having their own view on the matter. A reporter stated that:

“The battle has been that of youth versus the aged; of pushing demanding ambition versus conservative moderation and experience” .....” On their part, the Nubian elders said “The future of Kibera is a matter which concerns the Sudanese, who are entitled to live here” (The Sunday Post August 24, 1958, p.15).

A situation similar to the above case of generational differences of opinion on land matters in Kibra was noted similar to the above mentioned. In an attempt to resolve the land issue, a task force was formed which comprised representatives of the various groups involved with land issues within the Nubian community. The Task Force on Nubian Land engaged in negotiations with the government. An interviewee who was involved in the negotiations for land in Kibra made a comparison saying that the differences which were witnessed during the negotiations were related to different generations. He noted that whereas the elders were pushing for accepting the 288 acres of land being offered, the younger members of the community were pushing for the original 4,197.9 acres or compensation. In his view, as he remarked, “...it was a matter of a bird in hand is worth two in the bush.” It was better for Nubians to accept what was offered and thereafter seek compensation, rather than demand what was not assured (Mzee Noor, Male Nubian Elder, December 8, 2016, Nubian elder, Makina village).

At the Parliamentary level, questions were asked regarding Kibra, which reflect that it was a matter which attracted attention at the national level. Law makers made inquiries regarding Kibra which the government would have to give a response. Mr. Tom Mboya, leader of Peoples Communist Party asked a question in the legislative council concerning the government's plan for Kibra. As more land was lost in Kibra and in order to protect what remained, a motion was tabled in Parliament on 27<sup>th</sup> November, 1970 by a Nubian M.P representing Lang'ata Constituency (1969-1974), Mr. Yunus Ali. The aim of the motion was to seek introduction of a demarcation scheme for purposes of issuing title deeds for the plots in Kibra. His submission in part read:

“Mr. Speaker, Sir, I beg to move the following motion: that, pursuant to the government's declared policy on slum clearance at Kibera Village, and the fact that Kibera residents are entitled to full rights of plot ownership, like any other citizens in this country, this House urges the government to introduce a scheme at Kibera whereby demarcated plots with title deeds will be allocated to the residents for putting up decent houses, either on their own or with Government assistance, as opposed to the present housing scheme by the Ministry of Housing”

In an effort to facilitate security of tenure for Nubians, in 1971, Parliament passed a motion that Kibra land should be parceled and given title deeds but this directive was also not implemented, and it further exposing Kibra to land grabbing. The motion was passed by Parliament, but no implementation was done. Nubian Submission to (CRF-OK 2012, p.14). On July 15,1993, the area M.P. Hon. Raila Odinga, brought up the same issue in Parliament. The government responded that it was still re-organizing itself, that the population was high (estimated at 100,000), which would hinder work on the site. To its credit, the government said that Ayany, Olympic and Salama road estates were developed as part of improving developing and housing in Kibra, however, due to lack of finances, the remaining portion was still a slum (CRF-OK, 2012).

The then area MP Hon. Raila Odinga, further stated that:

“Very many ‘big sharks’ have, for all these years since the motion was passed, under the pretense of developing churches, schools and hospitals acquired most of the land that was originally given to the Nubian community in Kibera and that government should re-organize to allocate the titles to these very unfortunate victims” (CRF-OK, 2012, p.12).

Other strategies the community applied to highlight their plight included advocacy, peaceful demonstrations were held and meetings organized to create awareness and disseminate information on the related issues and, line of action to be followed. Meetings were organized at different levels with speakers knowledgeable in specific fields such as human rights, citizenship, legal matters on land, specifically community land in Kibra, historical injustices, evictions and resettlement. Different stakeholders were involved in the discussions including residents, elected and community representatives, government officials through agencies in charge of land and infrastructure projects affecting the people of Kibera among others. One such meeting was held in Nairobi on December 14, 2016, whose objective was to explain the legal aspects of the Community Land Bill 2016 and the implications in Kibra. An interviewee partnered with various NGOs and CBOs to organize workshops to explain the land legislation related to Kibra among other issues. He remarked that, such discussions served to empower the participants and residents with capacity to understand better the laws and how they can use them to understand their rights as citizens and residents. With the understanding of the laws, the residents would be in a position to advance their rights and can engage NGOs for legal assistance, for example, (Policy maker, Kibra Constituency, December 2, 2016).

Other strategies used to raise awareness were through the mass media such as articles in newspapers and journals, television and radio programmes.

Social media was used as a platform through which groups on Facebook or WhatsApp platforms, comprising of community members discussed on issues of concern to the community for example, Kibra land and education. Some NGOs were also involved in the Nubian issues and offered financial or technical assistance for example legal representation for the community. Nubians have also sought legal redress against the government, both at the collective or individual level. Cases filed in court were related to violation of human rights, citizenship land rights and eviction.

Another strategy employed by Nubians to protect their land from loss through forceful take over, was giving part of their land those who had been displaced through eviction and rendered landless and homeless. Sharing their land with fellow Nubians, was also a means through which the land remained within the community. This was a strategy the Nubians used, which was also out of necessity, given the circumstances. By giving out part of their land to displaced and homeless Nubians, they were also ensuring the land remains among Nubians rather than losing it to others. Aunty Fauzia, recounts her sister's predicament and assistance given to her.

A Nubian grandmother narrated how her sister and her family had been forcefully evicted from Lang'ata area and they had lost a lot of their property. They had nowhere to go except across to Lindi village in Kibra where her father-in-law still had some land which was unoccupied. He then offered to settle them on part of his land with the advice that they should build structures to cover as much land as they could or fence a large area to protect it from being taken over or from non-Nubians settling there. However, her sister and her husband did not have money so they initially built a small temporary shelter for themselves and their children (Aunty Fauzia, 67 years, November 19, 2016, Lindi village).

Allocating part of their land was out of necessity, given the circumstances whereby fellow Nubians were rendered landless and homeless. The new arrivals would occupy and take care of the land, therefore protecting it.

A participant who was actively involved in protecting land in Kibra, notably the communal cemetery shared the following experience:

“You know many Nubians lost their land because they did not have money to construct on the land and it was left bare. The local administrator then, the chief was well known to take over your land even forcefully and allocate it to someone else. You could not report it to the administration because they were the same ones involved in taking our land!. There was a non-Nubian woman who claimed part of the cemetery was her land, because it had encroached on her land. This was not true and was probably an illegal deal with the administration. Can you imagine, this is where our parents and grandparents are resting and we were at risk of losing part of this very important place? How can someone just claim our communal cemetery is theirs? I met with some of the men and we agreed we had to protect the cemetery. We planned to bury our people starting from where the woman claimed it was her land because she could not remove the body or undertake any construction on that area. We buried another body and another and this is how we stopped her from taking the land. Eventually, we mobilized resources and built a stone wall all around the cemetery, which is now safe.” (Mzee Noor, Male elder, December 8, 2016. Makina village).

Another strategy used more recently to secure the land was to build semi-permanent or permanent structures on available spaces. A male participant who was overseeing the construction of a mosque explained that:

“This is my family’s land which belonged to my grandfather. We have seen many Nubian families lose their land because they did not secure it. We decided to build a mosque on this piece of land so that we can protect it and the mosque would serve the Muslim community here. We have been constructing it from donations we receive. Community members also help by offering to pay for the workers’ wages or providing building materials.

Those who are skilled in different areas also help us with the construction work. It is our project as community. Getting the paperwork was hard because, Kibra does not have a title and constructing a permanent building is risky because it can be demolished. But we decided to go ahead and start building rather than wait and risk losing the land. I'm telling Nubians if they can't build rooms, they can even fence the space so that everyone will see it is not for sale or rent." (Khalid, December 15, 2016. Kambi Muru village).

During the fieldwork in Lindi village, a mosque which is three storey's high was under construction. This is a permanent building which is adding to the number of storied buildings in Kibra. Due to the scarcity of land, these two mosques are built vertically on several floors occupying less space and would also accommodate more people. In Kibra, there is almost no free space available. To secure the space, people have built mostly rental rooms which is also a source of income. As a result of this rush to secure space, there is congestion and very small paths in between the houses to move within the villages.

Informal discussions were held with a Nubian mother who was supervising construction of her semi-permanent rooms for rent. She explained those at the front along the main road were for businesses, whereas those in the back row were for accommodation. Although she no longer lives in Kibra, she is in Kibra almost daily due to the ongoing construction work, otherwise she comes at least once a week. She looks at Kibra as a source of her livelihood and her "*ushago*" slang in Kiswahili for rural home. Asked if she is concerned about constructing her rooms on land without security of tenure, she responded that until that time the government would decide to carry out demolitions, she will have at least recovered her initial investment. She was also concerned about the open space which belongs to her family, and decided to make use of it and in doing, she was protecting the land. She declared that project was *jenga yangu* (build mine) as opposed to the partnership under *jenga yako, jenga yangu* (build yours, build mine) (Aunty Salma, 50 years, Nubian, 30 September, 2016 Kambi Muru village).

