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COMPETING COMMONS:

LOCAL RESPONSE TO THE CRIMINALIZATION OF CUSTOMARY USE OF RESOURCES
IN ARUSHA NATIONAL PARK, TANZANIA

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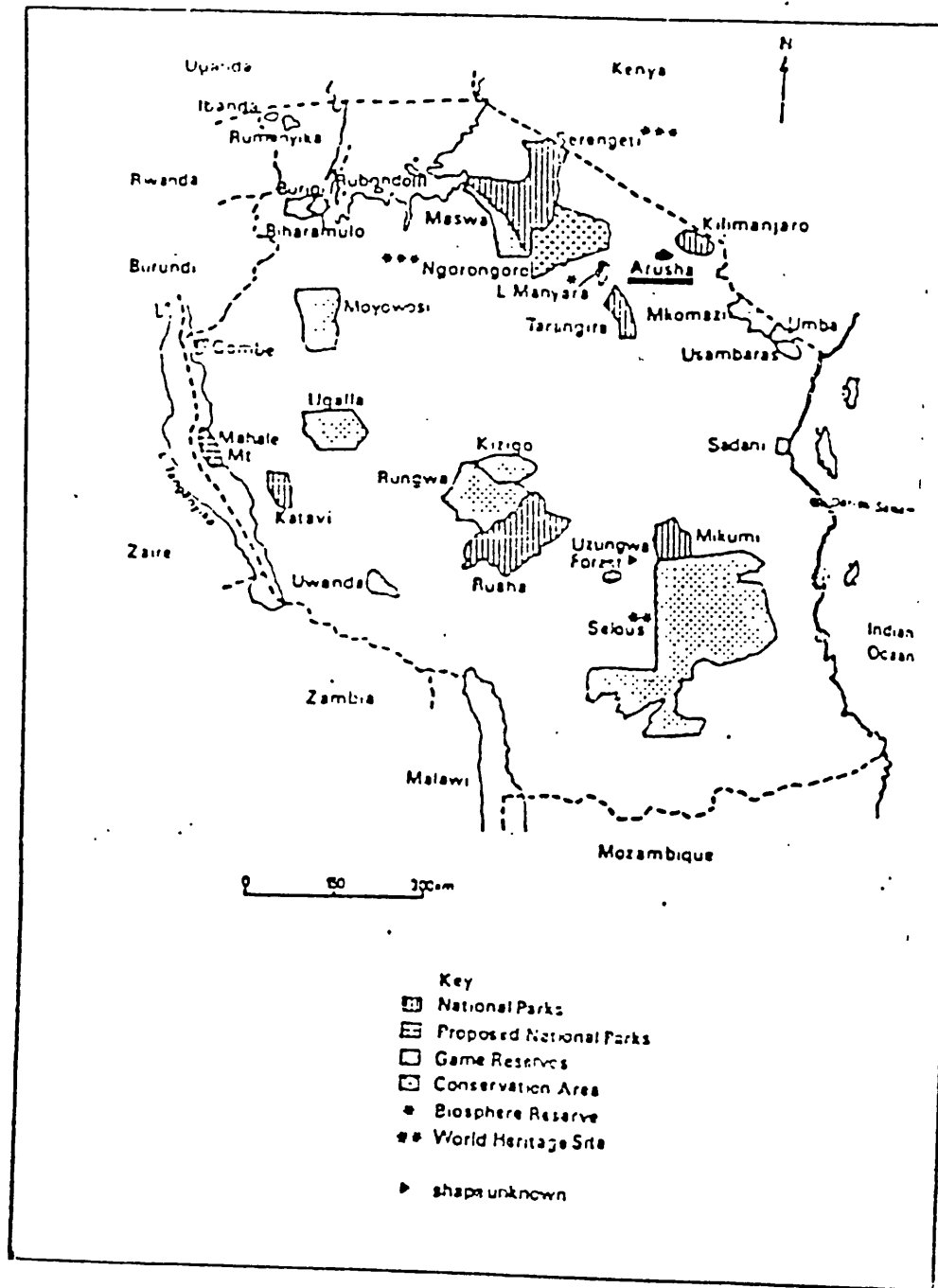
This paper is based on preliminary findings from doctoral dissertation research in progress in Tanzania. Information was gathered from the Tanzania National Archives, searches of government records and documents, and interviews with residents living near Arusha National Park. Readers will recognize the preliminary nature of this report and kindly agree not to cite or quote from it. Critical comments are welcomed and appreciated.

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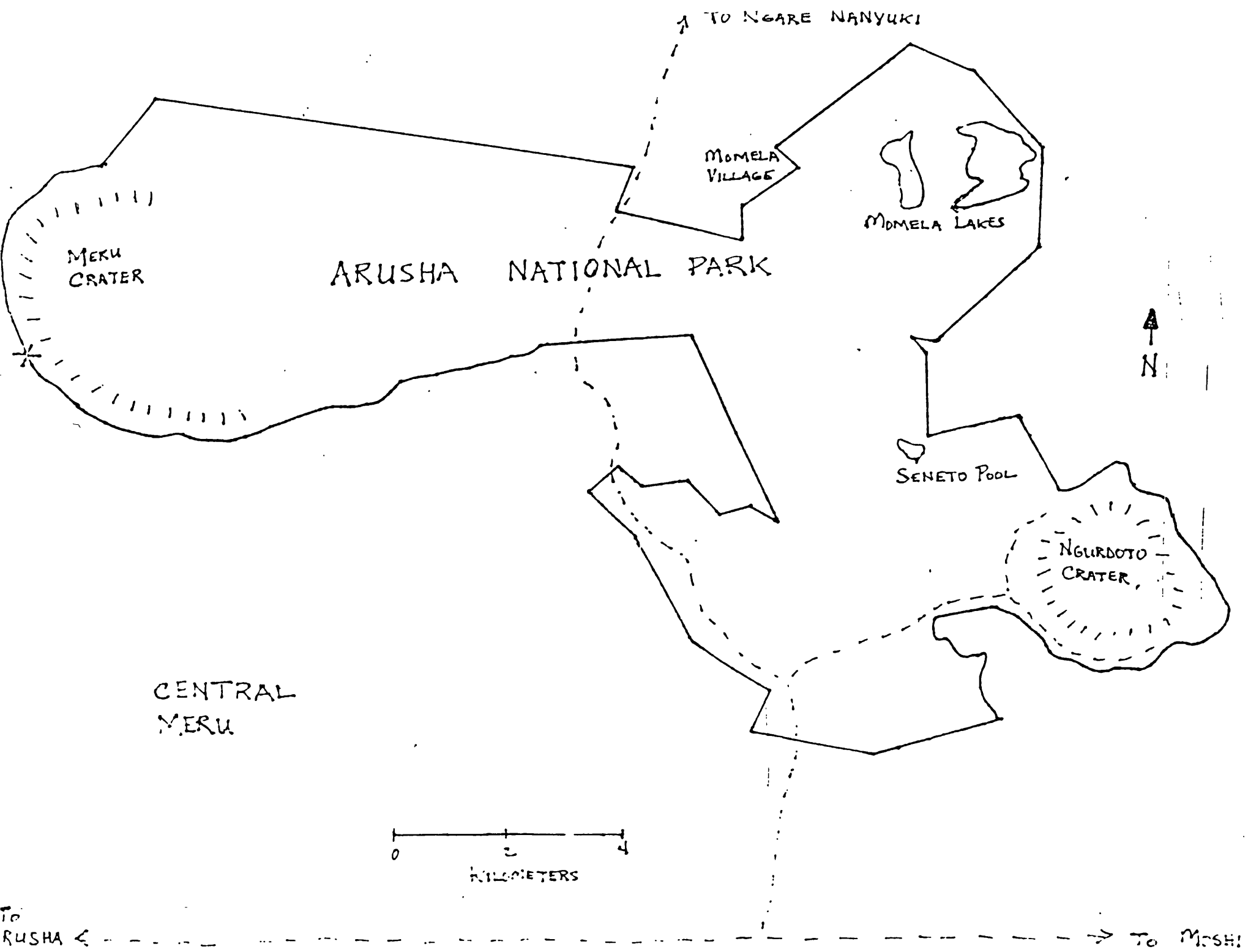
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ABSTRACT

