

**AFRICA TWO GREAT EVILS: "SOIL EROSION AND SOUL EROSION"
PRESSURE ON CUSTOMARY INSTITUTIONS FOR COMMON PROPERTY
RESOURCES MANAGEMENT**

EAST AFRICA CASE STUDY IN REFERENCE TO THE MAASAI

Paper presented to the

VOICES FROM THE COMMONS

The Sixth Annual Common Property Conference of the
**INTERNATIONAL ASSOCIATION FOR THE STUDY
OF COMMON PROPERTY**

IN

Berkeley California, U.S.A. 5th-8th June, 1996

by

Saruni Oitesoi ole-Ngulay

Executive Secretary

Maa Pastoralists Development Organization
(Inyuat e-Maa)

Arusha, Tanzania

1. INTRODUCTION

Most Africans down play the role of disregarding natural resources management, common property resources, and a people's culture in their continent's woes.

"Instead, most of problems have been blamed disproportionately on slavery, colonialism and imperialism and an exploitative global economic system¹".

¹ Moshoeshoe, M. cf. Kenya Daily Nation, April 24th, 1996.

7/2/96
WORKSHOP IN POLITICAL THEORY
AND POLICY ANALYSIS
513 NORTH PARK
INDIANA UNIVERSITY
BLOOMINGTON, INDIANA 47403-3188

Reprint Files -- CPR

Africa has earned a well deserve reputation of resources mismanagement, incoherent policies and plans, natural resources and environmental degradation and breakdown of customary institutions which in turn created confused cultural dimensions.

"It has been pertinently stated that the two great evils from which Africa is suffering are "Soil erosion" and "Soul erosion". Concerning the former, the Maasai must incontrovertibly be classed amongst the less offenders. What is their position, in relation to the latter? If by "Soul erosion" is meant a deterioration in obedience to existing moral standards, a falling off in observance of organized religion, a lack of purpose in life then the Maasai are amongst the least affected of people²".

Fosbrooke purportedly concurs "soil erosion" to mean degradation of natural resources and environment and "Soul erosion" is equited with the breakdown of customary institutions that managed these natural resources.

This paper looks at the Maasai customary institutions in relation to the management of common property resources. The role of development intervention in the breakdown of these customary institutions and the consequences thereon on common property resources.

2.1. The Maasai Socio-political organisation

There are two issues that need to be examined in the Maasai Socio-political organisation: land tenure and customary institutions.

2.2 Land tenure

Much of the literature describing Maasai social organisation has focused on sections, clans and age-sets as the basis for describing the pattern of Maasai pastoral ecology (Saitoti, T. 1980, Homewood Rodgers, 1991, Fr. Mol, F. 1978).

Sections and localities are the two components of Maasai customary land tenure arrangements; however they have often wrongly been used to mean the same thing without, distinction (Ngulay, S.O. 1993).

² Fosbrooke, H.A. - A survey of Maasai Administrative and Age-group systems, 1948.

Maasai have four Sections, *Il-Oshon*; Greater Kisongo, Greater Purko, Greater Loita and Parakuyo. There is an additional one-Sambur; in Kenya. A section is entirely a political entity void of any ecological consideration.

A section is addressed to as *Olosho laang'*, "our people"; rather than *engop aang'*, our land. Members of a section may not necessarily understand their section's boundaries. They only do so through unity and strength exhibited in tribal rituals and institutions we see in the coming pages.

Sections some as big as the country Rwanda, by large, have been created as sphere of influence of one major customary institution of the Maasai. This distribution of both human and natural resources has been influenced by this institution rather than by the people themselves.

Within a section, there are numerous administrative units - localities. The creation of these localities is based on social and ecological consideration.

Unlike a section, a locality is referred to as *engop aang'*, "our land". On the basis of language the Maasai too, have the notion "my land"; *engop aai'*, but in a righteous and equitable way we have the tendency and practice of saying "our land". The locality as "our land", forms the basis for common property resources management. The area can be as big as 3,500 square miles and as small as 2,000 square miles, very much depending on the ecological pattern of the area. Pastoral ecosystem demands wet and dry seasons grazing. Wet season grazing has one major resource not found in the latter, and that is salt-lick; while the dry season grazing normally located in highlands, plateaus or riveriness with high or medium potentials has more pastures.

A locality rather than a section forms the basis for the Maasai common property resources management for three main reasons:-

- (1) it is ecologically viable;
- (2) has a devised land use plan - of the dry and wet seasons grazing, areas for homesteads (*ingaulele*), reserved areas for use in times of frugality (*ene e saru Ingishu*), etc. and
- (3) but very important, a locality is the essence and constituent of coherent and effective Maasai leadership.