This shows that people are aware of the risks involved due to lack of security of tenure, such as demolition of what they have constructed. However, they still undertake constructions and hope to recover their returns on investment before the demolitions occur.

During discussions on Kibra land, a participant in a male FGD expressed his views, that because the remaining land in Kibra was a slum, Nubians were spared further loss of land. In other words, all that was available to be taken, was gone. A huge part of the land was used to develop residential estates which was intended to cover the whole area. The slum area is what is claimed by Nubians (Yusuf, male 30 years, November 26, 2016. Makina village).

Nubians had, in the hope of being awarded a title deed for Kibra, discussed on the possibilities of how the land could be put to use for the benefit of the community. The ideas included having a partnership with interested parties including investors, allowing the government to develop housing for Nubians and others to rent out, development of a shopping mall among other income generating ideas.

#### **7.4 Land Claims and Legal Issues**

In the Constitution of Kenya (2010), The Community Land Bill (2016) was introduced, debated and passed by Parliament. It came into force on 21<sup>st</sup> September 2016. The Bill aimed to deal with historical injustices related to land, among other issues. Previously, under customary tenure regime, land was governed by the Group Representatives Act, and Trust Land Act. Under the Trust Land Act, Land belonging to communities was held in trust by the local authorities', for example the Municipal Council.

Discretionary powers of setting aside public land were abused. Reforms have been made in the Kenya land tenure system under the Constitution of Kenya, 2010, which was the first official document to recognize community land as one of the tenure categories.

Changes included renaming Trust Land as Community Land. The Constitution of Kenya (2010), acknowledged that communities are legally entitled to hold land, which are identified on the basis of ethnicity, culture or similar interests.

It also detailed what constituted community land, and stated that county governments were guardians of unregistered community land on behalf of communities. Community land under the Community Land Act Part 1: Article 63-2 (d), is described as land that is:

- (i) lawfully held, managed or used by specific communities as community forests, grazing areas or shrines;
- (ii) ancestral lands and lands traditionally occupied by hunter-gatherer communities; or
- (iii) lawfully held as trust land by the county governments.

Nubians based their claim to Kibra as community land on the strength of the above definition, given that, they used and managed some areas which had their holy and religious places. Kibra was also their ancestral land in Kenya, where they first settled. Further, the Community Land Act, 2016 has requirements and provisions for who comprise community members, leaders, leadership structure, rights of women married into and out of the community, how land can be disposed of and how its benefits can be shared. Community land may be held under various tenure systems as stipulated by the Community Land Act 2016. These include: freehold, customary, leasehold and any other tenure system which is recognized by the Act or law. Community Land Act fills a gap and will protect land interests especially for vulnerable, marginalized and minority communities.

With the exception of Kibra, other Nubian settlement areas were recognized by the government as permanent and freehold settlement of Sudanese war veterans and their descendants. CRK-OK 2010.

An individual can have access to land in Kenya whereas a community can have a community land only if they are an ethnic community of Kenya. Some Nubians owned land on individual basis outside Kibra. Whereas, before the community land bill was introduced, Nubians collectively as an ethnic community could not have rights over Kibra because they were not yet recognized as a Kenyan ethnic community.

#### **7.4.1 Ethnicity and Land**

Most ethnic communities in Kenya have a rural community home and share the same with their designated homeland or territories which they are identified with. Some ethnic communities share the same name as their homeland, these include: The Kisii from Kisii county, the Meru from Meru county, the Nandi from Nandi county, among others. Therefore, ethnic communities could claim to belong due to the attachment and identification with their land as portrayed by autochthony (literally to be ‘born of the soil’) (Geschiere, 2009 in Balaton-Chrimes, 2016). Nubians had to secure their recognition as an ethnic community of Kenya which was achieved in 2005. Thereafter, they pursued to have Kibra officially recognized as their ancestral land in Kenya and community land. The Nubian’s struggle for recognition was reinforced by their claim to Kibra as their homeland in Kenya which establishes their link to the land and by extension, secure membership in the Kenyan community.

This shows the importance of indigeneity for recognition and for acquiring Kenyan citizenship and eventually, land rights in the Nubian context.

The concepts of patriotism and nationalism often considered in political geography, are extensions of the personal nature of one's homeland and the importance of place as home (Hardwick, and Holtgrieve, 1996).

Prior to the implementation of the Community Land Bill, Nubians collectively, did not have an official designated homeland. However, as individuals, they could purchase land elsewhere and have the legal documents guaranteeing its ownership. During the colonial era, Kenyan ethnic communities were categorized and lived on native reserves which were identified as their homeland. Nubians were categorized as detribalized natives by the colonial government as they were not a tribe native to Kenya and therefore, did not have a native reserve or homeland. This category effectively denied them the right to claim land on the native reserves. The designation as detribalized has been used to exclude Nubians from Kenyan society as well as any right to a homeland in Kibra. Localization is linked to territorial discourses of indigeneity and autochthony (literally to be 'born of the soil'). Peter Geschiere (2009), gives an example of Ivory Coast where citizens literally use the term autochthon (*Ivoirité*) and are forced to return to their home villages to register themselves.

Kibra and Bombo can be recognized as the Nubians' tribal lands in Kenya and in Uganda respectively. Nubians also claim to have residential identity in Kibra as they have lived there for up to five generations. They have also settled and lived in different parts of Kenya for many years. An example is the Nubian village in Kisii which was established in 1938; and others can be found in Eldama Ravine, Kisumu, Kibos, Kibigori, Meru and Mumias. An interviewee argued that:

“Almost all ethnic communities in Kenya came from somewhere else (outside Kenya). We Nubians are among the last of migrant communities to arrive in Kenya.” Mzee Imran, 78 years, Nubian elder, September 28, 2016, Makina village).

In his book the history of the southern Luo, Ogot (1967), traces their migration and settlement between 1500-1900. Luos are part of the larger Nilotes group who settled and live in Kenya and distributed over East African countries. He writes most authorities postulated the Nilotes evolved as a distinct group, whose origins were in the plains of the present Eastern Equatoria, and eastern parts of the Bahr-el-Ghazal Provinces in the Republic of Sudan. Were (1967), writes about the history of the Abaluyia of western Kenya between 1500-1930. They are one of the largest ethnic communities in Kenya whose origin has been suggested to be from Uganda. Over many years and generations, migrants eventually identify with and belong to their destination country and recognized as citizens for example in Kenya as shown.

Lonsdale (2008), argues about the importance of local concepts of self-worth and cultural value. He states that with the exception of Kenya's most 'indigenous' of peoples, the Ogiek community, almost all other Kenyans are fairly recent immigrants. The claims of 'sons of the soil' and the politics of exclusion are practiced in the name of 'autochthony'. He further states that claims to territory is one of the strategies used to lay claim on land. The claims are also justified by other arguments such as to have improved the land or to have brought civilization (Lonsdale, 2008). These are examples of claims by the Nubians in justifying Kibra land and their belonging including that they were first to develop Kibra, their great-grandparents found a "Kibra" or forest and transformed it to their home. Other claims were that they played a key role in the establishment and development of other urban centers which eventually became big towns for example Mumias and Eldama Ravine (Mr. Abdul, 52 years, community activist, November 23, 2016, Lindi village). Non-Nubians residents in Kibra also claimed to belong to Kibra despite having their well-recognized community homelands.

According to Lonesdale (2008), among ethnic groups, the following two common points were observed: (i) that many ethnic groups owe at least some debt to political favor and, (ii) that they have traditions of in-migration into Kenya.

Competition for power and resources and exclusion from it on ethnic basis has been a cause of tension in Kenya. Nubians living in other areas such as Kibigori where they are the minority, have reported that they are usually caught between two dominant ethnic communities' disputes and forced to run for safety. Their farms have also been invaded by other communities who graze their livestock far from the village, where they, build temporary shelters and eventually claim the land as theirs (Hassan 65 years, Nubian male, Kibigori resident. December 16, 2016.

Ngong Road, near Kibra). Concerning land in Kibra, an interviewee stated:

“We have been pushed too far and for too long. We are between a rock and a hard place. We belong to Kenya and we belong to Kibra and it goes beyond registration for birth certificates and ID cards. We also advocate for the government to recognize Kibra and give us the title” (Nubian Male, Bakari 40 years, community activist, November 26, 2016, Makina village).

