COMMUNITY BASED RESOURCE MANAGEMENT: CONSTRAINTS AND POTENTIALS - A KENYAN CASE STUDY

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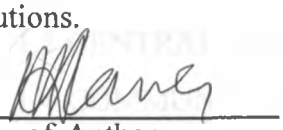

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ABSTRACT

This thesis evaluates the suitability of a Community-Based Resource Management (CBRM) strategy to resolve the resource use conflicts in Tana Delta, Kenya and proposes a model of CBRM which would protect the environment. The model proposed is one that empowers the local communities through localized resource control and broad based participation in decision making processes. It also defines a role for the state in providing both statutory and material support for reinforcing local capacities.

The thesis is based on a case study on resource use conflicts emanating from the establishment of a wetland reserve in Tana Delta, Kenya. The Study is based on six weeks of research conducted in the Tana Delta in Tana River District, Kenya. Qualitative methods using the techniques of rapid rural appraisal were used to conduct the field work.

Four major sources of conflicts at different levels are identified: local class struggles between state created elites and non-elites, asymmetrical power relations between the state and the local communities, inappropriate and contradictory state policies, and finally the international politico-economic framework in which western conservation principles are imposed on developing nations through international aid and international environmental law.

Implementation of the wetland project will exacerbate existing pressures on the local communities and threaten their livelihoods. The reserve will alienate the people from their local resources including agricultural fields, grazing lands, forests and fishing grounds. On the other hand, the wetland reserve serves national interests as well as an international conservation agenda. In the final analysis, this thesis identifies serious impediments to the implementation of a CBRM strategy in the Tana Delta. However, there are overwhelming advantages in using a CBRM strategy, and therefore it is argued that a CBRM strategy will resolve the conflicts in a way that protects the local resources and meets the subsistence needs of the indigenous communities.

ABBREVIATIONS

ACAP	Atlantic Coastal Action Program
ADMADE	Administrative Management Design
CA	Coastal Aquaculture
CBRM	Community Based Resource Management
DC	District Commissioner
DDC	District Development Committee
DFRD	District Focus for Rural Development
EAWLS	East Africa Wildlife Society
GTZ	German Technical Assistance
IIED	International Instiitute for Environment and Development
IUCN	Union for the Conservation of Nature and Natural Resources
KWS	Kenya Wildlife Service
M.E.S.	Master of Environmental Studies
NGOs	Non - Governmental Organizations
OOP	Office of the President, Kenya
PRA	Participatory Rural Appraisal
RRA	Rapid Rural Appraisal
SRES	School for Resource and Environmental Studies
TARDA	Tana and Athi Rivers Development Authority
UNEP	United Nations Environment Program
WRI	World Resources Institute

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helping me build a strong background in social theory; a background that was necessary and is clearly reflected in this thesis. Jennifer Leith has been a very dynamic and motivating member of the committee and taught me a package of tricks on thesis writing.

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CHAPTER 1. INTRODUCTION

1.1 OVERVIEW (THE PROBLEM)

Under pressure from national and international environmental non-governmental organizations (NGOs), the Kenya government gazetted the Tana Delta as a wetland reserve in 1991. According to the NGOs the rationale for establishing a wetland reserve in the delta is based on the need to protect various plant and animal species in the delta, some of which are unique to the area and are regarded as endangered. Whereas there is no dispute over the need to conserve these species and their habitats, a practical problem arises. How should these species be conserved?

In answering this question, it is important to identify the nature of the problem and the stakeholders. The local communities, environmental groups and the Kenya government are all interested parties in the conflict. Apart from supporting biological species, the delta provides the sole source of livelihoods for the majority of the resident communities who coexist with the natural community. Perceiving the environmentalists' and state's proposal to establish a wetland reserve in the area as a threat to their livelihoods, the local communities have rejected the proposal out-right, placing themselves on a collision course with both the NGOs and the state over control of these resources. The resolution of these conflicts could be accomplished through a number of different approaches. This thesis investigates one, a strategy using Community Based Resource Management (CBRM) strategy.

1.2 RESEARCH QUESTION

Community based resource management (CBRM) is a general approach used variously in rural development, in project management and in resource management. Several studies suggest that CBRM is an effective tool to manage natural resources (Korten D. 1983, 1984, 1986; Korten, F. 1983, 1986; Friedmann 1992; Western 1989) particularly in Southeast Asia.

This thesis investigates the suitability of CBRM to resolve resource use conflicts in Tana Delta, Kenya, by examining the question:

Would a CBRM strategy resolve the resource use conflicts in the Tana Delta in such a way that the resources are protected or managed while safeguarding livelihood questions of local people and needs of the government?

1.3 CENTRAL ARGUMENT

My thesis is that the resource use conflicts in the Tana Delta can be resolved through a CBRM strategy that involves the local communities in regulating access to their resources and where they participate in all decisions taken on the management of these resources. However, in making such an argument, it is important to note two observations: (1) there are a number of interacting factors at the local, national and international levels in the conflict that constrain the suitability of CBRM and which need to be addressed before the conflicts can be resolved, (2) the CBRM model proposed here provides roles for both the state and the local communities. The Kenya government

must have a major role in supporting the local communities with appropriate legal and policy framework, if a CBRM strategy is to overcome the constraining factors.

1.4 COMMUNITY BASED RESOURCE MANAGEMENT (CBRM)

The conference report of a 1987 international meeting of Non-Governmental-Organizations in London contains, among others, two particularly important objectives : (1) to enable the poor to "reacquire the power and control over their lives and the natural and human resources that exist in their environment" and (2) to strengthen their inherent capability to define development goals, draw up strategies for self-reliance and be masters of their own environment" (Friedmann 1992 :72). The two issues, local control over resources and grassroots decision-making, form the central features of Community-Based Resource Management (Korten, D 1986; Freidmann 1992). CBRM refers to a strategy "by which people themselves are provided the opportunity and, or responsibility to manage their own resources, define their needs, goals and aspirations and make decisions affecting their well being" (Fellizar 1993 :5).

Community based resource management has evolved from the limited success that has been associated with mainstream planning processes (Cernea 1985; Berkes and Farvar 1989; Friedman 1992). It is argued that mainstream approaches have failed to meet their objectives: the elimination of rural poverty, unemployment, income inequalities, and prevention of environmental degradation. In particular, this failure has been attributed to the limited control over productive resources by the majority of the citizenry and their

exclusion from decision making processes, both issues that are advocated in a CBRM strategy.

Arguments in favour of CBRM are diverse. Chambers (1988:9) argues that "the basic grounds for putting the poor first are ethical and not in serious dispute... but there are also overwhelming practical reasons". Berkes and Farvar (1989:5) attribute emerging interests [in CBRM] to a "new found pride in traditional values and institutions, both in the third world and in the West. Most cultures - certainly most of those in the Third world countries - emphasize responsibility to the community, rather than unbridled individualism glorified in some Western industrial cultures". Gibbs and Bromley (1989) attribute efficiency, stability, resiliency and equitability to CBRM. Korten, D[1]. (1986) lists several advantages of CBRM including local variety of resources, local accountability and community mobilization of resources. Korten, F. (1983) argues for CBRM on the basis of several constraints associated with centrally planned systems. These include limited adaptability to local conditions, creation of dependency and inability to sustain local action. These arguments are further supported with powerful images of rural communities.

1.4.1 Images of rural communities

Very powerful images of rural communities have been constructed and evoked in

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[1]Both David Korten and Frances Korten have contributed largely to the discourse on CBRM , in some cases appearing in the same volume. This thesis frequently refers to their works. To avoid confusing the two authors, I will include their initials after their last names.

making a case for a policy shift to CBRM: images of homogenous, egalitarian, rule bound communities that are natural environmental stewards (Berkes and Farvar 1989, Gibbs and Bromley 1989). Li (1992) notes that such images are strategically significant in providing the basis for a paradigmatic shift. She explains that they are useful in countering current orthodoxies such as the "tragedy of the commons thesis, ignorance of peasants, the managerial capacity and wisdom of governments ..." (Li 1992: 4), Examples of popular images include:

> Living in balance with the environment was an integral component of the African culture. The concentration of plains herbivores which we now seek to conserve exists only because of tolerance of wildlife in African society which is lacking in other cultures (Lusigi 1988 :88).
>
> Historically, African societies had a stable coexistence with wildlife, a function of the intrinsic value attached to ecological conservation in African culture (Lewis, Mwenya and Kaweche 1990 : 11).
>
> In fact many pre-colonial communities for whom the hunting and gathering of wild products was a traditional way of life, had developed institutions, often religious in character, designed to enforce restraint in their handling of the environment (Macgregor 1989: 201).
>
> In situations of uncertain resource availability common-property- regime members prefer to trade off some of the individual benefit generated by a system of private use rights for the collective assurance that the resource will be used equitably and, as a consequence, sustainably (Gibbs and Bromley 1989 :22)

Naturalized images of rural communities are, however, theoretically and practically insufficient in making a case for localised resource control. In this thesis, it is argued that such images are ahistorical and are based on empathy for traditional societies. An example from Ghana illustrates the point very well. Ntiamoa-Baidoa (1990: 91)

explains that "conservation of coastal lagoons and their resources was based on religious beliefs and superstitions... which served to protect and maintain the habitat and the wildlife". These belief systems and their associated conservational values have broken down as a result of introduction of Christianity, exposure to western education and growing human populations. It is therefore important to situate episodic observations, on which most of the naturalized images are based, in any given locale on the ongoing historical processes (Moore 1986).

Naturalized images are also questioned on their failure to separate the individual from the collectivity. For example, neoclassical economists argue that there is nothing natural about communities and their interaction with the environment, emphasising rational choice instead. The rational choice theory draws a distinction between the interests of the individual and those of the collectivity (Barbalet 1992). It is argued that individuals pursue their self interests without reference to the requirements of their cultures. Similarly, others use the Prisoner's Dilemma Model to argue that,

> "...even if a group of like-mended individuals is convinced that wildlife conservation is in their economic self-interest, members of that group may tend towards an immediate, sub-optimal outcome (e.g. poaching and over-hunting) which degrades the entire ecosystem" (Hill 1991 :22).

1.4.2 Alternative approach

While it could be argued that naturalised images of communities may be naive and romantic, arguments based on individual rational choice are also inadequate in

elucidating the interaction between communities and their environment. In this thesis, it will be suggested that either individual or community arguments are ahistorical and insufficient in explaining human behaviour towards their resources. We need to transcend arguments such as those of Friedmann (1992) that draw a dichotomy between the bases of economic science modeled on the choices of a rational, utility maximizing "economic man" and alternative development based on culturally constrained moral human beings who interact with others.

Instead of such a rigid distinction, this study uses both an historical and holistic approach, that recognizes both cultural constraints and individual economic choices in a dynamic society (Hefner 1990). This approach enables us to recognize the elements of choice and deliberation among social actors as opposed to viewing them as "social dummies motivated exclusively by the shared norms or symbols and meaning of their culture" (Hefner 1990: 236). These actors do not, however, act in vacuum; their choices are constructed within defined social boundaries, however fluid these boundaries may be.

The analytical utility of such an approach is particularly useful in this study of Bajuni people. As an example, I will describe the case of one man who holds the only concession to take forest products from the deltaic forests. This man, while maximising his benefits, is culturally constrained by moral commitments to other members of his community, to the extent that he is obliged to allow them to extract materials from the

forest on the strength of his license. Alternatively, economic logic would lead us to expect him to use his monopoly to maximize his own economic objectives. But in practise he is constrained by the norms of the community. This shows the conjunction between economic maximization and culture.

Another problematic aspect of idealized images of communities is the tendency to treat communities as isolated and immune from ongoing political and economic processes. In this connection, proponents of alternative development, including CBRM, make some assumptions that have been questioned. Friedmann (1992) for instance notes the following pervasive doctrinal beliefs in alternative development discourse:

> (a)" the belief that the state is part of the problem, and that an alternative development must as much as possible, proceed outside and perhaps even against the state
>
> (b) the belief that "the people" can do no wrong and that communities are inherently *gemeinschaftlich*, and
>
> (c) the belief that community action (i.e., action on the social terrain) is sufficient for the practise of an alternative development, and political action is to be avoided" (Friedmann 1992:6).

Friedmann (1992) argues for an alternative analytical approach that considers the differential interests of groups within communities and the various interlocking factors affecting resource management. In the Tana Delta, the state as represented by the various agencies; global capital symbolized by an aquaculture project; interstate relations and linkages; and local class conflicts are all interlocking and conflicting forces that need recognition. An important consideration for CBRM, then, is the development of a framework for analyzing and resolving conflicts emanating from these intricately

linked forces (Korten, D. 1986).

1.4.3 Community based management in the Tana Delta.

In appealing against the establishment of a wetland reserve in Tana Delta, the local people made the following two powerful arguments. Both are significant in also making a case for a CBRM strategy in the Delta:

> "The right to own land, property and to have economic development is the most basic of human rights. In selling part of our land to CA [Coastal Aquaculture], we exercised our fundamental rights in a manner which serves our interests and the national interests...
>
> From time immemorial the local people have always lived sustainably with the environment, the results of which are seen today on our lands" (The Standard 1993:13).

The significance of the moral issues, the rights to ownership, raised in the first part of their argument is not in real dispute. In practise, however, "it is important to disentangle ethical issues from theoretical and practical considerations" (Oakley 1991 :118). A strong case for CBRM can not be built purely on ethical issues; there must be evidence to suggest practical advantages that can be derived from adopting CBRM as a policy strategy. In this connection, the second part of their argument becomes important and although their argument is powerful, it is equally contentious. There is no dispute about the stable state of the environment in the Tana Delta to date. But to simply attribute this state of the environment to altruistic stewardship of the Bajuni and other local cultures is naive if not an exaggeration. On the contrary, we need to understand the underlying factors behind the environmental conditions of the Delta. Instead of assuming natural stewardship of the environment on the part of the Bajuni and other local cultures as

suggested, we need to penetrate these societies and demystify their connection with the environment. We need to consider a combination of ecological, social, economic and political factors that mediate that connection between the local cultures and their resources, and have contributed to the present well maintained environment.

1.4.4 Conservation and indigenous cultures

A starting point in examining the state of rural environments may be to define conservation. Alvard (1994) notes that two conditions must be fulfilled before a practice can be considered conservational: First, there must be an evidence of restraint on the part of the resource users who should be able to show tolerance in having less in the short term for a longer term availability of the resources in question. Second, the resource users must be willing to sacrifice resources that might otherwise be useful. Alvard (1994) hypothesizes that a balance can still exist between a group of resource users and their environment without having conservation as their motivating goal. This harmony could arise from low population density, limited technology or the users do not simply have the capacity to over-exploit their resources (Alvard 1994). Bronkensha and Little (1987) list five factors that could offset this harmony: changes in tenure arrangements, changes in the level of decision-making, wealth differentiation, commercial linkages and demographic pressure.

This thesis provides evidence to support Alvard's (1994) hypothesis. First, a combination of favourable ecological characteristics and low population density in the

Delta have largely contributed to the maintenance of a stable environment. The Tana Delta has one of the lowest population densities in Kenya[2] (Government of Kenya 1988). As a result, the pressure on resources does not seem to as yet pose a serious threat to the environment. In future, the population of the Delta is likely to increase with the inflow of settlers into the Witu settlement Scheme and will likely undermine that balance between the environment and the people. As Hughes (1987) describes, projects similar to Witu Scheme have led to environmental degradation in the Lower Tana River Basin, upstream of the Delta.

Second, the Bajunis have never lived in isolation from the rest of the world, however remote and diverse that connection may have been at any time. Omar (1990) describes extensive trade linkages that the Bajunis have had with the outside world as far back as 1110 A.D., trading such commodities as ivory, tortoise shell and rhinoceros horn. Similarly, Moore (1986) describes extensive trade linkages based on ivory, cattle and iron bartering in the 19th century between the Swahili[3] speaking people of East African Coast and the inland Chagga tribe of mainland Tanzania. An elderly Bajuni also explained to me linkages that the Bajunis have had with the Arab countries especially Oman and Yemen where some of their relatives still live. Currently the Bajunis and the

[2]Records at the Chief's office indicate that Chara location that forms the major part of the Tana Delta has a population density of about 20 persons per square kilometre.

[3]All the ethnic groups living on the East African coast speak Kiswahili and they are generically referred to as the Swahili speaking people. The Bajunis in the Tana Delta belong to this group.

other communities in the Delta are involved in commercial relations with other groups in Kenya.

Almost all these connections were and continue to be based primarily on exploitation of local resources but have had limited environmental impacts because of several factors including abundance of resources and thus demand, and the state of technology. A recent and conspicuous connection that would seem to support this suggestion is the trade in mangrove and other forest products. In the past, the local communities limited their logging activities to production for local requirements such as repairing houses, building new ones and constructing fishing and transport boats. In obtaining these materials the local communities were selective[4], harvesting only hard wood varieties of mangrove. Most of this work was accomplished in December and January. This selective and periodic cutting had the effect of ensuring that the harvest did not exceed the optimal harvest levels.

Currently, market opportunities exist in inland Kenya for all varieties of mangrove and other forests, encouraging the local communities to harvest all varieties indiscriminately. Thus demand by unselective inlanders has undermined the earlier harmony between the local communities and their forests. It is therefore not uncommon to see piles of harvested soft mangrove poles along the beaches near Kipini waiting to be sold to

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[4]The Bajunis and other local communities in the Delta recognize eight varieties of mangroves, four of which are soft wood that can not withstand infestation by ants and other insects. For their subsistence requirements, these communities used hard wood varieties of mangroves.

cultures are "social forms [which] are integrated into, shaped by, and participate in shaping larger social and economic processes" (Sider 1986 :27).

These recent changes in the relations between the people and their resources may suggest a failure of local institutions to deal with them. However, there remains a powerful case for community resource management, particularly in relation to the connection between vulnerability and responsibility (Leach and Mearns 1991). Local communities who derive their livelihoods from their immediate environment have more incentive to be parsimonious in their resource use practises as opposed to government officials whose connection to the local resources is limited to their official assignment. Certainly, traditional resource management systems change over time with broader changes at various levels within which community members interact. At the same time, new knowledge and new institutions appear to meet the new requirements of these circumstances.

Consequently, it could be argued that returning resource control to the beneficiaries will result in better resource management (Korten 1986; Friedmann 1992). Generally there are a number of strong arguments for community management in the Tana Delta but these have to be conceptualized against various constraints and potentials that limit or facilitate the communities' ability to manage resources. These issues are addressed in Chapter Four.

1.5 ANALYTICAL FRAMEWORK

In preceding sections, I explained that some of the arguments in favour of CBRM, particularly those based on popular images of rural communities, are only useful "in terms of their effectiveness in achieving strategic goals, such as the goal of countering dominant paradigms" (Li 1991:7). I have argued that they do not provide an adequate analytical framework. Of greater relevance and significance for developing an achievable CBRM strategy is Chambers' point, specifically those practical advantages associated with people-oriented management. A very important question raised by Chambers, "is how, biologically, economically and in terms of social organization, more people can gain adequate and sustainable livelihoods?" (Chambers' 1988:17). In order to answer this question we need an analytical approach that enables us to examine various aspects of communities and their interaction with their resources in the process of obtaining their livelihoods. This thesis uses a political ecology framework to undertake such an analyses.

1.5.1 Political ecology framework

Blaikie and Broookfield (1987) use political ecology to explain the interaction between environmental and political-economic variables that influence land manager's decisional environment. They define political ecology as an approach that "combines the concerns of ecology and a broadly defined political economy. Together this encompasses the constantly shifting dialectic between society and land based resources, and also within classes and groups within society itself" (Blaikie and Brookfield 1987:17).

Working around this definition Bryant (1992:13) developed a framework for third world political ecology "embracing three areas of critical inquiry: contextual sources of environmental change, conflict over resources, and the political ramifications of environmental change". This thesis uses an approach similar to Bryant (1992) to investigate the resource use conflicts in Tana Delta, Kenya.

1.5.2 My approach

I use a political ecology framework to examine resource use conflicts in the Tana Delta by examining access to resources and sources of conflicts over access to these resources. My ecological concerns are the conservation of the animal and plant species in the delta, and their habitats. Proponents of the wetland reserve argue that there are both rare and endangered species in the delta that need to be protected from perceived human infringements. A proposed measure to protect these species is the establishment of a wetland reserve.

The processes leading to, and the parties arguing for the establishment of a wetland reserve reveal the political economy of resource conservation at various levels: micro, national as well as international. The spatial distribution of power at various levels becomes very clear. To capture the political economy of this conflict, I wish to examine class struggles at the local level, state policies at national level and finally discuss the international political economic framework by examining international relations. Conflicts over access to resources provides an important starting point in my case and

I wish to consider rights to access resources, struggles that arise in accessing resources and the effects of these struggles on the environment. The constraints and opportunities that peasants face in their struggle for resources will be analyzed from both an historical as well as a contemporary perspectives.