Both sections and localities in their own being are independent and autonomous of each other. This implies that the Maasai as a community are not used with a centralised administration.

2.3. Customary Institutions Managing common property resources

The Maasai have many customary institutions unmarked by many communities. From their way of life, Maasai customary institutions permeate each other to the extent that it is not easy to isolate the role and function of one particular institution from the other.

Figure one on page 5 illustrates some of these institutions that are primarily responsible with the management of CPRs.

- The institution of "*Erramatate*":

"Erramatate" means management in Maasai. Management of what? Management of everything, from rituals to natural resources. Conflict resolutions to celebrations.

The institution of "erramatate" can therefore be defined as that which stands for the good and well being of the people, their livestock, land and natural resources.

- The institution of the "*Oloiboni*" (pl. "*Iloibonok*").

The "Oloiboni" is a community prophet. This community prophet is not political, but ceremonial and symbolic head of a section or entity. The "*Oloiboni*" has patriotic and religious duties to the community in his section. He is the unity of the people, deriving his divinity from the will of the people. Under the banner of the "*Oloiboni*" members of a section exhibit a sort of assemblage and joint possessions against those of another section (Ngulay, S.O. 1993).

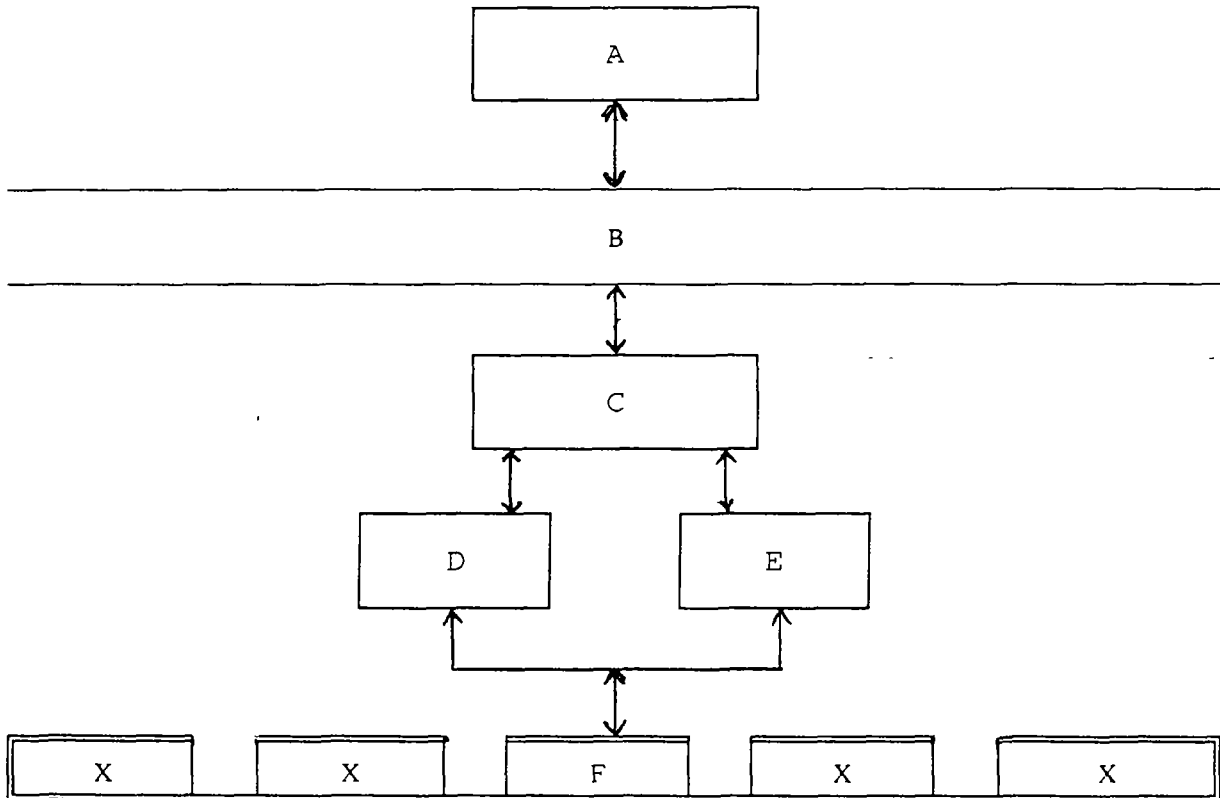
".... in general the "*Oloiboni*" may be seen as a positive institution serving real human needs (Hillman, E. 1991)".

