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Developing against Development: Resistance as Participation in Development Induced Displacement in Kenya

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Introduction

Mega development projects displaced more than 200 million people in the 20th century. Terminiski (2012) estimates that 15 million people are displaced annually by development projects. Although Development-Induced Displacement and Resettlement (DIDR) projects are justified on the basis of greater good, eviction aggravates poverty by causing landlessness, food insecurity, lack of access to common property resources, increased morbidity, and mortality (Cornea, 2000; Bortolome et al, 2000). Downing (2002) also adds loss of access to public services, disruption of formal education activities and loss of civil and human rights as part of the risks. Such values and benefits are difficult to compute and therefore to compensate, yet such are the "things people have reason to value" (Sen, 1999).

The integration of community participation in DIDR projects in the 1980s was therefore conceived as a strategy for reducing the adverse effects of such projects. However resistance and controversies still characterise such projects. This study posits that resistance is part of the participation process. Resistance often occurs due to the limitations of formal participation and not lack of it. Using data collected from the development project of the Yala swamp in Siaya County, in Western Kenya, this essay argues that disputes are attributable to four main factors. First, the objectives of participation by project developers and members of local communities are at variance. Secondly, the projects often fall short of expectations. Thirdly, the principle of full disclosure is not fully observed. And finally, external interests transform the initial agreements and expectations.

Part 1 of this essay highlights important concepts including 'participation', 'consent', and 'resistance', and gives insight into the research methodology. Part 2 presents the case of Yala swamp and its background. Part 3 and 4 discuss the research findings. The main argument is that resistance is an integral part of participation.

1. Peoples' Participation in DIDR

The practice of people's participation was introduced and formalized in DIDR in the early 1980s (World Bank, 1994; Oliver-Smith, 2001). Participation is a strategy of involving communities in development processes, tapping into their local knowledge, building local capacity, and eventually transferring ownership back to them (Chambers, 2005; Schudder and Corlson, 1982). Among the benefits of participation are community empowerment, civic engagement, and ultimately good governance (Turnhout et al, 2010). Participation in DIDR captures the contradictory characteristics of development. While it is seen as desirable and 'people focused', it has become conditional for accessing international funding (White, 1999; Schech and vas Dev, 2007). To potential victims of mega projects, participation is about giving their consent. Staked against the principle of public interest, victims' consent or refusal carries little wait.

Conceptualizing 'consent', 'conformity' and 'resistance'

Consent is an agreement to a proposal; it can also mean approval and willingness to give or to receive. In DIDR literature, informed consent is a requirement that can only be obtained through full disclosure and community participation. However it is noteworthy that there is a contradiction when we use the term consent in involuntary displacement: victims often have no choice because governments have legal protection in acquiring private land for public use drawn from the principle of eminent domain.

Conformity on the other hand involves group dynamics. Crutchfield (1955) defines conformity as "yielding to group pressure". Influence may be exercised through bullying, criticism, persuasion and teasing.

Resistance is a set of processes of negotiation between actors who operate from particular positions along a spectrum of power relations (Gandhi, 2003: 6). Development projects attract resistance because of the unequal benefits they provide and the losses they incur. This multiplicity of losses and benefits are located in the centre of development chains that embodies different group interests.

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Research methods

The fieldwork entailed mapping the Yala swamp, the affected populations, and other stakeholders. We administered semi-structured questionnaires that we followed with in-depth interviews of key informants. Respondents included government offices, civil society, and community leaders. The field notes were then codified along the themes already identified and also those that emerged during the fieldwork. Primary documents such as minutes, maps, and correspondences between different groups were also analysed. The proposal document by Dominion, a group of companies involved in the development of the Yala swamp, the government maps, and environmental impact assessment reports were considered primary documents.

2. Yala Swamp: Western Kenya Main Wetland

As indicated in figure 1 below, Yala swamp is one of the major wetlands in Western Kenya. It is located in the flood plains of River Yala that drains into Lake Victoria, the largest fresh water lake in Africa. The wetland is one of the most fragile eco-systems (Aloo, 2002). The swamp stretches 25 km from W-E and 15 km from N-Sat the lakeshore. While the swamp is extensive, covering about 175 km2 (see legend), the area of concern covers about 17 500 ha of land. Up to about 1969, the inhabitants treated the wetland as communal land where people enjoyed only use rights rather than individual or family ownership. Besides being a source of water, the wetland is used for crop cultivation, livestock keeping, fishing, harvesting of reeds, and medicinal plants. Having noticed the potential of the wetland, the government of Kenya created the Lake Basin Development Authority (LBDA) in 1979 with a mandate to develop and manage resources along the Kenyan side of Lake Victoria.

