



# The Ones Who Are, But Don't Exist: Being Nubian, and Kenyan

By Kedolwa Waziri



When I was in high school, one of my uncles asked me if I had a boyfriend. It was a typical question that many of our parents or relatives ask at this rather awkward period of our lives. The conversation remained a playful exchange until my uncle got really stern and told me this: “Before you get into a relationship with someone, make sure they have an ID.” At the time I thought that remark to be rather odd, and didn’t know what to make of it. I dismissed it with the thought that maybe he was under the influence or maybe it was just a recommendation that adults give based on their personal bias such as “make sure they are God-fearing.”

I never thought much about national identification cards until it was time to get my own. I had never heard of any odd stories around securing this document, the legal evidence of initiation into adulthood. My cousins and older friends before me had had a fairly easy time, so I never imagined that it would be an experience that would change my life forever, or one that I would be writing about five years later.

## The beginning

On the morning I went to apply for my ID, my mother, a very organized person, had prepared a folder containing the documents that were required by law. We went to the chief’s office - a walking

distance - chatting and laughing as she teased me about what "adulthood" meant. We got there and there were a few young people, so I went in, oblivious of what would happen. My mom seemed a bit nervous but I was very excited. I was thinking of all the things I would be able to do; drive, travel alone, go out dancing, drink... She gave me the documents and I went into the application room, not knowing that I would come out a different person.

My father had died in 2007, seven years before I applied for my ID. I was aware that one of the requirements for the application process was copies of your parents' identification cards and my birth certificate. The folder had a copy of my mom's ID and my birth certificate. My father's ID was not there because he didn't have one.

When the chief asked me about my father's documents and his ethnicity, I didn't know what to say, because I was unprepared for any kind of interrogation. Actually, I didn't even think that I was going to interact with the chief in any way. I had expected to be given forms, fill them, have my biometrics taken and go home in time for lunch, with my interim ID in hand. I called my mom into the room and had to witness her saying that my father never got an ID after decades of applying, because he was a Nubian and somewhere along the way, he gave up. In that moment I was being exposed to this kind of alternate existence that had not been a part of my reality but would affect how I saw everything from then on. For so many years, my mother had hoped that by the time I was applying for this document, that things would have changed and that I wouldn't have to go through the humiliation that she witnessed my father go through for so long. She tried to explain the situation to the chief, but he dismissed her by saying "all foreign tribes must be vetted...*huyu itabidi* vetting." (She will have to be vetted). The walk home was silent and heavy. My mother was teary and I was quiet.

Nubians were brought to Kenya from Sudan in the early 1890s to serve as soldiers in the British army under the Kings African Rifles, first during the building of the Uganda railway and second, in the First and Second World Wars. The British denied the Nubians the freedom to return back to Sudan after demobilization, and then categorized them as aliens, a label that has since been perpetuated by consecutive post-independence governments. Because they weren't allowed to go back to Sudan, the British allocated the land that covers present-day Kibera to the community to settle on, but their status as "aliens" has meant that there can never be any legal documentation to show that the land in Kibera is, to my generation, Nubian ancestral land. This, in turn means that the state can and has refused to legitimize the rights of Nubians, keeping them in a permanent state of stagnation, which benefits powerful elites.

My father was Nubian. This label didn't mean much to me in the sense that I never thought that being Nubian would shape my lived experience in any significant way. I just thought I was just a child, a person, a Kenyan. Outside of my grandmother's house, this Nubian identity was basically an inconsequential part of who I was. Growing up I just found it strange, fascinating and finally tiring when people would ask me if Nubians were Kenyans, having never heard people asking Kikuyus or Kambas whether they were Kenyans. With my limited view of the world I just thought it was a game of popularity, like how we had the popular guys in school, who everyone knew, and the ones who were not so popular, but were still part of the school and still enjoyed the structural providences. So, Nubians, like the Mbeere and the Pemba, were just few in number and perhaps not well known, and my assumption was, even though these groups of people lacked social capital and recognition, they very much enjoyed all the rights that all other Kenyans enjoyed.