Modern conservationists portray national parks as part of a common world heritage and as essential components of sustainable development. The rules of these new "commons", however, often abrogate existing common property rights. After nearly three hundred years of continuous use, the Wameru people have been denied access to the forests and grasslands of Mt. Meru by the creation of a series of conservation areas, culminating in Arusha National Park. Based on current field research, this paper examines the nature of the continuing social conflicts which have resulted from the criminalization of local people's use of the commons. It pieces together the historical use of the area now enclosed by the park and investigates local people's interpretation of and response to the state-initiated regulations. Finally, the paper speculates on what this implies for the sustainability of the accepted model of national parks in Tanzania and other countries in Africa.



Protected Areas of Tanzania



Introduction

When President George Bush welcomed the new Tanzanian Ambassador to the United States earlier this year, he singled out for praise Tanzania's efforts in protecting the 'common heritage of Mankind.'^[1] He was of course referring to Tanzania's unparalleled attempts to preserve its wild animals and their habitats in national parks and game reserves. The phrase has become so cliched that its implication, which is that the world's national parks and protected areas have come to be represented as a sort of commons for a global community, can easily be overlooked. This sentiment, in fact, has been institutionalized by recent international programs such as World Heritage Sites and the World Conservation Strategy.

In the parks throughout East Africa, however, the global commons has been carved out of the local commons, often at enormous expense to the people whose rights have been arrogated for the greater good.^[2] While some conservation authorities may acknowledge this fact, they often fail to recognize the continuity of customary claims in spite of the attempts by the state to eradicate them. Efforts to reclaim lost rights are simply labeled as 'poaching' or 'trespass' and increased anti-poaching efforts and 'education' are the proposed solutions. Accepting this interpretation requires that one ignore the process by which parks and reserves were established in Africa, particularly the resistance they engendered, not only among local populations, but within the state as well.

The establishment of national parks is, in essence, a process of reallocation which involves the introduction of new social structures for controlling access to natural resources. It is thus a political process. Understanding the nature of natural resource conflict in African national parks, therefore, requires an analysis of the historical evolution and political dynamics of state conservation policy. This paper traces the development of Arusha National Park on Mt Meru in northeastern Tanzania and the effect of its establishment on customary rights to resources and local patterns of resource use. It is, in effect, an assessment of who gained and who lost as a result of the creation of the park and how the losers have responded to the new dispensation. Placing the illegal use of the park's resources within its historical and political context leads one to interpret these acts very differently from conservationists and state authorities. In this paper I argue that much of what the state views as crime is more appropriately conceptualized as attempts to maintain resource access and control. Given this interpretation, the paper ends with speculations on the sustainability of the currently accepted model of national parks in Africa.

1 Tanzania Daily News, 6 June, 1990.

2 For examples for Tanzania see Kaj Arhem, Pastoral Man in the Garden of Eden: the Maasai of the Ngorongoro Conservation Area. Tanzania (Uppsala, 1985), Collin Diehl, 'Wildlife and the Maasai: the story of East African parks', Cultural Survival Quarterly. 9:1 (1985) pp. 37-40, and Helge Kjekshus, Ecology Control and Economic Development in East African History: the Case of Tanganyika 1850-1950 (Berkeley, 1977).

A Glimpse of Eden

The Northeastern Highlands, including Mt Meru and Mt Kilimanjaro, were one of the few areas in Tanzania which attracted European settlers during the colonial era. The appeal of rich agricultural soils on the lower slopes of Mt Meru and the near-temperate climate drew the German's to the mountain in the 1990s, as it did the Meru people 200 years before them. The Meru were farmers and cattle-keepers. They established their farms on the southeastern side of the mountain at about 4,000 to 6,000 feet and grazed their cattle in the forests above and on the drier undulating plains of the northeastern side. The arrival of European settlers forever altered patterns of land use on the mountain as extensive areas were alienated for their estates, leaving the Meru with a relatively small reserve for their own settlements. True to their reputations as pioneers of modern forestry, one of the Germans' first administrative acts was the establishment of a forest reserve on the upper slopes of the mountain. The Meru thus found themselves hemmed in by European estates below and a forest reserve above.

The land alienations and new agricultural practices initiated by the Europeans, particularly coffee cultivation, have left an indelible mark on settlement patterns and the local economy. The former Meru Reserve now has one of the highest population densities in Tanzania, while the expansive coffee estates below remain intact. The Meru area is a center of smallholder coffee production, where it is grown in a variety of intercropped combinations of food crops, banana, fruit and timber trees. There has also been a steady trend toward keeping fewer cattle of improved stock, which are fed in stalls rather than grazed in open pastures. Participation in cash crop production has provided the basis for a rising standard of living in the form of schools, hospitals, electricity, and piped water. The situation is quite different in the Meru's northern villages, separated from the central homeland by Arusha National Park. Here the climate is drier, the soils poorer, but with valley pockets of good farmland. Coffee production is nearly non-existent, the cultivation of staple food crops occupies most of the farmland, and cattle-keeping on open rangelands is still an important economic activity.

The northern lands were also afflicted with extensive alienations and many settlers embraced a vision of solid European settlement reaching from Mt Meru to Mt Kilimanjaro. As the dream of a second "White Highlands" evaporated at the first light of decolonization, the settlers sold or abandoned their farms to opportunistic (and sufficiently wealthy) Meru, who divided the land into small holdings. It is in this area of high, open country stretching between two of the highest mountains on the continent that the study village, Momela, is located. The landscape and climate which the Europeans found so appealing provided the inspiration for the poetic excesses of one author who called it 'a glimpse of Eden.'³ The village farm and grazing plots abut the national park's northern boundary and its houses straddle the boundary of two former estates. The area to the south is the former Momela Estate, owned by the German Trappe family for many years. Most of the area was given to the government to be included in the national park, but a narrow section, where the village now

³ Author Evelyn Ames quoted in D. Vesey-Fitzgerald, 'A glimpse of Eden', *Africana* 3:3 (1967). pp. 11-15.

stands, was left out. The strip was settled by several Meru who were working for Trappe in the early 1950s, and they continued there after the settlers had left. Ownership of and access to this area has been a point of friction between the park administrators and local residents since the park's inception.

The village is part of a larger area known as Ngare Nanyuki, claimed by the Meru as part of their lands since their arrival 300 years ago.[4] There can be no discussion of the history of settlement and land use in this area without reference to the forced eviction of the Meru from Ngare Nanyuki by the British Colonial Government in 1951. Meru settlement interfered with the plan of a consolidated whites-only zone in the highlands and they were ordered to move. The Meru refused and in a brutal display of authority even by colonial standards, the government burned their houses, possessions and crops to the ground. The Meru did not violently oppose the eviction, but rather chose a course of passive resistance combined with formal appeals through official channels, including the United Nations Trusteeship Council. Many of Momela's current residents witnessed the eviction and the original 'squatters' who settled the village were fugitives wanted by the British for their role in organizing resistance. The eviction from Ngare Nanyuki, and the means by which it was resisted by the Meru, I will later argue, provides important insight into local response to and interpretation of current state conservation policies.

