

## *LAND JUSTICE AND HISTORY IN AMBOSELI*

*This paper was presented to the Olkijiado County Council, Kajiado, Kenya, on August 2006 in response to a request for information about how the Maasai community lost control of the land that is now Amboseli National Park.<sup>1</sup>*

In 2005, Kenyan President Mwai Kibaki declared his intention to reverse the status of Amboseli from its current status as a National Park back to that of a Game Reserve, which would allow for shared management and control with the land's historical steward, the Maasai people. Since the international conservation movement has expressed broad commitment in recent years to an approach to conservation that involves local communities, one might have expected conservationists around the globe to celebrate the act and pool their resources to have helped bring this opportunity to fruition. However, under the leadership of the African Conservation Center (ACC) and the Born Free Foundation, conservation NGOs filed suit in Kenyan federal court to stop the transfer of the park to the Olkajiado County Council, and to that end raised millions of U.S. dollars for the ensuing court and public relations battle. This paper responds to a request by Maasai community leadership in Amboseli to reconstruct the history of the transfer of the then community managed land in the 1970s to inform their response to the opposition of conservationists.<sup>2</sup>

The history of conservation in Kenya is the product of a continuous series of alliances between the Kenyan government—colonial and post-colonial, the international NGO community, and the private tourist and hunting industries, which stems from a shared interest in profiting from the resources of rural areas, particularly those within Maasailand. The main

strategy employed through the 20<sup>th</sup> century by this alliance has been the establishment of national parks that exclude Indigenous people from the benefits of tourism. National parks have been a critical tool because they ensured that Indigenous land remained accessible to outsiders through the establishment of Kenyan statehood in 1963.

Immediately following the British assumption of Kenya in 1895, the Crown recognized the land that would become Amboseli Park as a richly diverse area with boundless potential to generate revenue for the colony and to satisfy the safari and hunting fantasies of the European and American elite. The initial agenda expressed in colonial policy was to create in Amboseli a national park to ensure its preserved status for all time. As early as 1930, conservationists like Maj. Hingston, of the Society for the Preservation of the Fauna of the Empire, were aware that they had to legally bind Kenya to a national park system because “we have no idea what kind of administration may exist in 20, 50 or 100 years time. And the loss of Amboseli, “probably the finest piece of game country in the world,” would be deeply felt.<sup>3</sup>

At this time, “conservation” was commonly understood to mean the protection of wild areas for hunting “game.” Most if not all early conservation groups active in East Africa had executive directors who were champion hunters,<sup>4</sup> and at the turn of the 20<sup>th</sup> century entire departments in the colonial administration were funded by growing sales of ivory and other animal products. The intention of the conservation movement in Britain was captured in the preamble to the 1900 Convention on International Trade in Endangered Species, where the attendees were “desirous of saving from indiscriminate slaughter, and of insuring the preservation throughout their possessions in Africa of the various forms of animal life existing in a wild state which are either useful to man or are harmless.”<sup>5</sup> As a result, the first conservation policies for British East Africa encouraged the hunting of many species. This encouragement

was not extended to the Africans of the region, who were denied legal access to their land and rifles, poisoned darts and other weaponry, and newly-necessary hunting licenses, policies that, in effect, redefined traditional subsistence hunting and livestock-protection as 'poaching.'

Kenyan colonial policy saw the existence of Maasai people in the area as a problem from the beginning; while their coexistence with wildlife had been necessary to the pre-colonial past, they did not continue to serve any useful purpose to the colony nor to conservation.

Nevertheless, Maasai communities had been guaranteed the right to that land in a 1911 treaty that forced iloshon, sections, of the Maasai them off their reserve in Laikipia, crowding them onto an expanded southern reserve. The continued presence of Maasai people and their legal right to the land, stood in the way of the creation of a park. The conditions of the agreement, originally promised in an earlier 1904 Agreement, were binding "so as long as the Masai as a race shall exist."<sup>6</sup> "Therein," lamented the author of a memorandum on game issues, "lies the rub."<sup>7</sup>