I did not know what vetting was or what it entailed in this case, and frankly, I had never heard of it. The chief had given us a piece of paper, on it, a list of documents that I was to produce to prove I was Kenyan enough for an ID. The list absurdly demanded that I bring; copies of my grandparents' (dad's parents) identification cards, my father's death certificate, primary school and high school transcripts, my immunization card, and most surprising of all, a copy of the ID of our building's

caretaker, accompanied by a signed note saying that he knew me and that I was resident in the building I claimed to live in, for an extended period of time. There was also mention of appearing before a 'council of elders' and paying a fee to a magistrate.

By then, I had figured out that what I was being subjected to was not standard procedure, but an act of institutionalized discrimination. I had been asking my friends about their experiences, and they all seemed to have flawless experiences. Most of them praised the government for "making the process easy." On the other hand, my Nubian cousins weren't even trying to get IDs. They already knew that hurdles were too great.

To the government, it was clear that Nubians were not human, because to be human is to belong. "At the age of 18, your life as a Kenyan stops" one Nubian youth from Kibra lamented. "It is only when you apply for an ID card that you realize you have been living a lie. This country does not want you, and the years you have spent here are all a farce." Without an ID, one cannot register their sim card, therefore access to M-Pesa or any other form of mobile banking is impossible. One cannot vote, cannot access government buildings, cannot obtain a passport, cannot apply for jobs, higher education or even acquire a driver's license. It is so absurd, to the extent that without an ID, one cannot legally die, which is what happened to my father. He does not have a death certificate because he did not have an ID. The state neither recognized his life nor his death. In the eyes of the state he never existed. To me, this is what statelessness truly means. The right to live and the right to die and the right to belong are taken away, without being granted in the first place.

### **Proving my humanity**

Nubian youth today go to great lengths to get a chance to even apply for their identification cards. Many lie about belonging to other tribes, mostly the "popular ones," many save up in order to afford to bribe officials in the many different offices they will likely have to go through. All this because the Kenyan state gets to play a game of the politics of exclusion and inclusion, who is "in" and who is "out", but these acts have real implications to real people whose lives begin to be defined, first, by statelessness before they can claim to be anything else.

I have a great uncle, who by several untruths, social connections and stubbornness, was able to obtain an ID many years ago. His single ID caters to every official need that people in the family may have. Any dealings with the Kenyan government and he's your guy. People depend on his vote to speak for many. Many M-Pesa transactions go through him. He takes people's children to school; his bank account is basically communal. So this uncle's details are the ones outlined on my father's burial permit. The one legal document that bears my father's names is his burial permit, written in my living uncle's name, with my uncle's ID number.

Back to my application for an ID. On the day that I returned to the chief's office, I wasn't hopeful. I wasn't excited. I was dreading the humiliation of having to prove the only nationality I knew, in front of many people. I went with all the documents that had been demanded for the vetting process, except the death certificate which didn't exist, and my grandparents' IDs which also didn't exist. Standing there, being talked down upon and ridiculed, all I could think of, strangely, was the caretaker. I had spent the week chasing him all over the estate. Once I explained the reason why I needed his help, he became too busy, an act he put up in order to get a bribe out of my mother and I. Being a heavy drinker, he always asked for "pesa ya kachupa". I always said I didn't have the money. Then he would get angry and tell me to look for him the next day. This went on for a couple of days until he finally gave me his ID which I photocopied and the next day he wrote a brief note, signed it and I attached it to the copy of the ID. The day I was going back to the chief, I met him at the gate, sober, telling me that he knew the chief. I didn't know what that meant, but I saw my mum giving him a 200/- shilling note. Standing in front of the chief, I now knew what he meant. He could unravel

this whole process just by his word of mouth. I felt so small and dispensable, like my life was hanging in the hands of these men who had more citizenship than me.