1.5.2.1 Role of the state

At the national level, I wish to consider the content, implementation and impact of policy and legal regimes in Kenya that relate to environmental management. Walker (1989:32; cited by Bryant 1992:15) observes that there is "an inherent, continuing potential for conflict between the state's role as developer and as protector and steward of the natural environment on which its existence ultimately depends". In this thesis, I examine the inherent contradiction in the Kenya government's promotion of tourism. The state's role of protecting the environment is constrained by its requirements for foreign exchange earnings from tourism. The state is also "a theatre in which resources, property rights and authority are struggled over" (Watts 1989:18), facilitating differential access for the elites and non-elites in a given locale. For example, in the Tana Delta, according to the District Development Officer, Tana River District, the government plans to settle landless people from other parts of Kenya in the Witu settlement Scheme. This will increase the population of the Tana Delta leading to pressures on both the people and the resources.

Projects implemented this way contradict the various policy and legislation guidelines

that define procedures for project selection and implementation. I will examine the national development blueprint for Kenya, the "District Focus for Rural Development", and various acts in Kenyan law that relate directly to resource utilization. A practical problem to consider in this connection is the extent to which bureaucrats, who are advantaged by such an unjust system, will be willing to give up or share power with rural groups. As Peluso (1991) explains, state officials in Kenya have personal interests in managing national resources and are unlikely to give up their privileges without strong resistance. What incentives would CBRM provide to motivate these groups to relinquish power? My objective is to bring out constraints and contradictions as well as potentials for CBRM from the state perspective. The roles of the state are particularly significant in the on going conflicts in the Tana Delta.

At another level, it could be argued that local empowerment threatens national interests. In Kenya, tourism is the largest foreign exchange earner in the country and transferring control over coastal resources could easily be viewed as compromising a wider national interests. In this thesis, I will argue that economic gains without due regard to environmental consequences are not sufficient measures of national development. Evidence from elsewhere in developing countries supports this assertion. The large scale Bud horticultural project[5] in Senegal, undertaken by the Senegalese government

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[5]Bud horticultural project was a large scale agricultural project in Senegal. The project was initiated by a US based agribusiness firm, The House of Bud, and accepted by the Senegalese government as a source of foreign exchange for the country. Unfortunately, the project was shortlived, leaving behind a transformed rural economy, much more vulnerable to famine.

to generate much needed foreign exchange, turned counterproductive to the national economy at the end of its productive cycle (Macintosh 1989). The Green Revolution driven by high technology developed by Transnational Corporations resulted in severe environmental degradation in highland Java, Indonesia (Hefner 1990). Similarly, development of commercial fisheries in Southeast Asia resulted in environmental disaster, subduing the "rosy glow" of profits and foreign exchange from a highly modern and efficient fisheries (Bailey 1986).[6]

1.5.2.2 International Relations

State policies, especially in Third World countries, are influenced by interstate relations. Interstate requirements influencing environmental change include international aid and the requirements of international environmental law. In the course of debates on the Tana Conflict, several international environmental groups and aid agencies expressed concern, citing several conventions to which Kenya is a contracting party, and threatened to withdraw aid for environmental conservation. These conventions include the 1992 Biodiversity Convention, the 1971 Ramsar Convention on the preservation of Habitats of international importance and the World Heritage Convention.

1.5.2.3 Class

As O'Brien and Roseberry (1991:4) point out, anthropologists have tended to treat each society "as an integrated and bounded system". They suggest that "one need have no

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[6] In the Kenyan coast there is evidence to suggest environmental deterioration resulting from unlimited growth in tourism.

quarrel with a denotative use of the term society to designate an empirically verifiable cluster of interconnectedness among a people as long as no prejudgments are added about it state of internal cohesion or boundedness" (1991:18). Communities are stratified into various classes based on wealth, social status and other social categories (Hefner 1990; Mackenzie 1992; Sider 1986). Communities are also differentiated on the basis of gender, age, ethnicity, and connections to state apparatus.

This thesis examines class as one of the main issues in the resource use conflicts in the Tana Delta. Class, as used here, refers to a group of people who are similarly situated in terms of access to resource. My examination of class conflicts takes an historical examination of the emergence of social cleavages among the Bajunis. I draw a parallel between the traditional classless system and the strongly state influenced present situation in which distinct circumstantial features of class are discernible among the Bajunis.

I examine the differential impacts of the wetland reserve on the different classes in the delta. In most parts of the developing world environmental change results in adverse impacts on the disadvantaged groups, making them more dependent on the elites. As Kiss (1990) shows, even where state policies allow for sharing of benefits with local communities, an important distinction between benefits to the community and benefits to individuals is often lost. She suggests that "without an active intervention, revenues from the wildlife tend to accrue to a small number of well-situated people, not to the

community at large" (Kiss 1990: 18).

A related dimension of the conflict is the distribution of the adverse impacts or the social opportunity cost of conservation among the different classes. I will examine this dimension along the lines of Bryant (1992 :24) and pursue the question "to what extent are the costs of environmental change borne by the socially-disadvantaged groups, and how does this unequal distribution of costs mediate existing socio-economic inequalities?"

It will be shown that although all members of the local communities are affected by the establishment of a wetland reserve, it is the very poor with insecure resource access rights who will bear the cost of resource conservation in the area. The elites, on the other hand, are protected by various forms of resource certification that excludes them from the reserve enclosure or compensate them for annexation of their lands. With their resources degraded, the Bajunis will have to depend on the other groups for employment or even relief assistance.

Threatened by environmental change, the rural poor may contest their plight through either collective resistance along with the elites or class specific resistance. This leads us to another feature of class, the phenomenological or subjective. Objective differences between the socio-economic groups, in terms of wealth and differential access to resources is not sufficient in itself in creating class consciousness to the extent of

leading to intraclass allegiance and associations. During the struggles for the Delta among various resource users and environmental groups, the local communities in the Delta have shown resistance, appealing to various levels of government including the President. In this thesis, I examine the form of these resistances, with a view to determining intra and interclass allegiances. It might transpire that CBRM may lead to an over-manifestation of class conflict. If this happens, it precludes an important aspect of CBRM: the devolution of power not only to the grassroots level but also devolution of that power within rural communities. The important question to addressed here then becomes: will class relations constrain CBRM, and how will it [CBRM] deal with them [class relations]?

1.5.2.4 Participation

Participation as used in this thesis refers to a process designed to develop and strengthen the capacities of rural people to control access to local resources and effectively contribute to all decisions relating to how these resources are used (Oakley 1991). By enabling rural people to decide and participate in all activities affecting their welfare, a CBRM strategy becomes an empowering process. In a localized decision making process the state assumes a facilitating role, rather than an administering role, in conservation (Hough and Sherpa 1989).

1.6 ORGANIZATION OF THE THESIS

The first part of the thesis, Chapter One, builds a conceptual framework that will be

used in the rest of the thesis. Chapter Two describes the research methodology used in the research leading to the production of this work. Chapter Three presents the research findings as observed in the Delta, including material extracted from government policy and legal documents that relate to natural resource management. Chapter Four of the thesis contextualizes the research findings in the on-going discourse on CBRM. Finally Chapter Five presents lessons drawn from the case study.

1.7 THE TANA DELTA: BACKGROUND INFORMATION

The Tana delta is located in Tana River District in Kenya (See Figure 1). It begins at

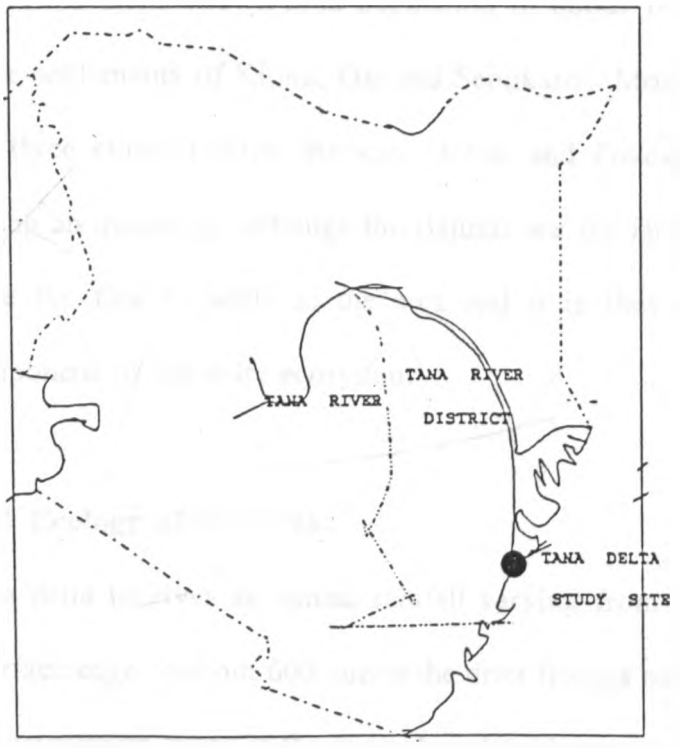

Fig. 1 Map of Kenya Showing the Study Site on the Tana Delta

about 40 - 50 kilometres from the Indian ocean where the Tana river branches out into

a delta shape before joining the sea. It encloses most parts of Garsen Division of Tana River District and covers an area of about 800 square kilometres. Garsen Division has six administrative locations: Bilisa, Ndera, Salama, Ngao, Chara and Kipini. This case study is based on field work conducted in Chara and Kipini locations (See Fig 1. Pullout). The two locations have been carved out of the former Chara location that encompassed three sub-locations: Semikaro, Kipini and Ozi. To a small extent the case study also covers parts of Lamu District, especially the area enclosed by the Witu settlement scheme.

The Tana Delta has a total population of about 16,000 people, settled mostly in the three settlements of Kipini, Ozi and Semikaro. Most of these people belong to one of the three ethnic groups: Bajunis, Ormas and Pokomos. As an old man pointed out during an interview, although the Bajunis are the largest ethnic group in the delta, they were the first to settle in the area and it is they who I use to capture the social component of the delta ecosystem[7].

1.7.1 Ecology of the delta

Tana delta receives an annual rainfall varying from about 1000 mm in the land/water interface edge to about 600 mm in the drier fringes of the delta, a few kilometres inland. The vegetation types in the zone closest to the sea consists of mangrove and ironwood forests, riverine trees, coral gardens and sea-grass beds, sand-dune forests, mangrove

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[7]The criteria used in selecting the Bajunis is explained in the next chapter on methodology.

forests, doum palm forests, and floodplain grasslands and bushland associations (Ogendo and Ojany 1973; EAWLS 1993). The soils are mainly coastal and inland sands, and muddy soils. These agro-ecological characteristics suit this zone for various land uses, although the local people use it for growing crops with high tolerance to water-logged conditions including hyphen[8], paddy rice and coconut. The Bajunis and to a lesser extent the other tribes also fish on the coastal waters in this zone.

Next to the water-land interface zone is an intermediate zone. This zone has thickets and scrub vegetation and less saline soils that are suitable for a wider range of crops. This zone is where most of the rainfed agriculture is carried out. The local people grow crops such as cashewnuts, maize, beans, mangoes, bananas and tomatoes. The German Technical Assistance (GTZ) team is implementing a settlement scheme, Witu, in the area (Government of Kenya 1988). This zone is also suitable for livestock production and a large scale privately owned cattle ranch, Nairobi Ranch, is located there. Towards the edge of this zone, the Bajuni population diminishes giving way to the pastoral Ormas.

Finally, the outer edge of the delta consists of a drier zone that is primarily used for livestock production and drought tolerant crops such as millet and sorghum. The vegetation in this zone includes acacia trees and perennial grasses. This is the zone where the Ormas and to a lesser extent the Bajunis and the Pokomos graze their animals.

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[8]Hyphen is a tree crop that produces succulent fruits eaten by both humans and some wild animals. At very late stages of fruit development, it is tapped by the non-muslims locals to make a local brew.

Besides livestock, this zone provides habitat for wild animals including monkeys, topis, buffalos, elephants and rhinoceros. It is a dry zone that is suitable for livestock production and the major activity is cattle ranching. Not many Bajunis live in this zone, except a few elites who are shareholders in the cattle ranches.

1.7.2 The Bajuni people

The Bajunis are one of the several ethnic groups that constitute the Swahili speaking tribes that live in the Eastern Africa coast and the neighbouring islands (Omar 1990; Prins 1967). They live in Zanzibar and Pemba islands, the Kenyan coast and southern Somalia. In Kenya, most of the Bajunis live mainly in Lamu District and a few of them in Tana River, Kilifi and Mombase Districts. Those in Tana River District live in Kipini and Chara Locations in the Tana Delta.

Even the Bajunis themselves are not clear on their origin but a keen scrutiny of their of their language indicates that they are a product of inter-marriages between early Arab traders on the Eastern African coast and inland African Bantus. This view is supported by the existing literature on the swahili speaking people of East Africa (Ida 1973; Moore 1986; Prins 1967) and recent studies on the Bajunis (Omar 1990). An examination of the Kiswahili language reveals many similarities with both Arabic and some bantu languages spoken in inland East Africa, supporting that the Bajunis are cross-breed between Arabs and Bantus. An elderly Bajuni related this possibility to me in a slightly different way. According to him, the Bajunis are an African people who have been

enslaved by the Arab slave traders in the 14th and 15th centuries. In his opinion, the name Bajuni is derived from the derogatory arabic root word *majnun* or retarded.

CHAPTER TWO: RESEARCH METHODOLOGY

2.1 INTRODUCTION

According to Buroway et al (1989), a research methodology consists of two connected parts: data collection and translation of the data to theory. The choice of method and analytical approach depends on one's research objectives and circumstances (Chambers 1980). As set out in Chapter One, the CBRM strategy used in this thesis involves empowerment of rural communities through localized resource control and participation in decision making processes. In order to understand the status quo, I selected a research method that would enable me to understand these communities in their natural settings. Another consideration in my choice of a method was to ensure consistency between field techniques and the theoretical themes[9] around which I construct my arguments. Finally, the method had to be appropriate in terms of allowing me to collect data within a number of limitations, below.

In this chapter I will discuss the field limitations, the research approach, field data collection techniques and finally the method for analyzing the data.

2.2 LIMITATIONS

During the preparatory period, I had envisaged encountering several constraints in this

[9]This thesis uses several theoretical themes to argue for community based resource management as an effective tool to resolve the conflicts in the delta. These themes include class theories and theories on state.

research. Tana Delta is located outside my home province and it is inhabited by different tribes and like any other outsider, though to a different degree, I expected to encounter some problems. They included penetrating the community to cross cultural barriers, and establish rapport that is conducive to obtaining non-filtered information, cultural differences and security clearance.

In the field, as a result of the sensitivity created by the controversies[10] in the Tana Delta, both the District Administration and the local people treated strangers getting to the Delta (and more so a researcher) with suspicion and caution. Consequently, I had to be vetted by the security personnel at every level in the District Administration to ensure that I had obtained research clearance from the Office of the President, Department of Internal Security. Fortunately, for me, most of the District Officials were people who I had worked with elsewhere or met informally. My position as a middle level civil servant in the country was also an added bonus.

Once in the Delta, however, I had to contend with my own alienation in a new community. To overcome this barrier, I split my research into two phases: I spent the first phase, which took two weeks, to clear with the security at all levels of the District Administration, establish acquaintances, explore the general settlement pattern and identify key informants and other key people in the community; I used the second

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[10]From late 1992 the delta has been centre of controversies involving environmental groups, commercial developers and the local people. Details of these are discussed in the chapter on the delta.

phase, lasting four weeks, to collect actual data in the Delta.

As I mentioned in the introductory chapter, three ethnic groups inhabit the Delta. Although they are not distinct as such, they have some differences. For example, all the Bajunis are Muslims, whereas the Oromos and the Pokomos are split between Islam and Christianity. In order to minimize cultural alienation, I opted to concentrate on the Bajunis because of the following reasons: First, it was easy for me to meet almost all of them in the mosque and establish acquaintances in the exploratory phase of my research. Second, during the actual data collection phase, I was able to triangulate[11] my data during the congregational prayers at night and early in the morning. Third, the Bajunis speak Kiswahili which is the national language in Kenya and which I speak very well. This enabled me to avoid the problem of having to learn another language or use interpreters to conduct interviews. Communicating with people in their own language has also the advantage of muting alienation and motivates research subjects to relate their experiences in a relaxed environment.

For me, the most constraining factor was probably my limited knowledge of the area. My interest in the delta developed from articles carried by the printed press . Apart from the fact that I had acquaintances, some of them former schoolmates from the area, I was not particularly clear on the nature of problem and actual field conditions.

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[11]Triangulation refers to data confirmation processes in which three or more methods are used to check any information obtained from interviews or other methods. It involves cross-checking all information obtained from informants by using different kinds of sources (Theis and Grady 1991).

Circumventing these constraints required methodological strategy.

2.3 METHODOLOGICAL STRATEGY

The first issue in the development of methodologies strategy was to delineate a boundary, spatial or social, for investigations. There were two possibilities in this regard. One was to consider an administrative unit and study a sample from the various ethnic groups in the Delta. Another option was to consider a particular ethnic group among the three that live in the Delta. Considering the East African conditions, Good (1966:4) supports the second option explaining that it "satisfies more completely the three pre-requisites of comprehension, cultural relevance, and minimal areal generalization" required in anthropological study. In line with this, I used this option and concentrated on the Bajunis.

My experience in the delta, however, contradicts the validity of Good's assertion, at least in so far as my investigation show. The various ethnic groups are intricately linked through marriage and settlement patterns, making it really difficult to pick up one particular group for study. Occasionally, I was confronted by members of the other groups with complaints of bias against them. My shallow and inadequately convincing explanation then was that I had time constraints. In retrospect, though, I feel that a broad based study, however small a sample, among the various ethnic groups, would have been more suitable.

The second aspect of my strategy was the selection of appropriate research method. For this, I adopted qualitative research methods because as Patton (1980:22) explains, they enable the researcher "to find out what people's lives, experiences and interactions mean to them in their own terms and in their natural settings". He argues that the open-ended questions posed in qualitative investigations "enable the researcher to understand and capture the points of view of other people without predetermining their points of view through prior selection of questionnaire categories" (Patton 1980:28). This approach was compatible with my requirement to develop a clear picture of the events as they exist in the field, especially in view of my limited prior knowledge of the area.

Patton (1980) describes qualitative data as consisting of quotations from conversations and descriptions of events, situations, interactions and activities. Unlike quantitative methods that aim at establishing linear relationships between pre-determined variables, qualitative methods enable the researcher to observe situations that help in addressing the research problem.

Finally, in order to obtain the necessary qualitative data, I had to select an appropriate field techniques. In the field I used participatory rapid appraisal, a specific form of rapid rural appraisal (RRA), technique to collect data in order to obtain sufficient against the limitations identified earlier in this chapter.

2.3.1 Field techniques

In June 1993, I attended a seminar on "World Bank's Land Use Policy in Arid and Semi-Arid Lands of Kenya" held in Nairobi, in which a team of world Bank "consultants" presented their research findings. They concluded that control over land rights in the pastoral lands should be returned to the pastoral communities (Akatch 1993). However, their conclusions were based on analysis of questionnaire surveys that were administered by high school students to a few "pastoralists" living in semi-urban settings. I watched as they were pinned down by speaker after speaker on the inconsistency between their method and findings. Asked to suggest an alternative approach, some speakers mentioned methods such as RRA that would have provided for some participation by the pastoral groups.

This was reassuring for me because I had, by then, selected rapid rural appraisal techniques (RRA) - a participatory approach - to conduct my investigations in the field. Townsley (1993 :3) defines RRA as a "systematic but flexible means for outsiders to QUICKLY learn about conditions or issues in a particular local area using an interdisciplinary team". Li (1993a), citing MaCraken et al (1988) identifies four types of RRAs- exploratory, topical, participatory and monitoring- which can be used in sequence or in different circumstances. She explains the various ways in which each of them may be used, noting that topical RRA can be used "for investigating a specific topic, often in the form of a key question and hypothesis" (Li 1993a:14).

RRA as field methodology has several advantages. First, it enables the researcher to extract information from rural people in a short period through an interdisciplinary analysis (WRI 1991; Simarak et al 1988). An interdisciplinary approach is very useful because rural systems are "very complex, interdependent and diversified in terms of both biophysical and socio-cultural aspects" (Subadhira 1989:3). As will be shown in Chapter Three, the conflicts created by the establishment of the Tana Wetland Reserve are not limited to a single sector. I used RRA as an interdisciplinary approach to capture the diversity of the conflicts by pulling together a three member-team with different academic backgrounds and from different ethnic groups, some of them from Tana River District. But an interdisciplinary team, if not well coordinated, can undermine the success of the exercise by turning sessions with individuals or even groups into debates between themselves instead of learning from the research subjects. This is a problem that has been noted in the farming systems research approach (Chambers 1986). During my fieldwork, I tried to ensure that this did not happen by cautioning the team occasionally against dominating sessions and again pointing out cases where this was breached in our debriefing sessions in the evenings.