Non-Nubian residents also shared their views on land matters in Kibra. One FGD participant who migrated to Kibra in 1986 from his rural home argued:

“...and we don't agree when Nubians say this is their land. When I came in 1986, Nubians were mostly in Lindi, Makina and Salama (Karanja). Before, we (non-Nubians) used to be given a place or some people bought land from Nubians. Those who had “nguvu” (Swahili for strength but referring to the financial capacity) went to the chief and were given permission to build. There were powerful Nubian leaders in the different villages who were consulted. There was space and it was free land. It has now reached a point where Nubians say the land is theirs, it is for the government. You can't say this is my spouse unless u have a marriage certificate.

When we came, there was not much complaining like now because Nubians did not realize that we outsiders, could also get land here in Kibra. Now, land is scarce and we are squeezed. This issue makes our relationship

strained. We can't say Kibra belongs to one ethnic community but we respect that they were here first." (Mr. Paul, Non-Nubian male, November 24, 2016, Lindi Village).

Another male participant who migrated to Kibra in 1979, was among those who agreed that Kibra was for Nubians because they were given by the colonial government and they allowed outsiders to build. He bought a piece of land from a Nubian even though there is no title deed, it was an agreement between them. Another opinion was that once someone has lived in a place for more than ten years, he owns the place and, in that regard, they also deserved to get a piece of land in Kibra. One female participant (Nubian) said non-Nubians are taken back to their rural homes for burial and Nubians are buried in Kibra which is their home; and therefore, Kibra belongs to them. In general, more FGD participants agreed Kibra belongs to the Nubians.

However, they agreed the government should find a way to help Nubians as priority and then the 'others'. Non-Nubians said they would also like to be considered as entitled to Kibra land because they have been residents for many years and have raised families in Kibra which they also consider as their home. This shows how long-term rural-urban migrants and migrants in general can consider their current destination and area residence as their main 'home' where they live and earn a living. Their rural or place of origin still remains their home, where they travel to once or more times a year and also as their final resting place.

## 7.5 Future of Kibra

A certain level of tension is expected especially in informal settlements such as Kibra, where land ownership issues, urban and population growth, poor living conditions, poverty, scarcity of resources among others are common. To counter such a situation, improvements may be undertaken in such areas. For many years, Kibra as a residential area overpopulated with many inhabitants, has lacked planning and basic social amenities.

Soweto area in Kibra, was selected for the pilot public housing project and benefitted from the Kenya Slum Upgrading Programme (KENSUP). This was a partnership of the government and the United Nations Human Settlements Programme (UN-HABITAT) which began in 2004 (Muraguri, 2011).

Table 7.2 shows that more than half of the respondents (63 percent), were of the opinion that the project was of no benefit to Nubians whereas 27 respondents or 13.4 percent thought the project was of benefit to Nubians. More than one tenth (10.5) percent thought it was of benefit to others (non-Nubians).

**Table 7.2: Opinions about Slum Upgrading Project by the National Government**

<b>Opinions about slum upgrading project</b>	<b>N</b>	<b>%</b>
It is of benefit to Nubians	27	13.4
It is of no benefit to Nubians	174	63.0
It is of benefit to others	29	10.5
Others	36	13.1
<b>Total</b>	<b>276</b>	<b>100</b>

**Source: Field Work, November 2016**

The FGDs brought out different responses on the slum upgrading initiative by the national government. Some opined that the government was oblivious of the plight of the Nubians with the slum upgrading project, citing that very few actually benefited from the houses. The participants in the FGD point out that most Nubians think the upgrading project was not beneficial to Nubians in general.

Some felt that Nubians did not benefit because they (Nubians) were excluded from the key positions especially those related to allocation of newly constructed houses. These were constructed where previous structures were demolished to pave way for modern housing aligning the railway line as well as to secure the railway line borders. This occurrence was similar to the previous housing projects undertaken in Kibra where few Nubians benefitted compared to non-Nubians yet the developments were undertaken on their land and some even were forcefully evicted without compensation.

In order to avoid an occurrence of the same in future, participants were of the view that there should be a strategy in place which would ensure their interests are catered for. They also put forward that leaders with activism who have the community's interest at heart should be at the forefront with regard to negotiations for future developments in Kibra. In furtherance of this information, other opinions were that the upgrading project should cover the whole of Kibra so as to bring the benefit to more people. This was however rejected because residents had no guarantee that they would be actual beneficiaries and they feared that they can lose out as Nubians had. FGDs comprising of Nubians thought the housing programme in particular should not be expanded because as a community, they would be the main losers. As the Nubians did not have tenure of security, their land would be taken with no guarantee of compensation. Moreover, the majority would not benefit from the houses built mainly due to the cost which they cannot afford.

A non-Nubian participant remarked that:

“Even if we want development in Kibra, there is no space to do that development. We will be evicted from here so that they find space. If the place is well developed, then the rent will be higher and we cannot afford. We will be replaced by those who can afford and where will we go?” (Salome, 59 years, mother, non-Nubian resident, November 26, 2016. Lindi village).

Other opinions indicated that part of the upgrading project especially tarmacking of the main road and installation of street lights was beneficial to the residents and whose impact they felt in their everyday lives. Moreover, the project offered employment opportunities for many youths who had formal education but were excluded from the economy but are now empowered. The *huduma* (Swahili for ‘service’) kitchen also offered employment to women and youths in Kibra who were contracted to prepare meals for those working on the upgrading projects. They were able to save their income with cooperatives and other saving options. The project as a whole was well conceptualized and offered economic empowerment to residents. The project to upgrade slums offered prospects of a better future for residents in terms of improved living conditions in general. The project included construction of better housing and tarmac road, proper connection of electricity and water pipes as well as installation of street lights.

There were different priorities on improving conditions in Kibra as shown in Table 7.3. The highest percentage (36.0) of the total number of respondents stated improving water supply as their first priority. The area has had shortage of piped water for many years. Although more pipes have been connected, the supply is not sufficient to meet the demand of the population. Sanitation was ranked second in priority with 35.1 percent, which indicates that scarcity of water impacts on sanitation, including the sewage and drainage in general which would make sanitation among the top priorities of the residents.

Health service was placed third, with 31.1 percent and education was fourth with 14.5 percent. Housing as a priority was placed sixth. There have been improvements with more health clinics and facilities operating within the slum which are affordable<sup>1</sup>.

These facilities are still important but are not an immediate priority. Although residents have a roof over their heads, most of the residential structures in Kibra are not permanent, and are made out of mud, wattle and corrugated iron sheets for roofing. The residents would therefore not prioritize housing as a top priority as they already have basic shelter as opposed to sufficient supply of water which has been a challenge since the beginning of the settlement, in the early 1900s. Security has also relatively improved compared to previous years due to street lighting and more businesses along the road which open till late in the night. Improving of local roads was sixth with and seventh in the priority list with almost a fifth (24.3 percent) and a little more than half (55.9 percent) of the participants indicating so (see Table 7.3). This could be attributed to the existing main tarmac road that traverses the slum which was constructed in 2014 and is therefore not a key priority. Construction of more roads and housing was perceived as risky because, this would imply eviction and displacement of residents to create space for construction. Consequently, this line of development contributed to roads and housing not seen as among the top priorities in Kibra.

**Table 7. 3: Priority on improving Conditions in Kibra**

Priority	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>	6 <sup>th</sup>	7 <sup>th</sup>	Total
Water supply	36.5	16.2	20.7	8.6	8.1	5.9	4.0	100.0
Sanitation	20.7	35.1	13.4	10.1	8.7	9.6	2.4	100.0
Health service	13.6	29.8	31.1	11.0	10.1	3.1	1.3	100.0

<sup>1</sup> Several mobile container clinics have been installed in Kibra under the Beyond Zero Initiative catering for maternal health. Other private clinics as well as pharmacies have also been set up in different areas in Kibra which are easily accessible for the residents.

Security	24.1	11.5	20.2	9.3	12.0	12.0	10.9	100.0
Education	19.4	23.1	26.3	14.5	9.2	4.3	3.2	100.0
Housing	19.5	15.2	20.7	12.8	16.5	12.8	2.5	100.0
Local roads	1.8	3.6	1.8	10.8	1.8	24.3	55.9	100.0

**Source: Field Work, 2016**

I heard the praises of the first tarmac road that passes through the slum area and that transport was also available. I used to walk during my previous visits from the main road at the entrance of Kibra to the different villages into the interior. During one such visit on August 8, 2016, I decided to experience the new development. I settled in a Public Service Vehicle (PSV) commonly known as *matatu*. A woman aged approximately in her fifty's sat next to me, after the *makanga* (conductor) stored her luggage of fruits and vegetables in the boot. We started a conversation with greetings and I mentioned it was my first time to see the tarmac road and use the transport in Kibra. She shared her experience on the benefits of the road.

