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Land, environmental, and tribal conflicts in Kenya

Kenya is well known as a paradise for wildlife where tourists go on safaris to immense national parks and reserves paying not less than 60 euros per person per day in order to see spectacular landscapes, many different birds and mammals including of course the "big five": the buffaloes, the elephants, the lions (all easy to spot), and the more elusive leopards and rhinos. Kenya is a country with many poor people (placed WWW in the Human Development Index), with a proud record of struggle against British colonialism and with a bad record in matters of corruption. It is a country of great beauty from the high mountain ranges of Mount Kenya to the Rift Valley and the shores of Lake Victoria in the west and to the Indic Ocean coast in the southeast. It is a country for environmentalists. But what sort of environmentalists?

In the Tana Delta

The coalition government of Kenya was engineered by mediator Kofi Annan after the bloody aftermath of the presidential elections of January 2008. One of the best known ministers is James Orengo, a former leftist student leader who belongs to the party of Prime Minister Raila Odinga. He is the minister for Land, and in this capacity he is often in the news promising land redistribution.

Some land conflicts in Kenya conform to the pattern seen the world over whereby poor people are confronted by new claims made by agricultural or mining enterprises. Poor people reaffirm a prior claim on the land based on legally valid title deeds, on their livelihood needs or the sacredness of the land in question or its ecological values. Such claims could be expressed also by exercising the right of previous consultation against resource extraction recognized by Convention 169 of ILO for tribal peoples but Kenya has not ratified it.

In the Tana Delta near the Somali border the land is used by Orma pastoralists and Pokomo agriculturalists while Luo fishermen make use of aquatic resources. The mangroves at the mouth of the river are still intact. No shrimp farming has yet ruined the mangroves as it nearly happened in the Rufiji Delta in Tanzania . But there is pressure on the land of the Tana Delta from the thousands of cattle that the Orma have brought there on a permanent rather than seasonal pattern. A couple of miles from the mouth of the river the mangroves have been cut to leave space for agriculture, and further up the river its banks are deprived of any trees and pastures eroded by cattle reach the river. Crocodiles and hippopotamus still abound in the river or in the lakes of the Delta, and some Pokomo communities are trying to develop eco-tourism in this beautiful environment.

The old conflict between pastoralists and the agriculturalists is very much alive elsewhere in Kenya, as also the conflict between pastoralists and cattle rustlers. The most famous Kenyan pastoralists are in the highlands, the

confederation of tribes called the Masai with their colourful red clothing. While the Luo (to which Prime Minister Raila Odinga belongs) are a fishing and agricultural tribe of Nilotic origin, the Masai like the Kikuyu (to which Jomo Kenyatta belonged, as also President Mwai Kibaki), came hundreds of years ago from western Africa from Bantu stock. The pastoralist Orma of the Tana Delta arrived much earlier from Ethiopia and Somalia who reached what is now Kenyan territory perhaps 3,000 years ago. In the Tana Delta the agriculturalists Pokomo see the Orma as nomad invaders without real roots although as a matter of fact in many schools of the area Orma children are in the majority and their elders have build permanent settlements..

Increasing population pressure on the land and its resources is added to the old enmities. Moreover, new actors now appear. The metabolism of industrial societies requires increasing amounts of energy and materials, and also increased appropriation of the production of biomass. Hence, new extractions arise at the "commodity frontiers". These are often "bulk commodities" such as minerals, wood for paper, oil, gas. Africa is still remembered as a source of "preciosities" such as ivory, rhino's horns, gold, precious stones of high economic value per unit of weight, and as a source of slaves but it is more and more a source for raw materials essential for the metabolism of the importing countries' economies. One example is oil in Angola, Chad, Nigeria, Sudan. Another example is uranium mining from Niger for export to France causing an environmental conflict with the Tuareg tribes.

In what is now Kenya, in ancient times the Swahili coast was a centre of trade with Arabia and India. As accurately described in the panels of the museum at the Gede ruins, since the 8th century porcelain and other luxury goods were imported from China.

The trade in "preciosities" continues. Vigorous campaigns were directed against the ivory trade in Kenya already in the early 1970s in the last years under Jomo Kenyatta's presidency. The National Museum in Nairobi houses the skeleton and a replica of the body of the elephant Ahmed as one of its main exhibits together with remains of the early hominids in the Rift Valley. Ahmed got police protection around the clock by direct order from Jomo Kenyatta and he died a natural death with its tusks intact, a symbolic victory against poachers.

The export of bulk commodities from South to North (which now includes parts of China) is increasing. The Tana Delta might become an exporter of gas. For the moment it is threatened by the development of new very large industrial sugar cane plantations (belonging to the Mumia Sugar Corporation, or to state enterprises). The Mumia Corporation is trying to acquire title to about 20,000 hectares in order to grow sugar cane for the production of sugar for domestic demand and also of ethanol for export, burning part of the bagasso to produce and sell electricity. These are mature technologies easy to put in place. The cane will have to be irrigated some months in the year and there are concerns about the social and environmental opportunity costs of this water. In the Tana Delta, many of the Pokomo are not adverse to the idea seeing themselves optimistically as potential small-scale outgrowers of cane

for the sugar and ethanol factories. But the pastoralists (and also the fishermen) are adamant in their opposition.

