

THE SUPREME COUNCIL OF KENYA MUSLIMS

A PRESENTATION ON THE COAST REGION AND THE EMERGENCE OF THE MOMBASA REPUBLICAN COUNCIL

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THE LAND AND MRC DEBATE

Fast tracking land reforms towards peaceful elections: Spotlight on Coast region

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At least five of the six counties in the region are perceived to be sympathetic to the proscribed Mombasa Republican Council (MRC) whose rallying call for mobilization has been the marginalization since independence in different manifestations such as landlessness, high levels of unemployment, low levels of education, entrenchment of poverty, and other intergenerational social, political and economic injustices. The MRC is suspected to enjoy massive following among the underclass generated over the decades by the historical injustices and covertly by some of those who seek political office. A major concern to Kenyans is that the MRC have vowed to ensure that no electoral related processes particularly voter registration and voting takes place in the region.

The Government, development partners, professional associations, civil society, FBOs and all friends of Kenya should implement multiple interventions that will facilitate the realization of a culture of peace in the region and the understanding that Kenya has a new constitutional dispensation that to a great extent, if properly implemented has well meaning provisions and mechanisms to address major historical injustices in the country, the coastal region included. The process of dialogue envisaged is expected to ensure that the key grievances of the MRC and the coast communities are comprehensively documented for systematic and timebound redress but in the interim the main stakeholders organize to neutralize the underlying potential for conflicts and collectively engage for buildup processes that will lead to democratic transitional elections.

A. Description of the issue .

Since independence the marginalization of the coastal communities by the state has led to widespread poverty, unemployment and aggravated social and economic inequalities. This coupled with the landlessness of the majority of indigenous communities and inadequate service delivery by successive government regimes

has at best played a significant role in the emergence of Mombasa Republican Council.

When compared to other parts of the country the plunder of local resources particularly land by non indigenous power elite and their local collaborators, is now manifest in obvious disparities in wealth which questions the broader crisis of legitimacy and moral authority by the state.

There are deep perceptions that government connected - political and economic elites – whose identity is disproportionately upcountry - have abdicated any sense of commitment or responsibility toward the development of indigenous coastal populations. Since the general elections of 1997 these perceptions may help explain the resort to indiscriminate forms of xenophobic behavior toward not only non coastal state officials, but upcountry persons resident at the coast as well. What is critical here is not so much the material grievances that social marginalization produces, but the far more dangerous message that acute forms of social exclusion may convey to those who are its victims.

Although token government land re-distribution schemes have served as well publicized tools for addressing landlessness, they have neither resolved the problem nor improved production at the coast. For instance the ambitious Magarini Settlement Scheme ended up as a symbol of Miji Kenda poverty¹. A recent study revealed 78 per cent of coastal inhabitants questioned see the schemes as doing very little or nothing to resolve the long-standing land ownership and development goals. According to Kanyingi (2000), all the coastal settlement schemes only had settled a total of 8,000 “squatter” households. In Lamu they are correctly viewed as a governmental vehicle for importing upcountry settlers; in-migration has seen the District population increase by over 18 per cent over the past decade².

The unmet social and economic needs typically interact with other factors where two often loom large: widespread corruption and the inability of the state to provide for security and access to justice. The combination further breaks into four distinct variables – lack of security, lack of or inadequate access to justice, pervasive corruption, and socioeconomic deprivation – directly providing ample opportunities for MRC to expand their influence. A major underlying issue is idle youth. While unemployment or under-employment by themselves do not trigger

¹ Hoorweg, Jan (2000). The Experience With Land Settlements. *Kenya Coast Handbook: Culture, resources, and development in the East African littoral*. Eds. Jan Hoorweg, Dick Foeken, R.A. Obudho.

² Coastal Land Study (2011). Development Management Policy Forum-Ford Foundation.

violence they can make young men, in particular, far more vulnerable to the lure of involvement in illicit activities.