She explained she came to Kibra from her rural home in Machakos, a county neighbouring Nairobi city in the early 1980s. she came in search of a job and initially lived with her aunt in Kibra. She did different jobs including housework and occasionally washing clothes. She ventured into selling fruits and vegetables. She would go to Gikomba market for her supplies and bring them to Kibra using public transport. Her main challenge was to transport her goods to the interior of the slum where she resided and had her shop, which was far from the main bus top at the entrance of Kibra. She often used to walk, sometimes she would hire someone with a bicycle or a wheelbarrow to transport for her. This would cost her as well as cause delays. She said she always wished the government would improve the existing earth road which was in a bad state and was not frequented by vehicles.

She thought Kibra was ignored for development because it was a slum and not many people wanted to be involved with slums. When they announced the road would be tarmacked, she did not believe it until she saw with her own eyes. She thought it was part of the usual promises made, but never kept. When she finally saw the National Youth Service (NYS) staff working on the road and the layer of tarmac was spread, that is when she started believing. However, she admits she had doubts if it would go through the slum all the way to Laini, Saba and connect with another major road.

Since the road was completed, she has used the available transport to ferry her goods to her shop in Laini Saba area. She saves time, energy and her fruits and vegetables arrive in good condition. Sometimes, she makes prior arrangements for transport with the local *tuktuk* drivers stationed at the main bus stop. She said even her children and relatives no longer complain about how difficult it is to come and visit her. She said the road has benefitted especially the residents and adds that school buses come to Kibra and even the *wadosi* (slang word for rich people) with big and expensive cars pass through Kibra which was not the case. She appreciated the slum upgrading project including the ablution blocks, street lights, the construction of houses but said what has had the biggest impact on her is the tarmac road.

At the time of the fieldwork, there was speculation and uncertainty regarding construction of a new and bigger road from Lang'ata side, which would cut across Kibra and connect to another main road near the entrance to Kibra. It was estimated that ten thousand (10,000) residents would be evicted. Most of the participants were aware of the impending demolitions, although they complained they did not have information on what to expect. In response to the proposed plans, on August 11, 2016, the case of Abdulmajid Ramadhan and 3 Others versus Kenya Urban Roads and 4 Others ELC Petition No. 974 of 2016 was filed at the Environment and Land Court.

In January 2017, a court in Nairobi ruled that the construction of a road which would have displaced many families should be stopped as there were complaints that its original path was altered. It was later ruled that the construction of the road would go on. A notice was given to the residents to remove their belongings.

In the early hours before dawn on July 20, 2018, residents estimated at about ten thousand (10,000) were evicted and their houses demolished to pave way for the road. Most of the displaced found alternative places to reside in other villages in Kibra, others went outside Kibra and some Nubians were accommodated with family members or other Nubians in Kibra. Commenting on the status of Kibra, a community elder declared that:

“The government is pretending the problem with Kibra and Nubians does not exist. It is hoping to wish the problem away. You just can’t wish Nubians away. The government should solve this problem of land once and for all. We should be given the title to our land and we would have more control over what happens in Kibra especially on land matters.” (Mzee Imran, male, community elder, September 28, 2016, Makina village).

Without tenure of security, Nubians are in a precarious situation regarding land matters in Kibra which they considered as their ancestral home in Kenya. As there was no official recognition by the government of Nubians owning Kibra land, it was regarded as government land and residents as squatters. Therefore, there was no consideration for compensation for the majority of Nubians and non-Nubians evicted from Kibra over the years. Ownership of land, meaning possessing the legal requisite documentation, the Title Deed, gives you authority to negotiate on matters concerning the land and provides the occupants with tenure of security.

An interviewee, who was part of the Task Force on Nubian Land formed to deal with land issues in Kibra explained that: The creation of Kibra constituency in 2012 was in itself an act of recognition of Kibra as the home of the Nubians bearing the original name and not the corrupted commonly used version of Kibera.

Having a new constituency in the Nubian area was a big encouragement and a good sign which helped Nubians in their quest for Kibra to be recognized as our home and to be given the trust deed to the land. Like other communities in Kenya, Nubians would also have a designated homeland.

Further, he said that, although the statutory ownership document, the Trust Deed was ready in 2013, mainly due to internal disagreements on some issues, the issuance was deferred to such a time when there was consensus. The main issues of contention among Nubians concerned the acreage of the community land, compensation, official name to be registered on the trust deed and representation of trustees. (Mzee Marjan, community elder, September 27, 2016, Makongeni village).

Having lost approximately 3,911 acres of the original 4,197.9 generally the community felt it was their right to demand for compensation and to be compensated. Differences regarding land matters are among some of the main issues which, Nubians as a community, lack consensus. Consequently, the negotiations on land matters required more time to be concluded.

Projecting to a time in the near future when Nubians would have security of tenure for Kibra through the trust deed, there were some common concerns which were shared mostly by non-Nubian residents. They were concerned that they risked being evicted from Kibra and where they would go. Those who had “bought” land in Kibra were worried about their investments in the form of rental rooms, their houses where they lived or land. They wanted reassurances with regard to the stated concerns. A community elder opined:

“We (Nubians) have always lived with other communities, we have intermarried and lived in peace. Why should that change if we are given a title to the land? It would be divisive and counterproductive. It is in no one’s interest to remove the non-Nubians, they are also a part of this landscape.

Kibra is home to many ethnic communities from Kenya. What we want is the recognition that this is our ancestral homeland and to secure it with a title deed to protect what is left. Therefore, they should have no fear of being victimized and evicted from here” (Mzee Imran, community elder September 29, 2016, Makina village).

During an interview, one of the policy makers in Kibra, a non-Nubian who was born and raised in Kibra, shared his vision for Kibra’s future as follows:

“A healthier Kibra, where all have a chance to live in dignity and a chance for their children to do better. For this to happen, we have to invest in education, children have a right to quality, affordable and accessible education, invest in school infrastructure and teachers. We should also invest in (health infrastructure) clinics to cater for health needs of the community” (Policy Maker, Kibra Constituency, December 2, 2016, Fort Jesus, Kibra).

Kibra has lacked essential social amenities for a long time which has slightly improved over time. As a ‘son’ of Kibra, having been born and raised there, the interviewee was well placed to put forward the needs and rights of residents.

Emphasis especially on health matters from both residents and the local leadership is related to proper sanitation which is not available in Kibra. As a constituency, Kibra has funds allocated to it from the National government through the Constituency Development Fund which finances various projects for the benefit of all residents.

### **7.5.1 Postscript (2017 and Beyond)**

After completion of the fieldwork in December, 2016, the community was given the Trust Deed. This was considered as an important and historic event which the Nubians have been waiting for over a long period of time. It was the culmination of their main struggle which was

for official recognition of Kibra as their home land. In view of the significance of this occurrence, particularly to the Nubian community, I held informal discussions with some Nubians and non-Nubians, which are presented in this section as postscript.

The most significant gesture, according to several Nubians interviewed informally, occurred on Friday June 2, 2017, where after a long wait, the Kenyan government finally handed the Nubian community a Trust Deed title for two hundred and eighty-eight (288) acres in Kibra. The areas covered include: Makina, Makongeni, Kambi Muru, Lindi and Salama. Henceforth, they were assured of security of tenure. This security meant they could negotiate and have a say in situations for example, where their land is allocated for a public project. They could also use the land as collateral to secure loans for development projects and partners will be convinced, they are working on secured land which would avoid dealing with litigation issues later. The Trust deed reinforces their residential identity status with Kibra as their, ancestral and community land in Kenya.

One key informant who was a participant in the land negotiation process, explained that the original acreage which was considered measured three hundred (300) acres. However, within this acreage, the Mosque in Makina village, the Kibera primary school, cemetery, the law court compound, the administrative complex known as DC, African Inland Church (AIC), and land earmarked for infrastructure development accounted for 12 (twelve) acres. It was also agreed that the church although on Nubian land, would remain as a symbol of good faith and respect for religious diversity. These institutions had individual titles issued prior to the “mother” or overall Trust Deed issued in 2017 which were maintained (Sadik, Nubian Male, 51 years, July 5, 2017, Makina Village). During the handing over ceremony for the Kibra Nubian Community Land Trust Deed, (NCLTD, 2013) one elder who was present and spoke on behalf of the community reassured His Excellency (H.E) the President, Uhuru Kenyatta that:

“Nobody is going to be chased out of Kibra. We will continue to live as we have always lived, together as Kenyan brothers and sisters.”