The conservationists of the East African Wildlife Society and other groups dedicated to the preservation of wetlands have taken an active role in the growing conflict of the Tana Delta. On 11th July 2008, they obtained an injunction stopping the sugar cane farming projects. There are technical ecological economics arguments against the projects: the low EROI of sugar cane ethanol when factoring into the accounts the energy value of the pastures produced naturally that would be destroyed, the "virtual water" expenditure for growing the sugar cane, the increased HANPP at the expense of the biomass needs of other species. The judicial case was argued in the High Court of Malindi, a city and tourist resort between Mombassa and the Tana Delta famous for being the point from where Vasco de Gama sailed to coast of Malabar in India (today's Kerala) looking for "preciosities" such as pepper. The conservationists want most of the Tana Delta to be designated as a Ramsar site thus putting it under the protection of this international agreement for the defence of wetlands. The conservationists support the Orma pastoralists whose representatives went to court together with them against the sugar cane plantations in a case of "environmentalism of the poor". Some people in Kenya regard the plans for ethanol exports as especially irritating in a country where many people are barely above the hunger line. In our interviews in the Tana Delta we found that land access and the threat of dispossession by private or state agro-business companies was the major concern.

The Tiomin mining conflict in Kwale

Kenya offers other cases where poor people oppose the destruction or excessive exploitation of the environment. The "GDP of the poor" is composed to a large extent of environmental services and products (e.g. non-timber products, medicinal plants, water from local streams) whose contribution to welfare is not measured by market prices. Although it would be false to argue that rural poor people always defend the environment, we see around the world many cases at the "commodity frontiers" where poor people defend the environment while defending their livelihood against mining, fossil fuel extraction, dams and tree plantations for paper pulp.

One such conflict is reaching a solution in the southern coastal region of Kwale. After 400 farmers' families have been successfully evicted from 2,000 acres (800 hectares) of land with compensation of 80,000 shillings (800 euro) per acre plus small amounts for cashew, mango and other trees, and for their own houses (and ancestors' graves). The terrain is now cleared of residents, ready for open cast titanium mining to start by a Chinese company (the Jinchuan group) that in July 2008 acquired 70 per cent interest in the project from the Canadian company Tiomin Resources. The open cast mine will destroy the local environment (good agricultural kland with many fruit trees) extracting sand containing the minerals that have titanium oxide, mixing them with large quantities of water, draining then the water, depositing the waste in a tailings dam to be built. Then the ore concentrate will be exported

from Mombassa (at the tune of a large lorry every half hour, 24 hours a day) although plans are still alive to ship it from a new port in Shimoni very near the Tanzanian border where a Marine National Park rich in coral reefs is located. Displacement of farmers, loss of private and public buildings including schools, scarcity of water, and the radioactivity of the minerals extracted, are main concerns. Of the 400 families displaced, only two accepted to move to a new settlement towards the south in a swampy area. The rest have scattered and therefore local resistance appears to have collapsed. Of the 400 families, eight refused to move and were evicted by force. We interviewed S.M., one of the eight, in early August 2008. He was then living just outside the affected area with his wife and grown up children with their own wives and children, in a new house built after he was evicted. His words help to respond to criticisms that environmentalism is a white middle class interest unconnected to the lives of the poor and black.

It must be noticed that the *mijikenda* (a confederation of nine coastal tribes), to whom S.M. is proud to belong to, have had sacred forests called kaya. One of them was pointed to us in a hill near the proposed settlement area for those displaced by the Kwale titanium mine. The district geologist Martin ... who accompanied us, said that this sacred hill was apparently also rich in minerals waiting its turn.

The Environmentalism of the Poor is a worldwide phenomenon. It appears in Kenya in some well-known cases and in hundreds of untold episodes. After the UN Stockholm environmental conference of 1972, UNEP was formed with its main seat in Nairobi. Some early NGO environmentalists set up an Environment Liaison Centre to be in contacts among themselves and with UNEP. One member was Anil Agarwal, the founder of the Centre for Environment and Science in Delhi, who had written on the environmentalism of the Chipko movement after 1973, rural women and men in the Himalaya defending the tress. Another member was Wangari Maathai, from Nairobi, who in the 1970s started the Green Belt Movement.

After Anil Agarwal's death in 2002, Sunita Narain became the director of the Centre for Science and Environment in Delhi. In a recent issue of the journal *Down to Earth* (15 August 2008) she referred to the many struggles in India against dams, against the dispossession of rural land for industrial parks (as in Singur and Kalinnagar), against mining project. She wrote: " In every nook and corner of the country where land is acquired, or water sourced, for industry, people are fighting even to death. There are wounds. There is violence. There is also desperation. Like it or not, there are a million mutinies today... these protests are not just about politically motivated people stirred up by outsiders and competitors to obstruct development. The fact is in India vast numbers depend on the land, the forests and the water they have in their vicinity for their livelihood. They know once these resources are gone or degraded, they have no way ahead. This is the environmental movement of the very poor... If we can listen and learn, maybe this environmentalism of the poor may teach not just us, but the entire world, how to walk lightly on earth".