Initially, colonial policy was structured to make Maasai people politically and economically dependent to prevent them from asserting their control of the land. Maasai people were structurally excluded therefore from participation in the policies that affected their lives; like other Indigenous Kenyans, they had no right to vote, they were not represented on policy councils, and most significantly they were not included in the social development of other parts of the rest of the Colony. Through the colonial period Maasai communities lacked schools, clinics, roads, and other basic infrastructure as a result of segregated development policy. Maasai communities were typically not informed about policy decisions until after they had occurred and opportunities for recourse had been closed to them. Further they were excluded by a legal system that required literacy in English and financial resources which they lacked. The Maasai

lost their suit to overturn the 1911 treaty removals from Laikipia on a technicality: they could not write mandatory testimonies of what had occurred.<sup>8</sup>

In spite of these obstacles, Maasai communities resisted colonial authority. This was true from the moment the first Maasai herder refused to guide British explorers across Maasailand, and accounts for the fact that Maasailand was initially impenetrable to the British. An initial look at colonial records reveals that Maasai people quickly understood that they would need to use British courts and colonial administration to be heard. It also reveals how well the cards were stacked against them.

One example of resistance is the protest raised by Maasai in Kajiado to boundary changes made in the 1934 Kenya Land Commission Report. The policy was created in part to make Maasailand more productive by opening it to settlement by other ethnic groups. The resulting conflicts have led historians of East Africa to refer to this moment as one when "racialism and tribalism...became institutionalized" in Kenya.<sup>9</sup> The Report dealt with issues of land contest between European settlers and Maasai. One example was a "block of farms within the Keringet Estate" occupied "on a short term lease by Mr. Powys Cobb," which the government argued "have never been within the Masai Reserve" even though the land had been recently used for the Maasai E-Unoto ceremony.<sup>10</sup> The government repeatedly ruled in favor of Mr. Cobb and other settlers, and Maasai claims were dismissed.<sup>11</sup>

In response, Maasai communities organized against the Report. One recoverable moment of opposition is recorded in a series of letters and memorandums between 1933 and 1934 from Maasai leaders claiming that their land rights had been overruled by the Commission's report.<sup>12</sup> In a letter from October 1<sup>st</sup>, 1934, with the signatures and thumbprints of several Maasai leaders including Olgayai Nanjiru and T.H. Moitan, the men reported the theft of 1045 cattle by

government officials and 65 arrests of Maasai herders for trespassing on their own land. The letter continues with the statement,

“For the last 30 years we have been Shifted from one place to another. Now when we are just getting settled proposals are brought forwarded to shifted us again...if these pieces of land are taken away from the Masai and are given to others tribes it will means a Great hardship on the Masai.”

Statements from numerous other letters (corroborated by the internal memos between District Commissioners) show Maasai discontent around the repossession of their land to be leased to Kikuyu agriculturalists or given away to European farmers by ‘mistake.’<sup>13</sup> The colonial administrators who reviewed and infrequently responded to the letters did so with dismissal and condescension. They made offers of below-value compensation to no effect: Maasai asserted repeatedly, "we prefer land to cash."<sup>14</sup> This response was typical, as Maasai people saw the borders of the 1911 Treaty was being chipped away through bureaucratic adjustments, as ‘administrative issues’ to which Maasai had no recourse.<sup>15</sup>

The ability of Maasai to exist on the land in the region of *Empusel* (Amboseli) was jeopardized even more by a second policy development, to create national parks in Maasailand. Game Policy committees comprised of colonial authorities and conservationists were convened beginning in 1930 and no Maasai leadership was ever invited to participate, nor were they typically advised of the agendas being developed for their land. Maasai people were apparently not even present in the imagination of the participants who were told that, in the expansive Southern Reserve there were only “a certain number of wandering Masai...who would have to remain there but they would not be injurious.” That conference decided that the Maasai would not be allowed to develop the reserve for 25 years,<sup>16</sup> to give the government time to develop their plans and secure access to the land. Maasai were also excluded from the first Game Policy

Committee appointed in 1939, to recommend specifics on locating national parks. World War II prevented the Committee from completing its work but two interim reports, published by 1946, led to the designation of Amboseli National Reserve in 1948.