For better management of the Wetland, LBDA devised a strategy whereby community members were allocated part of the drained swamp to cultivate. The only requirement was that people formed a group of ten. The main aim was to eventually transfer the entire management to the local community. The current research concentrates on the displacement caused by Dominion farms since 2003, which changed the arrangement LBDA had with local communities.

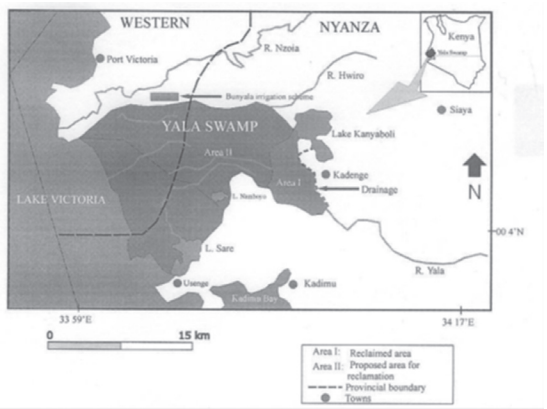


Figure 1: Yala wetland land context. Source: Abila et al., 2003

3. 'Participation' in Yala Swamp: Dominion vs. Citizens

Although participation has become a critical component of development projects, especially in rural communities and also in projects with displacement component, this study reveals that community members and project managers have different and sometimes incongruent perceptions and objectives. According to project managers and government officials, participation



Photography 1: View of Yala Swamp. Source: Anna von Sury, 2015

means securing the consent of community members faced with displacement. For community members, participation goes well beyond consent; it concerns the ways in which they will be involved in the project at several stages and how the project can ultimately transform their lives.

To secure participation of members of the community, the company used the existing gatekeepers, including the church, local administrative structures, and (women) groups. Dominion farms owners claimed that better living came through Christianity. They established a church within the area that acted as a meeting place for discussing the project but also demonstrating to dissenters what could be achieved through giving consent. However participation of community members was only sought after the local government had already signed lease agreements. Most residents gave their consent because they did not have to give up their land. Those whose land was to be affected objected. Among the respondents, there was a general agreement that the coming of the company was a positive development, as captured by the following respondent: "Dominion came in a very positive way and all of us agreed because we had seen the benefits from LBDA, how I wish we should have listened to Hon. Martha Karua who was one of the government officers who opposed it".[2]

In line with LBDA practice, the community members expected to be fully integrated in the project and to take over after the 25-year lease period.

Promises to secure consent

Despite the promises that Dominion was going to transform the lives of local community members, events undermined the economic viability of the company and also the practicalities of achieving their objectives. The company promised socio-economic investments in education, health, and infrastructure, including roads. There is a perception that the initial projects that the company implemented were meant only to get their consent or to appease local power brokers. For example, the company

[2] Interview with a resident, 11 August 2017. Hon Martha Karua was the Minister for water and irrigation in 2003

promised to build new schools, hospitals, and upgrade the road networks, but this was only partially done. The company instead upgraded the existing schools, which was interpreted as favouring only those already benefiting from public schools.

More contentious was the agreement that each family unit would be allocated ¼ of an acre for maize cultivation and that the company would only plant maize for one season as they prepared the fields for rice cultivation – the main commercial crop. While the company allocated 150 acres on each side, this was not enough for all the families affected. This resulted in disputes between groups and also within the company.

Limited information

The total area that the company leased became controversial. The understanding was that the company would only lease the 2700 ha that had already been drained by LBDA. The lease was for 25 years after which the management of the wetland would revert back to the locals. However the lease was quietly extended for 45 years (IFAN, 2010). Secondly, there was a general understanding that Dominion was to plant rice and no other crops. The fear was that if the company was to plant other crops such as maize, this would undermine farming of local crops by the community.

External factors

The activities of the company created economic prospects that triggered rural to rural migration. Community members claim that migrants came from other counties, including Kisumu, especially from Kano, Homa Bay and even Migori and posed unfair competition for jobs and business. The migrant community complicated the common understanding of what 'local' means. For example, it had been agreed that the locals would get first priority in case of employment and only specialized personnel would be sourced from outside. Employment of migrants was therefore not wholly welcome. At the same time, Dominion Group of companies seems to have been undergoing some transformations, which entailed the sudden withdrawal of the top management. Secondly, the company faced problems with rice cultivation partly because of cheap rice imports from Asian countries. The pricing of the local rice was slightly higher than the imported rice. In addition Kenya does not traditionally export rice, which meant that the company had to invest in exploring for new markets. This compromised the ability of the company to meet its cooperate social obligations.