Second, RRA techniques reverse the researcher-researched relations. As Peter Park (1991) explains, the investigator in participatory methods contrasts with the traditional researcher who, using structured questionnaires and interviews, relates to the research subjects as objects of inquiry. Instead, "it is ordinary people with problems to solve who form partnership with the researcher, for learning about the dimensions of

oppression, the structural contradictions, and transformative potentials open to collective action" (Park 1991: 3). Similarly, Bud Hall (1993: XIV), citing Tandon (1988:7) argues that "participatory research attempts to present people as researchers themselves in pursuit of answers to the questions of their daily struggle and survival".

Third, RRA is exploratory and highly iterative, rapid, and allows progressive analysis, provides sequential triangulation and uses the indigenous knowledge of the local inhabitants (IIED 1991). This study was conducted in a short period of six weeks with an objective of obtaining reasonable understanding of the situation as it is experienced by the people. Certainly, my partial understanding of the local culture, language, and work experience in the Kenya civil service combined to minimize time spent in the preliminaries. Despite this clear advantage, I believe that in terms of time budget, this technique was still the optimal.

Finally, as Chambers (1980) explains, by listening and learning from the rural people as they narrate their every day experiences the researcher can obtain information on significant aspects that were not anticipated in the research design. In addition, issues that are not adequately addressed by a group or individual at any one time may be sequentially verified and gaps filled by the multiple approaches used in RRA.

My research consisted of two parts: I devoted the first part to establishing rapport with the community, and reviewing and collecting preliminary secondary data on the Tana

Delta, and resource use policy and conflicts in Kenya generally. The second part of the research involved doing the actual field work.

2.3.1.1 Secondary data

Before embarking on field work it was important for me to obtain baseline information about the ecology, people and physical geography of the area. This baseline information was useful in conceptualizing the issues to investigate in the field.

Some of the secondary materials that proved useful include existing literature on the area and various types of maps, reports from the District, Divisional and locational headquarters. Besides these, I also greatly benefited from short term research reports on the Delta. Newspapers in Kenya that covered the debates on the resource use conflicts in the Delta proved very useful too. They have been exceptionally useful during the research formulation and data collection.

2.3.1.2 Fieldwork

Several techniques can be used in a RRA exercise and the selection of any or a combination, depends on the particular situation. To understand the way the Bajunis use their resources I conducted temporal and spatial studies on variations in resource use as well as social analysis . Spatial data provided me with information about the area and the relationships among the various members of the community such as settlement patterns, farms, and the social structure including kinship, household and labour

organization. I obtained this information using transects, sketch maps and farm sketches.

Temporal data refers to changes in resource uses in response to changing conditions over the long and the short term. They help in identifying significant changes in patterns of resource use. In the field , I used a combination of time lines, trends and seasonal calendars to conduct temporal analysis.

I obtained most of the data for social analysis through household interviews and from government documents. Finally, I obtained technical data by conducting sectoral studies, devoting on average three days to collect specific data on each of the important economic sectors in the area.

2.3.2 Data Analysis (From Data to Theory)

In discussing analytical tools for common property management, Feeny (1990) advocates the use of case studies that can be compared with other related cases. Although case studies yield useful data they are not always generalizable across cases. Thus, an alternative approach that situates case studies in the context of the pertinent literature is more useful. Consequently, this research uses the extended case method (Buroway et al 1991) in the data analysis.

The extended case method focuses on macro determinants, such as the state, economic

or social factors, of the micro processes. Rather than identify variables, establish relationships and test a hypothesis, extended case method studies "the social situation as the point of empirical examination and works with given general concepts and laws about the states, economies, legal orders, and the like to understand how those micro situations are shaped by wider structures" (Buroway et al 1989:282).

Community based resource management is a general approach that involves various related issues including communities, state, people and resources. In this thesis, I identify four themes and examine issues in each of these themes by setting my field data against existing theories such as class and state theories to explore the suitability of CBRM strategy to resolve the resource use conflicts in the Tana Delta. For example, a major issue in the resource use conflicts is class struggles at the micro level. But instead of clearly identifiable lateral class allegiances, it seems that the resistance to resource use conflicts transcends class categories. To explain this anomaly, I use class theories and identify sets of concepts such as false class consciousness, hegemony by consent and patron-client relations to explain the behaviour of different groups. Similarly, the field observations reveal that there are conflicts among the various state agencies, each of which seems to be interested in the establishment of the wetland reserve. To explain conflicts within agencies of state, I turn to theories on state. For example, Moore (1993) explains contrary to popular belief that the state is a homogenous entity, there several competing and contradictory interests within the state.

CHAPTER THREE: NATURE AND SOURCES OF RESOURCE USE CONFLICTS.

3.1 INTRODUCTION

The proposal to establish the Tana Delta Wetland Reserve has led to resource use conflicts amongst the various stakeholders[12]. These conflicts emerge from a perceived incompatibility between the needs of the indigenous resource users and the requirements of resource conservation. The local people believe that the wetland reserve, if established, will alienate them from their agricultural and pastoral lands, forests, and fishing grounds. National and international environmental groups are concerned with the preservation of some rare and endangered species in the Delta. The Kenya government is concerned with maintaining the current flows of benefits from wildlife tourism and related international financial aid for environmental conservation.

These conflicts emerge from (1) asymmetrical power relations between the state, represented by various agencies, and the local communities, (2) inappropriate state policies, and (3) international environmental imperialism. To the extent that the conflicts contribute to ongoing struggles over resources at the local level among various socio-economic groups, local class struggles form a fourth source of these conflicts.

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[12]Stakeholder is used in this thesis to refer to an individual or an organization who has a direct and/or indirect interest in the deltaic resource (Atlantic Coastal Action Program 1993:25).

This chapter provides insights into the conflict through an exposition of resource use conflicts between the requirements of the wetland reserve and the local resource uses. Chapter Three is mainly descriptive, setting the stage for a discussion on the suitability on a CBRM strategy that follows in Chapter Four. It is difficult to narrate individual responses to most of the issues that were investigated during the research. In view of this, I have found it expedient to summarize common concerns expressed by the majority of those interviewed, with a few direct quotes for emphasis. In some cases, I use material from secondary sources.

The first part of the chapter provides background information on the wetland reserve, explaining the existing and probable conflicts between wildlife and local land uses that are likely to be exacerbated by the establishment of a wetland reserve. Part two examines the state policies in Kenya from an historical as well as contemporary perspectives. Part three explores local class struggles within the community and their influence on the conflict. Part four discusses the effects of international relations on the Tana conflict, using international environmental law and international aid to illustrate this.

3.2 TANA WETLAND RESERVE

3.2.1 Rationale for its establishment

The rationale for the establishment of the wetland reserve is twofold. It is in the national interest for the Government of Kenya and secondly part of an international

environmental agenda. First, the common arguments by the environmental groups to justify the wetland reserve include the preservation of the delta for the (1) enjoyment, knowledge, benefits and well-being of present and future generations, (2) conservation of species that are rare or endemic (unique) to the Tana Delta, and that are considered to be endangered, making them species of national and international importance, (3) maintenance of essential ecological functions and services provided by the delta, and finally (4) preservation of the deltaic resources for their own existence value without any direct or indirect benefits to humankind (Nkako 1992; EAWLS 1993).

Second, the Kenya government's stake in the conflict follows from the contribution that wildlife tourism makes to the national economy. Tourism is the largest source of foreign exchange in the country (Schoorl and Visser 1991; Peluso 1991). Wildlife tourism in turn depends on the proper management of wildlife; management that has so far been based on state surveillance of wildlife in protected areas and that requires substantial financial inputs. The inability of the state to provide all the financial requirements for wildlife conservation has necessitated a role and influence for international donors.

3.2.2 Nature of conflicts

Contrary to the popular belief that wildlife management deals with the regulation of animals, in practise wildlife conservation is about controlling human activities (Enghoff 1990). The establishment of conservation areas have generally resulted in land use

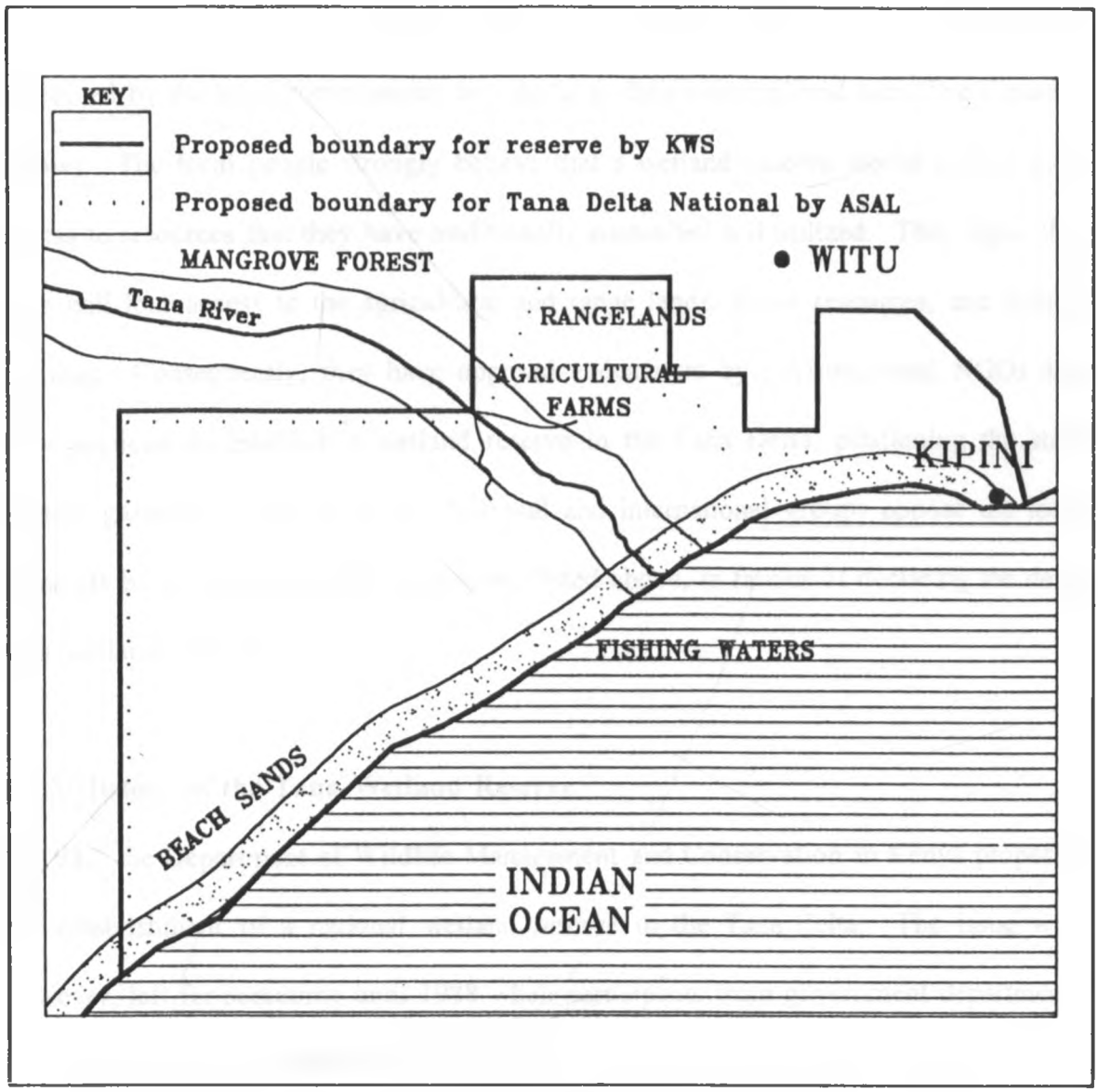

Fig. 2 TANA WETLAND RESERVE

conflicts between local communities and the conservation agencies. Elsewhere in Kenya, the establishment of the Amboselli National Park, for instance, has resulted in land use conflicts between the *Masai* pastoralists and the Wildlife Service over access to grazing lands (Western 1989; Daily Nation 1994).

The establishment of a 406 square kilometres wetland reserve in the Tana Delta is perceived by the local communities as a threat to their existing land uses (See Figure 2 below). The local people strongly believe that a wetland reserve would restrict their access to resources that they have traditionally controlled and utilized. They argue that they will lose access to the agricultural and range lands, forest resources, and fishing grounds. Consequently, they have opposed endeavours by environmental NGOs and state agencies to establish a wetland reserve in the Tana Delta, petitioning the state against gazetting of the reserve. National and international groups oppose the local demands by evoking powerful arguments, listed above, in favour of declaring the delta as a wetland reserve.

3.2.3 History of the Tana Wetland Reserve

In 1982, the Department of Wildlife Management and Conservation in Kenya proposed the establishment of a national wetland reserve in the Tana delta. The issue was, however, left for sometime until 1988 when participants from government departments and non-government organizations met in a conference on wildlife management and recommended that the proposal to establish a wetland reserve be revived. In 1989, as a follow up on this recommendation, the Coast Forestry Survey unit of the National Museums of Kenya began work on identifying possible boundaries for the proposed reserve. At the District level, the District Environment Officer prepared a detailed proposal for the establishment of a wetland reserve, a proposal that was accepted by the

Tana River District Development Committee[13] (DDC) which appointed a committee to come to agreements on the delineation of the boundaries of the reserve (Weekly Review 1993a).

In 1991, forty-two representatives of government institutions and non-governmental organizations, in a seminar on national wetlands management, called for the speedy establishment of the Tana Wetland Reserve. To strengthen their proposition, the participants in the seminar recommended that the Tana delta be included in the Global List[14] of habitats of international importance for waterfowl and other migratory species. In response to these recommendations, in 1991 the Government of Kenya gazetted the delta as national wetland reserve[15], bringing to three the number of national reserves in the District, the other two being Kora Game Park and the Tana River Primate Reserve (Nkako 1992; The Standard 1993b).

In late 1991, the then Ministry of Reclamation and Development of Arid, Semi-arid Areas and Wastelands conducted a study of the Tana Wetland Reserve. Among several

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[13]The DDC is the decision making committee at the District level and screens all developments projects before they can be implemented.

[14]Contracting parties to the Ramsar Convention are required to register at least one wetland in a global register (Global List) of protected wetlands. Kenya became party to the Convention is 1990 and is required to register at least one wetland reserve with the Secretariat.

[15]A wetland reserve provides habitat for game animals, marine living organisms and plant species unlike a game reserve that provides habitat for game animals only. In Kiswahili language, however, this distinction is not made and the local communities use the two terms interchangeably.

recommendations, the study urged the participating institutions to establish a management board to provide an integrated management of the whole Lower Tana area. Consequently on the 15th of September 1992, the Kenya Wildlife Service and the Tana and Athi Rivers Development Authority (TARDA) signed a memorandum of understanding for the joint management of the wetland reserve (Nkako 1992). About the same time the Kenya Wildlife Service sent a survey team to the area to demarcate the boundaries of the reserve (The Standard 1993b). Unfortunately, the proponents of the wetland reserve failed to recognize the socio-economic implications of their project, setting off a contest over rights to the local resources. They failed to recognize how the local communities would view the establishment of the wetland reserve, especially the conflicts with the existing land uses. These conflicts are explained below.

3.2.4 Conflicts with local communities

The local communities in the Delta have opposed the establishment of the wetland reserve because they believed it to threaten their livelihoods. They pointed to this threat in their appeal against the establishment of a wetland reserve in a petition to President Moi. Although they have not yet been moved out, they argue that a wetland reserve "will condemn us to perpetual poverty and will result in all of us residents, to become squatters in our own lands" (The Standard 1993:13). They support their arguments with experience from the other two game reserves in the District: Kora Game Reserve and Tana Primate Reserve "where several families were forced out" (The Standard 1993 :18a). In the same petition, the local people expressed their wish that

> "some control must be placed on the so called 'environmental Groups' local and overseas who lobby to protect our land and species of rare animals for example 'the Red colobus monkey'. It looks as if the 'Environmentalist', are more concerned about the red colobus monkeys, than human beings. Such an approach has resulted in the residents and wananchi around the Tana Primate Game Reserve, to reject all plans to protect the monkeys as planned" (The Standard 1993a :18).

The Tana Delta is a rich ecosystem type that is suitable for a variety of land uses including farming, pastoralism, fishing and forestry. Thus, conflicts emanating from the establishment of the wetland reserve are not limited to a single production system but involve competition with each of these land use types. The local communities argue that a wetland reserve will displace the pastoralists, the fishermen as well as the farmers. It will also restrict local access to the mangrove and other forests that provide the local people with valuable timber and other forest products. The multiple nature of the land use necessitates an examination that is broad enough to capture impacts on local communities as a result of their alienation from all these alternatives land uses that are threatened by the establishment of a wetland reserve.

3.2.4.1 Conflicts over agricultural land

Agriculture is the main economic activity for the Bajunis and the Pokomo ethnic groups in the area who cultivate the productive part of the delta. Unfortunately all their farms fall within the boundaries of the gazetted wetland reserve. Although, generally, wildlife conservation has been limited to the low productivity agro-ecological zones, the agricultural zones in the delta are incorporated into the wetland reserve to preserve

endangered species on the land water interface. Local and international environmental organizations argue that this area should fall within the reserve to protect the endangered sea turtles and crustaceans inhabiting the swamps adjacent to the sea.

Farmers in the delta are confronted with three kinds of resource use conflicts: alienation from agricultural fields, wildlife damage on agricultural crops and compensation for the damage caused by wildlife. First, in arguing against the wetland reserve, the local people note that the delta is the most productive part of Tana River District and that it is farming that they understand best. The farmers in the Delta grow paddy rice in the deltaic swamps and several other crops on the edges of the swamps. On the other hand, those campaigning for the wetland reserve do not explain what alternative arrangements they would provide for these farming communities. In the absence of an explanation, the local people speculate that they will be reallocated elsewhere to compensate them for their loss, fearing the prospect of being relocated to drier parts of the district. This idea was clearly made by an elderly Bajuni when he said

> I have lived on this land in my entire life, depending on its produce for sustenance. Now they say, it will be turned into a game reserve. Where will we be settled after they establish a wetland reserve here to compensate us adequately in an otherwise arid district like Tana River. We do not want to farm a desert. They should take the reserve there instead.

Second, an already existing problem that will be exacerbated by establishing a wildlife sanctuary in the area is damage to farmers' crops caused by wildlife. Wild animals in the area cause substantial damage to all types of crops including tree crops; damage that can, at times, be great, particularly when the affected crop is a perennial crop or when

the damage is done at the end of the cropping season. This is a pervasive problem in the delta as one of my respondents noted:

> We devote all our energies to tilling this land and growing crops only for the elephants and other wildlife to devour them. It is frustrating when an elephant or another beast destroys our crops especially mangoes that take up to eight years to mature.

This and similar experiences have already engendered animosity between the local people and wildlife even without the wetland reserve. Hill (1991 :22) in explaining the danger that crop damage creates for wildlife management notes that "it is only the very understanding farmer who can appreciate the value of preserving elephants for foreign tourists when a large bull is destroying his [or her] crops". In response to my query about poaching in the area, a farmer responded that he is grateful to the poachers for reducing the wildlife population in the area. He is not irrational in thinking this way considering the loss he suffered following damages, a few days earlier, to his coconut trees caused by elephants. The locals fear that a wetland reserve would increase the wildlife population in the area, exacerbating their problems

Although the Wildlife Service is theoretically supposed to push wildlife outside agricultural lands (Weekly Review 1994), this rarely happens. Its failure to do so has caused exasperation among the farmers living close to conservation areas. Elsewhere in Kenya, communities bordering protective areas have had bitter experiences with the animals and the managers of conservation areas. Both the *Masai* and the *Taita* have raised complaints relating to crop damage and lack of compensation for the damage

(Weekly Review 1994). While I do not underplay the political connections, it is interesting to note that the controversy leading to the resignation of Dr. Richard Leakey, a former director of the Kenya Wildlife Service (KWS), centred on conflicts between local land uses and wildlife, and lack of compensation for wildlife related damage(Weekly Review 1994 :3).

A problem related to wildlife damage is compensation for damage to crops and human life. An example from the Delta illustrates this point. In December 1990, a herd of elephants destroyed several mango trees on a farm and warthogs destroyed some maize crop on the same farm. The owner presented his complaints to the area chief who assessed the damage at about 20,000 shillings and passed it over to the District Game Warden. Three years later, when I conducted my research in 1993, the farmer had not been compensated. He dismisses the whole problem as "usual government foot-dragging and I don't expect any compensation ever".