There are two scenerios of the "*Oloiboni*": the "*Oloiboni le-Meputo*" (private practitioner), commonly found in all African cultures, and the "*Oloiboni Oputo*" (Official partitioner). Too often, the term "*Oloiboni*" has been wrongly used to mean "medicine man", "with doctor" and so forth. This application can be applied to the former and not the latter scenario of the institution.

Infact, the "*Oloiboni Oputo*" is also referred too as the "*Oloiboni Oitore Ingishu*", one controlling common property and human resources on the will of the people. This institution controls a unit comprising as many as 200,000 people.

FIGURE ONE

Maasai Socio-Political Organisation the Case of the Maasai of Greater Kisongo



KEY.

- A: Represents the institution of the "Oloiboni" at Section Level.
- B: Sectional gatherings during "Eunoto" and "Olng'eherr" Rituals, or in time of war, during old days. It stands to be a "Supreme, Organ" or "policy maker" in a section. It comprises all "Il-Laigwanaak" their assistants, "Ingopir" and representatives of "fire stuck fathers" from all the localities in a Section.
- C: The Institution of the "Olaigwanani", his assistants "Ingopir" and/or the entire groups of elders (not necessarily Firestick fathers) from all sub-localities, "Ingutot" Unlike the Sectional gathering, this organ meets frequently, collectively as a locality or, non collectively at sub-locality. As a supreme organ of a locality it carries all management, issues, "erramatare"; in the locality.
- D: A body of elders decoupled from the entire elderhood for being guardians or sponsors of an age-group. They are commonly known as "Fire-Stuck Fathers", "Ilpayani Lo' Olpirron".
- E: Represents the Institution of warriorhood, custodian and defender of the community and their common property resources.
- X: Represents many of the numerous localities in a Section; whereas "F" stands as a model as to how one single locality functions or is represented to the rest of the community in a Section.

Sections: (1) Greater Kisongo; (2) Greater Purko; (3) Greater Loita,
 (4) Parakuyo; (5) Samburu - in Kenya.

- The institution of the "*Oloigwanani*" (pl. "*Ilaigwanaak*").

The locality is a unit of about 20,000 people under the leadership of a youth leader called the "*Olaigwanani*". The "*Olaigwanani*" is also referred to as the "*Olaigwanani Oputo*", the "Official leader", or the "*Olaigwanani Oitore Ignishu*", the one controlling natural and human resources.

The office of the "*Olaigwanani*" is not contested. To be appointed to the office, one must have an impeccable family background - he is chosen on the basis of integrity and not eloquence.

Swearing in of a person taking this office is done by elders. The ceremony involves the following chant:

"Our child lead us,
 Drop us not, hate no one,
 You should not have a distant and closer child,
 All should be equal before you,
 Be equally helpful to the old,
 the young and the poor,
 Side with elders, who are people of wisdom and peace,
 Here is the power (natural and human resources) that we bestow on you
 and entrust to you,
 Everyone and everything will now depend on you".

The locality being the centre for Maasai Management of CPRs, the "*Olaigwanani*" becomes a crucial customary institution for management of these resources. His responsibilities are:-

- ▶ a linkage between elders, the "*Oloiboni*"; warriors and the entire community in the locality.
- ▶ leader of a community delegation to the *Oloiboni* to bring the good and well being to the community and their natural resources;
- ▶ A linkage between his community and the larger Maasai community in the Section;
- ▶ ceremonial leader during rites of passage for his age-mates;
- ▶ appoints his assistants - "*Ingopir*" (sl. *Engopiro*) at sub-localities, which are units comprising about 5,000 people;

- ▶ organises meetings to ensure the well-being of the locality - "*erramatare*".

- The Institution of "*Olmoraani*" Warriorhood:

If community common property resources, e.g. pastures or individual resources e.g. livestock, are invaded the institution of warriorhood is employed to chase away the invaders or to recover cattle that have been taken away.

Warriors, young circumcised male youth, act as custodians of society and their possessions.

- The Institution of "*Olamal*":

"*Olamal*" is a deputation or commission that goes around in the locality to mobilise people and resources for a particular objective. It is also a delegation that goes beyond the locality to meet other Maasai social groups in part "B" of Figure One or the "*Oloiboni*" at any desired and decided period of time to bring benevolence to its own social group.