Presenting the Trust Deed to the community representative, H.E, the President, expressed the government’s willingness to work together with the Nubian community to bring development to Kibra through investments and partnerships for the benefit of all residents and for the residents to live in dignity illustrating the presentation of the Trust Deed. See Plate 7.2.

**Plate 7. 2 Presentation of the Trust Deed**



**(Presidential Strategic Communication Unit (PSCU) (June 2, 2017).**

It is stated in the Trust Deed that, one of the aims is to ensure all beneficiaries get their due right. Another aim is to develop Kibra as a model urban village and to provide for continuity in the administration of the affairs of the community land and to ensure the security, justice, transparency and accountability that the Trust serves (NCLTD, 2013).

The government guided by its Big Four (4) Agenda which includes (affordable housing and health care, manufacturing and food security) is keen to include Kibra in development projects.

Provision of affordable housing in its second phase, will target informal areas such as Kibra (Otiato G, Financial Standard, October 9, 2018). There was a narrative from a participant in relation to the Trust Deed. One Nubian participant who was among those who went to witness the handing over of the trust deed to the community, said it was one of the most important the happiest days of his life.

A day that the Nubians have waited for, for many years. It was a day which meant Nubians were finally recognized as full citizens of Kenya. He also remembered all the departed members of the Nubian community in Kibra, who did not know such a day would be witnessed, and left the world worried about what would become of their children and their grand-children who lived on their ancestral homeland as squatters and without any security. He remarked that, despite the challenges encountered in the struggle for the community's rights, he always had hope that the government would one day deliver the trust deed and put to rest the question of ownership. Nubians could be assured of a homeland where they would have a say in matters concerning it. He further said that, henceforth, community members could think of improving their houses and investing at home in Kibra as their investments would be in an area where the land tenure security was guaranteed. (Sadik, Nubian Male, 51 years, July 5, 2017, Makina Village).

Nubians who shared their views said they were happy and they felt like other Kenyan citizens! Others said they had almost lost hope of getting the official recognition, some were more confident of investing in Kibra as their investments would be on secure land. Additionally, some said there was a feeling of renewed sense of pride, confidence, belonging and unity among Nubians which was witnessed during the Idd Prayers in June 2017, a few days after they were given the Title Deed. A huge congregation that had not been witnessed previously, gathered at the Kibra Primary School grounds for communal Idd and special thanksgiving

prayers. Informal discussions with non-Nubians showed that nothing had changed for them after the award of the trust deed. They were not removed from Kibra, which was one of their main concerns and they carried on with their daily lives as before. Some said it was a good thing and that Nubians could also have a home like other communities in Kenya.

The overall custodians of the land on behalf of the Nubian community, are the registered trustees of the Kibra Nubian Community Land Trust, a body corporate duly registered under the Trustees (Perpetual Succession) Act, Chapter 164 of the Laws of Kenya (Constitution of Kenya 2010). They were granted and issued with a 99-year lease with effect from 1 October 2013, being the maximum leasehold term of government leases. The 99-year leases were granted on the former government land (crown land) as recommended by National Land Policy (NLP), (The Sessessional Paper No.3 of 2009).

The lease is issued under the Registration of Titles Act, Chapter 281 of the Laws of Kenya. The ceremony was held on 2<sup>nd</sup> June 2017 at the State House in Nairobi. The Trustee members, who were initially fifteen, represent the villages and also included representatives from the Nubian Council of Elders and community-based organizations involved with the land issue. With the Trust Deed secured, Nubians further organized themselves into village clusters for better oversight and management of their homeland in Kenya, Kibra. A Nubian, who was born and lived all her life in Kibra said:

“Finally, Alhamdhulillah! (thanks be to God) finally, we have been given recognition that we belong here on this land. For many years we have been living in fear, some of us were removed by force from our homes! We can now live at peace no one will come and claim this land as theirs!

You know these papers (Trust Deed) have brought us closer and we now feel confident we are here. De be teina (This is our home), Alhamdhulillah!” (Nubian Mother, June 30, 2017, Salama village).

Previously Nubians were marginalized particularly with respect to citizenship and land rights among others and referred to as ‘refugees’ in their own home and “stateless”. However, through various government reforms for example on land and citizenship and efforts from the community, they have achieved land rights and access to land on a collective level. Therefore, they can feel they belong to Kenya and to their homeland in Kenya, Kibra.

## **7.6 Conclusion**

Through sustained and consolidated efforts between the Nubians and other interested partners, for example, NGOs, the community as a whole achieved recognition. Some Nubians had to assume false identities to secure jobs which they would not have had if they portrayed themselves as Nubians. They were recognized as the 43<sup>rd</sup> ethnic community in Kenya in 2005 and in 2009, they were given a code number 288 in the national census for the first time which effectively meant they are being counted and recognized as an ethnic community of Kenya, which would then allow them access to land on a collective level.

Kibra constituency was created in 2009 from the larger Lang’ata constituency, thus giving much needed boost towards its recognition as Nubians homeland. The culmination of these efforts was the recognition of Kibra as their ancestral homeland in Kenya with the issuance of a Trust Deed dated 2013, but handed over in 2017. According to Lonsdale (2008), ‘autochthony’ is more of a strategy rather than a fact. It is a claim to acquire what is deemed as ‘ours’.

Nubians claimed Kibra as their ancestral homeland in Kenya; they identified with it and established a localized area which was always synonymous with Nubians. In this regard, a linkage with land and their identity as citizens of Kenya was established

## CHAPTER 8

### SUMMARY, CONCLUSION AND RECOMMENDATIONS

#### 8.1 Introduction

Migration has become important and is receiving attention, especially regarding permanent migrants who settle and eventually call their destination area home. Depending on their circumstances and context, different migrant groups are faced with different challenges, some specific to particular groups while others are common among migrants in general. Some of these challenges include issues related to identity and belonging, citizenship and marginalization among others.

This research sought to provide an answer to the question: How has the loss of land been implicated in Nubians' identity and citizenship at their destination in Kenya where they migrated while at the service of the British colonial administration. In search of the answers to this question, several other research questions were raised: How did the Nubians' migration from Sudan and settlement in Kenya occur and how did they settle in Kibra? In what way does migration define Nubians' identity and consequently affect their relationships with other communities in Kibra?; and how do Nubians and the Kenyan State define citizenship and what are the implications for Nubians regarding access to land? This chapter provides a summary of the major findings on the following: socio-demographic characteristics of the study population, the migration experience from Sudan and settlement in Kenya, changes in Nubian identity and implications for their citizenship as Kenyans, as well as the nexus among migration status, identity formation and land ownership/access to land. The chapter will conclude and propose some policy and research recommendations.

## **8.2 Summary of Findings**

### **8.2.1 Socio -Demographic Characteristics of Participants**

The fourth chapter reviewed the socio-demographic characteristics of the respondents. The study population has lived in Kibra since their settlement in the early 1900s and up to five generations. The majority of the population is youthful and it has the potential to provide the momentum needed to steer the community forward. The highest percentage (44.1 percent) of the Nubians identify more with one clan: Nubi. The others belong to other clans whose importance had diminished, and they have less impact on the community than previously. Although the Nubian population is highly educated, they have challenges such as high unemployment rate, particularly among the youth. They are marginalized minorities with less opportunities such as employment in the host country. If the challenges are addressed, this youthful and highly educated population has the potential to push the community forward and make progress.

### **8.2.2 Migration and Settlement Experience**

The Nubians' migration from Sudan to Kenya was not voluntary as they were forcefully conscripted by the British colonial forces and in this context, their migration was forced. Their initial settlement pattern in what was previously a forest area was mainly influenced and determined according to the different clans. Each of the villages corresponded to a clan whose members shared common practices including dialect which could be traced back to Sudan. Being together in a locality brought to them a sense of familiarity, belonging and security after they were uprooted from an environment they were accustomed to, to a foreign one.

This settlement trend was also evident with non-Nubians who are settled in some areas in Kibra whereby a particular ethnic community among the many who live in Kibra, form the majority of the residents. This is similar to findings of a study on toponymy by Wanjiru and Matsubara (1997) on slum toponymy in some informal settlements in Nairobi, among them Kibra.

Migration has been a key element linked to the changes experienced and observed in the lives of Nubians in Kibra. As a migrant and majority resident population in Kibra, Nubians were able to maintain their way of life, until such a time when other elements exerted influence on their way of life. The findings of this study indicate that Nubians, as long term migrants, gradually adapted to changing conditions in response to changes in the environment they lived in, including socio-economic, cultural and political changes. These impacted and modified certain aspects of their way of life and the choices made. Both migrants as well as host communities are faced with influences both positive and negative. These are occasioned by population increase as a result of rural-urban migration, socio-economic, administrative and political changes. Acculturation or assimilation is expected when migrants settle in a common area and influence each other due to their constant interactions. Changes are also experienced in terms of the abandoning of some cultural practices deemed as harmful and backward, for example, FGM. In so doing, a community such as Nubians could be deemed as progressive.