From Local to Global Commons

When the British Government took over the rule of Tanganyika after World War I, the land alienations and forest and game reserves implemented by the Germans remained for the most part intact. The reserves became the foundation for the national parks of the colonial and, eventually, independent governments. Less than ten years after the British arrived in Tanganyika, Mt Meru, along with Ngorongoro Crater and Mt Kilimanjaro, were being advocated as sites for national parks.[5] It was another twenty years, however, before Tanganyika's National Parks Ordinance designated Serengeti as the first national park, and not until 1960 did the first national park appear on Mt Meru. In the meantime, there was a gradual tightening of state control over forest and wildlife resources on the mountain at the expense of existing customary rights.

By 1929 the whole of Mt. Meru, extending downslope as far as the edge of the natural forest (around 6,000 ft. elevation), had been designated a 'complete game reserve,' for the most part overlapping with the forest reserve.[6] The double designation meant that the area's natural resources were under the strictest state control possible given the conservation laws existing at that time, and all hunting was outlawed. Even so, certain customary rights were

4 This summary is adapted from K. Japhet and E. Seaton, The Meru Land Case (Nairobi, 1967) and from recent interviews.

5 Swynnerton, Director of Game Preservation to Chief Secretary, Dar Es Salaam 17/1/28, TNA Secretariat File H-11234.

6 Tanganyika Territory Game, Cap. 86, Vols. II and III. Revised Edition of Laws (London, 1929).

respected. Under the Forest Ordinance of 1921, indigenous residents were allowed to take from forests free of charge produce for their own use.[7] Grazing, on the other hand, was restricted and most of the offences under the Ordinance in the 1930s concerned livestock trespass.[8]

What remained of customary rights on the mountain were far from secure, and they came under sustained assault from two quarters; the natural resource professionals of the colonial government and the European settlers. Early on, the reports of the government foresters urged the restriction or elimination of customary rights. In requesting the building of a 15 mile fence along a cattle trail passing through the Meru Forest Reserve, the Conservator of Forests wrote of grazing on Mt Meru; 'adequate protection of the forest under these conditions is impossible.'[9] The local District Commissioner who thought the Conservator's arguments exaggerated, countered that the area concerned is quite small and the forest reserve is 'at least double the acreage of the land occupied by the Waarusha and Wameru tribes.'[10] A few years later the Conservator wanted to do away the free use of forest products by indigenous residents because he felt the government was showing 'unaccountable generosity in issuing house building material free.'[11] 'It is morally insalubrious for the native to be "spoon-fed" in this respect, he should work for his requirements the same way everyone else has to.'[12]

Among the settlers, no one had a greater influence on conservation on Mt Meru than the Trappe family, who used a portion of their estate as a hunting reserve. In 1931 the government approved Mrs. Trappe's request that her estate, Momela Farm, be declared a hippopotamus reserve along with two other government farms.[13] More than thirty years later, these protected estates would become a significant portion of Arusha National Park. Another settler in the area, Mr. Anderson, appears in the records several times seeking the restriction of indigenous resource use in the name of conservation, and at one point asked if the Conservator would consider clearing the Meru Forest Reserve of all native

7 Report by Sir Sydney Armtage-Smith to the Government of Tanganyika Territory 26/9/32, TNA Secretariat File H-21559.

8 Extract from the Report on Forestry in Tanganyika Territory by Professor Troup, 1935. TNA Secretariat File H-23185.

9 Conservator of Forests to Chief Secretary 19/11/28, TNA Secretariat File H-12913.

10 F. Longland, Arusha District Office to Provincial Commissioner Northern Province 9/2/29, TNA Secretariat File H-12913.

11 Conservator of Forests to Chief Secretary 4/4/33, TNA Secretariat File H-21559.

12 Forest Department Circular No. 1 of 1933, TNA Secretariat File H-21559.

13 Acting Game Warden to Chief Secretary, 27/11/31, TNA Secretariat File H-20466.

squatters and grazing.[14] Settler associations joined in condemning indigenous land use practices and recommended that cattle be prohibited from grazing in the forest because of 'the damage caused by them to young trees' and a decline in rainfall which they attributed to tree cutting and fire.[15]

The settlers' often self-serving conservation schemes did not always meet with rousing government support, and officials looked upon the motives behind their proposals with scepticism. Trappe's neighbor, General Malan, requested the Governor to look into creating a game reserve in the area between Mt Meru and the Kenya border.[16] A local district official observed that Malan is an good chap but

his neighbors...are incorrigible poachers of game. I suspect that the true reason why these Dutch farmers require a game reserve on the borders of their farms is that they have the benefit of the overflow...of game.[17]

The above-mentioned Mr. Anderson, whose business interests in the Arusha area ranged from farming to lumbering to tourism, wanted the government to establish a new game reserve at Lake Manyara. An official, noting Mr. Anderson's involvement in the tourist trade remarked dryly that, 'These gentlemen's motives are not altruistic.'[18]

Underlying this suspicion of motives was a much deeper ideological fissure between colonial administrators on one hand and the settlers and professionals on the other. The Provincial Commissioner, Northern Province (now Arusha Region) was alarmed by the Conservator's aforementioned request to implement fees for forest products on Mt Meru. The proposal he noted, 'would arouse intense opposition' among Africans, because royalties 'would be considered a serious interference with traditional rights.'[19] The idea that customary rights should come under a fee schedule seemed to be a particularly dreadful suggestion to administrators. A second official noted that the Conservator's proposed annual fuelwood charge would be more than double the unpopular poll tax' He then went on to quote the Land Ordinance which, he argued, guaranteed the continuation of customary rights.[20] Colonial administrators were

14 Legislative Council Questions, 18/11/37, TNA Secretariat File H-23185.

15 Extract from memo from Combined Associations in Arusha to H.E. the Governor 25/7/29, TNP Secretariat File H-12913

16 Extract from memo from Combined Associations in Arusha to H.E. the Governor 25/7/29, TNP Secretariat File H-11234.

17 Anonymous comments on above memo, 28/9/29, TNP Secretariat File H-11234.

18 F.C. Halwit to Chief Secretary 20/4/38, TNA Secretariat File H-11234

19 Provincial Commissioner's, Northern Province, comments on Forest Department Circular No. 1 of 1933, nd, TNA Secretariat File H-21559.

20 Anonymous comments on Forest Department Circular No. 1 of 1933, nd, TNA Secretariat File H-21559. The commenter sights the following passage of the

understandably most concerned with political stability and law and order, and the persistent requests to curtail customary rights threatened their interests. The arguments against the Game Warden's proposed policy revisions in 1931 highlight the ideological differences.

The question arises whether any regulations under Sec. 4(5) of the Game Ordinance, which must necessarily interfere with the holding, use, occupation and enjoyment of lands by natives and must necessarily disregard the rights and interests of natives, would not be 'ultra vires'...game policy must not conflict with the Mandate and the Land Ordinance...I judge that Gen. Battye (the Game Warden) does not, perhaps, fully appreciate how deeply the Government is committed in regard to native interests.[21]

As forest and wildlife conservation policies evolved in the Protectorate, the colonial administrators' anxieties over interference with customary rights reemerged with every new development, the most significant being the 1933 London Convention for the Protection of the Flora and Fauna of Africa. The Convention obligated all signatories, of which Tanganyika was one, to establish a system of national parks. Though bound by this treaty, one Tanganyika official nevertheless noted that

we have resisted all attempts to create a national park or adhere to any international convention relating to the preservation of fauna. The pressure from home may, however, be too much for us.[22]

Indeed it was. In 1948 the National Parks Ordinance was passed, giving the Governor power to declare any area a national park with the consent of the Legislative Council. Included in the Ordinance was a section declaring Serengeti the first national park.