This institution seen to be holier and therefore respected is normally for male youth under the leadership of "*Olaigwanani*" and "Fire-stick fathers". Also, there is one for women; "*Olamal lo Ilmorran*" and "*Olamal lo Indomonok*" respectively.

- The institutions of "*Eunoto*" and "*Olng'eherr*:"

The two institutions involve rituals celebrated at Sectional level at Part "B" (see figure One); approximately in every 10 years. Apart from Greater Kisongo and Il-Parakuyo Sections, these rituals are celebrated at locality levels in other sections.

"*Eunoto*" and "*Olng'eherr*" rituals are analogous to Christian "confirmation" and "ordination to priesthood" respectively. It takes more than 3 months to prepare and celebrate each of them at Part "B", before they are shifted to Part "F" for the same reasons.

These rituals held every ten years from one ritual to another and once for every age-group, constitute one of the community common property resources management institutions: First, because they are the section "policy makers" or "supreme organs", and secondly since they involve "Fire-stick fathers", do guide the society along the path of right order and truth: "perpetuate common attitudes and concepts".

The shortfall in these ritual for effective management mechanism is the longevity they take before they are performed. The period between the rituals may be seen as a period of leadership vacuum within the community, and a lot against community interest may take place during this period of time.

- The Institution of "Il-Payiani; Elderhood"

Maasai society functioned without a normal political structure that included a paramount chief, common to other tribes in East Africa. Instead the Maasai are governed by a council comprising elders of different generations.

"The venerable elders, *"il-payiani kituaak"*; are gentlemen of the most senior age-groups, *"ilajjik"*. These elders - currently of the age-groups called *"Iltareto"*, *"Ilderito"*; *"Inyangusi"*, *"Ilseuri"* are considered to be much wiser and holier than most of today's younger Maasai.

The essential social function of these elders is to discern the right order of things, and to guide their society along the path of right order and truth: "to seek the right order, *"aing'oru enkitoo"*. This is done by looking back at how things were, in relation to how things are now, and how they should be. This is not done by individuals in isolation; it is a collective exercise involving much discussion, while reaching for consensus. The elders thus function as the protectors of the traditional culture which has enabled the people not only to survive but to become what they have been in the best of times, to establish what they should be now, and to promote what they should become in the future (Hillman, E. 1991).

The institution of elderhood, therefore, oversees the work done by the aforesaid institutions by giving guidance. It is the most effective institution for conflict resolutions.

The institution of elderhood has two scenarios - active elders commonly known as "Five-stick fathers; *"Il-payiani lo Olprron"*; who are active sponsoring an age-group for a period of about 20 years before an age-group becomes a generation. The other scenerior is that of retired elders having sponsored their generation next of kin. Participation of these retired elders in public life is minimal, and only when they are called for to intervene in a particular issue.

- The Institution of *Engigwana*" (pl. "*Ingigwanaal*)

All the above customary institutions are conducted through "meetings" where the community meet, talk and discuss before reaching a consensus. Such meetings, "*Ingigwanaat*," are conducted by looking back at how things were, in relation to how things are now, and how they should be.

- Maasai socio-political organisation as illustrated in Figure one underlines two things. First, is the pervasive quality of leadership. The "First-Stick Fathers; the *Oloigwanani* and the *Oloiboni* are all a core of leadership which is very inspirational to the warriors who they lead through different rites of passage. Secondly, it underlines specific doctrines and practices that are unifying concepts in the people's belief. The age-grade, for example, is a fulfilment of "humanism" and "wholeness". Through alternating age-grade system, "Fire-Stick Fathers" give vitality and continuity to the incoming young generations. There is a lot of celebration at "X" and "B" (see figure one), of that held and possessed or experienced to confirm and contribute "wholeness" (Ngulay, S.O. 1993).

3.1. Pressure on Customary Institutions

During the last more than 30 years, welfare and production programmes have neglected pastoral economy. Placed on the periphery of political, economic and social decisions, pastoralists have been made bankrupt of any concept or vision. In fact, this people have been robbed of their leadership, land, management systems, which in turn led to natural resources depletion, and other possessions valuable for sustainable pastoral livelihood.

The attributes of pressure on customary institutions is a widespread ramification of issues involving both external and internal forces:

3.2. External forces on customary institutions

- Power and influences:

"We took the land we occupied simply because it was a no mans' land or by the power of the spear. When the white man came he took it from us by the power of then pen and gun. (Maasai elder speaking of the alienated land in north and west Kilimanjaro in a Inyuat e-Maa organized Workshop on sustainable development in *En'twimiet* locality, February 1996)".