The chief sent me home, and as I was walking back, I was trying to think of all my family members; maybe I have lawyer cousin that I didn't know about? I needed a lawyer, and I knew legal fees were expensive. See, the chief said the documents were insufficient to prove anything. The caretaker's note was there, my mum even managed to find my immunization card, all my transcripts up to my final year of high school were there, but he said that the documents that were missing were the most important. So he advised that I seek the services of a lawyer in which I would swear an affidavit that my father died not being a citizen of Kenya, and that I was aware of this and was ready and willing to take the ID using my mother's details only. This was to me, a protest to my protest. Here I was, trying my best to prove that I belonged, holding on to everything I knew about myself, but being told that I am not who I know I am, my life being unraveled, in an embarrassing and truly heartbreaking manner.

When I was turning 10, a year before my father died, my mom threw a birthday party for me. Till this day, even in the pictures, I have tears in my eyes because my dad couldn't make it. I wanted him there so bad. He was my dad. Here I was, at 18, being asked to erase his existence in order to exist myself. I couldn't process it. I just couldn't. I always want him to be with me, and my country was asking me to wish away someone that I was part of who I was because of the favor of belonging; of legally obtaining the Kenyan identity.

My mum wanted me to get the process done as soon as possible, because like any mother, she wanted to see my life moving. You don't realize how hot Nairobi is during the dry months until you have to walk up and down Argwings Kodhek Road looking for an affordable lawyer. Luckily my mum remembered one of her friends from church who was a lawyer. She got his number from his wife; we called him up and were able to locate his office just before 3pm. We explained everything, and while he was baffled, he prepared the affidavit and I signed it soon after. I was soon back home but I was wondering if all those feelings were worth the trouble of trying to be a Kenyan.

I have heard stories of Nubians today only being allowed to apply for IDs on Tuesday and Thursday from 9am -1pm on each day, with only three government officials serving thousands of young and old Nubians. Other people from other tribes can apply on any day at any time that falls within the business hours. My father's mother has been sick for decades. She had a growth in her abdomen that requires very specialized and expensive care. She doesn't have an ID, therefore she can't access insurance services. She knows she is in pain because she doesn't possess any form of proof of citizenship. Hearing about this time that has been set aside for Nubians to apply for identification cards excites her, and she is happy at the prospect of more of her people being recognized as Kenyans and participating in society. She does not know that this process is just an extension of the injustice orchestrated by the oppressor, because the person who denies you your humanity cannot turn around and give it to you in small doses at their own convenience and by their rules. It is false and inhumane for a part of the population to be made to feel like their access to human rights is a favor and the little attention they are given, a privilege.

### **Where life stops**

Like other Nubians, my uncle, the youngest of four sons, married outside of the Nubian tribe, hoping that this would mean that his children would have better chances of legal belonging. Creating a situation where people would rather marry outside of their tribe so that their children may have a chance of legally existing, is by design, ethnic and cultural genocide. My uncle was in a relationship with a woman from a different tribe, with whom he had a child and lived together. The girl was hiding her relationship from her family because of fear of their disapproval. Unfortunately, one way

or another, her family found out and they forcefully removed her from my uncle's home and took her, and the child, back home. Their reasons were that they had heard that Nubians are lazy; they sit around all day, without jobs and at the risk of deportation because they are not Kenyans.

A couple of years ago, another of my uncles, a father of three sons, was suddenly left by the mother of his children. She was frustrated by his lack of a steady income. She left him with the children, and we received word that she was married elsewhere. He would die two years after, because of lack of access to proper healthcare. He died still waiting for his ID application to be approved so that he could apply for insurance.

My uncles' stories are testimonies of real life consequences of the evils of the state. This lack of legal identification affects more than just the one individual seeking the document. Many Nubian people are not able to provide for their families. They are left feeling that they are not doing right by their spouses, their children, and themselves. The situations that Nubians find themselves in are locked in by helplessness and despair. It is not my uncles' faults that they are not able to even have the opportunity to have steady sources of income. When I see Nubian men, young and old, seating around their houses, playing draughts, I see men whose ability to affirm themselves has been taken away. So they carry their politics in their bodies. They talk to exist, to pass the time and fill the void of uncertainty. They talk, therefore they are. When I see my uncles, I don't see 'lazy, unmotivated' people, which is a dominant narrative about the Nubian people. This stereotype is, behind the scenes, advanced by the difficulties faced in obtaining identification. When you don't legally exist, legally love, legally die, when you don't legally belong anywhere, it is easy for narratives about you to be formed and advanced by the people who belong. They have the voice, you don't.