It is worthwhile to linger briefly on the history of Serengeti as it illustrates an important trend in state conservation policy which has greatly influenced affairs on Mt Meru. Significantly, the 1948 Ordinance permitted the unhindered passage of people 'whose place of birth or ordinary residence is within the park.'[23] This clause allowed the Secretary of the new Serengeti National Park Board of Trustees to reassure the government that 'The rights of the Masai, therefore, to occupy and graze stock in the Park are unaffected by the Ordinance.'[24] Less than a week later, however, the new park warden wrote

Preamble to the Land Ordinance of 1923 which allowed indigenous inhabitants 'existing customary rights to use and enjoy the land of the Territory and the natural fruits thereof in sufficient quantity to enable them to provide for the sustenance of themselves, their families and their posterity.'

21 A.E.K. to Chief Secretary 23/5/31, TNA Secretariat File H-11234.

22 D.M.K. to D.C.S. 17/2/37, TNA Secretariat File H-24979.

23 Tanganyika Territory National Parks Ordinance, 1948.

24 P. Bleackley Secretary, Serengeti National Park Board of Trustees to Member for Local Government, Dar Es Salaam, 18/10/51, TNA Secretariat File H-10496.

that the trading post and Maasai cattle market must be removed from Ngorongoro as they 'interfered with the amenities of the park.'[25] The position of the natural resource professionals was unambiguous.

The interests of fauna and flora must come first, those of man and belongings being of secondary importance. Humans and a National Park can not exist together.[26]

Again the colonial administration took a contrary stand, this time, with the Governor himself feeling compelled to stress to the Serengeti National Park Board of Trustees

the importance which attaches to the need for obtaining the understanding and support of the African inhabitants both within and without the Park. If the administration of the National Park were likely to cause any serious threat to the maintenance of law and order, or to the implementation of the Government's policy in respect of the African population generally, then I should not hesitate to introduce into the Legislative Council the measure necessary to rescind the proclamation whereby the Serengeti National Park was declared.[27]

The Governor's bald threat forebode the political debacle over human rights in Serengeti which forced conservationists to backpedal and accept a legislative division of the area in 1959. In the eastern section of the original national park, the government created a new entity, Ngorongoro Conservation Area, where Maasai pastoralists were allowed to continue living and herding cattle. In the west, all people and cattle were excluded from a revised Serengeti National Park. The solution to the human rights question in Serengeti facilitated an important clarification of conservation policy. There would be no people in Tanzania's national parks.

Once the conflict at Serengeti had been settled, the gazetting of national parks elsewhere picked up steam, beginning with the first post-independence national park, Ngurdoto Crater, in 1960.[28] It was a tiny park (1,722 acres) on the eastern side of Mt Meru encompassing the entirety of the crater up to its rim. In 1962 it was more than tripled in size and then almost doubled again in 1964, taking in most of Trappe's Momela Estate. The 1964 gazette had an exclusion of great local importance; the right of passage along a foot path winding in a southwest-northeast direction from one side of the park to the

25 Minutes of the second meeting of the Serengeti National Park Board of Trustees, 23/10/51, TNA Secretariat File H-10496.

26 J.Wilkins, SNP Board of Management to SNP Board of Trustees 16/2/54, TNA Secretariat File H-10496.

27 Governor E.F. Twining to the SNP Board of Trustees 25/11/53, TNA Secretariat File H-10496.

28 This summary of the development of Arusha National Park is compiled from the Proclamations published in the Government Gazette including Volumes XLI, No. 35, XLIII. No. 53, XLV, No. 57, XLVIII, No. 20 and XLIV, No. 12.

other. Then in 1867, a second national park, Mt Meru Crater, was gazetted, consisting of 12,120 acres on the mountain's upper-most slopes. The two parks were combined five months later to form the 23,905 acre Arusha National Park, with the ten-foot right-of-way again excluded from the park. The expansions continued in 1969 when the national park benefited from the nationalization of several European estates, picking up an additional 4,685 acres. At this writing, a few legal formalities are the only barriers to Tanzania National Parks' takeover of the remainder of the forest reserve which rings much of Arusha National Park. Though the legal description of the new boundaries has not been completed, it appears that the park will be approximately doubled in size.

With each expansion of the park boundary, more and more customary uses were outlawed. Although most of the land included in the park was either forest reserve or land alienated to Europeans, certain customary uses had nevertheless continued there before the creation of the park. Illegal grazing in the forest was, and continues to be an open secret, and livestock can be seen grazing in the forest in broad daylight. These high mountain areas have historically played an important role in seasonal grazing patterns, providing livestock with a dry season source of food, and residents have tried to maintain access however they can. A villager explained to me,

When people faced a shortage of grass, they used to request for permission to graze their cattle inside the forest; they were given a place to graze until the rains came.

Deals were cut with settlers as well, allowing grazing in exchange for payment in cash, livestock or labor. The fact that grazing has persisted against the odds provides a measure of continuity to local claims to usufructory rights. Long-time residents declare,

We enjoyed grazing on Trappe's farm and when he left, we confirmed with Mallory in a great friendship and we continued grazing and up to now we haven't yet stopped grazing.

As indicated by some of the above-quoted debates on customary rights, the forest provided residents with various products for fuel and building, as well as others not generally recognized by professional foresters at that time. For example, bee-keeping was an important economic activity, the general consensus among local residents being that the forests on the mountain are the best areas for producing honey. At the time of the park's creation, numerous people kept hives there; up to fifty per person. But by 1969, there were few keepers tending their hives, largely due to the fact that they had to be accompanied by a ranger.[29] Eventually they were ejected from the park completely. For the villagers, the forest on the mountain also served as 'our traditional hospital.' In a yet-to-be-completed inventory of medicinal plants found in the park, local residents have so far listed twenty-two, with applications ranging from constipation to malaria. Often these plants were mixed with honey from the forest hives to make particular medicines.

29 Arusha National Park Yearly Report for 1 July, 1968 to 30 June, 1969.

One of the nest controversial and galling prohibitions in the minds of indigenous residents has been the elimination of a right-of-way through the park. The park effectively splits Meru land into two separate zones, but the path allowed people to traverse the park in about two hours. With the closure of the path, a two hour journey was turned into one that could barely be completed in a twelve-hour day. This access was critical as most people have family and many have farms on both sides of the park. By all accounts it was an ancient and major route for trade and the movement of cattle, not only for the Meru, but the Maasai and other peoples as well. It directly connected Maasailand in Kenya with the trading center of Arusha town and points beyond.

The path is in fact the right-of-way mentioned in the exclusionary clause of the laws establishing the park boundaries. Apparently, sometime in 1973 the park began to prohibit villagers from using the path.[30] It is not clear that anyone, neither the park administrators nor the villagers, realized the existence of the clause at the time of the park's gazetting, though villagers today claim that the path was not closed through any legal procedure, but only by means of intimidation by park guards. For their part, park administrators seem to have been totally caught off guard by the existence of the right-of-way. 'In my investigations,' the Arusha National Park Warden wrote,

I have discovered unexpectedly that legally people had a path allowing them to pass in the park coming from Senate going to Ngongongare or vice versa. I am at a loss to come upon unexpectedly that citizens truly still have the right of passing inside the park legally. Until now we have not given any person at all permission to pass this way.[31]

The Director confirms his subordinate's unsettling discovery but advises him that it might be 'best to "let sleeping dogs lie."' [32]

One final note on customary practices on the mountain. Below the crater of Mt Meru lies the grave of the Meru ancestor who was the first to arrive on the mountain many generations ago. It is the site of what had been, until recently, an annual ritual to end the dry season and call forth a new season of rains. But as the elder currently responsible for leading the ritual explains, the importance of the practice is changing, partly because of interference from the park.