With the advent of colonialism, European settler land speculators came along. Not only that these settlers had physical and economic power, and moreover vision, than the native peoples but had also a government's backing and influence, as illustrated below by Sir Charles Eliot, the then Kenya Colonial Commissioner 1990-1904.

"There can be no doubt that the Maasai and many other tribes must go under. It is a prospect I view with a clear conscience(Maasaidom) is a beastly, bloody system founded on raiding and immorality".

A hundred years hence, policy makers, planners, who hold power and influence in our present independent governments see pastoral common property resources (Maasaidom) not only as outdated but a non viable mode of economy:

"The Tanzania government and some donors have been very supportive to increase cultivation in the pastoral rangelands of the Arusha region. The rationale for this is easy. Agriculture is seen to be more directly beneficial to the economy and more capable for sustaining human population than pastoralism. It is believed in official circles that "in favourable" environments the yield per unit of land from agriculture is generally ten times that from livestock. Such production can be an important component in providing for the needs of growing populations (District Executive Officer, Monduli - "Present development status and strategies for rural Development", cf. Kituyi, M. 1992)".

Creation of national governments has raised the question as who exercise power and influence on communities? From the above, it becomes obvious it is government and, government has thus marginalized customary institutions from the political and economic decisions. This gets exacerbated ~~this gets exacerbated~~ by population pressure, resettlement schemes and need for new opportunities when government encroach on common property resources and subject their immediate users to pay the price for social, economic and political decisions made by others and for the benefit of others.

- Legal and administrative changes

Legal and administrative changes can be looked at in two areas: changes in land tenure and changes in leadership; and how the two have effected Maasai socio-political organization and their management of CPRs as discussed in the past pages.

The essence of Maasai land tenure is the "Section" and the 'Locality", whereas the locality is the basis for natural resources management. Under government land tenure arrangements, the Village (in Tanzania) and a Group Ranch (in Kenya), are the basis for land tenure. A village or a Group Ranch constitute what the Maasai would term - "a sub-locality", which is indispensable part of a locality both socially and ecologically for CPRs management.

The Maasai leadership of the locality is the "*Olaigwanani*" with other overlapping institutions working together on Consensus. Government on the other hand, does not operate on locality basis, sometimes, it does accidentally, but for most part of it overlaps the localities, where in Tanzania the leadership is under a Ward Executive Officer (WEO). Instead, governments at the Village and Group Ranch have a Village Executive Officer (VEO) and a Chief in Tanzania and Kenya respectively.

Under this government arrangement not only that customary land tenure arrangements have been neglected but also customary institutions managing affairs of the community have been neutralized.

The institution of the "*Olaigwanani*", for instance, has been made a desolate one. It has been deprived of its area of jurisdiction while sub-localities that were once answerable to him operate independently, and worse still, more accountable to the government.

"Under the current village set up Village Assemblies present an important organ for establishing "customary" (not meaning traditional but accepted community practice) rules regulating internal management of resources and land allocation and administration. In practice, however, Village Assemblies have been disempowered in matters of concern to their livelihoods. Village councils have felt more accountable to District, Regional and National Authorities rather than villagers (Ndonde, M.V. 1996".

- Education and Christianity

Others, like Fr. Donovan, V.J. says that: in the early years, the church acted as the source of education "education is Christianity and Christianity is education".

Education, admittedly, is a gate way to new horizons. Not only that education is important, but, a must to the Maasai, for their survival. Education infuses and equips one with the knowledge and ability to

understand and to function within the world in which ones lives. Literacy, the ability to read and write, improves communication between peoples and between communities. A literate person is more able to express himself and find a place in the fabric of national life.

But the worry is that the kind of education the educated members of the community have has alienated them from the community rituals, institutions and management systems; clearly creating the extreme of, on the one hand, an illiterate community going down hill in history, and on the other hand educated individuals looking and working for their own advancements.

The church, though has become more development oriented, for the greater part has not accommodated Maasai cultural aspirations. It has, instead, tried to convert people to what it would like them to be. A Catholic Missionary working amongst the Maasai once noted that. "Evangelization is process of bringing the gospel to people where they are, not where you would like them to be".

But what do we witness done by Christian Churches to our community? It has been a ridicule and criticism of many. The church would like to see an end to our customary institutions and tribal rituals which are our unity strength and bonds. To the church these customary institutions and tribal rituals are outdated and full of witches and therefore go against christian practices.