3.2.4.2 Conflicts over grazing lands

As Adams posits "economic use of wetlands in Africa is integrated with that of surrounding drylands, and there are many examples of communities with one foot in the wetland and another in the dry land" (1993: 210). In the Tana delta, although the Bajunis are predominantly agriculturalists, they also keep some livestock in the drier agro-ecological zones. Another ethnic group, the Oromos are predominantly pastoralists moving between the drier parts of Tana River district and the Delta following changes

in the weather patterns. During the dry seasons, pastoralists from the drier northern and western parts of the district move into the delta "with their herds in search of water and green pastures. Approximately 340,500 cattle, 180,810 sheep and goats, and 27,000 camels are moved" (Government of Kenya 1988:15). Similarly, another group of pastoralists from a neighbouring province, Northeastern, move into the delta during very severe droughts.

Competition between wildlife and livestock occurs on the rangelands because of the similarities in their habitat requirements. Most of the wild animals in the Delta have the same habitat requirements and grazing patterns as livestock. Thus, the drier agro-ecological zones are also suitable for wildlife such as the topi and the two endangered primate species, the *tana river red colobus* and the *tana river crested mangabey.*

Conflicts between pastoralists and wildlife occurs in one of three forms. First, a wetland reserve is perceived to cut off access to the Delta's pasture and water resources for the pastoralists in Tana River and adjoining districts. Odegi-Awuondo (1982) explains a discrepancy in wildlife management in Kenya in which the wildlife wanders freely in the range outside game parks and reserves, whereas pastoralists' livestock are restricted from accessing pastures and waters in wildlife sanctuaries. Another problem associated with wildlife conservation projects is the several communicable diseases transmitted by

wildlife[16] to livestock. Some of the local pastoralists in the Delta are concerned with increasing incidences of several diseases and ticks that are associated with the wildlife in the area. A number of the local people have indicated their suspicion over this, noting an existing problem with tryponomosiasis, a disease caused by tse-tse fly infestation. The problem is compounded by lack of organised veterinary service in the area, necessitating the locals to procure drugs from neighbouring distant urban centres of Malindi and Lamu. The local pastoralists are concerned that, to the extent that it will lead to increase in wildlife numbers, a wetland reserve will exacerbate this problem.

3.2.4.3 Conflicts over fishing grounds

The Tana wetland reserve has a 3200 hectare marine reserve component to protect endangered sea and deltaic animals including the sea turtle and various species of crustaceans. The sea turtle is, for example, threatened by onshore developments[17] and the young are particularly exposed to a lot of risks when hatching as they are attracted to sources of lights, drawing them away from the sea where they are supposed to return after hatching (The Standard 1993b).

While it is important to conserve these species, the establishment of a marine reserve

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[16]Odegi-Awuondo (1982) explains that wildlife are immune to livestock diseases but are healthy carriers of various diseases that affect livestock.

[17]In a later chapter, it will be argued that state supported unlimited growth in tourism is likely to pose a more serious environmental threat than the local inhabitants of the delta. When I conducted my research, there was no electricity in the villages but there was evidence of upcoming hotels that will probably instal generators to light their premises at night.

will exclude the Bajuni from fishing grounds that provide them with their sole source of protein and some extra income. Records at a local cooperative show that fishermen in Kipini town earn up to 600,000 shillings[18] annually from fishery. In fact, these low figures indicate low resource utilization due to poor market development and linkages, and rudimentary technology used by the local fishermen. Elsewhere in Africa, fishermen obtain substantial harvests from deltas, as shown for example in the Inland Niger Delta by Adams (1993).

3.2.5 Community benefits from wildlife conservation

A point made by the residents of the Tana Delta in petitioning against the establishment of a wetland reserve is their inability to share in the benefits that accrue from wildlife conservation. In Kenya, gate collections alone from parks and game reserves earn the country about 70,000 shillings every month (Weekly Review 1994). All this revenue goes to the KWS and District Councils. Communities living close to the conservation areas feel that they should share in these benefits for two reasons: First they argue that they have sacrificed part of their land to the conservation of wildlife; land that they would have put to alternative income earning activities. Second, as the representatives of the communities neighbouring the *Masai Mara* game reserve observed,

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[18]The current exchange rate between the US dollar and the Kenya shilling is about 50 shillings to a dollar.

> "Over three quarters of all wildlife is on lands privately or traditionally owned, twenty percent is in national reserves under county councils and only five percent in national parks under KWS. If so much of Kenya's wildlife is outside parks and reserves, who is paying for the cost?. It is of course *wananchi* (local people), not KWS or the county councils. How is it then that we, the landowners, get no more than a token from Kenya's number one foreign exchange earner?" (Weekly Review 1994:3).

Although these concerns are valid on their own, the KWS, allegedly, makes some concessions in terms of sharing benefits with local communities. The problem, in part, results from lack of coordination among various departments of the government and inconsistent state policies. For example, whereas the Wildlife Act does not specify benefits to them, the local communities claim a 25% share of all park collection as directed by the President. This limitation and several others discussed in earlier sections reveal that state policies influence the conflicts in the Tana Delta to a great extent. The next section turns to the relevant policy and legal systems in this connection.

3.3 GOVERNMENT POLICY

Three acts in the country's legal system, and the national policy blueprint, the District Focus for Rural Development (DFRD), contribute to resource use conflicts in the delta. The Wildlife Act, the Forest Act and the Land Act, and the DFRD are problematic because they fail to acknowledge existing customary forms of resource ownership and related traditional decision making processes. The state has through these legal and policy systems effectively usurped power over local resources from indigenous communities; a loss that is unfortunately not replaced in a way that can ensure fair and firm allocation of rights to access (Toulmin 1991). Each of these laws and policy

document contribute to the resource use conflicts by empowering various state agencies, in the process legitimating their rights to allocate resources in the delta.

3.3.1 District focus for rural development

In July 1983, the Kenya government adopted the DFRD strategy which in principle shifted decision making from the national headquarters to the districts (Government Of Kenya 1987). The policy document, referred to as the 'Blue Book' in Kenya official circles, commits the government to involving the people at the grassroots levels in deciding how best resources in the district would be utilized to improve their standards of living. It specifies a requirement for local participation in the identification, planning and implementation of all projects in the district. To fully involve the local communities, the document urges state officials to share information on all planned projects with the local communities before they are undertaken.

Whereas the principles of this shift are significant, the DFRD strategy has major weaknesses that constrain its ability to encourage local communities to participate in decision making and hence control over their resources (Wiggins 1985; Ndengera 1985). The DFRD strategy is a policy written with lack of clarity for implementation in such a way that control is with local level bureaucrats, not local level people. As Fox argues, although it is seemingly a basis for local participation, the DFRD strategy "operates within a framework that retains a strong central focus" (1990:39). The composition of the District Development Committees (DDCs) and their subordinate organs at lowers

levels indicate that, in practise, the strategy does not provide for adequate participation by the local communities. The District Executive Committee of the Tana River DDC, which is the ultimate decision-making organ, is composed of representatives of government departments and agencies without any provision for local participation. At a lower level, the Garsen Divisional Sub-DDC in Tana River District has 24 members representing government departments and agencies in contrast to only four representatives drawn from the local community. This is a problem that is pervasive at all levels of the planning process from the lowest sub-locational level to the Provincial Monitoring and Evaluation Committee that is responsible for monitoring and overseeing the activities of the DDCs. These constraints preclude an important requirements for a successful popular participation: "a belief by the potential participants that participation will lead to real control" (Parry and Campbell 1992 :245).

Another problem with the DFRD strategy is the apparent lack of coordination among various departments of the government. Each department pursues its own programs without reference to other departments that may be involved in similar programs. These contradictions are easily discernible from the conflicts among various state agencies in the Tana Delta. At the District level, the DDC, the District Agricultural Committee and the Provincial Agricultural Committee have all approved the establishment of the Kon-Dertu Group Ranch, a project that is opposed by other state agencies arguing for a wetland reserve as a more important project. On the other hand, other state agencies including the Kenya Wildlife Service, the Tana and Athi River Development Authority

and the National Museums of Kenya are on the forefront for the establishment of a wetland reserve in the same area. Yet each of these agencies is working within its legal framework and its actions are sanctioned by provisions in the laws of the country.

These contradiction between principles of the DFRD and its practical implementation, and the constraints placed on its little good will by other policies in empowering local groups raise constraints as well as potentials for CBRM. On one hand, the government is in agreement that through experimentation with other approaches, decentralization may provide an effective way to deal with regional development and environmental management. On the other hand, it is apparent that the government has not provided adequate and comprehensive provisions for decentralizing power. The resource use conflicts in the Tana Delta discussed above to a large extent emanate from this policy deficiency. In Chapter Four, this discrepancy will be examined critically with a view to determining how much decentralization has been achieved and the extent to which the DFRD provides incentives and disincentives for a CBRM to resolve the conflicts in the Tana Delta.

3.3.2 The Land Act

The resource use conflicts in the delta represent broader changes in the land tenure systems. When the local people allege that "the right to own land... is the most basic

of human rights. In selling parts of our land to CA[19] [Coastal Aquaculture] we exercised our fundamental rights in a manner which serves our interests..." they are contesting the erosion of their traditional land rights and its replacement by a new system in which they enter from a disadvantaged position, the consequences of which have been adverse.

A previous system in which access to land was regulated through the village elders, Wazee wa Boma, has been replaced by a government controlled land tenure system; a system that vests a lot of power in the state. These powers are exercised and enforced using Chapters 280 and 300 of the Laws of Kenya. Two sections in these Acts relate directly to the conflicts in the delta: First, Chapter 280 empowers a Commissioner of Lands appointed by the state to allocate any unalienated land to any activity that is considered to be in the national interest: this section technically legitimizes the state action in declaring the Tana Delta as a wetland reserve. Second, Chapter 300 grants absolute powers with all privileges and rights on a title holder; this section protects some members of the local communities in a discriminatory manner, buffering the Kon-Dertu Ranchers and other certificate holders against the impacts of the Wetland Reserve and leaving the majority vulnerable to exploitation.

3.3.3 The Wildlife Act.

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[19]CA is an Italian owned commercial Aquaculture firm. It has entered into a land transaction with the Kon-Dertu Ranchers. In the conflict, however, both the Kon-Dertu ranchers and the firm argue that the land transaction involved the entire Tana Delta community.

The Wildlife Act[20] (Chapter 376 Laws of Kenya), enacted in 1976, has various sections that contribute directly to the conflicts in the Tana delta. Section 6 of this Act empowers the Minister of Tourism and Wildlife Management to declare any unalienated land as a wildlife sanctuary. Section 10 of the Act places restrictions on various resource uses within wildlife sanctuaries except with the written consent of the Minister. The details of the restricted land uses, including residence, grazing, fishing, and honey and beeswax extraction are outlined in Section 13 of the Act and various forms of penalties in breach of these restrictions are outlined in section 22.

The 1989 revised version of the Act shifts significantly from wildlife-human separation approach by making concessions to the communities living close to wildlife sanctuaries (Government of Kenya 1989). Subsection (l) of the Act urges the Wildlife Service to provide services to the communities living adjacent to protected areas and protect their property from wildlife damage. Another section of the Act commits the Service to creating public awareness and support for conservation efforts. The revised version of the Act seems to indicate that the KWS would manage wildlife while also protecting the interests of the local communities.

KWS gives credence to this view by, for example, outlining several good will initiatives, including damage minimisation and provisions for compensation in wildlife conservation whenever its performance has been questioned. The KWS explains that it is a policy

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[20]See Government of Kenya 1985 and 1989.

whenever its performance has been questioned. The KWS explains that it is a policy requirement that game ranchers push away wildlife from agricultural lands and even kill animals considered dangerous to both people and property. According to the Chairman, the Service has recently

> "spent shs. 1 million in a major drive to push a herd of nearly 200 elephants from Narok town towards Loita forest. In Narok District alone, the KWS has shot 27 elephants, 379 buffaloes and 7 lions to protect human and animal life and property" (Weekly Review 1994 :6).

Similarly, the Chairman explains that the Service has initiated perimeter fencing in some parts of the country, a programme that has so far covered 2500 kilometres. The KWS has also started a partnership program with communities living close to the conservation areas: a program that trains and pays the salaries for game scouts recruited by the local communities. As the chairman of the KWS put it, KWS has undertaken a number of projects that are envisaged to benefit local communities. They include (1) the Masai Mara EEC project under which the KWS has spent 39 million shillings on some development projects in the area, (2) community enterprises development scheme, in Taita Taveta District, supported by the World Bank and United States of America (3) support for the Olchoro Oirua Wildlife Conservation and Management Association that is supported by KWS as a viable community-based wildlife conservation effort. These initiatives on the part of the KWS raise the question of why do the communities continue to oppose conservation areas when they are deriving many benefits from wildlife conservation?

The local communities oppose conservation areas because, in spite of theoretical

commitment to benefitting grassroots communities, in practise the outcome of provision of conservation areas is very different. The provisions for integration of conservation and rural priorities seem only rhetorical and place specific. Pervasive and recurrent problems like damage minimization are rarely dealt with by the KWS in all protected areas as game rangers could be present but ineffective. For example, on the eve of August 15 1993, a team of game rangers visited Kipini town, in the Delta, in two landcruisers. Instead of investigating wildlife related problems, the rangers opted to idle for a few hours before returning to Hola, the district headquarters. For the local people, this was hardly surprising as they seem to have despaired from any assistance from KWS. My host noted that *hiyo ni kazi ya watu wa wanyama. Kazi yao ni kupoteza pesa ya serikali* meaning "this is the way the KWS operates. All they do is waste government funds".

Other reasons for continued complaints include (1)retention of power within the bureaucracy, excluding the local communities from all decisions relating to resource management. KWS could actually make concessions to local communities without benefiting the genuine victims of wildlife conservation. Consequently, some of the benefits, for instance, concentrate on the development of rural infrastructure to the detriment of more viable projects that are of immediate benefit to the communities. As an example, the communities accuse the KWS of treating road construction as a benefit to them when indeed these roads are constructed to facilitate the entry of wildlife viewers to the parks and reserves. (2) the communities also argue that they are getting

a disproportionate share of the wildlife benefits. The residents of Taita District, for example, point out that whereas they were supposed to receive 35 million shillings in 1992/93 financial year, they only received "a mere 3.5 million" shillings (Weekly Review 1994).

In an earlier section, I explained that crop damage and compensation is a major problem experienced by many farmers in the delta. This is the most intricate aspect of the conflicts to resolve due to the many uncoordinated agencies of government involved in processing compensation claims. While it is the responsibility of KWS to compensate for damage, it is a policy requirement that all claims must be submitted to, and approved by, the District Development Committee. The bureaucratic requirements at various levels cause so much delay that simple discounting by the farmers discourages many from claiming compensation. Instead many farmers choose not to waste time and effort on it. This aspect of state management contrasts with more efficient locally managed compensation processes that are discussed in Chapter Four.

3.3.4 The Forest Act

The Forest Act (Chapter 385 Laws of Kenya) contains several sections that adversely affect the interests of indigenous groups living close to protected forests. Section 6 of this Act empowers the Minister of Environment and Natural Resources to declare a forest area as a nature reserve. Similarly, Section 2 of the Act excludes human activities such as cutting forests, grazing and extraction of forest products from protected areas.

Penalties for infringements on this requirements are outlined in Section 10.

This Act is oppressive in two ways. First, it transfers power from the local organizations to the state, requiring all members of the local communities wishing to access the forests to obtain certificates from authorized state officials. Second, despite a provision in Section 15 that empowers the Minister to grant permission for a variety of land uses, the Act is vague in defining licensing mechanisms. For example, in exercise of powers conferred by this Act, the District Forester in Tana River District has issued an exclusive forest license to a local Bajuni in the delta. The license technically empowers the concessionaire to harvest materials from the mangrove and other forests in the area, and prevents others members of the local communities from accessing the forests except with his permission.

In spite of their adverse effects on the welfare of the indigenous communities in protected areas, the formulation of these laws and policy strategy is actually based on perceived national interests. Wildlife tourism is the largest single sector foreign exchange earner in Kenya (Schoorl and Visser 1991). The next section turns to national interests and how this is responsible for the resource use conflicts in the delta.

3.3.5 National Interests

Tourism is a growing industry in Kenya, increasingly contributing to the national foreign exchange earnings; foreign exchange earnings from tourism increased from 210 million

US dollars in 1982 to 420 million US dollars in 1989 (Schoorl and Visser 1991). In 1993, this figure rose to 450 million US dollars (Sunday Nation 1994b). Most of this tourism is based on wildlife and coastal attractions: Schoorl and Visser (1991) suggest that 88 percent of tourism in Kenya is wildlife oriented.

Tourism also has multiplier effects on other sectors of the economy. It directly and indirectly creates about 110,000 jobs, which corresponds to about 9 percent of national employment, (Schoorl and Visser 1991). Hotel, transportation, finance and construction sectors of the economy all benefit from growth of tourism. Similarly, the informal sector, particularly craft shops, benefits to a large extent from tourism. The need to promote tourism is therefore particularly important to the growth of the national economy.

In recognition of these contributions, the government assigns a "sacred cow" status (Odegi-Awuondo 1982) to tourism as any disruptions in the industry sets off spiral effects in these other sectors. A simplistic examination at economic figures would seem to suggest naivety on my part in challenging the state's continued support and promotion of the tourism industry. In Chapter Four, I wish to re-examine three aspects of tourism: (1) the environmental impacts of tourism on the physical and biological resources in the country and specifically on the deltaic ecosystem if tourism is extended here, (2) the skewed distribution of the benefits from tourism and particularly the extent to which those most vulnerable groups obtain the least benefits from tourism, and (3) rural socio-

economic transformations resulting from tourism development.

In spite of this direct benefits to the national economy, unregulated developments in tourism lead to environmental degradation. They also transform rural economies by detaching peasants from direct subsistence activities and link them to global markets. The consequences of these two impacts: environmental degradation and rural social transformations will discussed in Chapter Four to build a case for CBRM.

3.4 CLASS AND RESOURCE USE CONFLICTS.

Most of the studies on resource use conflicts resulting from wildlife conservation describe the impacts on the local communities living close to these areas (Hill 1991; Lusigi 1981; Oakley 1991). These studies do not, however, examine the distribution of these impacts among the various socio-economic groups that constitute these communities. In the case of the Tana Delta, the effects of the wetland reserve are experienced differently by the different classes. The differential experiences emanate from transformations in access to the local resources created by the integration of indigenous communities into the modern nation state.

3.4.1 Geography of class in the Tana Delta

An historical examination of the Bajuni culture reveals that class relations among them are a new phenomenon. However, differences based on unequal wealth and position on the village political system are not new to the Bajunis and the other local communities

living in the Tana Delta. Members of the same community had varying farm sizes, livestock numbers and fishing command. In the case of agricultural lands, the main differentiating factor has been availability of sufficient labour whether this was co-opted or family based with holding sizes increasing proportionately with labour. Similarly fishing command varied with individual effort, the main limiting factor being ownership or lack of fishing gears. In all cases, however, there were no constraints placed on individuals by unavailability of, or restrictions on access to, these natural resources. In terms of access to the means of production, then, there were no distinct classes.

The impact of wealth differences on the politico-economic terrain was down played by the Bajuni customary system which did not use wealth status as an important determinant of election to leadership position in the village polity. Selection to position of leadership depended on other important considerations such as age, religious piety, oratory skills and public relations with other villages.

Two major changes have occurred since the Bajunis' integration to modern nation-state. First, access to local resources is now differentially available to members of the same community. Land and other resource certification, discussed earlier, have restrained some members from accessing the local resources while granting exclusive rights to others. Another development is that leadership struggle is no longer played out in the local terrain as election to the village polity is no longer the main leadership struggle among the local people. Members struggle over election and selection to national

leadership positions. Again unlike the customary system, wealth status and factors external to the locale, principally political patronage and literacy, count as major factors in the new leadership struggles.

By transforming the customary social relations and introducing different relations to the productive resources, these political developments in the village system have facilitated the formation of classes (Zeitlin 1980) among traditionally classless societies in the delta, producing elites and non-elite categories. This transformation has also undermined social equality that was maintained under the traditional systems. The two groups experienced external interventions in the area differently because of their unequal access to resources and security over these resources.

3.4.2 Classes and resource use conflicts

The Tana Delta Wetland Reserve contributes to an ongoing conflict over access to resources between the elites and the poor in the delta. Class struggles emerge as a central issue in the conflicts created by the wetland reserve due to the differential access to, and interests in, the local resources. In the Tana Delta, the elites have through various resource certificates apportioned for themselves disproportionately larger share of the local resources, in the process undermining a previously egalitarian resource distribution system. As a result, the interests of the local farmers, pastoralists and fishermen differ from those of the commercial ranchers, licensed forest loggers and trawler owners.