We used to go up once a year usually in January or February. Two years we have not been there and this will be the third year because we will not go. Since the last time all of those wardens (names them) have not allowed us to go there. They say that in the park no person at all is allowed to walk without a park guard. But our custom does not allow us to take anyone along

30 Village Chairman, Nkoasenga to Director Tanzania National Parks 12/10/82, ANP File, B2. Translated from Kiswahili.

31 Arusha National Park Warden to Director, Tanzania National Parks, 20/10/77, ANP File, B2. Translated from Kiswahili.

32 Handwritten response by the Director on the above memo. Translated from Kiswahili.

on our prayers. At present there are very few of us remaining; less than ten and we need more than thirty. The major problem is that we can not go there without these children and all the children are baptized. Even me I am very close to being baptized.

While the park, having assumed that this practice is yet another abandoned right, has plans to make the area a picnic and cultural site, the clan leader has other ideas. 'But we are expecting to go to the park people to request that we be allowed to build a church at Njeku (the ritual site) and pray like Christians.'

I can summarize local customary uses and the impact their criminalization has had on the local economy no better than the people who have been most affected.

Before people were allowed to pass through the area, graze, cut timber, or collect medicines. Now it's a big problem for us. Our cows are dying, they're not fat. There used to be more cattle but they've died for lack of food.

Despite the state's refusal to recognize any local claims to resources, the Meru clearly feel that the park has been carved out of their lands. The first evening after my arrival to begin the study, a visiting school teacher asked me about the purpose of my coming to the village. He listened, and looked at me as if delivering the key point of a lesson. 'You know,' he smiled, 'the park is all in Meru country. We are in the country of Tanzania, but we are also in Meru.'

In sum, the Meru enjoyed the use of the mountain's natural resources as an integral part of their economy. From the arrival of the first Europeans, conservation policy was aimed at limiting local utilization and vesting greater control over resources in the hands of the state. Within the state itself, there were, very early on, inter-factional struggles over the interference with indigenous rights which the conservation policies necessarily engendered. If the progressive strengthening of state authority over natural resources is any indication, it would appear that the conservationist camp has 'won.'

Two important aspects of conservation policy on Mt Meru and Tanzania in general are illustrated by this brief history. First, rather than being eliminated wholesale, customary rights have been chipped away in piecemeal fashion, as the state gradually increased its control over access to resources. This process culminated in the strict limitations on human use and occupancy implemented by the National Park Ordinances of 1948 and 1959. There has also been a progressive expansion of state authority geographically, with Arusha National Park's boundaries being extended in four separate legislative acts since it was first gazetted. The local commons has now been legislatively transformed into a national and global commons with the state dictating the terms of utilization for tourism and wildlife protection. Recognizing the expansionist character of the state's conservation policies, I hope to show, is critical to an understanding of the response of local people to the criminalization of their customary rights.

Second, the historical debates within different branches of the government over the rights of indigenous inhabitants has evolved into an unfortunate human-rights-versus-animal-rights dichotomy in discussions of natural resource conflict. The often dogmatic belief that a park cannot be a park as long as there are human inhabitants or economic activities other than tourism guarantees a confrontational climate in a country such as Tanzania where the park lands were either inhabited or used as commons before the state took control. The human-wildlife split is a sensitive subject among conservationists, compelling the former Chairman of the Tanzania National Parks Board of Trustees to argue defensively that "the old slander that we care more for animals than for people is a total mis-conception of our basic policies." [33] As will become clear below, the people living next to Arusha National Park would beg to differ with the chairman's interpretation.

Local Initiatives, Local Bargains

In the archival records, colonial administrators often expressed their fear of local rebellion over the loss of customary rights on Mt Meru, but I found no record of violent protest. This may in no small measure be due to the Meru's first hand experience with the unleashed power of the state, first under the Germans in central Meru [34] and later the British at Ngare Nanyuki. Residents living next to the park are keenly aware of the weakness of their position in any attempts at open confrontation with the state over resource access. A fair paraphrasing of a common sentiment might be, 'the government is strong, it kind do as it likes.' Rather than openly challenging state policies the villagers' response reveals 'a pattern of local initiatives and local bargains.' [35] The alternatives to a showdown with authorities, include appeals through official channels, avoidance tactics, local deals and initiatives designed to strengthen their position in relation to the state. Examples of each of these will be presented in turn.

When the Arusha National Park Warden wrote to a village chairman seeking his assistance in stopping cattle from entering the park, he hit a raw nerve with the villagers and sparked a protest over access to park resources.

This office has received orders from the Chief Park Warden, Momela (actually Arusha) National Park that it is prohibited for villagers to pass their herds in a corner of the boundary in the Seneto section of the park. After these orders, the villagers arrived at the office in a procession countering that where should they pass their herds in order to drink water in Seneto Pool, obliging the office to contact the chief warden on 2/10/82. After

33 From the Forward to TANAPA Annual Report 1969/70 by Tanzania National Parks Board of Trustees Chairman, Adam Sapi Mkwawa.

34 See Anton Nelson, *The Freeman of Meru* (London, 1967) pp. 10-11. Nelson sites the report of the German military commander, Captain Johannes, who led a punitive expedition against the Meru in 1896. Six hundred Meru defenders were killed and 6,000 cattle, sheep and goats were driven off.

35 John Iliffe, *Tanganyika Under German Rule 1905-1912* (Cambridge 1969) p. 6.

long debate, the park warden said that he himself was unable to give a verdict which does not come from the Director, but he allowed their cattle to pass for a period of just two weeks beginning 3/10/82[36]

The village chairman then proceeds in his letter to inform the Director of Tanzania National Parks that the village herds are dependent on Seneto Pool as a water source, and have been for many years.

This is the customary path from long ago which was passing through Seneto up to Meru as it comes from Ngare Nanyuki to Meru. For the past 9 years we have been shut off from this path and we are absolutely suffering.

He closes his letter with a request to the government to reconsider the closure.

Even though the law is understood this office together with all the citizens are begging very much that we should be considered for passing this way.

The park authorities turned down the request.