In the wake of World War II and the new independence movements that emerged throughout the colonized world, the conservation alliance expressed concern about the future of protected areas. A letter to the editor of the East African Standard in late 1943, "We are beginning to see cracks in the imposing structure that has been erected so quickly in a quarter of a century...Right at the foundations is the African and his land."<sup>17</sup> In 1952 the British government declared a state of emergency in response to the Mau Mau uprising; thereafter it banned all African political activity, and developed a series of land management policies and conservation strategies designed to create permanence. There were only two national parks in Africa in the early 1950s, The Krueger National Park in South Africa and the Parc Albert National in the Eastern Congo, but these held out hope for the hunting/conservation industry because they had been established on a 'permanent' basis, to survive a transition to African statehood.

Under the stress of looming independence, conservationists in Africa developed three new fronts of their agenda in Africa. The first of these was the development of new conservation NGOs, mostly based in Britain and the United States. The African Wildlife Leadership Foundation and the World Wildlife Fund were established at this moment and still remain gatekeepers for conservation funding for Africa. They consolidated power over African conservation in the hands of Western conservationists: according to Raymond Bonner, the World Wildlife Fund was running for 30 years without employing a single African, despite originating its work on the continent and even after 30 years in business, the Nairobi office of the U.S.-based

African Wildlife Foundation employed only one African of nine senior associates. In 1987 AWF director Stanley Price explained, "We're trying to run a Western type organization. It needs Western type skills."<sup>18</sup>

A second strategy was to use environmental science to justify an assertion of control over protected areas in Kenyan Maasailand. NGO mission statements and government game policies both began highlighting data predicting the imminent destruction of Maasai herding on East African landscapes. The same groups that had lobbied for hunting rights began to now call for the total preservation of game and warned of the dangers of communal land-use and desertification. A third strategy was to invest conservation in the development of a tourism industry in Maasailand, one that was expected to expand with the post-war boom. The Ker and Downey safari company was founded first to lead hunting expeditions and soon to become a tourist favorite so famous it no longer even runs advertising campaigns. The famous "Big Five" (lion, leopard, buffalo, rhino and elephant) targeted by hunters became and remains the essential check-list for travelers to Kenya and Tanzania.<sup>19</sup> Land policies began to cater to this industry and the aesthetic desires of an international clientele.

The allied interests of this new tourist industry and the conservation and environmental science communities converged on a newly identified threat to conservation: the purported "overgrazing" of Maasai cattle and its impacts on wildlife habitat. Until the 1950s, the tourist industry and colonial government saw cattle and their herders as a hindrance to the development of tourism, but only because they were considered to be 'unattractive,' disrupting the 'natural' look of the landscape. Now, cattle were seen as a destructive force on the wildlife habitat—a much more serious charge. The identification of this problem led to an important step in the

history of both the conservation and marketing of Amboseli: the creation of the first designated cattle-free zone.

Tourism had been introduced to Amboseli in the decades before 1930 with small scale safaris into the region; these had little impact on Maasai communities. Amboseli's first enterprise, Rhino Camp, was established in the Ol Tukai swamp area in 1934 by P. Gethin Esq.<sup>20</sup> In 1937, Gethin applied to build temporary grass huts for tourists on Maasailand to escape the heat, claim to have received permission from Chief Ole Mberre; the requests increased to three sleeping bandas in 1939 on the approval of Muna "a petty chief." Progress was interrupted by the war, but expansion was again granted in 1947. The Maasai hosts all insisted that the development be "temporary" construction; the colonial administrators agreed, but primarily because the national government had designs for developing the swamp area for tourism and did not want Gethin's outfit to take advantage of the opportunity first. Though still small scale in the 1950s, both the tourist industry and the Kenyan government were maneuvering to get a toe-hold into what promised to be a profitable area for development. Conflict first appeared as local authorities began to ask Maasai herders to stay clear of the camp area, and its dry season reserve grasses, because the flies and sight of the cows was said by tourists to "ruin their safari experience" and that "no one comes hundreds of miles over dry and dusty roads to see herds of cattle."<sup>21</sup> As a result of negotiations between colonial administration and Gethin, without the input of Maasai leadership, Maasai were prohibited from grazing cattle in a designated area of the swamp. By 1948, a "certain young educated moran" from Loitokitok named Lemeki protested against the Maasai exclusion from the Ol Tukai area.<sup>22</sup> He was eventually discredited for "having ulterior motive," presumably because it was believed that "he wished to get the Maasai to oppose the creation of the National Reserve."<sup>23</sup>