From a majority to a minority in their own home in Kibra, changing livelihoods, dealing with an influx of migrants and shrinking space, Nubians have had to adapt in line with the changing situation. It was established that more Nubians are moving out of Kibra than they previously did. Some of the reasons for moving out were: financial capacity, a desire for better living environment and possession of a piece of land as an individual as opposed to the precarious land situation of Kibra. Moving out of Kibra and settling elsewhere was seen as upward

mobility. The majority of Nubians who moved out of Kibra settled in the outskirts of Nairobi where other Nubians had already settled, thus forming clusters of Nubians among non-Nubians. This pattern is similar to the initial settlement in the villages in Kibra according to clans. Further, results of the study indicate that there exists a culture of collectivism given that community members build and rely on their social capital and come together to offer support and empowerment to members. Moreover, this unites the community which allows for their development as individuals whose efforts contribute to the collective common good of the community.

Reactions from migration-induced situations such as overpopulation may also cause tension which can lead to host-migrant conflicts over scarce resources such as land. Nubians who became a minority community, felt threatened by the majority status of the non-Nubian population. They regrouped and presented a united image as a single ethnic community. The Nubians projected their identity through cultural, economic, religious and educational activities to reinforce their cultural identity and preserve their cultural heritage.

Over time, the Nubians maintained little contact with their country of origin Sudan and gradually lost their links with their relatives there. Only 17.2 percent of the respondents said they had relatives in Sudan. As they migrated, some settled in Uganda and Tanzania and Kenya. Regular communication links with Uganda were recorded.

Distance is also a factor in maintaining contact with relatives especially through physical travel, which was mostly between Kenya and Uganda. Over time, and over subsequent generations, the long term migrants are less likely to know relatives or friends in their country of origin or others and maintain frequent contact.

The study found that in-migration of non-Nubians to Kibra was achieved mainly through chain migration from the rural to urban area. Migration decisions were influenced by possibilities of work opportunities, acquisition of technical skills to increase the chances of securing a job or self employment and family reunion. It was established that similar to Nubians, most of the other migrants on arrival in the city, first resided with relatives or friends. Most migrants will choose a residential location such as Kibra, after they have taken into consideration factors such as affordable rent and proximity to areas of work.

The reasons attributed to out-migration by Nubians from Kibra include unfavorable environment, security, congestion, desire for better living conditions elsewhere for the family, particularly for children, constant threat of eviction, and the aspiration to have one's own place with legal documents guaranteeing security of tenure. Out-migration by Nubians from Kibra is seen as an upward mobility. As a community, Nubians maintain a strong attachment to their ancestral home in Kibra. Overall, 80 percent of the respondents who had no intention to move out of Kibra cited it as their home and attachment to the land. The Non-Nubian resident migrant also rely and draw on social capital based on the community members who mainly assist and facilitate mainly rural-urban migration and settlement.

### **8.2.3 Continuities and changes in Nubian identity and implications for their citizenship of Kenya**

The study examined the inter-relationship among migration, identity and citizenship of the Nubians in Kibra, their destination. The identity of some long-term migrants for example,

Nubians, has been contested owing to their origin. Nubians do not regard themselves as migrants and have not maintained strong links with their origins in Sudan (Constantine, 2011). The flexibility in relation to identity change, allowed the Nubian community to navigate from the privileged Sudanese and non-native status to Kenyan Nubians. This shows that over time, people can reconstitute their ethnic labels and territorial entitlements, and whenever political threat or opportunity demands.

Migration has been shown to influence different aspects of their identity particularly, how they see themselves in relation to citizenship. The Nubians have had to unite and transform to be recognized as an ethnic community of Kenya. Migration as an external factor, results in internal changes within the Nubian community. The study has shown that collective recognition or group consciousness as in the case of Nubians has its benefits such as an official recognition as a homogeneous ethnic community of Kenya. Nubians as a minority and a once migrant community have had to find a balance between their origins and background, the past and the present status in their new home country.

A sense of belonging is achieved with acceptance and upholding of rights for example, civil, social, property and human rights from the state as well from the community members who demonstrate in different ways that they belong and are a part and parcel of Kenya's diverse communities without the migrant . To belong meant there was a link between who you are and where you belong.

As shown by the study, the Nubians portrayed themselves as belonging to their home, Kibra and they were identified and synonymous with Kibra. Nubians belonged to the land they lived on as their home.

Official recognition of citizenship is linked to the possession of an identity card. The findings indicate that a vast majority (97.5 percent) of the Nubians possessed Identity Cards, which attested to their citizenship. Eighty percent said they felt like full citizens whereas only twenty percent did not feel so due to marginalization, discrimination and difficulty faced in the application process for an ID card, security of tenure for Kibra, among others.

However with their official recognition as an ethnic community of Kenya, the process of getting IDs was less stringent. It can be concluded that the formal citizenship-being in possession of an ID card did not guarantee equality in citizenship for Nubians as revealed by the results.

Other findings indicated that host-migrant tension and conflict is as a result of suspicion, population numbers and competition for scarce resources in this particular case, which was amplified by the absence of property rights on Kibra land. However, both hosts (Nubians) and migrants (non-Nubians) depend on each other and have a beneficial relationship.

The use of Kiswahili, the common dominant language is a unifying factor in Kibra, a cosmopolitan residential area and melting pot of many ethnic communities who speak different languages, Cohesion and interaction among residents is enhanced.

Unity in a community can be reinforced by a common culture, religion, history and community support. The participants cited lack of strong leadership, support, commitment, information, strategy and mistrust were identified as contributing to disunity among Nubians in Kibra.

Through sustained and consolidated efforts between the Nubians and other interested partners, for example, NGOs, the community as a whole achieved recognition. Some Nubians had to assume false identities to secure jobs which they would not have had if they portrayed themselves as Nubians.

Research findings confirms that citizenship status in a liberal democracy does not guarantee equality among all citizens as expected by Nubians, for example, by virtue of having an ID card (Balaton-Chrimes, 2014). The Nubians' experience shows that Culture, like identity is dynamic and susceptible to change. Nubians basically invented themselves through various transformation processes and this finding departs from the idea that tribes were an invention by the colonial powers (Ranger 1985, Lynch 2006). The study concurs with Smeidt (2011) on the Nubians self-invention.

#### **8.2.4 Migration status, identity formation, and land ownership/access to land**

The findings show that, the Nubians constructed and reconstructed identities to fit into their destination area. Collective recognition by the government in 2005, allowed for Nubians to be officially considered as the 43<sup>rd</sup> ethnic community of Kenya, favoured their demand for Kibra as their homeland. Further findings indicate that migrant communities can manipulate their identity formation in order to fit in their destination area. Localization in a particular area is also part of identity and attachment which establishes a linkage between the long-term migrants (Nubians) and the land in a particular area (Kibra). Nubian's identity is measured in terms of their citizenship status as Kenyans.

To conclude, Nubians as long-term migrants developed an attachment to their new home and land, which also creates a link with their residential area. Nubians' citizenship was linked to access to land. Having been recognized as an ethnic community of Kenya in 2005, paved the way for them to eventually access land in Kibra. Collective recognition of a community by the state, paved the way for land tenure security for the community land, which offers protection to the inhabitants in general and potential investors or developers. In Kibra, unity in the Nubian community was reinforced by a common culture, religion, history and community support.

### **8.3 Conclusion**

The movement of the Nubians to Kenya was a forced migration. They were obliged by the British to be part of their African military forces in their quest for expansion to the interior of East Africa. Their homeland in Kenya has undergone a transformation and they are now a minority, as other people migrated to Kibra and outnumbered them. This rendered them more vulnerable and they were considered as squatters in a place they regarded as their own home. Other challenges faced by long term migrants as Nubians include discrimination, identity issues and access to land and ownership.

### **8.4 Recommendations**

Migration raises questions of migrants, their identity as well their rights in their destination area. Land in general has been a source of conflict and exploitation at the expense of concerned communities and particularly, minorities. In Kenya ethnic communities are also identified with their homelands as they belong to the soil - their homeland.

It is recommended that: Right to the land in Kibra should be maintained. The Kenyan government and members of the Nubian community should work together to ensure this natural resource is safeguarded against degradation and loss.

Related to the above, it is also recommended that, Nubians should be involved in discussions on developments in Kibra because, previous developments have not benefited them, for example, the slum upgrading housing project in Soweto area in Kibra. The new road development project displaced approximately 10,000 residents in July 2018.