When drought hit the area in 1974, livestock herds came under stress for lack of food, and the importance of the high elevation pastures to the local grazing regime was made strikingly apparent. The park warden's reports from the period complain of heavy livestock trespass, with six people arrested and fined in January alone.[37] Their backs to the wall, local residents sought relief through official channels, again to ask for restoration of their right of access. On February 4th, the warden was invited to a village meeting where he was formally requested to allow residents to graze their herds in the park due to the drought. 'Their request was turned down on the spot because it was contrary to the National Park Ordinance.'[38] Park official, however, responded favorably to a group of Wameru elders who, in an effort to end the drought, requested permission to make a sacrifice at the ritual site on the mountain.[39]

As collective action via official requests has generally failed to achieve the desired results, villagers have resorted to more individualized tactics. The one tactic most readily available to everyone, though it can stress household labor resources, is to adjust the time and place of resource use in order to avoid detection. The warden's monthly report once noted 'that most of the destruction takes place during the evenings. For example, one day four people with livestock were seen in the park at 7:30 p.m. which is not normal hours.'[40] This tactic can be carried to the extreme as rangers arrested one

36 Village Chairman, Nkoasenga to Director, Tanzania National Parks 12/10/82, ANP File, B2. Translated from Kiswahili.

37 Monthly Report of the Arusha National Park Warden, January, 1974.

38 Monthly Report of the Arusha National Park Warden, February, 1974.

39 Monthly Report of the Arusha National Park Warden, March, 1974.

40 Monthly Report of the Arusha National Park Warden, October, 1974.

villager cutting trees in the park at 2:00 A.M.![41] On one occasion I accompanied two villagers in search of brown olive (*Olea africana*), a species highly valued as a fuel source and now found only in the park or forest reserve. We set off from the village as the sun was setting behind the mountain, crossed through the bush into the forest where there are few guards, and then entered the park under cover of the forest. It is generally acknowledged by all parties that government control over the park has tightened in recent years making this tactic less and less viable. One person lamented, 'Now there are so many guards that it is difficult to graze our cattle in the park. Before we could take them late on Friday or Sunday because we knew there would be now one around.'

For villagers who have bargaining power, often in the form of surplus crops, there is a possibility of making 'arrangements' with the rangers for access to park resources. It was explained to me by a resident living near the boundary that

There is plenty of grass in the forest; you can negotiate with the rangers to get permission to send your cattle inside. It is not allowed, but you can negotiate, because you are living near the forest.

The details of these bargains are, for obvious reasons, closely-guarded secrets, even among neighbors. Usually the arrangement involves an exchange of staple foods or milk for the chance to collect fuelwood or to graze cattle. A villager described the situation to me by relating a mock exchange between a resident and a ranger.

If one of the rangers comes to the village and says 'Mzee, I'm hungry and have no food', I say, 'Why did you refuse to let us get fuelwood?' And he will say, 'I think you can come anytime.'

Momela residents know that they are in a vulnerable position as they have watched the park boundaries move progressively outward and have simultaneously found that the opportunities for subverting park regulations are diminishing with increased surveillance. They also contend, and other records concur, that park authorities covet the village's land and they have launched several collective initiatives designed to strengthen their claims to the area. The most controversial has been the building of a school house in a plot taken out of the village's grazing commons, lying between the village houses and the park boundary. As related by one of the original residents, the action was a calculated political tactic, inspired by a former owner of Momela Game Lodge.

Mallory guarded us, guided us and gave us the tip of building a school, of which we had no idea...we live here as our permanent home now.

The school was started in 1978 and the villagers contend that the park officials attempted to intimidate them into abandoning the project by claiming it was government land and that a school could not be constructed there. Residents were not cowed, however, and one elder explained,

The National Park has tried to push us out but they can't manage to do so.

41 Ranger Post Report to the Arusha National Park Warden, March, 1974.

They can't push us out because Trappe said this area will belong to us. Even Mallory said so.

Around this same period, Momela residents were also formalizing claims to another piece of grazing commons on the park boundary by officially requesting the government to recognize its sub-division into individually held plots. The importance the villagers place on this strategy is made clear by the minutes from a series of village meetings convened in mid-1989. The meetings were held in response to a rumor that the park boundaries would be expanded onto village lands. In addition to sending a delegation to the District Office for clarification on the issue, the village committee members, 'agreed that in every plot where someone is living they should plant permanent crops and those who have not moved there should do so at once.'^[42] Again, the move is an explicitly political initiative aimed at strengthening the village's position vis-a-vis the state.

Competing Interpretations: Who's Threatening Whom?

From the perspective of state officials, the villagers' initiatives are cause for alarm, as they threaten park management goals. The notion that 'encroachment' of village settlement on the boundary is in part a response to the atmosphere of insecurity of tenure produced by conservation policies does not seem to have occurred to officials. For park administrators, the root causes of these 'threats' include criminal intent, population growth and a lack of understanding of conservation by local residents, as well as insufficient management capacity for responding to the challenges to authority. A recent Tanzania National Parks report cautions that

there is also an even more relentless threat, and that is the growth in the number of people inhabiting villages on the periphery of the national parks

One solution is to

educate the masses of people in surrounding villages, to teach them that wildlife has an important part to play in the national heritage.^[43]

If park management were able to solidify its position, for example, by clearly marking its boundaries, then

The present conflicts, caused when people enter the park for grazing or other illegal activities on the pretext of either not knowing the boundary or denying the passage of boundary lines because there are no clear markings, will be alleviated.^[44]

42 Minutes of Nasula Kitongoji Committee Meeting, June 1989.

43 Tanzania National Parks Annual Report 1985/86.

44 Arusha National Park Master Plan, produced by the College of African Wildlife Management Diploma Class, 1980.

If the above passages imply that authorities view local residents with a mixture of suspicion and frustration, then the reports from the field confirm these sentiments. As revealed by the park reports, one need only to step over the boundary line to be transformed into a 'poacher.'

Another poacher was arrested at the same area for entering the park without permission.[45]

Lack of sympathy for the park's management problems is interpreted as a sign of guilt.

This silence by the village leaders has led us to think that they are cooperating with poachers.[46]

According to officials, the villagers' unwillingness to cooperate boils down to the fact that 'few people are aware of the national park's importance.'[47] The obvious solution is to help them see the light.

At this time action taken to reduce poaching was to visit and educate the ten cell leaders on the importance of conserving the environment by preventing livestock from getting in the park and destroying it.[48]

What conservation officials recognize as a lack of awareness and education can, for the purposes of understanding the source of social conflict, more profitably be viewed as a competing interpretation of the situation. For example, villagers have their own strongly held and readily expressed legal theories which counter those of the state. One resident described an encounter with park rangers over his killing of a bush pig (*Potamochoerus porcus*) on the park boundary. The rangers told him to carry the head of the animal to the police station as evidence, but he refused unless they in turn carried the maize that the pig had been eating as evidence of the 'real crime.' The rangers took him to the ten cell leader and then the village chairman, both of whom sided with the 'poacher.' The rangers eventually aborted the arrest. Another resident, a ten cell leader, was adamant that the park had no legal authority to prohibit access to the right-of-way through the park and provided an elaborate description of the proper procedures they would have to follow in order to do so.

Locals also reject their state-imposed roles as scapegoats for all of the poaching in the park, particularly of rhinos (*Diceros bicornis*). One villager made the compelling observation that before the park took over, rhinos were abundant.

Before the park started we used to graze our cattle with rhino. Then when

45 Monthly Report of the Arusha National Park Warden, July, 1974.

46 Monthly Report of the Arusha National Park Warden, August, 1980.

47 Monthly Report of the Arusha National Park Warden, January, 1975.

48 Monthly Report of the Arusha National Park Warden, March, 1977.

the park was established, instead of taking care of rhinos, the rangers were the first ones to kill them. The park staff were involved in the loss of the rhinos and not the villagers. Even the park wardens who were transferred to this area were involved in poaching.

Reports from the park, to a point, concur with the villagers' interpretation, but these tend to blame the guards from the game and forestry agencies rather than park rangers.[49] The Regional Game Office, however, has attributed much of the poaching directly to members of the park staff.[50]

There is a more damning interpretation of the conflict between the villagers and the park, one which derives from their experiences with the colonial state. Often during my stay in Meru, conversation would spontaneously turn to the topic of the forced eviction from Ngare Nanyuki. The incident was a powerful force in not only shaping local political consciousness, but it catalyzed Tanzania's incipient nationalist movement as well.[51] On one occasion, while discussing the park's planned expansion with an elder, she explained, 'this is our home and we are not going to be moved again.' At this point she began to talk of their eviction from Ngare Nanyuki almost forty years earlier.