In my opinion, the economic, social and moral coup-degrace is currently being delivered to the Maasai through reacquiesce of the notion that western formal education and christianity are the perquisites of Maasai development. In the opinion of many, educated christin members of the community have of late became great collaborators with outsiders to alienated community land.

Whereas education has brought about new thinking and ideas on land holding amongst the educated members of the community, christianity is all out to neutralize our customary institutions. The venerable elders, for instance will soon be replaced as priests of the community by church priests. So, this will be the case with many other institutions that are in conflict with the church.

- Lack of meetings - "Ingigwanaat"

In the past pages we came across the above institution which regulates the way different customary institutions do function and get a consensus.

Problems in the past were being identified and given solutions through regular customary meetings "Ingigwanaat". Such meetings "enabled the community not only to ~~serve~~ but to become what they have been in the best of times, to establish what they should be now, and to promote what they should become in the future.

Survive

"The centralized reform of 1972 together with the Village Act of 1975 created villages with substantially powerful village governments (Kituyi, M. 1992)". This in turn, led to the neutralization or negation of the institution of "Ingigwanaat" Village governments took over management of communities thereby subjecting them to objects of state power, patronage, in problems identification and solutions.

3.3. Internal forces for customary institutions

External forces exerting pressure on customary institutions of the Maasai cannot be put in isolation without internal forces as well. Within the community such forces can be seen as:

- High illiteracy rate

There is a very high illiteracy rate amongst the community, to almost entirely depriving the community of communication links with the outside world.

A literate person is more able to express himself and find a place in the fabric of national life. By gaining deeper insight into major global issues and understanding values of different civilizations, a literate person is not only more capable of making informed decisions concerning his own life, but also becomes a more valuable tool in the betterment of the world.

Maasai customary institutions are 100% under the pressure of illiteracy and lack the dynamism to advance themselves through the modern world.

Given the traditional Maasai understanding of CPRs and their lack of sophistication regarding modern land laws most of these customary institutions are highly vulnerable to the wiles of exploiters, manipulators and speculators seeking in diverse ways to grab their land and corrupt or pollute their institutions.

The Maasai have maintained reluctance to acquiesce to formal education, indeed, to their customary leadership, in particular.

"Education, in many instances, has come to mean self-isolation from the community and tribal life, customs, traditions and beliefs. There have been a tendency towards alignment with the West (Christianity) and the Middle East (Islam). Education has come to mean separation from the roots of culture: from liturgy (way of doing things, including rituals and ceremonies); from traditional art (oral literature, traditional music, and other forms of artistic expression); language and more importantly, from community common attitudes and concepts. Education amongst the Maasai, therefore, including appropriateness of content and approach needs to be re-addressed in order to woo customary institutions to accept it (First Maasai Conference on Culture and Development, 1991)".

- Lack of vision and strategy

In discerning their cultural submission, nowadays the Maasai are evidently acknowledging losing their grip on their culture and destiny: "We do not know of what we do. Just following others"; is what they concede.

"The way in which the Maasai culture is rapidly deteriorating is both distressing and of much concern, not only to the Maasai people but also to others concerned with sustainance of natural evolution of the Maasai (Ngulay, S.O. 1991)".

In many of the meetings and workshops, the community organization - Inyuat -e-Maa; has hold with different social groups - the most crucial need of the community has been - "show us how to develop without compromising our culture and our way of life".

From the above, it is obviously instructive the community has lacked vision and strategy to advance itself. It has not means at its disposal to increase skill and capacity, to attain greater freedom, creativity, self-discipline, responsibility and material well being.

4. CONCLUSION

"Those of us that are better off should help to develop the capacity of the poor for self-advancement..... we should teach them how to fish, not just to give them fish (Tanzanian President Mkapa, May, 1996)".

The future of CPRs is in the hands of communities very much depending on whether or not such rural poor and marginal communities are empowered to take the future in their own hands. Empowerment of communities has been distortingly interpreted to mean providing water, a health centre, veterinary service, etc. to reaffirm what Tanzanian President Mkapa says "giving fish".

Community empowerment which welfare and production programmes should insist on, is to teach communities "how to fish". Communities need to be helped to get organized within their own cultural and environmental settings. This could enable them develop own-directed increased skill and capacity, greater freedom, creativity, self-discipline, responsibility and material well-being.

Maasai CPRs are viable and can go to scale. What needs to be done is to recreate their customary land tenure and institutions governing them and to give such institutions institutional development to govern their own development process.

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