4. Development as Resistance, or 'Development against Development'

While the arrival of Dominion farms was largely accepted at the beginning, failure to meet expectations created discontentment and disagreements. First, benefits and losses were not equally shared. Many interviewees underlined the fact that some people benefited more than others. While the company may have not delivered because of difficult business circumstances, community members pressed for promises to be kept. Although post development theorists (Kothari et al, 2001) argue that participation has been stripped of its transformational values, this study found that community members used resistance as a form of participation. Furthermore they used innovative ways of resistance, which I hereby call 'developing against development'. Instead of contesting boundaries and fences, people in Yala swamp initiated their own development projects to stop Dominions farms from encroaching in their own farms. Some of these development projects were not meant to evict the company but as forms of bargaining cards, as the following cases will show.

Planting Eucalyptus trees

Due to the need to drain a larger area than initially drained by the LBDA, Dominion proposed to increase the height of the dyke from 3 to 4 metres. While consent was granted for this, the company went further and increased the height of the dyke to 6.5 metres, bringing in a much larger area and population under flooding. Individuals who sensed the threat of flooding of their farms initiated their own development projects including planting Eucalyptus trees. One of the respondents, Mr Otieno (not his real name), explained: "the chief told us that we cannot cut trees without his permission, so I knew the government cares about those trees". He planted the trees in 2 acres of his land near the river. This strategy served two purposes: first, in case he was forced to move, his compensation would be much higher than if the land was empty; secondly, because of the afforestation programme by the government, Mr Otieno was aware that the government – through the local chief and the ministry of Environment and natural resources – would have to be involved. Farmers nearby also adopted this strategy. By the time of the research, most of Mr Otieno's trees were in full bloom. The farmers here have used tree planting as a barrier to undesired development and a bargaining card. This illustrates how local community members can actually turn the concept of development on its head.

Construction of houses

A number of families resorted to putting up houses as barriers to displacement, though with varying success. The company would occasionally block the slippage that flooded farms and houses near the riverbank. Families with mud-walled or grassed thatched houses were greatly affected. While some of the families had to relocate, some of them stubbornly stayed or just moved a few metres away. This dispute was partly created by the company but also historical. First, by raising the height of the dyke, the company brought more people into the project area. These people did not participate in the initial agreement. They were therefore not part of the compensation plan. Secondly, the company insisted on compensating them at the same rate others were compensated in 2003-6. While in 2003, Kshs. 25 000 (USD 250) could buy land nearby, in 2010 onwards it could not. The historical problem was the claim that the residents had already been compensated by LBDA and more money would result in double compensation.

Cultivation

Although cultivation of vegetables, tubers and fruits is common livelihood strategy among the local community, the dispute between the company and the community members changed this activity from a source of economic income to a resistance tool. Planting banana trees, local vegetables or cabbages near the river was initiated to block the company from expanding upstream but also to demonstrate to local government authorities the type of disregard that the company had of the people living in the area. One of the respondents lamented: "I can't grow any of my usual vegetables or cassava because the fertile part of the land is under water now".



Photography 2: Flooding in the upper part of the swamp. Source: Sofia Von Post, 2006

Local politics

To insulate themselves from political manipulation, one of the vocal leaders of the Yala Swamp Association was elected as the local councillor (Member of County Assembly now). The previous leadership was not considered vocal enough to push for the interests of the community because he may have been compromised. Electing one of the leaders of the association was then seen as enhancing their participation. In this way the project changed the power dynamics in a way it had not anticipated.

Conclusion

This essay has examined the process of participation in Development induced displacement project in Yala swamp. Like most social processes, participation is imbued with social and political values that serve different groups according to their interests. While formalised participation is meant to achieve objectives of project managers, this study has revealed that informal participation through micro-practices of resistance – characterised by turning common practices on their heads – does bring to the fore some of the salient struggles in development. Unlike the post-development contention that participation has become a tool of domination, local communities have demonstrated that this is not always the case. The several projects erected against Dominion are examples of the ways in which people seek to determine what development is appropriate to them.

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