The leader of the Boers put a gate down by the edge of the forest on Trappe's boundary and another gate on the other side of Ngare Nanyuki. No Meru were allowed to pass even to go and see their families. But this man died and we are still here. Now the park wants us to move again but they will go before we do.

As one of the local teacher whose family's farm was partly taken over by the park expressed bitterly,

Do you think we have uhuru (independence)? Is this not colonialism?

Discussion: Of Crime and Custom

The ecological and economic threads that bind together the national park and local residents are woven through time, providing the conflict with an historical continuity which defies the prevailing interpretation of illegal resource use on Mt Meru. Through British and independent rule and through three generations of Meru, this continuity is expressed in the professional reports on the problem and in the reaction of residents to state laws governing the use of

49 For example, remarks concerning the suspicion of game scouts and forest guards are found in the Monthly Report of the Arusha National Park Warden, May, 1978 and April, 1983.

50 Janes Thorsell, 'Evaluating effective management in protected areas: an application to Arusha National Park, Tanzania', Paper presented at the World National Parks Congress, Bali Indonesia, 18-20 October, 1982.

51 From Julius Nyerere's Forward to K. Japhet and E. Seaton, The Meru Land Case (Nairobi, 1967).

the commons. Exasperated by their failure to halt grazing in the Meru Forest Reserve, colonial foresters placed the blame at the feet of local authorities.

It would seem reasonable to suppose that the reluctance shown by the Native Court, which is in sympathy with the offenders, to take action has had some effect in the great increase in this form of offence.[52]

Over half a century later, there is a revealing similarity in the report of the Arusha National Park staff, who complained that

the cooperation with the villagers is not so good because when poaching activities are reported to the village leaders, they promise to deal with them but as a result nothing is being done.[53]

Population pressure on the mountain has exacerbated the conflict over resources, but it doesn't explain the historic lack of support for conservation laws among local authorities. If population pressure is the engine driving the conflict, how does one account for the persistent violations of conservation laws reaching back in time when populations were smaller and much of the area around the current park was unsettled bush?

Wildlife protection, or any conservation policy, is a political endeavor, producing winners and losers. An understanding of why a particular conservation policy is resisted, then, can be pursued by posing the question, who loses and who gains?[54] There's no question that local residents have lost access to a range of material benefits that have yet to be replaced by alternative sources. Beginning with German rule, state conservation policy has initiated a restructuring of resource tenure which not only redefines acceptable resource use, it redirects the benefits from utilization away from the local community. Those in positions of authority within the conservation sector do not merely fail to recognize the importance of this redistribution to the current conflict, they have sometimes gone out of their way to deny that it has occurred.

The parks, by and large, consist of land which is of little use to human habitation—that is the reason why it has been possible to make them National Parks with minimum disturbance to existing rights.[55]

Hence, within the official version of history, efforts to restore customary rights can never be more than acts of theft or trespass, void of political meaning.

Why is it necessary for the state to outlaw customary rights? This brings

52 Conservator of Forests to Chief Secretary 19/11/28, TNA Secretariat File H-12913.

53 Arusha National Park Warden Monthly Report, August, 1980.

54 Piers Blaikie, *The Political Economy of Soil Erosion* (London, 1985).

55 From the Forward to TANAPA Annual Report 1967/68, by Tanzania National Parks Board of Trustees Chairman.

us to the second part of the question, who gains? Customary rights to game and products of the forest have been under attack by the state for centuries, in countries all over the world. Marxist social historians,[56] have grappled with question of not only why customary rights are criminalized, but why in a particular time and place. Incredibly harsh game laws which restricted hunting to landed classes and closed the commons appeared in England simultaneous with the growth of a new class of merchants and financiers.[57] They came to the rural areas as investors, bringing with them a disregard for the customary rights which stood in the way of the profit to be made from timber and game. They used their political power to outlaw customary use of the commons and those trying to maintain access were tried as criminals. In a similar vein, Linebaugh has argued that the introduction in the 1840s of laws curtailing customary rights in the forests of Germany resulted from the fact that these rights inhibited capitalist accumulation.[58]

In Tanzania, wildlife, first through the attraction of hunting and later game viewing and photography, has long been recognized as a source of revenue.[59] Previous five-year plans for national development have projected that tourism, largely based on the attraction of the game parks, would provide the country's second largest source of foreign exchange. Because of their expected role in fueling economic growth, the administration of national parks was transferred in 1968 from the Ministry of Agriculture, Forests and Wildlife to the Ministry of Information and Tourism.[60] For the government, park tours are an exportable commodity with great potential to fuel state accumulation.[61] To this point, an official wrote of the role of parks,

One assumes this purpose is the earning of foreign exchange, in the same way that one looks upon the exports of coffee, sisal, cotton, tea or diamonds.[62]

Tourism was also one of the few sectors with very liberal rules for private investment under Nyerere's Arusha Declaration. As a result, the bulk of the

56 For example, see E.P. Thompson, *Whigs and Hunters: the Origins of the Black Act* (London, 1975) and Peter Linebaugh, 'Karl Marx, the theft of wood, and working class composition: a contribution to the current debate', *Crime and Social Justice*. Fall (1976) pp. 5-14.

57 Thompson, *Whigs and Hunters*.

58 Linebaugh, 'Karl Marx, the theft of wood, and working class composition.'

59 Kjekshus, *Ecology Control and Economic Development*. p. 79.

60 TANAPA Annual Report 1968/69.

61 At this point in the study, the questions of the distribution of benefits and the importance of tourism to state accumulation are largely undeveloped. I hope to investigate this aspect in the latter stages of my stay in Tanzania.

62 Anonymous memo concerning a 1970 study on the development of the tourist industry by Arthur D. Little, Inc., TANAPA Closed Files.

revenue from the parks accrues either in state coffers or flows out of the country to foreign investors. No formal mechanisms exist for distributing some of the profits back to the people who have suffered the greatest losses as a result of the park's establishment. Because western tastes dictate that nature is best experienced sans humans, historical uses of the commons are incompatible with their new role as tourist attractions and, hence, are outlawed.[63]

The new rules for the commons leave few options available to villagers trying to maintain customary access to resources. Any legal attempts to defend rights face awesome challenges, for they move against the grain of history. Natural resource professionals have historically rejected the validity of customary claims, and in fact have had no reason to acknowledge the rights of the local people with whom they have been competing for control.[64] When trying to sell the idea of a fee schedule for the local use of forest products in Tanzania's forest reserves, the Conservator addressed the argument

that the native has an ancient right to the products of the soil especially to the vegetable products in forest and veldt. But I fail to see in what way his claim is more valid than that of the non-native.[65]

The attitude of park proponents toward customary rights is made perfectly clear by the dismissive phrasing and selective use of quotation marks in a Tanganyika National Parks report discussing Manyara National Park.

certain local 'rights' existed in this area prior to its becoming a national park. In general, these were of minor importance and consisted of customary use.[66]

Furthermore, since much of the Arusha National Park area has for almost a century been under state control, officials assume that local rights were surrendered long ago. The Conservator of Forests once explained that the 'German's before proclaiming a Forest Reserve investigated existing rights • and generally extinguished them in a proper legal settlement paying compensation.'[67] This statement implies important assumptions about the legal procedures followed by the German government, not the least of which is the definition of 'existing rights.' For example, under German administration, proof

63 The issue is much more complicated than I make it seem here. The history of national park establishment and the subsequent removal of humans is a twisted path of scientific, aesthetic, romantic and economic arguments. There is no space to explore these aspects in this paper.