The conflicts emanating from wetland reserve must therefore be seen as (1) fitting into existing conflicts, whether or not they are overtly contested, and (2) creating new experiences, constraints and even opportunities for different classes within the local communities. Even now when the wetland reserve project has not yet been implemented, there are clear disparities in access to the local resources. Some members of the local elite have managed to obtain land certificates and forest licenses that give them differential access to some resources in the Delta. The Kon-Dertu Group Ranch, the Nairobi Ranch, a local trader with exclusive rights to harvest the mangrove and other forests, and individuals with titles for beach plots illustrate the situation clearly.

The Kon-Dertu Ranch, for instance, is purportedly owned by a local cooperative that was established in 1970. Although the management claims that membership is open to all residents of the Delta, interviews with most of the villagers in the Delta reveal that it is an elitist business concern. Most of small scale farmers in the Delta are, for example, unaware of the operations of Ranch and its transactions and struggles with other groups. What impacts the majority of the local people directly are the restrictions placed on them by the delineation of the ranch boundaries in terms of reducing communal grazing lands and enclosing land that would, otherwise, have been used for farming. By enclosing 20,000 hectares of the deltaic land, the Ranch on its own creates pressure on the rest of the local residents who have to compete for the remaining part of the Delta.

At another level, the impacts of resource use conflicts between the group ranch and the wetland reserve is mediated by a number of factors including the Ranch's land certificate and dealings with influential people outside the Delta. Although environmental groups argue that the Ranch should be incorporated into the reserve, its land certificate buffers the ranch against this threat. Consequently, any attempt to incorporate it into the wetland reserve can only be done by either (1) giving the ranchers unlimited grazing rights within the boundaries of the wetland reserve, or (2) adequately compensating the ranch's shareholders through a negotiated settlement in which they will enter as an equal party. This special treatment follows from the protection accorded to the ranch by the Land Act. As explained in an earlier section, the Act explicitly specifies that the state, through the Commissioner of Lands, can only allocate unalienated government land and has no jurisdiction over privately owned land (Government of Kenya 1984). On the other hand, security for a title holder is guaranteed by another section of the same act which vests absolute powers with all privileges and rights in a title holder.

The second factor that works to the advantage of the group ranchers is their ability to spread their risks. In the course of the conflicts, the group was able to transfer part of the ranch to an aquaculture firm, Coastal Aquaculture Limited, in circumstances that have been particularly contested by the environmental groups lobbying for the establishment of a wetland. Although Coastal Aquaculture is a foreign investment firm, it seems to enjoy some political goodwill, judging from the way it has been able to

manipulate some important aspects of the conflict. With political and financial support from Coastal Aquaculture (CA) Company, the ranchers were able to contest the establishment of the wetland reserve through the High Court of Kenya.

Another indicator of class conflict is the existence of few individuals with exclusive rights to some of the resources in the delta. A wealthy Bajuni in the Delta has exclusive rights, granted by the Department of Forestry, to harvest the mangrove and other forests in the Delta. Like the Kon-Dertu ranchers who are protected by the Land Act, this forester's rights to the Delta's resources are secured against the wetland reserve, at least in the short term when his license is valid. The wetland reserve has practical advantages for him in two ways: (1) by excluding the rest of the community from accessing the Deltaic forests, the wetland protects his interests from local competitors, and (2) currently, through community networks, he is obliged to allow other members of his community to harvest the forest on the strength of his license but by removing the community from Delta, the wetland reserve absolves him of this commitment at zero social cost.

3.4.3 Benefits from a wetland reserve

As I explained earlier, whereas the government overtly argues for the establishment of a wetland reserve in order to protect endangered fauna and flora, an underlying objective of the government is the Delta's potential in promoting wildlife tourism in the country, a major source of foreign exchange for the country. At the local level, some members

of the local community may benefit from tourism development through various business opportunities including hotel and transport industries that are associated with tourism. But a central question is 'does the entire community benefit from such a development? If not, who benefits and who loses?

Several factors including land, capital and political connections play significant roles in determining who benefits from the tourism industry. To participate in any of the businesses associated with tourism, a potential entrepreneur requires land, and initial capital to meet the costs of development. Most of the local Bajunis can not meet these requirements of land and capital. In Kipini location,for example, land is not yet delineated and it is only a former politician and a local administrator who own plots along the beach: the politician has already started constructing a hotel on the beach.

The capital requirements for undertaking hotel development is beyond the capacity of most Bajunis in the Delta. The only other source of funding, financial institutions, require a collateral for securing loans, in most cases a land certificate: a requirement that precludes the majority of the Delta residents. Those who are able to obtain the required capital by whatever means are likely to support the establishment of wetland reserve as their comparative advantage would be higher in this case. The displaced local people who are not able to participate in these developments are likely to be reduced to paid workers, at best, in these establishments. In facilitating these processes the wetland contributes to the formation of new classes or the accentuation of disparity between

existing ones.

In Kenya, the KWS has a policy in which local county councils are to some extent incorporated into the management of the wildlife reserves. According to this policy, the Tana River county council will be entitled to a share of the gate collections from the wetland reserve. The council would also benefit from the various licensing levies for the few permissible developments in the reserves. The local councillors who benefit from these arrangements by trapping benefits that would otherwise have accrued to the entire community, have all incentives to support the establishment of a wetland reserve in the Tana Delta. The local residents, on the other hand, are concerned with accessing what they consider their traditional resources. Their support or opposition respectively for the establishment of a wetland reserve must be seen to be driven by this self-interest rationale.

Elsewhere in Kenya, this particular aspect has become a bone of contention. The *Loita Masai* are involved in a conflict with the Narok council over the management of Naimina forest. The pastoral Masai are concerned with the pastures and waters that will be enclosed by a forest reserve. On the other hand, the County Council is concerned with the revenue and employment opportunities which will be created by the developments associated with a forest reserve (Ole Karbolo 1993: Ole Tenkerei 1993).

3.4.4 Class contradictions

The discussion above may create a notion of hostile class relations in the Delta, a notion that is contradicted by the form that local resistance to the wetland reserve takes. The Kon-Dertu ranch versus the wetland reserve illustrates the contradictions in class relations very well. The elitist ranchers are able to mobilize local support to their advantage when their interests are threatened. Their strategy involves what Zeitlin (1980 :15) calls "false explanations, distorted understandings and inner justifications of domination that inhere in it..." to create common acceptance and legitimacy. In their struggle against cancellation of a sale contract between the Ranch and Coastal Aquaculture, the management appeals in the name of the entire community, using community power to enhance their bargain. In their appeal to the President, they do not fail to remind him that

> "the people of Tana River have been supportive of you in particular, and the ruling party Kanu as evidenced in the last elections" (The Standard 1993: 13).

They also cite several advantages that will accrue to the local community from the aquaculture project without specifying who in the community will benefit from the deal. They, for example, argue that a deal with coastal aquaculture will generate about 40 million shillings per annum for the local community without explaining how this will be distributed within the community. In a section in Chapter Four, I will examine the suitability of CBRM strategy to deal with false class consciousness and the impediments that this places on the success of CBRM to resolve the resource use conflicts.

3.5 INTERNATIONAL RELATIONS

The conflict over the establishment of the Tana Wetland Reserve is not confined to the local communities and the Kenya government. International NGOs, including World Wide Fund for Nature (WWF), World Conservation Union (IUCN), and countries such as the United States of America (USA) and The Netherlands have shown special interests in the Tana conflict. The interests of these other parties is important to the conflict for two reasons: first, as often mentioned by the International environmental groups, the conflict affects the principles of several international environmental treaties to which Kenya is a contracting party. Second, the Kenya Wildlife Service relies heavily on international aid for its operations. In view of the contribution made by wildlife tourism to the national economy as explained in an earlier section, the need to maintain the current flows of this aid creates a role for donor agencies and other states to influence state policies relating to environmental management.

3.5.1 Requirements of international treaties

Both local environmental organizations, led by the East African Wildlife Society (EAWLS), and international NGOS such as IUCN and WWF have been on the forefront of the campaigns to establish a wetland reserve. The central arguments for the establishment of a wetland reserve, made by these organizations, is the need to preserve endangered and rare species.

Although no quantitative descriptions of these species have been done, there are several

biologically significant species in the Delta. They include topi, waterbucks, buffaloes, hippopotamus, elephants and several species of fish and other crustaceans (Nkako 1992). Two endangered primate species, tana river red colobus (*colobus badius rufomitratus*) and tana river crested mangabey (*cercocebus galeritus*), found in the Delta are classified as critically endangered and rare respectively by International Union for the Conservation of Nature and Natural Resources (IUCN) (Hughes 1987). The Delta is also host to unique tree species, tana river poplar (*populus ilicifolia*) and tana ironwood (*cynometra lutei*).

In making a case for the establishment of a wetland reserve to protect these species, the NGOs often allude to the requirements of several international conventions to which Kenya is a contracting party. These conventions include the 1971 Ramsar Convention on the conservation of Wetlands of international importance, the 1972 UNESCO Convention for the Protection of the world cultural and natural heritage sites (World Heritage) and the 1992 International Convention on the conservation of Biodiversity (Rio Convention).

Each of these Conventions outlines the global imperatives to preserve threatened extant species and their habitats by setting out principles that would guide contracting nations. The Biodiversity Convention, for example, in part reads "the conservation of biological diversity is a common concern of human kind... that the fundamental requirement for the conservation of biological diversity is the in-situ conservation of ecosystems and

their natural surroundings"[21]. The Conventions urge participating countries to prioritize the conservation of these species and their habitats with requirements, in some of the Conventions, to register conservation initiatives with an international secretariat. The Ramsar Convention, for example, specifies a requirement for contracting member states to register at least one wetland with a Global List of wetlands of international importance, commonly referred to the List. Contracting parties are required to protect registered wetlands and their species from all forms of degradation.

In the Tana Delta conflict, environmental groups have often reminded national planners of the need to meet this requirement by establishing a wetland reserve and registering the delta with the List. A recommendation by a workshop "Towards Sustainable Coastal Tourism" organized by the Royal Netherlands Embassy in Nairobi illustrates manoeuvres by NGOs to use these treaties to reinforce their arguments for the establishment of the Tana Wetland Reserve. The seminar's recommendations include a suggestion that,

> "The Tana River Delta deserves a special mention...The Tana Delta has a very high biological diversity and is a haven for thousands of migratory birds and many other species of wildlife. As Kenya has recently (in June 1990) joined the Convention on the Conservation of Wetlands of International importance, it now has a general obligation to "make wise use" of its wetlands, and the Tana Delta certainly belongs in this category" (Schoorl and Visser 1991: 10).

Suggestions like this have greatly contributed to mounting pressures on the local communities to the extent that they have inculcated hatred for wildlife among the local

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[21]The text of the Biodiveristy Convention is reprinted in Hohman, H.J. 1992. Pp 320-339. It is also reproduced in the International Environment Reporter, May 1994: 21:4001-4010.

communities to the extent that they have inculcated hatred for wildlife among the local communities. In their appeal against a wetland reserve the local people expressed their concern with environmentalists when they allege that

> "some control must be placed on the so called environmental groups, local and overseas, who lobby to protect our land and species of rare animals for example 'the red colobus monkey'. It looks as if the environmentalists are more concerned about the red colobus monkeys than human beings".

No doubt most of the international treaties were developed to protect endangered species and ecosystems but arguments that separate conservation of these species and the subsistence needs of the indigenous communities are constructed on biased interpretation of these treaties. The Ramsar Convention, the World Heritage and the Rio Convention all contain articles that safeguard the interest of indigenous communities. In Chapter Four, I will show that arguments for the establishment of a wetland reserve that ignore the needs of the indigenous people contradict the requirements of these international treaties. It will then be argued that a local resource management system would be a suitable management tool for minimizing conflicts over the Tana Resources if all other limiting factors are attended to.

3.5.2 International aid

International environmental organizations, notably IUCN and WWF, have often alluded to the possibility of suspension of external aid for environmental projects in the country if the Delta is not established as a wetland reserve (Daily 1993a). The Patron of the Worldwide Fund for Nature, Prince Bernhard of the Netherlands has written to the

President Moi expressing an international concern over the establishment of a wetland reserve in the Tana Delta. Similarly, it is suggested that the U.S. mission in Nairobi has been keenly monitoring the situation with special interests (Daily Nation 1993b).

Pressures from these organizations and countries is significant because of the dependence of KWS on international aid for its operations. The World Bank, European Economic Community and donor nations, including Japan, US, and Britain have contributed cash and materials to run the KWS with a view to protecting the country's wildlife. They provide an average of 600 million Kenya shillings annually, enabling the KWS to acquire modern firearms, patrol vehicles and even aircraft necessary to combat poachers armed with modern firearms (Weekly Review 1994). This contribution contrasts with a recurrent budget of about 160 million shillings provided by the Kenya government. The then Director of KWS, Dr Richard Leakey in supporting the establishment of the wetland reserve, pointed out that the government risked losing upto 5.4 billion shillings aid package for wildlife conservation should the government retract from its commitment to establish a wetland reserve (Daily Nation 1993b). In some ways, the Kenya government must be seen to reciprocate by meeting donor prescriptions on how wildlife management should be done. When Prince Bernhard writes to the President of Kenya to intervene in the conflict or the US mission in Nairobi states that it is following the controversy over the delta with interests, it must be seen in this context.

In spite of the huge international assistance to the KWS, the case for establishing Tana Wetland Reserve must be considered in its specific circumstances. Financial aid to KWS has been helpful in reducing wildlife poaching in Kenya by for example, reducing elephant poaching from a national average of 92 elephants every four months in 1988 to recent levels where poaching has almost come to a virtual halt. But in the case of the Tana Delta, wildlife is not poached by the local inhabitants: in fact none of the local communities hunt wildlife even for meat. Wildlife poaching in Kenya is conducted in a highly sophisticated way outside the capacities of local people (Weekly Review 1994). In Chapter Four, it will be argued that CBRM is not in conflict with the conservation of wildlife in Kenya and that the KWS and local communities could cooperate in combating poaching in the country.

3.6 SUMMARY

Power relations, in this case manifested by control over and access to resources, and participation in decision making processes greatly influence the resource use conflicts in the Tana Delta. The Tana River DDC approved the establishment of the Tana Wetland Reserve and even delineated its boundaries but the local communities are opposed to it. The methods used to allocate the wetland reserve demonstrate asymmetrical power relations between the state, represented by the DDC and other agencies, and the local communities. For the local communities, their poor representation in the decision making processes translates into loss of control over their resources.

The Tana conflict could described as a contest over rights to local resources. Four themes emerge as contributing to the conflicts in the delta: asymmetrical power relations, state policies, international relations and local class struggles. In the analysis that follows in Chapter Four, I will examine the suitability of CBRM to resolving the conflicts in the delta. I will show that while there are potentials for CBRM in the delta, certain constraining factors may place impediments on its broad applicability.

CHAPTER FOUR: COMMUNITY BASED RESOURCE MANAGEMENT (CBRM) AND RESOLUTION OF THE RESOURCE USE CONFLICTS

4.1 INTRODUCTION

Four themes: asymmetrical power relations between the state and rural communities, state policies, international relations and local class struggles: were identified in Chapter Three as major causes of resource use conflicts in the Tana Delta.

In this chapter, I attempt to examine each of these themes with a view to exploring the suitability of a community based resource management (CBRM) strategy to resolve the resource use conflicts. In each theme, I attempt to examine both existing potentials and constraints for CBRM. A major concern with the examination is not only with the suitability of CBRM to resolving the conflicts but with the long term sustainability of the environment.

4.1.1 Community based resource management

As explained in Chapter One, there are two essential of a community based resource management strategy. First, control over access to local natural resources must be restored to the local communities. Second, the local communities must be involved in all decision making processes affecting their local resources. I use this definition of CBRM to examine of the suitability of a CBRM strategy to resolve the resource use conflicts resulting from the four sources identified in Chapter Three.

4.2 ASYMMETRICAL POWER RELATIONS

In this section, I evaluate the suitability of a CBRM strategy to deal with the following issues: shift in locus of decision-making, control over resources, conflicts with national interests, bureaucrats' resistance to relinquishing power and finally local institutions and change. In each sub-section, I identify constraints as well as potentials in a CBRM strategy to deal with the resource use conflicts in the Tana Delta.

4.2.1 Shift in locus of decision-making

In the Tana Delta, the processes leading to the conception, design and establishment of the wetland reserve demonstrate asymmetrical power relations between the state and the local communities. As shown in Chapter Three, the establishment of the wetland reserve was conceived and initiated by groups external to the Delta. In the only instance where a semblance of community participation was attempted, the Kenya Wildlife Service (KWS) organized a meeting with representatives of the local communities in Malindi, a distance not less than 150 kilometres from Kipini town in the Delta (Nkako 1992). Practical limitations arising from costs of travelling to Malindi and lack of information prevented the victims of the wetland reserve from participating in the meeting. In fact, many of the farmers I talked to during the research were not even aware of such a meeting having taken place. Again in developing a management plan for the wetland, the local people were not only left out of the process but they were also excluded from the management and implementation of the plan finally developed for the reserve. According to a memorandum of understanding developed for the reserve, the

KWS and the Tana and Athi Rivers Development Authority (TARDA) would co-manage the wetland reserve without a role for the local communities.

In spite of the irregularities listed above, states worldwide have generally argued for centralized control of productive resources with their own justifications. In Santa Maria, Spain, the explanation advanced by the state for the disentailment of the communal lands for example "was to free for the market property held in mortmain by the church, the nobility, and the villages, where it was presumably lying idle" (Behar 1986:253; emphasis added). Park staff and other environmental groups attribute wildlife decline in Tanzania to overpopulation, and the ignorance and irrationality of the local residents. A Tanzanian National Parks report states that "local residents do not understand the value of conservation and so it is necessary to educate the masses of people in surrounding villages, to teach them that wildlife has a part to play in the national heritage" (Neumann 1992 : 88). Similar arguments could be made in the case of the Tana Delta to justify the establishment of a wetland reserve or other government intervention programmes.

On the other hand, there are a number of problems associated with centralized control of productive resources. It is, for example, suggested that centrally designed programmes are seldom designed to meet the needs of the poor, and "the organizations through which they are implemented seldom have the capacity to implement these programs as designed, let alone identify the actual needs and adapt the programmes

accordingly" (Korten, D. 1983 :213). Another argument against central control and planning is its failure to achieve a fit between beneficiaries, programs and assisting organizations (Korten 1983). It is further argued that the transformation of the decisional environment from the local organizations to bureaucracy is accompanied by high levels of diversity that local populations "have to deal with, compared to the simpler, familiar and less differentiated environment at the community level" (Toffler 1984). Elsewhere, centralized planning has been criticized for its tendency to suppress local initiatives and create dependency on the state; "villagers not only expect the government to build roads and schools and give them employment but also to plant trees and grasses..." (Agarwal and Narain 1989: ?).

But, it is argued that CBRM focuses on that very connection between the individual and the environment by assigning to the individual not the role of a subject but of an actor that "who defines goals, controls the resources and directs the processes affecting his or her life" (Korten, D. 1984: 300). The contrasts between highly diverse bureaucratic structures and simpler local structures are particularly germane to the conflicts in the Tana Delta. Many farmers related to me common problems facing them that could easily be dealt with by a locally based management system. A good example is the frequent damage to crops and subsequent irregularities in compensation processes experienced by many farmers in the area. As noted in Chapter Three, many farmers in the delta have had their crops destroyed by wildlife in the area.

Under the traditional system, the community had powers to kill problematic animals, powers they have lost under the present system that provides sanctuary for wildlife. Currently, the local people are prohibited from doing this and the Wildlife Service, in spite of its claim to culling problematic animals, does not properly fill in that role. A possible recourse, under the present system, for farmers whose crops are destroyed by wildlife is state compensation for estimated damage. Unfortunately, as shown in Chapter Three, farmers wishing to make such claims have to go through tedious bureaucratic processes before they can be compensated. These processes involve chiefs assessing the extent of damage and passing the estimated loss to a District Wildlife Compensation Committee with powers to reject or recommend the claim before it is submitted to the Kenya Wildlife Service for payment: payment that may take years to come. Not many farmers are able to follow up their claims through these processes and as shown in Chapter Three, exasperation is a common feature of this system.

While it is true that the traditional system did not provide a mechanism for directly compensating for damage, the community management strategy examined in this thesis would possibly ameliorate the problem. In arguing this way, we need to recognize that in proposing a CBRM strategy, we are not dealing with static rural resource systems but systems that are shaped by ongoing processes of change (Leach 1991). A locally based organization, in a CBRM strategy, evolved to meet the new circumstances, would be more effective in settling claims for wildlife damage in much shorter time. Such an organization would also be advantageous to the state in that locally based organisations

familiar with the locale and able to obtain fine details of the damage would be able to ascertain the genuine damage as compared to outsiders who depend on information provided by claimants.