The demands of the tourism industry to create a pristine safari experience led conservationists to begin to see cattle in a more deleterious light. In 1955, the East African Tourist Travel Association (EATTA), Ker and Downey and the East African Hunter's Association waged a media campaign to pressure the Kenyan Government to create Amboseli Park, and their prime argument was the destructive impact of grazing. Though ostensibly about cattle, even the Provincial Commissioner of the Southern Province, said that the effort just might have been "initiated as part of a campaign to drive the Masai from the area."<sup>24</sup> Letters from American tourists began appearing in the *East African Standard* in October 1955 criticizing the government for "allowing" Maasai herders to graze on their own land. The EATTA's argument, that the "wanton destruction of the vegetation and the monopolization of water supplies" by Maasai cattle in Amboseli justified the creation of a national park, was parroted in all of the tourists' letters. A letter from Mrs. Harold Ebinger of Aurora, Illinois, just returned from safari, asked "What are you people doing to your Africa? Are you willing to lose the characteristics which make Africa unique, the only country [sic] of its kind?" Mirroring the words of other writers, she asked Kenya to site bore holes for the watering of cattle outside of the Reserve and expressed distain for "inevitable flies" caused by "thousands of head of maasai cattle," whose existence destroyed the "sight of magnificent Kilimanjaro" and "God's wild creatures in their natural habitat."<sup>25</sup> The timing of the campaign took advantage of an unusually harsh drought year and the subsequent dust. The industry convinced the governor of Kenya, E.A. Paring, to lobby on its behalf.<sup>26</sup> The success of the campaign revealed the degree to which pastoralism was losing ground to tourism. As Cowie, the Director of Parks said, "Each wild animal, whether large or small, has a very definite earning capacity measured in terms of revenue paid by tourist visitors to the colony. This can hardly be said of each Maasai cow."<sup>27</sup> The press campaign created a lot

of stress in the administration, and led to the formation of the 1956 Game Policy Committee, charged to create a permanent policy.<sup>28</sup>

An alternative view was offered in a letter to the editor written by an unnamed Maasai person, found in the Game Policy Committee files, may never have been published. The author called for understanding of Maasai people because “we, the Masai, have lived in the Ol Tukai area, for many years and it is perhaps true to say that the tribe makes some contribution towards the popularity of the Amboseli National Reserve.” He or she explained, “the Masai have their own grazing control measures which are closely related to the seasons of the year,” and emphasized that they showed good faith by cooperating with the government on the Ilkisongo grazing control scheme, even putting up 10,000 pounds of their own funds for the project. The author concluded: “the Maasai have lived happily with the (wildlife) game for many years.... I feel that authorities should consider very seriously allowing the Maasai and the game to continue living together in Ol Tukai area, provided there are resources to safeguard the interests of both.”

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These observations that cattle destroyed habitat were interpreted through, and supported by, new scientific research which drew on a dawning awareness in the West that cattle grazing had decimated ecosystems, especially in the U.S. southwest where cattle had been introduced only a century before and had a very different impact on the land than in East Africa where pastoralism had been a resilient practice for thousands of years. But the findings about herding in the West were universalized to apply to all pastoral societies, and also influenced by Western ideology, especially the belief known as “the tragedy of the commons,” that unless reigned in by systems of private property, the greed in human nature will inevitably lead to the overuse and depletion of communally owned land. Scholars quickly projected this new thought onto the East

African savannahs and, in particular, targeted the pastoral lifestyle of the Maasai as inherently destructive. Though this scholarship has been challenged in recent years, as will be discussed below, in the 1950s, these ideas came to be incorporated into land management in Kenya.

In response to the demands of the tourism industry, supported by the 'evidence' about the negative effects of grazing, and with no court or other legal authority about to get in their way, policy makers and bureaucrats set out to wrestle the land that would become Amboseli Park away from Maasai control. Maasai rights under the 1911 treaty had been rearticulated in the 1938 Native Lands Trust Ordinance, which said of Maasai reserves, "unless the Treaties are to be deliberately broken, any alteration in status must be with the agreement of the Masai themselves."<sup>30</sup> However, in their confidential memos, administrators questioned the validity of that treaty. Because the Masai Native Reserve was created after the 1900 establishment of the Game Reserve on the same land, "there was, thus, an eleven year old game servitude on the land, at the time the masai agreed to accept the area offered."<sup>31</sup> They began to suggest that the common good of the colony should be valued against the disadvantage it might entail to "a portion of the community," assuming that the determination of land rights lay with their discretion.<sup>32</sup> Having justified severing the land from the treaty, they turned their attention to the question of what would be fair compensation for the land. Initially, administrators assumed that "there could be no question of converting Amboseli National Reserve into a park unless an area of equal value to the Masai was added to the Native Land Unit," and that water would also have to be provided.<sup>33</sup> But the argument that only equal land could fairly compensate was quickly eroded, especially by the refusal of Royal Parks Director Cowie to consider the option. Cowie advocated paying Maasai in Amboseli "a reasonable rent" as in "any landlord and tenant arrangement." In the same breath, however, he took the next step, to suggesting that only water