64 Louise Fortmann and John Bruce, eds., Whose Trees? Proprietary Dimensions of Forestry (Boulder, 1988), p. 107.

65 Forest Departmental Circular No. 1 of 1933. TNA Secretariat File H-21559.

66 Tanganyika National Parks Report and Accounts of the Board of Trustees 1959/ 60, (quotation marks in the original).

67 Conservator of Forests to Member for Agriculture and Natural Resources, 3/10/50, TNA Secretariate File H-2318S.

of title to land was by authenticated documents only. In practice, only those who could prove grant of land from the German administration, which grants were entered into the register, or those who had documentary evidence of grants from local chiefs or a public authority, had security of title.[68]

Under such a highly rationalized system, rights to the commons under customary law were unlikely to be recognized, let alone compensated for.

Within the social milieu of the village, legality and justice possess meanings independent of state legal codes and conservation policies. The expanding park boundaries and legislated restrictions on movement and access to essential resources are, for many villagers, the moral equivalent of colonial land alienations. After nearly 100 years of state-directed forest and wildlife protection on Mt Meru, there is almost no popular support for conservation laws. It is difficult to find a household in Momela that has not had to pay a fine for a park violation. Every person in a leadership position within the village, from church to ruling party, has been fined for grazing cattle in the park and the lamentations of successive generations of natural resource professionals indicates that the local leadership, if not directly undermining the policies is apathetic at best.

Though much of the local response to the criminalization of customary rights is characterized by individualized acts, these occur within an environment of community acquiescence, where park violations go unreported and the identities of the law-breakers are protected.[69] Theft and trespass cannot be categorized as the isolated acts of social malcontents, for they are part of a pattern of village opposition to state policies which violate local social mores. This 'sub-cultural of resistance' [70] to conservation laws which so frustrates the park's enforcement efforts is badly misunderstood as an ignorance of the value of wildlife protection. Local opposition is aimed not at conservation per se, but at the way the policies are designed and implemented, which, for the most part are contrary to villagers' interests. Despite conservation authorities claims to the contrary, residents believe that the government places the rights of animals above those of humans, and policies would seem to support this interpretation. For example, under the current policy, no one, not even government game scouts, is allowed to harm any wild animals found raiding nearby farms. The best that can be done is to somehow frighten them into returning to the park. The ramifications of this policy for community support are illustrated by a villager who explained, 'If I saw someone shoot an animal right in front of me, I wouldn't say a word. The park doesn't care about my problems, why should I care about theirs?'

68 R. W. James, *Land Tenure and Policy in Tanzania*. (Toronto, 1971) p. 14.

69 The Park staff have complained of poachers 'escaping' into the villages. For example, 'The rangers made a follow up of the other poachers who escaped in their village with the cooperation of the villagers.' (Arusha National Park Warden Monthly Report, April 1980)

70 James Scott, 'Everyday forms of peasant resistance', *Journal of Peasant Studies*. 13:2 (1985) pp. 5-35.

Sustaining Our 'Common Heritage'

Presently, the conflict on Mt Meru appears to have reached an impasse. Authorities have not won the hearts and minds of villagers, but they have made illegal resource use a much riskier proposition by greatly increasing the number rangers guarding the boundaries. Arusha National Park, however, is one of the smallest parks in East Africa and it is questionable that this park-as-fortress 'solution' has applicability to more expansive areas such as Serengeti. Most Tanzanian parks are not experiencing the same intensity of land use on their boundaries as Arusha, but population growth and the rapid conversion of land from bush to farm will no doubt bring other parks face to face with their neighbors in the near future. For park proponents to persist with a fortress mentality or to force the debates on the conflict to be framed as a choice between human rights or animal rights is to court political disaster and risk the complete elimination of some protected areas.

Many conservationists and government officials are aware of the need to move away from a confrontational position and generate political support for parks and reserves among the local populations. There are several internationally-sponsored projects in Tanzania designed to address the needs of local residents and possibly even redistribute some of the monetary benefits back to the villages. These overtures are, however, seriously flawed. They start from the position that the parks are inviolate and that villagers are intruders who do not understand the value of conservation and so must be educated. The suggested dialogue is all a one-way attempt to convince villagers of the rationality of state policies. There is little serious talk of sharing control or directly involving local government in the park planning and management decisions which affect the lives of the villagers. The greatest shortcomings of these conservation programs are that they do not recognize the validity of any customary claims and they rarely fully address the hardships to villagers which can be directly traced to conservation policies. While ~~development is reasonable and valid on a regional or global level, but not on a local level~~ **development is reasonable and valid on a regional or global level, on a local level, they are often a source of underdevelopment.** This aspect of conservation must be recognized and addressed before policies can be made locally relevant and acceptable.

At the heart of the matter is the accepted model for national parks which has now been introduced on every continent, regardless of local cultural and economic conditions. Thus you find the untenable situation in Tanzania where ninety percent of the population is directly engaged in agriculture and livestock keeping yet twenty-five percent of the land is off-limits to its use for farming, hunting or grazing. Management options are greatly constrained under park laws which restrict human habitation and movement and prohibit the removal of any plant or animal material, alive or dead. Any movement toward recognizing customary claims would likely run into strong opposition from conservationists who would view it as a major step backward. Furthermore, having done its best to stomp out customary use, it would be highly problematic for the state to attempt to reintroduce these practices on a sustainable basis. That is, when the state eliminated local rights, they also eliminated local responsibility. Nevertheless, unless local residents are made active participants in decision-making, the adversarial climate will only worsen as demands for land and resources increase, and thus threaten the success of wildlife conservation policies.

Opportunities to improve the prospects for sustaining protected areas on a more cooperative basis exist, but a major shift in thinking on the part of state officials is required. Essentially, the dialogue must be two-way, with the needs, concerns and knowledge of local residents accorded equal validity as those of state officials. On many occasions, people expressed to me the superiority of local knowledge of natural history, ecology, and illegal practices in the park, over that of the managers who are brought in from outside the region. This wealth of knowledge, which, under the current situation, is employed mostly to subvert park regulations, is an untapped resource for managing the park. The future land use and settlement around Arusha National Park is not difficult to predict. The park will soon become an ecologically isolated island surrounded by intensive cultivation and dense village settlements. To avoid the impossible management situation that will result if the current conflict continues, the state must recognize the validity of customary claims and take advantage of local knowledge by allowing residents to participate in park management as partners.

Recently, I had the opportunity to drive through the Ngorongoro Conservation Area on my way to Serengeti. We stopped at a small turn-out on the crater rim where the government had erected the 'Memorial of the Fallen Heroes' to commemorate those 'who have lost their lives in the field of wildlife conservation,'[71] referring, of course, to the rangers and wildlife biologists working within the parks. In the past ten months in the area of Momela village, two boys have been gored to death by buffalo, one while herding cattle, the other while trying to protect his family's crops. There is no 'Memorial of the Fallen Peasants,' no compensation, in fact, no official recognition at all by the park administration that the state's animals are killing villagers. The massive change in consciousness required on the part of conservationists and officials before an analogous memorial for villagers could be erected is a measure of the ideological distance that needs to be covered for the state to acknowledge who is bearing the costs of preserving the 'common heritage of Mankind.'

71 Speech by the Minister for Natural Resources and Tourism 29/1/81 reprinted in Quarterly Report for January-March, 1961, TANAPA.