The *wazee wa boma*, the council of village elders, or any other suitable local organization could easily be reactivated to provide an effective mechanism for dealing with such tasks. Its ability to do so, however, would be constrained by the incompatibility between practical requirements of such a mechanism and contingent government policy. Currently all revenue generated from wildlife related sources are collected and controlled by the state. A reallocation or sharing of these revenues between the state and local communities would have to be worked out before local institutions could be charged with such a responsibility. The Kenya government needs to assume responsibility for reorganizing the local organizations for these new roles. The details of this proposal are outlined in a following section of this chapter.

A locally based management scheme would, further, help reverse the current situation where the government makes provision for revenue sharing with resident communities but these benefits are not accurately focused. In the Kenyan case, some District Councils are given part of the revenue generated from wildlife oriented tourism. But at the micro level, these revenues do not benefit the real losers from wildlife conservation as the local councils do not truly represent their interests. In fact as Bell (1987 :93) argues, sharing revenue with these councils does not benefit the real losers

to wildlife management because "the district or county or chieftainship is too large a unit; the interface residents who carry the bulk of the costs, are not benefitted by funds allocated to the DDC to build a School or a clinic 40 miles away".

4.2.2 Control over resources

As Peluso (1991) explains in her examination of coercive conservation in Kenya's Wildlife Conservation, power struggle over allocation of, control over, and access to, resources between the state and local communities is a constant process reflecting a wider transformation in resource tenure systems. Under the traditional system, as I explained in Chapter Three, the Bajunis obtained access to land and other resources through a village institution, *wazee wa boma*, which had an organized system for distributing resources among its membership equitably. Villagers wishing to open new land for cultivation or requiring building poles from the mangrove and other riverine forests would seek permission from the village head, *Mnyapara*, for an authority explaining the reason for wanting to do so. In turn the *Mnyapara* would call for a meeting of *wazee wa boma* to consider the application before granting permission.

The powers of the *wazee wa boma* have since been usurped by the state, introducing new tenurial arrangements in the process. Instead of consulting the village elders about resource use, people are now required to obtain land certificates, as explained in Chapter Three, to open new lands for agricultural development, and since there is no

land registrar in the Delta, land allocation is done temporarily by the area chief[22]. Similarly, the locals are required to obtain a forest license before they can extract materials from the forests.

Whereas this arrangement has not caused significant land related problems at the local level until recently, it must be seen in its specific context. My understanding of absence of conflicts from this arrangement has to do with factors outside the contents of the new strategy. The low population density in the Delta has resulted in minimal struggles and conflicts over land at the local level, allowing members of local communities to obtain agricultural land easily. Another factor is the good relationship between the local chief and his assistant, and the communities in the area. Both the chief and his assistant are elderly locals who are revered in the area and who encourage broad consultation in dealing with land related issues. My experience with other parts of the country contradicts this relationship where most of the chiefs are autocratic and are seen by the local people as hostile representatives of the state.

The specificity of this relationship is illustrated by the conflicts emanating from (1) the alienation of the majority of the local communities from their forests. Local people wishing to obtain necessary products from the mangrove and other riverine forests have to negotiate with the sole concessionaire before they can extract these products. (2) A

[22]The area chief is appointed by the central government and is the administrative head at the locational level. He (I have never seen a female chief in Kenya) is also responsible for coordinating the activities of all government departments in the location.

recent trend where individuals or groups have acquired land certificates for cattle ranches and beach plots. These developments have led to pressures on the local communities who are beginning to experience land shortages, creating new sources of conflict that the communities will have to deal with. If the state continues this differential allocation, it could cause conflicts between the elites and non-elites in the area. The establishment of the Tana Wetland Reserve will certainly compound these building pressures on the local communities; further alienating them from their lands, fishing waters, forests and from each other.

A continued alienation of the local communities from their resources is likely to adversely affect the condition of wildlife in the area. Experience from elsewhere in Kenya indicates that local communities have their own ways of sabotaging wildlife conservation in protected areas. Common techniques include setting up bush fires, illegal poaching and collaboration with poachers (Hough 1988). The question then becomes: would a CBRM strategy resolve this conflict if it were adopted as a policy?.

A measure of the effectiveness of the resolution of the conflicts in the Delta, it is suggested, would be a guaranteed provision of the subsistence requirements of the local people without sacrificing the environment in its broader meaning. In the Tana Delta, this would mean guaranteed access to the rangelands, farmlands, fishing grounds and the forest lands, and the simultaneous protection of the coexisting wildlife and other resources in the area. Chambers (1988) and Fortman (1989) argue that people take

long term view of the environment when they have secure tenure rights. A number of studies (Agarwal and Narain 1989; Lewis, Mwenye and Kaweche 1990) corroborate this hypothesis. They indicate that the incorporation of the local communities into the management of local resources has led to a decline in the wildlife poaching, and better management of forests and other resources, while at the same time improving the livelihoods of the indigenous communities. In building a case for CBRM, we must recognize a very important reality: that failure can not be realistically eliminated but the incidences of failure can be significantly reduced if planning is done at the micro or community level (Logan 1987).

On the other hand, it is important to note that assumptions that a CBRM is a panacea for the problems in the Delta is over optimistic and may be dangerous. Restoring indigenous control over access to resources and participation in decision making are essential to CBRM but not sufficient measures per se. Other factors including internal group dynamics, conflicts with national interests and enforceability of communal decisions contribute to the success or failure of a CBRM strategy. These factors and their influences are discussed in the following sections.

4.2.3 Conflicts with national interests

In Chapter One, it was mentioned that the Kenya government is a stakeholder in the Tana Delta resource use conflict because of the contribution that the wetland reserve would make to wildlife tourism, the largest foreign exchange generating sector in the

national economy (Eghoff 1990). As explained in Chapter Three tourism makes significant contribution to the national economy and most of this tourism is based on wildlife viewing and visits to coastal sceneries. But as Pieterse (1991), Bailey, C. (1986) and Korten, D. (1986) explain purely economic gains, as is case with foreign exchange from tourism in Kenya, are not appropriate parameters for measuring progress without paying attention to the associated vulnerability and depletion of biological resources.

Benefits from tourism are obtained at a great opportunity cost, in terms of environmental degradation and rural transformations. Various forms of environmental degradation result from unlimited growth in tourism: facilities designed to promote tourism such as hotels and related developments require a lot of materials including timber, corals and other materials for construction, in the process contributing to existing pressures on resources. Roads constructed to facilitate entry of visitors to parks and other tourist attractions open rural areas for possible investments. The impacts of these developments extend to the marine environment because of the wastes from these hotels that are discharged directly to the sea, with adverse consequences for the marine living organisms. In the Kenyan coast, Schoorl and Visser (1991) list various forms of environmental degradation including deforestation and subsequent erosion, destruction of landscapes, pollution of beaches, and destruction of cultural and social forms, all attributed to tourism-related developments. The destruction of these features would in the long term undermine the long term viability of wildlife tourism.

In the Tana Delta, adverse environmental impacts of tourism could be disputed with the fact that the government and its collaborating environmental NGOs propose ecotourism and not unrestricted tourism. There is, however, evidence to connect ecological disaster to even strictly defined ecotourism[23], environmentally benign as it may be suggested, when solely economic criteria are used as the basis for performance evaluation (Ramawamy, Pedersen and Carr 1993). The constraint in ecotourism is its inability to maintain the delicate balance between ecological integrity and economic benefits. The theoretical requirement for respecting the local cultures emphasized in ecotourism is difficult to maintain and it is common to witness developments in areas that are in principle designated as ecotourism sites. In the case of the Tana Delta, a tourist hotel is under construction at Kipini at the point where Tana River enters the Indian ocean.

The loss of the biophysical environment is compounded by rural economic transformations arising from tourism. Whereas it is not disputed that rural communities have always been linked to the outside world, however remote that linkage may be (Gupta and Ferguson 1992), unsustainable gains in tourism links them to the global economy to a greater extent, making them vulnerable to global trends. Although it is early to say to what extent tourism will link local communities in the Tana Delta to global markets, experience from elsewhere in Kenya provides useful insights. The *Masai* pastoral community has been greatly transformed by gains from tourism; sales

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[23]Ramwamy, Pedersen and Carr (1993: 36) define ecotourism as "purposeful travel that creates an understanding of cultural forms and natural history, while safeguarding the integrity of the ecosystem and producing economic benefits that encourage conservation".

of cultural antiques to tourists and employment in hotels provide major sources of revenue for the traditionally pastoral *Masai* people.

Unfortunately as Nash (1994) explains there are dangers associated with linking local subsistence economies to global economy and peasants pay substantial costs for withdrawing from these markets. Environmental degradation is likely to disconnect communities living close to protected areas from the benefits of tourism at a time when their resource base would have been destroyed and their social survival strategies transformed. This point raises fundamental issues on how far the Kenya government should pursue its enthusiasm with promoting tourism. Policy planners are therefore faced with the dilemma of increasing national income while protecting the environment at the same time. Would a CBRM help the government reconcile this conflict between its short term interests and long-term environmental condition?.

The performance test for CBRM in the Kenyan case is the extent to which it provides an effective strategy for reconciling the twin objectives: foreign exchange generation and environmental protection. For tourism to continue to prosper in Kenya, it is important that the current wildlife population is sustained, if not increased, by protecting them from both ecological and human threats. Wildlife protection could be done in two ways: by either confining wildlife in sanctuaries like parks and reserves that exclude human activities or integrating wildlife management into local resource uses. Sanctuaries have some advantages; they "are attractive, simple solutions requiring no complicated policies,

no intricate social or economic formulations, and virtually no management ...only the simplest legislation and management -largely anti-poaching measures- are admissible" (Western 1989 :159). If sanctuaries are easy to manage, their suitability is limited by both logistical requirements as well as technical factors. First, in most developing countries where most of the wildlife are found, management of protective areas is constrained by (1)inadequate funding, (2)shortage of manpower, skills and equipment, and (3) outright hostilities from neighbouring communities (Western 1989). Second, research in conservation biology shows that confining wildlife in sanctuaries predisposes them to extinction (Western 1989). It is suggested that sanctuaries also cause simplification of ecosystems due to the absence of human diversifying factors such as burning, shifting cultivation and effects of livestock. On the other hand, research in conservation biology also reveals the immense symbiosis achieved between wildlife and livestock where they coexist. In Kenya, all but a few of the wildlife are more numerous outside parks than inside parks and the few mega-species that are more numerous in the parks than the range, principally elephants and rhinoceros, are limited in the wild range by external poaching (Peluso 1991, McNaughton 1989).

On the other hand, there are immense benefits derived from integration of wildlife management with local livelihood processes. In Zimbabwe and South Africa where wildlife ranching has been practised, local incomes have increased by as much as 30 percent without reducing wildlife populations (Western 1989). Extrapolating these experiences to Kenya, Western (1989) rightly concludes that wildlife in Kenya has more

chance of surviving to the next century in association with humans than in insular reserves.

Experiences from Latin America provide valuable insights for developing integrated resource management systems. A number of locally managed projects[24] based on selective extraction of forest products have generated substantial foreign exchange for the respective governments while simultaneously providing secure incomes to those who co-exist with the biological resources (Ramawamy, Pedersen and Carr 1993). Despite their remarkable successes, these projects are not easily replicable as they require a combination of supportive state policies, grassroots acceptance and support, organised local institutions and, international financial and technical support. In the Kenyan situation, the most constraining factor is bureaucrats' resistance to relinquishing power to local communities as explained below.

4.2.4 Bureaucracy's resistance to power sharing

Central planning processes serve the interests of powerful political individuals (Korten 1984:308). In her examination of wildlife conservation in Kenya and forestry management in Indonesia, Peluso (1991 :5) argues that resource managers double as "government officials and business managers: they are state elites with both personal and professional stakes in the implementation of state policies. Their decisions about the

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[24]The potential and constraints in this approach are briefly discussed in a later section in this chapter on Interstate relations drawing on the experience from three projects.

accumulation capacities and strategies". These individuals have benefitted from their advantaged positions of power. As a consequences, any improvement in the conservation of biological resources from a CBRM would not be sufficient grounds for instituting it so long as it threatens the interests of this group. The question in CBRM, thus becomes: what incentives would a CBRM strategy offer to current power holders for them to willingly transfer or share power with hitherto subordinate groups?.

Korten, D. (1986) in dealing with this question explains two dimensions of power: distributive and generative. Bureaucrats' resistance to a CBRM strategy depends on whether they assume a generative or distributive dimension. A generative dimension of power implies that the empowerment of one group, say a local community, leads to the increased empowerment of those already in power. One of the advantages derived from using a CBRM management is improvement is wildlife conservation. Professionals working with wildlife conservation projects would certainly benefit from the success of these projects through international recognition of their sucess. In Kenya, Dr. Richard Leakey is an example of a professional who has associated with successful efforts at reducing in wildlife poaching.

In the Delta, empowering local communities to assume responsibility for managing their resources, particularly wildlife, would also reduce the state's financial and personnel requirements for wildlife surveillance. Unfortunately, this arrangement could be visualized in its distributive dimension to the extent that it offsets the existing power

visualized in its distributive dimension to the extent that it offsets the existing power relations, especially the associated risk of bureaucrats sharing benefits with local groups.

To a large extent, the ability of a CBRM strategy to resolve this power issue depends more on personalities than principles. In all cases where state agencies have willingly given up part of their power, there has been a leader[25] who has been ready to experiment and share power with others. In Kenya, there is a glimmer of hope with the appointment of Dr David Western as the Director of Kenya Wildlife Service. If his scholarly contribution to the principles of linking livelihoods and resource conservation can be translated to direct policy, then CBRM has a chance of being adopted in Kenya. In suggesting this shift, it is important to note that an implicit assumption is made that we are dealing with a liberal government accountable and responsive to its citizenry. We should, however, be careful in taking our expectation from Dr Western too far. His predecessor, Dr Richard Leakey, cited political interference as having made his work at KWS extremely difficult, causing him to resign under pressure. In view of this constraint, it is argued here that bureaucrats' resistance to relinquishing power is the most constraining factor on the effectiveness of CBRM strategy in the delta and elsewhere in Kenya.

4.2.5 Local institutions and change

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[25]Examples of these include Dr Estuar of National Irrigation administration in the Philippines, F.H. Abed of BRAC in Bangladesh and Mechai Veravaidya of Thailand's community based family planning services.

One of the premises for a policy shift to a CBRM strategy is the existence of socially accepted local institutions[26] for regulating access to resources and resolving conflicts over these resources (Li 1993). Under the traditional systems, local groups in the Tana Delta had organizations vested with powers to allocate resources and settle conflicts over these resources. Currently, as explained in an earlier section of this chapter, although these organizations exist, they are ineffective due to the usurpation of their powers by the state. Therefore if CBRM is adopted as a strategy for resolving the resource use conflicts, a number of obstacles to local resource management need to be considered including lack of active local organizations, factionalism and differing economic interests.

Historically, the wazee wa boma provided a viable institution for managing the local resources among the Bajunis but it has since been supplanted by the state and its powers eroded. Currently although it exists culturally and the Bajunis continue to elect officials of the organization, it is no longer active for all practical purposes and its rulings are no longer binding on its constituents. As a result, it can not command the loyalty of its membership and enforce its decisions. In its present form, the Wazee wa Boma can not provide an effective organization for assuming major responsibilities as a unit for CBRM. (Korten, F. 1986). It needs to be restored with powers to meet present day responsibilities and challenges.

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[26]Institutional arrangements at various levels as used here refer to rules and conventions that define people relations to resources and translate claims on resources into property rights (Gibbs and Bromley 1989).

Factionalism among the various ethnic groups[27] in the delta also constrains the effectiveness and equitability that can be achieved under a CBRM strategy in the Tana Delta. Under the traditional system, competition for local resources was minimal due to the low population and abundance of resources in the Delta. Each of the local institutions had sufficient resources to meet the requirements of its constituents, and thus conflict with other neighbouring ethnic groups was non-existent or limited to small border disputes. With increasing pressure on both resources and the people, new conflicts are likely to appear and existing ones escalate.

Therefore a major impediment to shifting resource control from the state to the local organizations under a CBRM strategy is the likely danger of factional conflicts at the micro level. This is particularly important in the case of the Tana Delta where two tribes, the Oromos and the Pokomos dominate politics[28] in the District. It is likely that these two major tribes may use their political advantage to exploit the minority tribes, marginalizing them even further. In an earlier section, I had suggested that part of the local empowerment for the local organizations would be the transfer of financial resources to compensate for wildlife damage. If provisions are not made to safeguard the interests of the minority tribes, they could end up being discriminated against. When

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[27]As explained in the Chapter One various ethnic groups, including the Bajunis, the Oromos, the Pokomos and several minor groups coexist and share resources in Tana delta.

[28]The two parliamentary seats in the District have always alternated between the Oromos and the Pokomos. In 1988-1992 parliamentary term, both seats were held by Oromo politicians and in the current parliament, both seats are occupied by Pokomo politicians. The two tribes also dominate the Civic politics in the District.

and if this happens, then CBRM loses one of its main features: equitable distribution of resources.

How would a CBRM deal with these obstacles in a way acceptable to the various ethnic groups and that can be achieved with the existing or modified local organizational capacity?

Overcoming these obstacles, requires 'reinvention' of these organizations. A starting point for this reinvention could be to historically examine the customary forms of the local organizations in order to determine whether it is possible or useful to revive them in their earlier forms or encourage new coalitions and structures among the local communities in the delta (Leach and Mearns 1991). There are several possibilities in this regard. The Save the Seashore Bird protection project in Ghana adopted an approach that reconstituted, promoted, and built on traditional resource management systems with which the local people were already familiar (Ntiamoa-Baidoa 1990). But in some cases building on existing structures may not be sufficient in managing conflicts. In the Philippines, water use associations, Zanjeras, have traditionally regulated irrigation systems at the village level. With state sponsored improvements in the irrigation system, a number of Zanjeras have had to share main irrigation facilities, leading to inter-village conflicts over control of the main system works (Siy 1986). It therefore became necessary for the National irrigation administration to encourage new coalitions to regulate main water works systems.

The dilemma in a CBRM in this and similar cases becomes: in developing regulation mechanism for shared resources, should the state reconstitute earlier organizations or facilitate the formation of new coalitions among the several groups in the Delta.

In the case of the Tana Delta, it is suggested that the state should provide incentives to enable the village institutions to function and evolve in ways that meet the requirements of the contemporary diverse Bajuni and neighbouring communities. Local communities in the Tana Delta have been integrated into the nation state for sometime now, creating new patterns of interaction at the local level. It is common to see members of different ethnic groups sharing farm boundaries and others even sharing fishing gear. At the community level, all the people in Kipini town share the water supply system and belong to the Kipini Multipurpose Cooperative Society irrespective of their ethnicity. In such a situation, I would suggest that the state should encourage the evolution of new coalitions among these communities.

It is also important for the state to provide statutory support to enforce the governance of this institution and encourage it to operate in an equitable way through a broad based participation. The District Focus for Rural Development is a positive step in this direction but it requires further refinement to harness the potential for real participation. A good example of a successful collaboration between the DDC and the local communities is the DDC funded and locally managed water supply project in the Tana Delta. The DDC provided the local communities with a new water pump, dug a shallow

well and handed over the management of the project to the local communities. In turn, the local people have developed a successful local management system, enabling them to acquire a second pumping set with locally generated funds without any external assistance. In the case of wildlife conservation, however, even if the DDC were to make similar arrangement, it will be undermined by other contradicting state policy and legal systems. The next section deals with the pertinent state policies, identifying their limitations and potentials for CBRM.

4.3 STATE POLICIES

Rowntree (1990) argues that Kenya's political and administrative framework poses a major constraint to integrated[29] rural development planning. Likewise, various aspects of state policies in Kenya constrain the workability of a CBRM strategy. These constraints arise either from the contents of, implementation of, or lack of clear jurisdictional boundaries among state agencies and contradictions in, these policies. This section examines these issues and their effects on CBRM.

4.3.1 Policy content

As I indicated in Chapter 3, the Kenya government decentralized development planning to the district level in 1983. The rationale for decentralizing development planning to

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[29]Integrated rural planning refers to specific area development planning aimed at maximizing project benefits to beneficiaries through a multi-sectoral approach that also provides for limited participation.

the districts is described as involving local communities in development planning (Government of Kenya 1987). It is argued that under this system "effective planning would occur on a regional basis with the plan for each region reflecting the region's basic resources..." (Found n.d.: 83; Cited by Ndengera 1990:17).

The DFRD strategy in its present form places constraints on the successful implementation of a CBRM strategy in Tana Delta and elsewhere in Kenya. These constraints emanate from inconsistencies in the content and implementation of the DFRD strategy as explained below.