need be provided. He said: "I admit that money has little attraction for the Maasai, but if wisely converted into the facilities they most require, it would have a greater meaning, and they in turn would retain a share in one of the colony's greatest assets."<sup>34</sup>

The 1956 Game Policy Committee embedded this new language of "compensation" rather than "rights" into all future policy. Their interim report gave lip service to treaty rights, but proposed that a Game Reserve be carved out of Maasailand and, in exchange, the government would "provide alternative water" to the swamp and to "enforce the use by Masai cattle of this alternative water supply only..."<sup>35</sup> The Committee hired a geological survey to be done on Amboseli to determine where the boreholes needed to be drilled. Regarding the water plan, the government acknowledged that the "agreement and willing cooperation of the masai...was neither forthcoming nor expected."<sup>36</sup>

Throughout this process—of debate about rights and compensation—Maasai communities in Amboseli were not informed about the plans being developed for their land. In June of 1956, with the Committee on the verge of releasing its interim report, the District Commissioner from Kajiado requested that it "not be published till after the results of the water survey have been discussed. I consider it of vital importance that before anything appears in the press the Masai are informed of the position by us. I do not consider it wise to tell them the long term proposal..." The Committee did consider briefly whether Maasai communities should be required to pay for this alternative water, however, but the idea was rejected because, according to the Commissioner, in a rare moment of candor, "after all, the water is available and has been used free for years and I do not think it right to ask them to subscribe to a scheme which is primarily designed to keep the dust out of the visiting publics' hair."<sup>37</sup> A month later, still kept in the dark, Maasai people were "definitely worried" at seeing surveying for water levels done in

their land without explanation. The Commissioner assured them that it “is only a survey” and nothing would be done to change the Laitaiyek clan’s use of the area until any plan was discussed with them. He added, however, that because of increased control to impose water and grazing routes, “they are not at all convinced by my assurances.” He gave instructions to “soft pedal the Ol Tukai drive” until the Provincial Commissioner arrived.<sup>38</sup>

The work of the 1956 Game Policy Committee is important because it established the approach to Maasai land rights in Amboseli that continued through Kenyan statehood. The Committee's work is especially key because it represents a new awareness that had a sweeping rhetorical impact on park management strategies. In the Game Policy proceedings, policy makers recognized that conservation of game depended on the cooperation of Maasai communities; Maasai people and wildlife traveled through the land together and, unless the people were all to be removed and the land confiscated, no national park carved out of that land would ever be large enough to encompass migration routes and wet season habitat. Maasai community land would need to remain undeveloped to provide the primary home for the game, and Maasai people themselves would have to continue to protect that game. This fact gave Maasai communities, at least in theory, a measure of power and assurance that they had to be reckoned with. Policy makers argued that, “only through control by their own District Councils would the Masai fully appreciate that game is not only a national asset, but also of benefit to the Masai people themselves.” They were even willing to consider proposals submitted by Maasai people “designed to preserve and control game in the best interests both of themselves and of the Colony.”<sup>39</sup> This strategy, according to Game Ranger Zaphiro, who wrote a very influential report on game in Amboseli, which was critical of Maasai lifestyles, would require, “both courage and

an entirely new attitude towards the Masai and the wild life that inhabits their Reserve than has hitherto been accorded by the responsible authorities.”<sup>40</sup>

To ensure the cooperation of the Maasai, policy makers acknowledged that the communities must receive “adequate remuneration,” because the government could not “expect the Masai to agree to the preservation of wild animals which clash with their own narrow interests.”<sup>41</sup> The Game Report stated that “As the future of game will depend mainly on the attitude of the African peoples towards it, the Government recognizes that it has a prime duty and responsibility to educate the African peoples to recognize that wild animals are a unique asset and a possession most valuable to themselves and to the world at large...The Government further recognizes that a vital factor in inducing a change in the present attitude...will be to give those Africans whose livelihood is immediately affected a direct financial interest in the economic aspect of such preservation.”<sup>42</sup> In the defining of "direct financial interest" lay the seeds of an approach that would burst onto the scene in the 1980s, ostensibly as a new alternative to the colonial land and game management: community-based conservation.