On the day that I was to pick up my ID, I was nervous about being turned away. It had been a couple of weeks of back and forth. After the humiliating vetting process where one man on the council tried to get me to sing the national anthem in Kiswahili, I just knew if I had to go through one more hurdle, I'd weep and probably just give up on the process all together. As I was standing in line, I thought about how I was being forced to basically denounce my father in order to be a 'real Kenyan'. I wondered if that was the price I had to pay, and if any of it was worth it.

When I got home, I showed off the new shiny plastic proof that I was a human being worthy of being seen and heard to my mum, my cousins and my aunties. They were very happy. Getting this little thing was such an achievement and they all congratulated me for "keeping steady", "staying strong" and "doing all it takes." An outsider listening in might have genuinely thought that I was participating in a vigorous Olympic activity. And isn't that absurd? I was just trying to drive and drink and party, and perhaps vote. It's absurd. Every time I look at my ID card I feel like I am looking at the absurdity of it all. I hate being in situations where I am asked to 'show ID'. It's traumatic because it's a symbol of the humiliation and the pain, and it hurts even more thinking of all the young Nubians who do not have the loopholes that I had, like having a mother of different ethnicity, or having gone to a national school which somehow made my transcripts more credible.

My grandmother is very happy that I was able to get an ID. She says that I should thank God for my mother, that I should be happy that I can participate in society, legally marry and legally die. When I go to visit her in Kibra, I pass the mosque at the corner, the children playing in a small open field next to a pile of garbage, the old men seated outside seemingly staring at nothing, the young men playing draughts next to the women painting beautiful henna patterns on each other. Sometimes I am unable to figure out if the glint in my eyes is my tears, or the glare from the shiny new apartments being put up by private developers, shiny like my new ID. I am lost to the realities of this place, Kibra, where people exist but not really, where nobody in the real Kenya knows the young men seated outside playing draughts are waiting for casual labour here and there, and the old men are seated in silence because there is nothing left to say, they have been talking about the same

things for generations. My grandmother's house is no longer a place where I excitedly go eat *ngurusa* and spicy beef while listening to taarab and her long stories. Now, it is a place where "real" life stops and everything happens day to day, because there is no security in thinking of the future. The future is a luxury left for 'real' Kenyans.

I have lecturers who, when I talk about Nubians in class, will still ask me where "these people" are from. There are adult Kenyans that don't know the existence of Nubians in Kenya. During the census, we are grouped as "other." Sometimes with my generation, when I say I'm Nubian, it is taken as a celebration of "blackness" and "authentic Africanness" because the word does not resonate as an ethnicity but as a label used to celebrate dark skin, kinky hair and non-European features. With my mum's side of the family, my Nubian-ness is seen as the latent threat that may erupt one day and deny me opportunities that would have been accessible to me had my mother fallen in love with a person from the "right" tribe. On my dad's side, my Nubian-ness is the thing I rejected, so much that I denounced my father's involvement in my life - his entire existence - and took an ID claiming to only be my mother's tribe. For me, it is the arrow in my heart. It does not pierce, it will not come out. I can feel it there, a constant reminder of a feeling I want but don't know how to get, a feeling that I have but can't seem to get rid of. It is my baptism by fire, my lens through which the world began to make sense through pain and contradictions.

To belong, and claim identity, in the Nubian Kenyan context, is to have privilege. It means that because you belong, you have the luxury to dream, to hope, to love. It means that you can participate in conversations around higher education, politics, health care, insurance, life, death. It means that the justice process is accessible, it means that you can live naturally as a human being, able to fully participate in choice, building community and that the possibility of dignity is a reality that is available. My uncle's main concern that I end up in a romantic relationship with a person who has a national identification card was his way of taking care of me. It was his way of saying that he wanted me to have a chance at hope, at dreaming, at living as a person free of the complexities and humiliation of alienation.

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