The MRC have diverse issues, opinions and interests that are not coherently articulated. The most alarming is the call to abrogate the Lancaster House agreement that gave birth to the state of Kenya. By repeatedly demanding for the secession of the coast from the rest of Kenya (Pwani is Kenya) the MRC have demonstrated their limited organizational ability in understanding the principles of engagement and possible lack of interrogating the consequences of their actions. The situation and probably without intent feeds into the Al-Shabab factor across the border in Somalia. The fact that the MRC leadership has been mobilizing the communities not to vote threatens the basic tenets of Democracy and Good Governance not only in Kenya but in the East African Region.

What are the causes of the problems and what, if anything, has been done to resolve them in the past?

In 1961 Robertson Commission was formed to look into the anticipated the problems of integrating the coast into an independent Kenya, a number of recommendations were made in this regard as a measure of safeguarding local communities. A code of human rights was 'entrenched' in the Constitution safeguarding the exercise of all those rights universally regarded as the heritage of all inhabitants of free and democratic societies. The Report further advocated for the creation of special human rights body and education board for coastal strip. This Report also advocated the establishment of a Coast Land Board to advise the Government and Legislature on land policy in regard to: disposal and use of public lands; the best use of uncultivated privately owned lands; the settlement of disputes between landlords and tenants; preparation of a code regulating the relations of landowners and their laborers; and the transfer of land owned by local coastal people to persons from outside the Strip and to foreigners.

These provisions concerning land, citizenship rights, and civil service employment were not honored and instead local politicians were co-opted into new system of elite and ethnic patronage to the detriment of their constituents. Large areas of nominally Trust Lands remained 'crown' land and have been for political patronage and reward been given to outsiders, state elites, and wealthy investors while locals are treated as squatters in their own ancestral lands without right to title deeds.

What are the causes of the problems?

The Integrated Household Budget Survey (Kenya National Bureau of Statistics 2007) ranks the Coast below all provinces except Northeastern in rural poverty, and reports that urban poverty in Mombasa is higher than the country's other major cities. The Total number of Below Poverty Line in Coast region stands at 1,775,044 with a young male Population between the ages of (20-40) is 509,121. From the top 15 poorest districts in Kenya the Coast region has the bottom 5 namely: Tana River, Malindi, Kinango, Kwale and Kilifi. The real problem is that the indigenous coastal population is becoming poorer while outsiders are prospering in their homeland.

The result

The emergence of Mombasa Republican Council as a self-described social movement—not a political party, not an NGO, and *not* an armed gang which became active in 2008, existed in some form earlier since 1999. Representatives are found in Mombasa, Msambweni, Vanga, Kinango, Ukunda, Kwale, Malindi, Kaloleni, Chonyi, Tana River, Chonyi, Tarasaa, Garsen / Gamba, Kipini, Taita-Taveta, Takaungu, and Mariakani. The movement displays properties of other free-scale networks and encompass a broad array of social forces with different, if not conflicting, interests and outlooks who have been antagonized by the government and have become alienated from the prevailing order for some other reason(s), and who aspire primarily to regain the influence or the prerogatives of which they feel they have been unjustly deprived. The movement is composed of marginalized communities that have been excluded and largely neglected by government, political and economic elites. The movement has been embraced by idle rural and peri-urban youth driven by a search for economic and political adventure and/or a desire to lash out at a system they feel has left them with no hope for the future.

The fact that the political class has failed to improve conditions for the Coastal communities has led the MRC to a belief that the new constitutional order propels the urgency of their overriding desire to be in control and to do this they need to explain their skepticism over the reform process, more than the content and substance of the new constitution particularly on county governance and decentralization.

This cynicism has made the MRC to advocate for the boycott of the upcoming general elections and it is feared that the MRC is collecting and destroying its supporters' voter registration cards as a strategy for one to disenfranchise and two to prevent the coastal communities from voting. The traditional (Kaya) elders' council has formed the MRC's most secretive body which has prominent Miji Kenda spiritual healers providing policy and decision-making functions of the councils. The elders are the repository of the MRC's internal culture, recruit and enroll youth; administer oath ritual before formally initiating them into the MRC youth wing.

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