Amboseli was not officially designated a national park until 1971, eight years after Kenya became independent from Great Britain, but still beholden to the international conservation movement and its influence with the Kenyan government. The Park was created through Jomo Kenyatta’s Presidential Proclamation, and within three years the national government had begun implementing a plan for development. The only widely available detailed history of this moment has, to date, been written by a single source, David Western. Western was involved with drafting the plan for Amboseli Park, beginning in 1969, and since moved on to head the Kenyan Wildlife Services and publish extensively about wildlife and Maasai culture, especially in Amboseli. Western’s history makes three points about the creation of the Park to which we will respond: 1)

Amboseli was created to conserve wildlife, threatened by overpopulation and grazing of Maasai communities; 2) those communities expressed deep antipathy to wildlife and conflict was rife; and 3) the Amboseli Reserve was ineptly managed by the Olkajiado County Council (OCC), the local representative Maasai authority, and the park revenues not shared with communities during the years of OCC management of the Reserve and then the Park.

Policy makers and conservationists saw overgrazing to be an urgent threat to wildlife habitat in Amboseli and the only solution to be an immediate reduction in Maasai cattle. But that perception is not shared by Maasai Elders who live in surrounding communities. These men were not privy to the academic articles written that defined their grazing techniques in the 1960s and 70s to be destructive.<sup>43</sup> Additionally, they have not had access to the more recent scholarship that challenges the earlier work.<sup>44</sup> Their knowledge of grazing is derived through a different science, one that is only very recently being brought into conversation with western scientific techniques to the benefit of both. This scholarship, exemplified in the work of Jim Igoe, draws on the expertise of Maasai herders. Igoe says that western science, which "views grazing from the eyes of a different landscape and culture" has "inserted the idea into the minds of people around the globe that all grazing is negative." But he continues, in Maasailand, grazing has worked "for hundreds of years and has never stopped working."<sup>45</sup> Maasai elders recognize that land becomes overgrazed when too many livestock are congested onto too little land, such as occurred following the removal of all of the Maa nation to dry southern Masai Reserve after 1911. But they also know the strategies that Maasai science has employed for hundreds of years to deal with such conditions of overgrazing which could be employed were the community able to access the water removed from their use by the national park. Amboseli contains swamps that are a precious drought reserve set aside until conditions of extreme drought, typically every

seven years, and herders from as far as 100 miles away can converge those watered areas to survive together. During the cyclical droughts many cattle are expected to die, but if livestock numbers are healthy most herds will recover within five years. When herders are denied access to drought reserves, it is not unusual for individuals to lose all of their livestock in a single drought resulting in extreme hardship for those families.<sup>46</sup>

Maasailand is not governed by 'the Tragedy of Commons' because Maasai culture is not alienated from either the land or the livestock. Maasai science of grazing is a collaboration between people and cows, a relationship reduced by Western observers mercantile, in cows equal "wealth." As a game ranger said in the mid-1950s: "The social importance of a Masai is judged not so much by his moral worth as by the number of cattle owned by himself and his family. The man with two or three head of cattle, in spite of himself, is considered to be something of a social failure."<sup>47</sup> But Maasai people describe a mutual dependence within a shared community. As George Ole Lupempe says, "we know the animals from when they are babies... We grow up with them, and know their moods, what they like. They are part of us as a people."<sup>48</sup> The greatest underlying cause of the 'over-grazing' problem has been government policy, which has led to the continued shrinking of Maasai land and therefore decreased options for dealing with drought. The Maasai science of grazing was particularly assaulted in the late 20<sup>th</sup> century as many of the best drought reserves were taken out of circulation, enclosed by commercial farms and national parks, which restricts herders to ever shrinking tracts of the worst pastures and leaves their resource management systems less viable.