Many Nubians lost their homes as well as a source of livelihood from their rental rooms which were demolished without compensation, to pave way for the road construction. It is also recommended that, future development projects should involve the pursuit of viable and sustainable projects that can be of benefit of all residents. Further, it is recommended that all residents, Nubians and non-Nubians, should live as good neighbours and their co-existence should be strengthened so as to live in peace in an ethnically diverse environment. Specific efforts should be made to preserve and encourage the use of Kinubi, the Nubian language in written and oral literature form. The issue of vetting should be reviewed with an aim of doing away with the process to promote uniformity and belonging as Kenyans.

This study within its specific context has not been done previously by another researcher. The study has also contributed to the literature on Nubians.

Further research may be conducted on the effects of the Nubian community owning land in Kibra compared to previously when they were in a precarious situation without security of tenure for land in Kibra.

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**APPENDICES**

**APPENDIX A: HOUSEHOLD QUESTIONNAIRE  
RESEARCH TOPIC: MIGRATION, IDENTITY AND LAND RIGHTS  
A CASE STUDY OF THE NUBIANS IN KIBRA-NAIROBI, KENYA**

**SECTION A: SOCIO-DEMOGRAPHIC BACKGROUND OF RESPONDENTS**

**1. How are you related to the head of this household?**

1. Head [ ]	6. Father/Mother in law [ ]
2. Spouse [ ]	7. Nephew/Niece [ ]
3. Son/Daughter [ ]	8. Son/Daughter in Law [ ]
4. Grandchild [ ]	9. Other relative [ ]
5. Brother/Sister [ ]	10. Non-relative [ ]

**2. Sex**

1. Male [ ]	2. Female [ ]
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**3. Age at last birthday?-----**

**4. Education background: What is your highest level of education completed?**

1. No Education [ ]	5. University post graduate [ ]
2. Primary [ ]	6. Other tertiary colleges [ ]
3. Secondary [ ]	7. Madrassa (Koranic schooling) [ ]
4. University under graduate [ ]	

**5. What is your marital status ?**

1. Never Married [ ]	4. Widowed [ ]
2. Married [ ]	5. Separated [ ]
3. Divorced [ ]	6. Consensual marriage (living together) [ ]

6. **How many wives do you have?**

1. Married with 1 wife [ ]	3. Married with 3 wives [ ]
2. Married with 2 wives [ ]	4. Married with 4 wives [ ]

7. **What is your clan?**

1. Bari [ ]	5. Dinka [ ]
2. Lendu [ ]	6. Nubi [ ]
3. Kakwa [ ]	7. Don't Know [ ]
4. Mundu [ ]	8. Other (specify).....

8. **What is your occupation?**

1. Unemployed [ ]	6. Trading [ ]
2. Self-employed [ ]	7. Retired [ ]
3. Housewife [ ]	8. Other .....
4. Landlord/lady [ ]	
5. Public/Civil service [ ]	

9. **How many children do you have, alive (if any)?**

1. None [ ]	7. Six children [ ]
2. One child [ ]	8. Seven children [ ]
3. Two children [ ]	9. Eight children [ ]
4. Three children [ ]	10. Nine children [ ]
5. Four children [ ]	11. Ten children or more [ ]
6. Five children [ ]	

10. **Apart from your nuclear family, do you also live with members of your extended family?**

1. Yes [ ]	2. No [ ]
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**11. If yes, how many are you in total in this household, including yourself?**

1. 3-6	<input type="checkbox"/>	3. 11 and above	<input type="checkbox"/>
2. 7-10	<input type="checkbox"/>		

**12. If no, how many are you in total in this household, including yourself?**

1. 1-2	<input type="checkbox"/>	3. 7-10	<input type="checkbox"/>
2. 3-6	<input type="checkbox"/>	4. 11 and above	<input type="checkbox"/>

**SECTION B: MIGRATION EXPERIENCE**

**13. Were you born in Kibra?**

1. Yes	<input type="checkbox"/>	1. No	<input type="checkbox"/>
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**14. If not, where were you born?**

1. Kisumu	<input type="checkbox"/>	5. Meru	<input type="checkbox"/>
2. Kibigori	<input type="checkbox"/>	6. Mumias	<input type="checkbox"/>
3. Sondu	<input type="checkbox"/>	7. Eldama Ravine	<input type="checkbox"/>
4. Kisii	<input type="checkbox"/>	8. Other (specify) .....	

**15. If you migrated to Kibra, where did you come from?**

1. Kisumu	<input type="checkbox"/>	5. Meru	<input type="checkbox"/>
2. Kibigori	<input type="checkbox"/>	6. Mumias	<input type="checkbox"/>
3. Sondu	<input type="checkbox"/>	7. Eldama Ravine	<input type="checkbox"/>
4. Kisii	<input type="checkbox"/>	8. Other (specify) .....	

**16. How long have you lived in Kibra?**

1. Less than 1 year	<input type="checkbox"/>	4. 10-14 years	<input type="checkbox"/>
2. 1-4 years	<input type="checkbox"/>	5. 15-19 years	<input type="checkbox"/>
3. 5-9 years	<input type="checkbox"/>	6. 20 years and above	<input type="checkbox"/>

**17. Why did you migrate to Kibra?**

1. Employment Opportunities [ ]	4. Family Reunion [ ]
2. Marriage [ ]	5. Work Transfer [ ]
3. Education [ ]	6. Other (specify) .....
	.....

**18. Where was your father born?**

1. Kisumu [ ]	6. Mumias [ ]
2. Kibigori [ ]	7. Eldama Ravine [ ]
3. Sondu [ ]	8. Kibra [ ]
4. Kisii [ ]	9. Don't know [ ]
5. Meru [ ]	10. Other (specify) .....

**19. Where was your mother born?**

1. Kisumu [ ]	6. Mumias [ ]
2. Kibigori [ ]	7. Eldama Ravine [ ]
3. Sondu [ ]	8. Kibra [ ]
4. Kisii [ ]	9. Don't know [ ]
5. Meru [ ]	10. Other (specify) .....

**20. Would you like to move out of Kibra and live somewhere else?**

1. Yes [ ]	1. No [ ]
------------	-----------

**21. If yes, please specify reason (s)**

1. Environment [ ]	4. Better Living Standards [ ]
2. Security [ ]	5. Have your own place [ ]
3. Congestion [ ]	6. Other, (specify).....

**22. If no, please specify reason (s)**

1. Kibra is my home [ ]	3. Have no financial means to move [ ]
2. Have no where else to go to [ ]	4. Other, (specify)..... ..... .....

**23. Do you know of family members/friends who have moved out of Kibra?**

1. Yes [ ]	3. No [ ]
------------	-----------

**24. If yes to question 23, where did they move to?**

1. Within Nairobi [ ]	3. Other towns in Kenya [ ] Specify.....
2. Outskirts of Nairobi [ ] Specify.....	4. Outside Kenya [ ] Specify.....

**25. If yes to question 23, why did they move?**

1. Employment opportunities [ ]	6. Purchase of land/ construction of house [ ]
2. Marriage [ ]	8. Purchase of house/apartment [ ]
3. Education [ ]	9. Other (specify)..... .....
4. Family reunion [ ]	
5. Work Transfer [ ]	

**26. Do you have relatives in Sudan, Uganda and Tanzania you know of?**

a) Sudan 1. Yes [ ]	2. No [ ]
b) Uganda 1. Yes [ ]	2. No [ ]
c) Tanzania 1. Yes [ ]	2. No [ ]

**b) If yes, specify the kind of contacts you have with them. (Tick as many as applicable)**

1. Regular visits [ ]	3. Contact by phone [ ]
2. Occasional visits [ ]	4. Contact by e-mail [ ]
	5. Other (specify)..... .....

**SECTION C: IDENTITY – CULTURE - CITIZENSHIP**

**27. In your opinion, what best defines the Nubian Identity?(Tick as many as applicable)**

1. Language [ ]	5. Nubian handcrafts [ ]
2. Traditional clothes [ ]	6. Residing in Kibra [ ]
3. Nubian food [ ]	7. Other (specify).....
4. Nubian Doluka Dance [ ]	.....