Unfortunately, the District Focus for Rural development (DFRD) has major deficiencies arising from its contents. First, as I explained in Chapter Three, it has essentially transferred decision making from one level of the bureaucracy to a lower one with actually providing a role for the local people, leading to a number of problems. As David Korten explains, if central controls over resources are to be relaxed, they must "be replaced by a new and appropriate mechanisms that place control in the hands of those whose lives they affect, rather than the hands of officials who bear little of the consequences of their actions" (1984 :301). A measure of devolution of power is the amount of autonomy granted to local people to make decisions on their resources. In a meaningful devolution, they should be able to negotiate with the state in defining their aspirations and priorities and act independently of interested outside groups (Peluso 1992). Second, different regions and peoples in Kenya have varying physical and

human resources, and to treat them as homogenous is dangerous in planning. The requirements of those communities living in the high potential agro-ecological areas are very different from those of rural communities living in the arid and semi arid areas. In this connection, Ndengera (1992:2) has criticized the DFRD Strategy for "its tendency to treat the different regions and peoples as homogenous".

4.3.2 Policy implementation

The deficiencies of DFRD arising from its contents are compounded by others emerging from its implementation. Its implementation suggests that provisions for local participation are stronger in rhetoric than in practical reality and as Oakley (1991:??) explains like many other rural development programs there is a lot of lip service paid "to the notion of participation but less commitment to the changes in direction and style that would be required to implement it". Otherwise, how do we explain the total exclusion of the local communities in a project that affects their lives, as in case of the Tana Wetland Reserve?.

Another problem with state policies clearly portrayed by the Tana resource conflicts, is the tendency by the state intervention programmes to focus on isolated dimensions of the rural communities instead of giving a holistic approach (Woods 1985). In designing resource management policies, for example, the state fails to establish the important link between the resources and the local management systems of these resources (Lewis, Mwenya and Kaweche 1990). In the Tana Delta, the state concentrates on preservation

of biological species without considering its ramifications, in the process setting off conflicts between the resources and the local communities.

A more holistic approach advocated in CBRM strategy is likely to minimize these conflicts. Local participation in resource management through the Administrative Management Design (ADMADE) for game management areas in Zimbabwe has resulted in improvements in both the wildlife management and the livelihoods of the resident local communities. ADMADE has transformed the people-wildlife relationship that existed under the previous state enforced wildlife management strategy. It has achieved this by transferring resource management at the grassroots to cellular organizations headed by the local chiefs whose activities are coordinated at the District level by the area Governor. Under this arrangement the local people (1)are granted the right to hunt for their subsistence protein needs, (2) they are recruited as village scouts to monitor illegal hunting, paid from the wildlife revenues, and (3) each of the cellular organizations obtains a portion of wildlife revenue that is managed locally by the villagers. It is suggested that under this strategy, poaching of elephants has declined by as much as 90 percent at a fraction of the estimated cost of protecting wildlife in Africa (Ibid). At the village level, the chiefs and headmen have gained popularity for negotiating on behalf of the villagers and bringing benefits to their villagers. In Kenya, one of the local conservation groups supported by the Kenya Wildlife Service, the Olchoro Oirua Wildlife Conservation and Management Organization has recently acquired 10 white rhinos from parks in South Africa (Daily Nation 1994).

Local organizations in the Delta could be similarly empowered to participate in wildlife management with the District Commissioner in Tana River District playing the role of Area Governor in Zimbabwe. But even if the DFRD would facilitate this process, there are other state agencies with stakes in the conflict who while acting within their stipulated jurisdictions, however conflicting these jurisdictions may be, may constrain its objectives. These overlapping jurisdictions, and contradictions in state policies are discussed in the next two sub-sections.

4.3.3 Jurisdictional conflicts

The state operates in plural forms with many centres of power that are frequently in conflict and whose activities are not necessarily coordinated (Friedmann 1992). Just as there are various social groups with varying interest at the local level,

> "there are also many factions within a state that vary in their power vis-a-vis each other as well as in their power to impose their will on society. Moreover many of these factions have goals which fit within the broadly defined goals of the nation as an entity but which directly contradict the specific objectives of other state agencies" (Peluso 1991: 4)

In establishing the Tana wetland reserve, conflict among various state agencies was evident throughout the planning processes of the reserve. The local DDC, the survey unit of the National Museums and the Kenya Wildlife Service have each developed a plan for the possible boundaries of the wetland reserve. Similarly, once a wetland reserve is established there seems to be no clear definition of a responsible agency to manage the wetland reserve, instead leaving the various agencies to negotiate a mechanism. The KWS and the Tarda have already signed a memorandum of

understanding for a joint management of the reserve in the absence of other interested state agencies. Interestingly, the local DDC and the national Museums of Kenya have not been incorporated into the management scheme.

Conflicts amongst the various state agencies influences a CBRM strategy in a number of ways. First, the lack of clear jurisdictions among the state agencies is likely to be passed on to a locally based management. It will be difficult for the local people in the Tana Delta to gain the cooperation of each of these state agencies and consequently its programme at any time may be frustrated by any of these agencies. As mentioned earlier, an approval of any programme by any of these agencies is likely to be contradicted by another agency with resultant impacts on the local communities. The local communities, for example, could enter into an agreement with KWS to develop a project, only for the DDC or any other agency to develop a parallel and independent program for the project. This factor, conflicts among various state agencies, presents another constraint on the applicability of a successful CBRM strategy in the Tana Delta.

4.3.4 Contradictions between policy and legal systems

In spite of inherent deficiencies, the DFRD has potential for encouraging local participation. But even if these deficiencies are remedied, there remains a host of laws relating to resource use and resource management that will undermine this potential.

As explained in Chapter Three, the Wildlife Act, the Land Act and the Forest Act have

all transformed resource tenure, effectively transferring control over resources from local organizations to state officials far removed from the locale. An associated problem with the transfer of local resource control is the multiple centres of powers it has created. Each of the three Acts cited earlier empower a different and independent agency of state. Similarly, the DFRD vests a lot of power in the District Commissioner who is in-charge of all government programmes at the district level.

The challenge in a CBRM strategy is how will the community simultaneously deal with these several centres of power? In an earlier section in this chapter, I have suggested that the District Commissioner could assume the same role played by the Governor in Zimbabwe's ADMADE program. Unfortunately, in Kenya, other state agencies would legally develop programmes parallel to those designed by the District Commissioner and sabotage a local based initiative by virtue of powers conferred on them by these acts. A successful CBRM strategy can be instituted when the state undertakes comprehensive adjustments to all laws relating to resource management. These adjustments would involve reinforcing the powers of the DC by amending all other acts that constrain his initiatives particularly and in this case the Forest, Land and Wildlife Acts.

4.4 CLASS CONFLICTS

4.4.1 Class conflict and mainstream policies

Policies designed on a "business as usual" approach have varying impacts on the different socio-economic groups in rural societies (Bromley and Cernea 1989). Leach

(1991: 18) notes that mainstream planning "policies are often formulated on the assumption that there is a single focus of decision-making, the 'farmer', to whom costs and benefits accrue". In practise, however, centrally designed policies enhance the position of those already well off to fend for themselves. As shown in Chapter Three, the establishment of a wetland reserve in the Tana Delta will be experienced differently by the elites and the non-elites. It will improve the condition of elites with land certificates or forest extraction licenses while adversely affecting the livelihoods of the economically disadvantaged groups who do not have access to such vehicles of secure access rights. In arguing for a CBRM strategy, we therefore need to recognize class conflicts and its constraining impacts on a localized resource control.

4.4.2 Class struggles and CBRM

Leach (1991) raises a central question that connects class and community resource management system at the local level: "who is enabled or constrained: whose economic circumstances or security of tenure is at stake?" In examining women and environment, Leach[30] (1991) explains that rural people have differentiated interests and opportunities. In the Tana Delta, not all the Bajunis have the same interests and opportunities. There are the poor farmers whose livelihoods are directly tied to their immediate environment. In the Tana Delta conflicts, as indicated in Chapter Three, they are principally concerned with securing their sources of livelihoods. Their concerns centre on protecting their

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[30]Although Leach examines gender experiences in natural resource management, the underlying theme, differential interests and opportunities, is pertinent to class conflicts.

On the other hand, there are the elites whose interests and opportunities go beyond the immediate delta environment. Their rights are secured by their land titles and other forms of certification and thus in the conflicts, they are principally concerned with the extent to which the proposed wetland reserve will affect their capital accumulation opportunities. Already, a basically elite concern, the Kon-Dertu Ranch, is involved in a struggle with environmental groups over the sale of a portion of its land to an aquaculture firm. Similarly, the interests of the sole forest concessionaire in the area are served better served under the present system than they would be under a more equitable community controlled system. For them a practically broad based control over the local resources would mean relinquishing their exclusive rights over the local resources and sharing of these resources with hitherto disadvantaged groups. In real life, however, local elites have several ways of shortcircuiting such an arrangement to perpetuate their exploitation of the poor.

First, rural elites are likely to capitalize on the limitations such as poor communication skills of their folk to dominate local resource management systems to maximize their own gains. In this connection, it is suggested that,

> "where local people contribute to or participate in planning, it is the traditional elite who are both able to participate, and who have the political knowledge and power to influence outcomes in their direction, resulting in a tendency for the major benefits of even participatory development projects to be captured by local elites" (Hough and Sherpa 1989: 435).

Second, as Drijver (1991) explains participants in any development program seldom

have equal decisive power and they often act on the basis of different motivations". At the local level, elites wield more power than their poor counterparts because of the vast resources they command; resources that are translated to asymmetrical social relations at the village level. Third, as Swift (1991) notes, the development priorities and participation in customary institutions among the Boran Pastoralists in Kenya varies with class position. A CBRM strategy, if not carefully designed, is likely to enhance existing disparities among these classes.

A successful community management systems must go beyond identifying local institutions to work with and establish the limits of these management systems by establishing "the limits of the target community. This means determining both who must be included and who must be excluded from the project and its benefits" (Kiss 1990 :9). In the Tana Delta, for example, how would the local DDC identify appropriate representatives of the local communities to deal with on the day to day management of these resources? In all probability, the local elite would get access information to this opportunity before the rest of the community and fill in all the available positions. Yet this would still constitute local participation in decision making processes as defined by coordinating state agencies.

Unfortunately, representation by the local elite would meet the requirements of local participation without changing the resource management systems any better than an external control. As Korten (1986 :3) explains the term community management "is not

external control. As Korten (1986 :3) explains the term community management "is not appropriately used where resources on which the well-being of the community depends are being managed for the community by persons and groups outside its boundaries, and/or by a small local elite". Friedmann (1992) also notes that an alternative development strategy can not be run by an elite without destroying its character. In view of this realization, the question arises: how would a CBRM reconcile the conflicting interests of the various classes in rural communities?.

This is not a problem that can be easily resolved through a CBRM strategy. Returning resource control to a community is not an end in itself without specifying the constituents of such a management system. An effective local resource management system would require the development of a mechanism for keeping power in the hands of the poor. A compromise arrangement for mediating conflicts at the micro-level would be to give guided autonomy to the rural communities to control their resources and participate in decision making processes. A viable strategy in this regard would be for the state to assume an important role of mediating conflicts at the local level through legal regimes that buffer the poor against exploitation by the elites (Korten, D. 1984). This calls for a hybrid CBRM strategy that is part customary and part statutory with an arrangement that establishes an overlapping web of use rights[31] designed on the Bajuni traditional system in which individuals would own some lands as private and have usufruct over others, with statutory ban on all land transactions outside the Delta. They

[31] See Behar's 1986 description of the commons in Santa Maria, Spain, for a detailed explanation of the workings of an overlapping web of use rights.

and fishing grounds. In real life however such an arrangement would not work smoothly.

The arrangement is constrained by two issues, (1) false class consciousness or failure by the poor groups to recognize their true interests in the conflict, at the local level, and (2) that connection between state intervention and class. False class consciousness is discernible at various stages of the resource use conflicts in the Delta. In appealing against a wetland reserve, for example, the elites identify themselves along with the poor and merge their interests as a community without specifying their differentiated interests. Although a cattle ranch, concessionary forest harvesting and other elite exploitation are economically as disadvantageous for the poor as a wetland reserve, they [the poor] are supportive of the elites's manoeuvres to prevent a wetland reserve. The elites have achieved this by making their particular interest the dominant ideas of society. In this ideological process, the elites have achieved their hegemony by consent (Zeitlin 1989). In understanding these class relations we must recognize what Hefner (1990: 25) calls "other structures of power, other sources of interests and other grounds for moral solidarity".

Class consciousness in terms of peoples' ideas and concepts about the intervillage social relations is important in that it may "provide false explanations, distorted understandings, and inner justifications for the relations of domination that inhere in it- conceiving them as inevitable, natural, or rational- these relations become acceptable, or legitimate"

(Zeitlin 1980: 15). The poor are not irrational in associating with the elites as they derive direct benefits from association with the elites; benefits they are not sure of obtaining from an alternative arrangement and hence they would not want to risk their relations with their patrons. For individuals in this category, it will be difficult for them to rally and organize to form a coalition with other poor members against domination by the elites. This constraint is significant since an important requirement for instituting an effective CBRM is that it must be meaningful and attractive to the local community (Korten, F. 1986). Contradictions in class alliances seems to exclude this important requirement.

The second constraint arises from the dangers associated with a state intervention. As explained in Chapter Three, the state through various forms of resource certificates has to a large extent contributed to the emergence of classes in the Delta. Those with political connections, mostly educated or politicians, have often taken advantage of this connection to obtain land titles and logging licenses, in the process accumulating wealth. State control of productive resources predisposes these resources to abuse; the elites are likely to collude with bureaucrats and undermine local resource management systems over time. Alternatively, the elites could mobilize local communities to rise against a misconceived excessive state intervention in an otherwise locally based resource management system.

4.5 INTERNATIONAL RELATIONS

4.5.1 Tana Delta reserve: an international perspective

In the previous chapter, I explained the influence of international environmental groups and western nations on the conflicts in the Tana Delta. Western conservation environmental groups such as Worldwide Fund for Nature, the African Wildlife Foundation, World Conservation International, the African Wildlife Foundation have at some point in the process leading to the establishment of the Wetland Reserve shown an interest. These groups argue that the delta should be turned into a wetland reserve to protect endangered species and their habitats. In spite of the useful contribution that they make to wildlife conservation in Kenya, their case in the Tana Delta is misplaced on two fronts: seriousness of the ecological crisis and distribution of benefits of conservation.

First, the perceived threat to the Delta species and the need to save them is a manifestation of a wider growing consciousness in the western world about an approaching global ecological crisis (Macgregor 1989). Western media, especially the visual media, while highlighting this impending crisis have portrayed Africa as the remaining reservoir of wilderness for the entire humankind; constructing romantic visions of Africa as symbolizing unspoilt wilderness. These western constructed notions of Africa and an associated romanticism about the intrinsic values of nature in the wild state form the basis of conservation premised on "wise use without abuse" (Harris and Eisenberg 1989 :166). In the Tana Delta, no organization, national or international, has

Eisenberg 1989 :166). In the Tana Delta, no organization, national or international, has shown evidence of a real threat to wildlife in the delta other than citing the requirements of various treaties and the obligation of the Kenya government to meet those requirements.

Second, there are certainly numerous practical advantages including preservation of genetic materials, economic gains and medicinal potential in preserving these species for all humankind. There is also immense potential in the preservation of these species and their ecosystems; only recently research on the periwinkle plant revealed its capacity to suppress the production of cancer cells[32] (Freedman 1989). Deltaic ecosystems also provide important ecological functions and services such as protection of coastal sand-dunes and vegetation from tidal erosion, provision of breeding grounds for fish and other crustaceans, and recharge of groundwater and regulation of its salinity.

There is no disagreement about the importance of these benefits to humankind as whole but to those local people who bear of the cost conservation, that is not a sufficient ground for preserving species without addressing the equally important question of how these benefits are distributed. Most of these benefits are reaped by people external to the delta: aesthetics and recreational experience of species preserved in protected areas, are generally enjoyed by foreign tourists (Bell 1987). Research and development benefits are, similarly, reaped by western based scientists and biotechnology firms, far

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[32]Vinblastine and Vincristine derived from the rosy periwinkle have greatly helped in the fight against cancer.

benefits directly from the wetland reserve project in terms of increased revenue from tourism and indirectly through international aid. On the other hand, no direct benefits accrue to the local communities at the interface between protected areas and settlements. Indeed, they are required to sacrifice their sole sources of livelihoods so that outsiders's access to these benefits can be perpetuated. On the contrary, in returning economic control back to their hands, in a CBRM strategy, will provide them with substitutes for the forgone incomes.

4.5.2 International environmentalism and local communities

Whatever the high moral and utilitarian grounds constructed by western conservation ideologies and the support that they elicit at national level, the impacts of these ideologies particularly the extent to which they transform the micro political economy needs a closer examination. Establishments of conservation areas are accompanied by shifts in power over resources: rural populations at the interface of protected areas and settlements bear the cost of conservation "in terms of alienated land, restrictions on resource use and damage to life and property" (Bell 1987 :80). In the case of the Tana Delta, as outlined in Chapter Three, the local communities stand to loose access to all their customary resources without sufficient reasons to warrant it.

Under the Bajuni traditional system, relations with wildlife and other resources in their neighbourhood were mediated by the local culture; the Bajunis do not eat game meat

and therefore wildlife in the area enjoyed free passage[33]. Proponents of wildlife sanctuaries fail to recognize this fact and consequently, local communities are not only left out of management plans for these areas, they are also virtually displaced. In fact this problem is not limited to the Tana Delta; it is a common problem in many conservation projects in Africa and a World Wildlife Fund study conducted in French Equatorial Africa observes that,

> "Decisions are taken with little or no input from those rural communities most affected by interactions with wildlife. These communities derive little or no benefits from the resources..." (McShane-Caluzi 1992: cited by Colchester 1993:171)".

The study concludes that local people whose livelihoods are threatened and have to struggle for their daily subsistence can not be expected to respond to appeals for altruistic sacrifice for the betterment of wildlife conservation (Ibid). Similarly, experience from the Save the Seashore bird Programme in Ghana indicates that a program developed to preserve endangered species, as is the case with Tana Wetland Reserve, "will be accepted and supported by the local community only when local people see that it will contribute to meeting their own direct needs" (Ntiamoa-Baidoa 1990:95). In Kenya, Western (1989 :164) explains that conservation based on western ideals falls "victim to necessity when the poor decide to consume today what they must to have any future whatever".

The exclusion of indigenous communities in resource management is extended to

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[33]In other cultures in Kenya, particularly among the non-pastoral groups, game animals are hunted as a source of cheap protein.

international treaty making processes. Most the international treaties dealing with conservation of species and their habitats reflect use of high moral principles modelled on western perceptions of conservation.

4.5.3 International environmental law: Principles and implementation.

In urging the Kenya government to establish a wetland reserve, the workshop, "Towards Sustainable Coastal Tourism", organized by the Royal Netherlands Embassy, Nairobi, clearly outlined the obligations of Kenya government to international treaties. No doubt all the relevant treaties call upon contracting states to translate their commitments into practise; the World Heritage, the Ramsar Convention and Biodiversity all urge signatory states to contribute to the preservation of the common human heritage. There are however two major constraints in the process of international treaty making: piecemeal treatment of the treaty requirements and inconsistencies in the treaties.

Inconsistencies between the principles of international environmental law and their implementation, and contradictions in treaties constrain the positive linkage between sustainable livelihoods and conservation that is encouraged in these treaties. Most of the International Treaties contain articles[34] urging the contracting parties to synchronize the principles of conservation with the interest of indigenous communities. The World Commission on Environment and Development in its report, Our Common Future,

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[34]See Articles 1 and 3 of the Ramsar Convention; Articles 40 section 3, Chapter 3 of Agenda 21; Principle 6 of the Global Biodiveristy Strategy and article 17 of the Biodiversity Convention.

devotes a whole section to the empowerment of vulnerable groups living in close proximity to biodiversity sites (WCED 1987). Three of the nine principles of the Global Biodiversity Strategy (GBS) deal with the social dimension of biodiversity management, calling for the empowerment of indigenous communities (WRI, IUCN and UNEP 1992). These principles go even further by urging governments to provide institutional and legal frameworks to enable local communities realize their full capacities in managing biological resources.

In spite of all these clear specifications, not many governments and environmental NGOs[35] implement these requirements. The problem principally originates from the vagueness of all these treaties; none of these treaties goes beyond an article statement to specify how this synchronism will be achieved. Even the Biodiversity treaty that is lauded as a modern treaty (VanderZwaag 1993) does not go beyond stating that "each contracting party shall...protect and encourage customary use of biological resources in accordance with traditional cultural practises that are compatible with conservation or sustainable use requirements"[36] to explicitly state how the interests of indigenous communities would be protected. The widespread promotion of the World Heritage principles as opposed to the low support for the buffer concept in the Man and Biosphere (MAB) Program (Drijver 1991) attests to this lack of practical commitment

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[35]Interestingly the GBS was prepared by among others members from non - governmental -organizations (Braatz 1992), some of which are on the forefront for the establishment of a wetland reserve in the Tana Delta that will displace traditional resource uses.