But the problem began much earlier, especially in the midst of the massive policy drive of the 1950s when the government attempted to take control of grazing in Maasailand. In 1955 the Ilkisongo grazing scheme was initiated in Amboseli by the Kenyan government to control

use of water points by Maasai cattle at the Ol Tukai swamps, the same area that was drawing more tourists and was the subject of the media campaign. The scheme required Maasai communities to limit their stock. The Matapatu and Loitokitok sections of Kajiado District were targeted: Loitokitok were required under to plan to limit resident stock living within the Amboseli forest belt to 7,000 stock units, a reduction of 2,000 units from the previous year, in exchange for a promise of water to be provided outside of the area. Maasai people expressed a great deal of nervousness about this scheme for two reasons. First, they feared that the scheme was only an opening wedge, and "...that at some later date they may be excluded completely from the forest belt which will be become in effect a small National Park." Second, they feared that the government would not stop with stock reduction and might force them to move out of the swamp altogether and accept alternative water supplies, which they felt would have no advantage. The Maasai communities' greatest fear was that they would be shut out of their original water source in times of extreme droughts. At a *baraza* held by the governor of Kenya to address concerns, Chief Kisimir said: "We realize that Ol Tukai brings wealth to the whole of Kenya by reason of the wild animals here which attract visitors from many distant lands. But we would ask that the interest of the human population of areas should not be forgotten or put second to those of the animals."<sup>49</sup>

The prioritization of wildlife over Maasai people, however, was by this time apparent. In the mid-1950s, in response to fears of a government take-over of Amboseli, Maasai people allowed the overpopulation of stock and concentration of cattle, defying their conservation practices to hold onto the land. Exasperated, they began "'to swell their numbers" in Amboseli. According to David Smith, a park ranger, "In August 1957 the situation was becoming desperate. More cattle than ever were in the area and the dry season was only just beginning. The Maasai

were already losing many cattle daily through lack of grazing. They [Maasai] knew there were too many cattle in the area for their grazing to sustain the numbers, but they kept them there in order to reinforce their claim over the area."<sup>50</sup> Government policy also prevented traditional strategies like burning pastureland, which ironically led an increase of the dreaded flies. Maasai had periodically burned pasture for two reasons: to destroy scrub bushes that host tsetse flies and to encourage new growth of particularly nutritious grasses. The flies carry deadly diseases and burning kept the rate of infection down among humans, wildlife, and cattle. Additionally, the new grasses that result from burning are favored by wildlife as well as livestock. "One study of Maasai ecology argues that, by forbidding controlled burning regimes, national parks encouraged the growth of grass species that are less palatable and nutritious for grazing wildlife."<sup>51</sup> Much like the issue of grazing, the practice of burning alarmed colonial and western conservationists because of isolated incidents when fires burned out of control destroying wildlife habitat.

Maasai grazing strategies in the region prove to be extremely flexible and responsive to change, eased by the co-evolution of cattle and the landscape over millennia. But the Amboseli Park was created by entities outside of this ecological relationship during a momentary awareness of an imbalance, which stemmed from many factors including drought, treatment and prevention of disease, and especially the repeated removal and relocation of Maasai people from their traditional lands. These fluctuations, of population increases and decreases and changing water sources, were not unknown to the Maasai—they had been encountered and dealt with throughout history. The long-term perspective is not romantic- it involves painful deaths, loss of security, and periodic conflicts with wildlife. However, the colonial/conservation perceptions of these changes as problematic and the panic to find immediate solutions eclipsed the opportunity for Maasai communities to apply the traditional strategies that have ensured survival over

centuries. The urgency felt by U.S. and European conservationists was rooted in their own experience of rapid environmental destruction, compounded by cultural ideologies that prevented them from imagining that people can share communal resources without exhausting them.