**28. What would you say unites the Nubians? Indicate with numbers three in order of importance**

Culture [ ]	Religion [ ]	Community support [ ]	History [ ]
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**29. In your opinion, what causes disunity among the Nubians? Indicate with numbers three in order of importance**

1. No strong leadership [ ]	4. Lack of commitment [ ]
2. No support to leaders [ ]	5. Lack of information on [ ] community matters
3. Mistrust	6. Lack of strategy

**30. Do you have an Identity Card or Passport**

1. Yes [ ]	1. No [ ]
------------	-----------

**31a. If yes to question 28, did you experience difficulties obtaining one?**

1. Yes [ ]	2. No [ ]
------------	-----------

**31b. Please explain**

--

**32a. Do you feel that as a Nubian, you are a “full” citizen of Kenya?**

1. Yes [ ]	2. No [ ]
------------	-----------

**32b. Please give reason(s) for your answer**

--

**SECTION D: LAND ISSUES**

**33. How did you acquire the land you are residing on?**

1. Inheritance from father     [ ] 2. Inheritance from mother     [ ] 3. Given by father     [ ] 4. Given by mother     [ ] 5. Given by father's family     [ ]	6. Given by mother's family     [ ] 7. Marriage     [ ] 8. Purchase     [ ] 9. Other (specify)..... .....
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**34. What does Kibra land mean to you?**

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**35. Would you move out of Kibra if compensated with land elsewhere?**

1. Yes     [ ] 2. No     [ ]	3. Not sure     [ ] 4. Don't Know     [ ]
---------------------------------	--

**36. Please give reason(s) for your answer**

--

**37. How would you describe the relationship between the Nubians and other residents in Kibra?**

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**SECTION E: FUTURE OF KIBRA**

**38a. What do you think of the Slum Upgrading Project by the National Government in Soweto area in Kibra?**

1. It is of benefit to Nubians [ ]	4. It is of benefit to others [ ]
2. It is of benefit to some Nubians [ ]	5. Other (specify).....
3. It is of no benefit to Nubians [ ]	.....

**38b. Please give reason(s) for your answer**

**39. What would be your priority on improving conditions in Kibra?**

**Indicate with numbers in order of importance**

1. Water supply [ ]	5. Education [ ]
2. Sanitation [ ]	6. Housing [ ]
3. Health services [ ]	7. Local roads [ ]
4. Security [ ]	8. Other (specify).....
	.....

End time.....

Interview Date (dd)...../(mm)...../2016

Name of interviewer(s)..... Signature.....

**WE HAVE COME TO THE END OF OUR INTERVIEW. THANK YOU FOR TAKING YOUR TIME TO ANSWER THE QUESTIONS. DO YOU HAVE ANY QUESTIONS?**

**THANK YOU.**

## **APPENDIX B : FGD INTERVIEW GUIDE**

### **Identity-culture-citizenship**

- What best describes Nubian identity?
- What has changed with respect to Nubian Identity and culture since their arrival in Kenya and what are the contributing factors?
- Nubians have a history of intermarrying with other communities, what do you think about this?
- Kibra is a melting pot of different communities from Kenya, encouraging integration and diversity. What is your opinion?
- In 2005, Nubians were officially recognized as the 43<sup>rd</sup> ethnic community in Kenya. What did this mean to the community?
- Do you in anyway feel you are not a full citizen of Kenya? Explain
- What are the main challenges facing Nubians as a community today?
- What are the factors that unite Nubians or divide them?
- What are the possible suggestions to solve the challenges/ improve the community welfare of Nubians?

### **Land**

- What factors contributed to loss of land in Kibra?
- Were Nubians partly responsible for the loss of land in Kibra?
- How has the loss of land affected the community?
- What would you propose the government to do about land in Kibra for the Nubians?
- Should all Nubians agree collectively or individually to move out of Kibra if compensated with land elsewhere? Would you agree to move out of Kibra if compensated with land elsewhere? Why?

**(I) INTERVIEW GUIDE FOR FGDs NUBIANS WHO LIVED IN KIBRA AND HAVE MOVED OUT**

- When did you move out of Kibra?
- Why did you move out of Kibra?
- What are the advantages of living outside Kibra?
- How often do you come to Kibra?
- What do you miss about living in Kibra?
- What is it that you do not miss about living in Kibra?
- Do you feel attached to Kibra even though you have moved out? Please explain
- What can be done to improve the general living conditions in Kibra?

**(II) INTERVIEW GUIDE FOR NUBIAN RESIDENTS BORN AND RAISED IN KIBRA**

- Can you describe the environment which you grew up in?
- Changes you have witnessed in Kibra?
- What are the problems you face in Kibra as Nubians?
- Which solutions would you propose?
- Would you like to move out of Kibra? Why?
- What is your opinion about the Nubian community?
- What can be done for the community to be better?
- What do you think of the inter-ethnic relations in Kibra?

**(III) INTERVIEW GUIDE FOR NON-NUBIANS MARRIED NUBIANS AND RESIDENTS IN KIBRA**

- What do you think about the Nubian culture?
- What can you say about your interaction the community?
- Do you feel like you are a Nubian or not? Please explain
- Do you speak and understand the Nubian language?
- What would you say are the positive aspects of the Nubians?
- What are the negative aspects of Nubians?
- What problems do you face in general as residents of Kibra?

**(IV) INTERVIEW GUIDE FOR NON-NUBIAN MIGRANT  
RESIDENTS IN KIBRA**

- Where did you migrate from?
- What made you decide to migrate to Nairobi?
- Which year did you migrate to Nairobi and where did you first stay?
- When and why did you come specifically to Kibra?
- What changes have you witnessed in Kibra since you came?
- Do you consider Kibra as your home? Please explain
- Do you think Kibra belongs to Nubians? Explain
- What do you think about the inter-ethnic relations in Kibra?

**(V) NUBIAN COUNCIL OF ELDERS**

- When and why was the COE established?
- What is your mandate?
- What is your opinion of your impact vis a vis the Nubian community?
- What are your views on the land issue in Kibra?
- What would you like to see happen for the Nubian community

**APPENDIX C: INDIVIDUAL INTERVIEW GUIDES**

**(I) LIFE HISTORY INTERVIEW GUIDE**

**Childhood**

- Where and when were you born?
- Where were your parents born?
- Describe your memories of your home, childhood, home and neighbourhood in Kibra
- What type of education did you receive?
- What activities did you do to within the homestead and during your free time?
- What is different about growing up today and when you were growing up?

### **Adulthood**

- How old were you when you got married?
- Describe the activities related to the wedding?
- How many children did you have?
- Describe the family life you had and the role of members within the family setting

### **Identity and Culture**

- What can you say about the Nubians migration from Sudan and settlement in Kibra?
- Do you know of any Nubians who have converted from Islam to other religions and vice versa?
- What do you think of intermarriage between Nubians and non-Nubians?
- What do you think about the inter-ethnic relations in Kibra in the past and present?
- What has changed in the Nubian culture and what has remained the same if you compare in the past and present?
- In your opinion, what are the positive and negative points about the Nubian community.
- Do you have an ID card? If no, please explain why.
- Describe the process you went through to acquire an ID card and when you got it?
- Do you feel like a full citizen of Kenya? Please explain?

### **The present and future**

- What things are most important to you and why?
- Tell me about how you have been affected by the changes that have happened in Kibra.
- Did you ever imagine Kibra would be like it is today? Please explain.
- Would you move out of Kibra to live elsewhere? Why?
- What are your concerns about the future of Kibra and Nubians?

### **Life lessons and legacies**

- What advice did your parents/grandparents give you that you remember?
- What advice would you give the Nubian community?
- What would you like to tell all residents in Kibra?

**(II) KEY INFORMANTS**

**ELECTED AREA REPRESENTATIVE**

- What is your main role as the area representative?
- What are the main challenges faced in Kibra by residents?
- What do you think about vetting of Nubians and others when applying for national ID cards?
- What is your opinion on the land question in Kibra?
- What are the advantages of the Community Land Bills?
- Kibra is a melting pot representing many ethnic communities, what do you think are the main problems faced and/or benefits because of such a setting?
- How are the problems addressed?
- Developments projects completed, ongoing and future plans for improvement of Kibra.
- What is your vision for Kibra?

**(III) AREA GOVERNMENT ADMINISTRATIVE OFFICER**

- What are your main functions?
- What cases do you often come across in Kibra?
- What are the main challenges you face in the administration of the area?
- How do you address the challenges?

**(IV) A COMMUNITY BASED CIVIL SOCIETY ORGANIZATION**

- What is the background in establishing the organization?
- What is your role as an organization working with the Nubian Community?
- What cases have you participated in and what are the outcomes?
- What can you say about the citizenship and vetting of Nubians?
- Please explain about the ownership of Kibra land?
- What can you say about compensation of land in Kibra?
- What would you say about the Nubian community?

**(V) A MEMBER OF THE VETTING COMMITTEE**

- Who are members of the vetting committee and how are they appointed?
- Please explain why you do the vetting?
- Who are vetted?
- Please explain where and how does the process take?
- How long does the vetting process take?
- What are the benefits of vetting?