Conservation with the poor or against the poor?

Apart from movements of resistance against resource extraction, there are also in Kenya worldwide famous sustainability initiatives of environmentalism from below, of which the best known is Wangari Maathai's Green Belt effort to plant with millions of planted trees. This together with her fight for democracy in Kenya won for her the Nobel Prize for Peace in 2004.

The Kenyan political system was shaken a few years after independence by the assassination of Tom Mboya in 1969, who was a Luo and a minister of economic planning and development under Jomo Kenyatta. Shortly afterwards, the opposition party led by Oginga Odinga (the father of today's Prime Minister) was banned. Then came the long years of authoritarian rule by President Daniel arap Moi. Today there is a coalition government between the parties of President Kibaki (a Kikuyu) and Prime Minister Odinga (a Luo), and despite tribal conflicts and the economic crisis there is perhaps a chance of democracy being strengthened. New presidential elections are foreseen for 2012.

In the environmental field, the establishment of large national parks has continued all throughout those years as a major tourist attraction. But the idea of combining increased human welfare for the poor and environmental conservation has been a distinctive contribution from Kenya led by Wangari Maathai. Born in 1940, she was a barefoot rural girl who helped her mother to grow subsistence crops until she was 11 years old, she spent the next twelve years (during the Mau Mau uprising that was cruelly repressed by British colonialism) in convent school and college in Kenya and in Kansas, obtained master and doctorate degrees in Biology and was a lecturer at the School of Veterinary Sciences of the new University of Nairobi after independence in 1963. In the 1970s she became an environmentalist through her work with rural women's organizations. She was politically harassed under President Daniel arap Moi's rule, she fought valiantly for democracy, and (although a Kikuyu herself) she is now an open supporter of Prime Minister Raila Odinga. The Green Belt movement combined two objectives: the improvement of the environment and the livelihood needs of women who rely on firewood for cooking. Wangari Maathai's work was often centred in Nairobi with urban fights defending the trees in Uhuru Park and in the Karura forest (where UNEP is located) against corrupt schemes for urban development. So, she did not work only for the rural Green Belt Movement. [\[1\]](#)

Another famous Kenyan environmentalist is Richard Leakey, a noted paleo-anthropologist as his father Louis Leakey had been also, and an active public administrator as a much admired head for some years of the Kenyan Wildlife Service (KWS). He has supported resistance against the Shimoni port for the export of titanium concentrate, and he has campaigned for the designation of the Tana Delta as a Ramsar site. However, his main line over the years is not the environmentalism of the poor but the "cult of wilderness". He has strongly supported the policy of excluding humans from conservation areas that include wildlife in the Tsavo national parks (over 20,000 square kilometres, the size of Belgium) and in other wildlife areas such as the Masai Mara (in the south-corner of Kenya extending into the Serengeti of Tanzania).

One such case of conservationism against the poor supported by Richard Leakey was the attempt to create a Primate Reserve upstream in the Tana river (with colobus and mangabey monkeys CHECK!!) which was locally opposed by the inhabitants.

Although the virtues of co-management of wilderness with local populations are praised in theory, exclusionary conservationism dominates in practice. The model of the National Park which people can visit but not reside in, came from the United States after the local indigenous populations were displaced or exterminated (as in Yosemite Park) but it is difficult to implement in Africa or India, particularly since human populations have increased so much.

Evictions in the Mau forest

The Mau forest is west of Lake Nakuru, north-west of Nairobi. The two last governments of Kenya have decided that its value for the water supply of the region is such that illegal settlers must be evicted, as indeed was done in 2005 under President Kibaki by the tens of thousands. Here we have another clear case of conservationism at the expense of the poor helped by the fact that Jomo Kenyatta's successor as president, Daniel arap Moi, a kalinjin, had allocated land to tribe fellows in this area.

The bitter contest between President Kibaki and Prime Minister Odinga in the presidential elections of January 2008 has not stopped the implementation of this policy. In August 2008, Prime Minister Odinga spoke of the need to move squatters out of the Mau forest insisting that this time they would be given alternative land to settle, and that the police would not be used to evict them. He said, "we must conserve the environment, or else we will be cursed by the next generation for handing over to them a desert land". Squatters should leave the water catchment area, failure to do so would eventually lead to desertification of the rain-fed agricultural area because of lack of water in the rivers. "What do I benefit by removing people from the Mau forest" - he asked. "I can as well sit back and watch, but I don't want to play populist politics" - he said. ". (*Sunday Nation*, 18 August 2008).

[1] Wangari Maathai, *Unbowed. A Memoir*, Arrow Books, London, 2006.