[36]See Article 10(c) of the Convention.

in international environmental law towards protecting the interests of indigenous communities.

4.5.4 International aid and state policies

Several international environmental organizations have often alluded to the possibility of suspension of external aid for environmental projects in Kenya if the Delta is not established as a wetland reserve (Daily 1993a). Countries such as the Netherlands, the U.S. and other donors have similarly shown interest in the delta conflict (Daily Nation 1993b).

International aid used in this way contradicts a major component of international environmental law. Most of the treaties on species and habitats protection explicitly recognize the sovereignty of all states: Article 3 of the Biodiversity Convention, for example, reaffirms the sovereign rights of all states to exploit their resources pursuant to their own policies. But in practise it is the international political economic framework more than international environment law that guides the development of state polices, engendering a situation where not all countries have the right to pursue their own policies. The best examples of how international hegemony compromises the interests of developing nations is provided by the processes leading to the negotiations, signing and ratification of the Convention on International Trade on Endangered Species and the Biodiversity Convention. The lowest common denominator approach used to place a blanket ban on trade in all products of a range of endangered species without

paying attention to the geographical specificity of the problem severely compromises the interests of some countries. States in Southern Africa whose elephants are not endangered, like those in East Africa, accepted the requirements of this treaty with major impacts to their national development objectives (Susskind and Ozawa 1992). This sharply contrasts with the exception to the Biodiversity Convention taken by the U.S. until certain articles adversely affecting the interests of US firms were revised. It is this international power relations that must be brought to the fore in examining national policies and environmental management in developing nations. The international power structure precipitates situation where international treaties and other agreements often elicit "the formal commitment of many Third World officials and policy makers who, not surprisingly stand to benefit from their involvement in such initiatives" (Peluso 1991 :1)

4.5.5 International conflicts and CBRM

The major challenge in using CBRM strategy to resolve the international dimension of the resource use conflicts in the Tana Delta in particular and Kenya in general is: would a CBRM strategy reconcile the interests of the three parties (international groups, state and local communities) in the conflict in a way that does not degrade the environment? As I explained in Chapter Three, conflicts at these levels arise from a perceived incompatibility between interests of environmentalists with a focus on species preservation and the secure livelihoods of the indigenous communities.

Contrary to these beliefs, empowering the indigenous communities by incorporating them into conservation programmes has both technical and logistical advantages. First, as explained in earlier, comparative research on wildlife management shows that insular conservation advocated in the Tana Delta causes simplification of ecosystems due to the removal of the diversifying factors such as burning, shifting cultivation and livestock (Gillies 1990). Protected areas do not allow species to evolve naturally and increase their susceptibility to genetic drift. On the contrary, an ecosystem approach to wildlife conservation, that links rural livelihoods and conservation, facilitates dynamism in the ecosystem resulting in higher diversity of species (Mcneely 1992).

Second, at the national level, successful management of wildlife in sanctuaries is constrained by logistical limitations including lack of monitoring equipment, staff and funds (Brush 1993). In Kenya, this is a major constraining factor because the national budgetary allocations to the KWS can not cover the logistical requirements for wildlife management (Weekly Review 1994). The failure of the then department of wildlife management and conservation to combat poaching even within parks was largely attributed to this constraint. It is also suggested that government managed conservation programs are not only expensive but also ineffective (Oakley 1991). By switching to a CBRM strategy, the state will cut on both personnel and monitoring costs in wildlife conservation by encouraging local responsibility and surveillance. Hill (1991: 20) argues that the more indigenous communities "are allowed and encouraged to participate in the management of big game, and the more material benefits they accrue, the higher

their stake will become in conserving those resources". Those communities in Tana Delta could, for example, cooperate with KWS and at the minimum reinforce the intelligence network of the KWS by reporting all poachers.

Likewise, at the international level, despite all the efforts by conservationists, the environment continues to deteriorate and specifically the biological resources continue going into extinction and ecosystems degrade (Susskind and Ozawa 1992). It is therefore argued that the "ultimate solutions for the problems may involve changing human or institutional behaviour (e.g land use patterns, technological processes or attitudes or values)" (Beissinger 1990 :456). The imperative to strike a balance between the needs of the local communities and biological conservation is attested to by the CITES mentioned supra. The treaty was not signed until ten years after it was proposed by the World Union for the Conservation of Nature (IUCN) (Susskind and Ozawa 1992). During this period several species went into extinction or their numbers substantially reduced; a problem that has now been alleviated by the incorporation of indigenous communities into the management schemes in places like Zimbabwe.

Therefore, if conservation of species and their habitats is the motivating factor for the international environmental movement, it [conservation] should be redirected from insular conservation to an approach that integrates conservation with the local livelihoods. Two cases where international conservation initiatives have been effectively used to promote locally, nationally and internationally beneficial programmes illustrate

the benefits from such an approach to conservation. In Costa Rica, Conservational International has initiated a project that promotes and markets non timber forest products from the rainforest in some developed countries such as the United States, Japan and countries in western Europe. This project has had the effect of improving the local livelihoods while at the same time generating substantial amounts of foreign exchange for the nation. Similarly, a pharmaceutical firm, Shaman Pharmaceuticals, has struck a deal with traditional groups in Amazonian Ecuador and biotechnology firms in US and other countries to reconcile their needs, resulting in greater benefits[37] for all interested parties. These projects have met the triple objectives of national, local and international needs and they provide viable examples to emulate. A key issue in these programmes, however, is the need for a supportive government and a committed driver, mostly a donor agency, for the project. In each of the above cases, there has been a combination of a willing international donor, and supportive legal and institutional support from the host country.

4.6 SUMMARY

Would a project designed on similar principles work in the Tana Delta? The workability of CBRM project in the Delta is not as easy as the above cases would suggest. The major obstacles would seem to be perceived and real incompatibility between the international, national and local interests.

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[37]Benefits for Biotechnology firms include increased chances of identifying active ingredients. It is suggested, for example, that out of 262 plants sampled with local assistance, 162 or 62% had useful active ingredients. The Company also donated 13,333 shares of its stock to a locally based agency.

Two constraints arise from local empowerment. The first difficulty we have to deal with in the Kenyan case is that in restoring control over resources to local communities, the state compromises its domination of the tourism industry. It will have to forfeit its exclusive right to all revenues from gate collections as well as direct access to international aid for biological conservation. But as I explained in preceding sections, the governments stands to derive higher comparative advantages from collaborative efforts with the local communities. The second problem is that although the state will save on funds spent, directly on parks or indirectly through hiring of a large game rangers, on enforcing wildlife regulations, there is a practical problem that arises from CBRM if it is not well formulated. Implementation of a wildlife management program requires both suitable organizations to assume responsibility as well as technical and managerial capacity at the implementation level (Kiss 1990). Poaching in Kenya is highly sophisticated to the extent that local enforcement and monitoring may be inadequate. Fortunately I recognize this constraint and as set out in Chapter One, the model of CBRM I propose defines a role for the state. In transferring resource control and management to local communities the state must make a host of related adjustments including hiring and training of local guards who are able to combat poaching in the area, and providing back up services to combat high-tech poaching. International NGOs would also come in to reinforce state initiative at empowering local communities by helping in capacity building at the local level. Thus a benefit and corresponding responsibilities sharing scheme between the state and the local communities would need to be worked out.

CHAPTER FIVE: LESSONS DRAWN FROM THE CASE STUDY

5.1 INTRODUCTION

This thesis has explored the applicability of Community Based Resource Management (CBRM) strategy in resolving resource use conflicts arising from the establishment of the Tana Delta Wetland Reserve in Kenya. The examination of the resource use conflicts revealed four themes underlying the conflicts. These themes are asymmetrical power relations between the state and local communities, state policies, international relations and class struggles at the local level. These themes were used to evaluate the suitability of a CBRM strategy to resolving the resource use conflicts.

Through this examination, it was found that there are both potentials and constraints affecting the applicability of a CBRM strategy to resolving resource use conflicts in the Tana Delta. This chapter to summarizes the major findings in the thesis.

5.2 COMMUNITY BASED RESOURCE MANAGEMENT

The CBRM strategy used here involves an holistic approach in which local communities are empowered to assume a role in the management of the local resources that are perceived to be endangered. Empowerment as used here involves restoration of local control over access to resources and broad based consultation over decisions relating to resource uses.

The approach used in this thesis deviates from many other studies on CBRM in two

ways. First, rather than treating the state as the problem, this thesis recognizes positive contributions that the state can make towards a successful CBRM strategy. Second, rather than assuming homogeneity within communities, this thesis recognizes heterogeneity within rural communities in examining the suitability of a CBRM strategy to resolve the resource use conflicts.

Several practical and ethical reasons have been presented in arguing for a CBRM strategy to various tasks. Taking the moral case for granted, this thesis provides evidence of some practical advantages associated with CBRM in terms of conservation and sustainable livelihoods.

5.2.1 Resource conservation

In arguing that there are immense conservational benefits derived from CBRM, this thesis, however, deviates from some more traditional approaches that assume natural harmony between indigenous cultures and their environment. Instead, I problematize the connection between indigenous resource users and their resources by exploring conditions under which a harmony can exist.

I argue that the environmental condition in the Delta is, currently stable, but this does not arise from altruistic conservation on the part of the Bajuni and other indigenous resource users. A historical examination of resource condition and trends shows that the harmony between the local cultures and their resources is anything but stable and that

several factors including the resource base, demographic pressure, resource tenure, institutional transformations and linkages to markets can offset that balance.

Linkages to markets and institutional transformations illustrate this point clearly. There is evidence that the local communities have been linked to outside markets from the eleventh century. Although that connection has always been based on exploitation of natural resources, until recently that connection has been remote with corresponding minimal impacts on the environment. Recently, linkages with inland Kenyan markets have increased pressure on the mangrove and other forests resulting in adverse environmental impacts.

The failure of the contemporary Bajuni and other local communities to sacrifice immediate gains from trade in mangrove and other forests in the short term for a sustainable utilization of these resources in a way supports Alvard's (1994) hypothesis that harmony between resource users and their environment could possibly exist without conservation being the motivating factor.

However, this thesis identifies another dimension, institutional transformation, of the emergence of disequilibrium between rural communities and their environment. I show in this thesis that prior to incorporation into modern nation state, the Bajuni and other local communities had institutions for managing local resources. These institutions had rules for regulating access to resources and checking resource abuses. As explained

below, the powers of these institutions have been usurped by the state with subsequent impacts on resource conservation. There also are other factors including state policies that undermined local institutions, international politico-economic framework and local class struggles that contribute to the disequilibrium between local communities and their resources.

5.2.2 Rural livelihoods

Advantages relating to gains in rural livelihoods under a CBRM strategy are not, perhaps, as disputable as resource conservation. The thesis traces historical changes in resource access and consequent effects on rural livelihoods. It is shown that the traditional resource management systems, under the direction of the *wazee wa boma*, ensured an equitable access for all to all the local resources. Even though prior to integration into modern nation state, there were inequalities in rural incomes, the differentiating factor was not differential access but rather the amount of effort invested in any activity.

Equitable access to resources under the traditonal system could be questioned because it was determined by a local institution, composed of villagers with their own interests to pursue. This reality is, however, countered with the criteria used in selecting officials to the village polity. Measures of merit other than wealth, including religious piety, honesty and public relations were used in the selection process. All the villagers therefore had equal chance of selection to the organization so long as they met the

societal expectations at the village level irrespective of their wealth status. This leadership criterion had the effect of ensuring fairness and accountability in all their dealings.

Transformations in access to resources have compromised the livelihoods for the majority of the local communities while facilitating the accumulation of surplus by local elites. Currently, a variety of resource certificates, issued by state agencies based outside the delta, provide the only secure access to resources in the delta. The Land Act, the Forest Act and the Wildlife Act all have created not only differential access but one in which the elites have gained differential access to the local resources. The rest of the local communities have no secure access to the resources, making them vulnerable to external pressures such as the environmentalists pushing for the wetland reserve in the delta. Such attempts adversely compromise the livelihoods of the local communities, causing them to protest against these pressures.

How can a CBRM strategy help in dealing with this problem?. CBRM could help ameliorate this problem but there are constraints arising from asymmetrical power relations between the state and local communities, state policies, class struggles and international relations. These themes and the suitability of a CBRM strategy to deal with them are summarized below.

5.3 ASYMMETRICAL POWER RELATIONS

Prior to integration into the nation-state, access to local resources was regulated by a local institution, the *wazee wa boma*. This institutions had sets of binding rules relating to resource access and use. Local resources were not open access resources, members wishing to obtain them had to negotiate for right of access through formally defined procedures. Part of the negotiation was a clear specification of intended resource use to the village head, *Mnyapara,* who would determine whether or not a request could be forwarded to the *wazee wa boma*. The *wazee wa boma* placed controls on the amount of resources extracted by its members through a screening process in allocating resources. The powers of the *wazee wa boma* have since been usurped by the state, effectively transferring resource control from the local level. The reinvention of these institutions is identified here as a potential for a CBRM strategy to resolve the resource use conflicts as a mechanism for reconciling the conservation imperatives and local livelihoods.

5.3 STATE POLICIES

It is shown in the thesis that the content, implementation and contradictions in state policies all contribute to the resource use conflicts in the delta. An examination of the national development planning blueprint and several legal documents including the Land Act, the Wildlife Act and the Forest Act reveals excessive powers vested in state officials enabling them to allocate resources without consulting the local communities. Environmental groups outside the area have capitalized on this disparity to push for the

establishment of a wetland reserve in the Tana Delta, a development that is perceived by the local people as a threat to their livelihoods.

There is, however, a provision for local participation in the DFRD blueprint. Similarly, the revised version of the Wildlife Act contains a theoretical commitment to securing livelihoods needs of the local communities. Unfortunately, the practical implementation of these policies reveals deviations from these principles. This is illustrated by the composition of the committees of the DDC, the decision-making body at the district level and its subordinate organs. These committees either lack local participation or have limited local membership. In fact, even where there is local membership, it is threatened with domination by the local elites.

Their limited participation excludes local communities generally from benefitting from government programmes. In this thesis, I use the distribution of benefits from wildlife tourism to show the skewed distribution of benefits. Almost all gains from tourism contribute directly to the national economy and the spin offs are trapped by elites and others associated with the tourism industry including hoteliers and transporters. Local communities who are most affected by conservation in terms of alienated lands, and crop and human damage are excluded from these benefits. They do not even get compensation for wildlife damage that is stipulated in the state policies or where they are compensated, it is carried out haphazardly and takes a lot of time.

The task in this thesis with respect to state policies has been to show how a CBRM strategy would resolve conflicts that they create? The case study reveals both constraints and potentials in this regard and argues on the weighed benefits attainable from CBRM.

First, wildlife oriented tourism is very important to the national economy of Kenya, being the largest source of foreign exchange by generating about 450 million US dollars every year. It is also a very fast growing industry in Kenya. Considering the lack of alternative sources to generate that much foreign exchange, we must be very careful in arguing for a renegotiation by the state of what would ordinarily be considered an issue of national importance. I, however, argue for a renegotiation on two grounds: logistical potential at the grassroots and environmental protection.

Wildlife management in sanctuaries is constrained by both logistics and personnel, limiting the capacity of the state to adequately protect wildlife from poaching. I show that most of the poaching is external and not undertaken by indigenous communities. Mega-species, particularly elephants and rhinos, are therefore threatened with extinction by poaching even within the boundaries of wildlife sanctuaries. I argue that incorporation of local communities into wildlife conservation, by protecting their interests in the local resources and defining their stakes in wildlife management, would improve wildlife surveillance and conservation. This is supported with evidence from a successful community based management scheme (ADMADE) in Zimbabwe. In

Kenya, I propose that the DDC could encourage such a partnership with the local communities with the District Commissioner assuming a coordinating role.

Part of the partnership proposed involves capacity building at the local level. For example, for the local communities to assume a role in combating poaching, a highly sophisticated illegal activity, the state would need to arm and train local people. So equipped and trained, the local communities would at the very minimum help reinforce the intelligence network of the wildlife service and reinforce the state's efforts at combating poaching.

The second justification for a local management system has to do with environmental degradation and transformations in the rural economy resulting from unlimited growth in tourism. The case study provides evidence to link environmental degradation to unregulated tourism. It is shown that the Kenyan coast suffers several forms of degradation. In connecting environmental degradation and state sponsored tourism development, I do not simplistically argue that local resource managements are naturally environmentally benign. Instead, I argue that centralized control contributes to faster environmental degradation because of its tendency to remove local controls and the associated checks on resource abuse. Centralized planning also contributes to environmental degradation because of various perverse incentives given to sections of rural communities, principally elites and their associates, to exploit and abuse resources. It is argued that environmental degradation would delink rural societies from global

economy at high costs. The major constraining factor for local communities is the transformation of their rural economies and their linkage to markets for greater part of their subsistence requirements.

A major constraint identified in the thesis that a CBRM strategy can not deal with easily is the reluctance of bureaucrats to relinquish power. Bureaucrats have personal agendas in pursuing centralized control and management of resources. Practical advantages from conservation of wildlife or any other resource do not therefore constitute sufficient grounds for bureaucrats to instituting a CBRM strategy. Identifying conditions under which bureaucrats can be coopted into localized resource control, for example reviewing their wages, which is not adequately covered in this thesis could provide incentives for bureacrats to relinquish power. Bureaucrats could also benefit greatly from the international recognition for success in their projects as a result of incorporating local people into resource management.

5.4 INTERNATIONAL RELATIONS

I have argued in this thesis that international NGOs and donor countries contribute to the resource use conflicts in the Tana Delta. The influence of these organizations and countries follow from the international politico-economic framework. In fact none of the parties to the conflict has provided evidence to suggest that the local species in the Tana Delta are threatened with extinction as is suggested.

Instead, these organizations dwell on the requirements of several international treaties to which Kenya is a contracting party. I show that the international environmental agenda deals with these treaties in piecemeal and even contradict their [treaties] requirements. All the treaties and soft law cited by the international NGOs contain articles that protect the welfare of indigenous communities, a provision that none of these NGOs seems to acknowledge.

In the end, the thesis argues that there a practical advantages in a CBRM strategy for the conservation of threatened species and their habitats. I illustrate these advantages with examples from Latin America where collaborative efforts between international NGOs and local communities have resulted in mutual benefits for both conservationists and local communities.

5.5 CLASS STRUGGLES AND CBRM

As explained in a preceding section, elites in the Tana Delta have obtained exclusive access to some of the local resources. It is shown that this differential access engenders differential interests in, and experiences of, external interventions. In spite of these disparities, local struggles appear to transcend class cleavages. In struggling with environmentalists, an elitists' business concern that has exclusive rights to parts of the grazing lands as a cattle ranch, Kon-Dertu Ranch, evoked the entire community identity to appeal to President Moi, reminding him of their role in his success in the 1992 general elections.

Local manipulations like this raise the risky part of CBRM, the degree to which a localized resource management system can facilitate class formation at the local level. The thesis shows evidence of a possibility in which CBRM strategy could be dominated and hijacked by the local elites. To buffer the poor against such domination, I suggest that the state should intervene with protective statutory provisions that ensure that local class disparities do not undermine the egalitarian principles attributed to a CBRM strategy.

One way for the state to ensure equity would be to establish a web of overlapping use rights in which some resources are individually owned and others are maintained under communal system. Part of the state intervention would be to revive and empower the village institution, *wazee wa boma*, by devolving resource control to the grassroots. Another requirement in ensuring equity would to revive the traditional selection to the *wazee wa boma* without consideration of socio-economic status, to preclude a domination of localised resource control by elites.

5.6 THEORETICAL CONTRIBUTION

This thesis has explored several issues in community based resource management including communities, class, state and resource conservation in the context of pertinent theories. In each of them, this thesis provides useful theoretical contributions relevant to the applicability of CBRM strategy in a particular situation, resolution of resource use conflicts. In examining, class and applicability of CBRM strategy to resolve class

related resource use conflicts, for example, I show how concepts in class theories such as false class consciousness, hegemony and class allegiances constrain the suitability of a CBRM strategy. Similarly, I have pursued indigenous resource conservation by problematizing the connection between indigenous cultures and resources rather than assuming natural stewardship of indigenous cultures.

5.7 CONCLUSION

This thesis evaluates the suitability of a CBRM strategy to resolve the resource use conflicts arising from the establishment of the Tana Wetland Reserve. It is shown that the problem under examination is a complex one with interlocking forces at the local, national and international levels. These forces place constraints on the applicability of a CBRM strategy to resolving the resource use conflicts in the Tana Delta. They also provide incentives for using a CBRM strategy to resolving the conflicts. In the final analysis, it is, however, argued that the advantages from CBRM outweigh its limitations and consequently it would provide a suitable strategy for resolving the resource use conflicts without degrading the environment.

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