A second controversial argument, widely shared at the time, is that human wildlife conflict increased in Amboseli and had to be resolved; land scarcity and other stressors led Maasai people to destroy wildlife, especially by spearing rhino, as they vented their rage at the government. That conflict between Maasai people and wildlife has existed at times is seconded by Maasai sources, who nonetheless give a different perspective on the timing of the conflict and the root causes. A main point of disagreement is David Western's claim that Maasai culture historically tolerated wildebeests, zebras and other wildlife because they used them as "second cattle" in times of drought, implying that the famous ability of the Maasai to co-exist with wildlife was primarily a means of storing food for hard times. Maasai people that we speak to passionately insist that the "second cattle" theory has no basis in their culture. They argue that if they did eat wildlife it would, in times of severe drought or disease, have disappeared from Maasailand as it did in many areas of Kenya. During extreme droughts Maasai face devastating livestock losses but no instances of Maasai hunting the wildlife. Elders interviewed in the Olgulului/Olalarrashi group ranch insisted that communities lived peacefully with wildlife before the creation of the park, a relationship that enabled long-term diversity within the ecosystem.

Maasai and wildlife coexist by negotiating access to shared and limited resources. The reality of living amongst wildlife, many of which can pose a physical threat, is not without conflict. With scarcity of natural resources arises competition, and some Maasai will spear an elephant to protect cattle or themselves from harm. The western romanticizing of East Africa's large mammals contributes largely to the knee-jerk moral scrutiny Maasai communities face

from outside parties whenever wildlife is killed. Ironically, it is the backlash to the romanticizing of Indigenous peoples that can prevent westerners from seeing the complexity of this relationship- a missed opportunity to appreciate a different perspective on humanity's place with the natural world. Wildlife is not a commodity or a fantasy for the Maasai who live with them; elephants, buffalo, and rhino are respected and sometimes aggressive neighbors. Maasai have a laudable ability to negotiate fence-free herding amongst predatory wildlife in the Serengeti. Over-simplifying the relationship between Maasai and wildlife has caused resentment and when the government has instituted policies prioritizing the well-being of game over that of Maasai communities, wildlife has, not surprisingly, been targeted as a means of protest.

This means of protest was used most, according to Maasai communities in the Amboseli area, only after they were removed from important dry season grazing and water areas and left vulnerable to problematic wildlife, prevented by law from defending themselves. Not surprisingly, conflict increased dramatically in the late 1950s following the grazing controls in the Reserve. David Smith, a park ranger at the time, remembered that, "soon the Rangers were bringing in daily reports of animals being found dead with spear wounds...and I was constantly out investigating complaints for the herdsman of cattle being killed by marauding lions or leopards."<sup>52</sup> Over and over Elders in the area reveal that, to them, conflict was not an issue until they had been excluded from the swamps, especially during droughts, and saw tangible evidence that the government considered the wildlife to be more deserving of protection than Maasai people. Requests for government redress for lost cattle were repeatedly denied, as were human deaths. Elder Wuala Ole Parsanka expresses grief over the limited and most often non-existent compensation for families who have lost someone through an elephant attack, "Only 30,000 shillings<sup>53</sup> for the death of a human being. It's embarrassing. You cannot buy a human being.

And if that very same animal kills someone outside the park, you get nothing."<sup>54</sup> Maasai Elders also report instances where herders have been beaten by government park workers for grazing or watering inside the park. They insist that this treatment never happened before the creation of the park, but has been going on ever since; even during the most recent drought in the Spring of 2006, three men from Olgulului-- Kemit Ole Lekatoo, Lemopo Ole Tionte, and Saitoti Ole Memiri-- were beaten by park staff. This kind of abusive and disrespectful treatment fuels Maasai anger, which is sometimes expressed through killing the wildlife in protest.<sup>55</sup>

To some of the individuals who created the park, it might have seemed that there was no difference between Maasai people spearing an elephant for killing a cow and warriors spearing a group of lions to send a message to the government. Maasai people feel differently. The type of conflict that was a part of life in Maasailand before the park kept herders and wildlife at a safe distance from each other but did not lead to the decimation of species. Logela Olol Melita, a Maasai from Olgulului, explains the complexities of this relationship,

“Why do you think there are animals here? We don’t just go out and kill them. If a lion is going to come and kill all my livestock, then we are going to go out and get rid of that lion. But these NGOs that come in and think they take care of the animals? Why is it that if someone, like a tourist, comes and they ask ‘Where are the elephants?’ We know where they are, we can bring them to the animals. We are saying that we are the ones taking care of these animals, they are on our ranch land, and we know the animals better than the people who come here. We do this even when we don’t see a benefit. These NGOs and KWS [Kenyan Wildlife Service] they are blinding us, they say ‘We employ Maasai people such and such.’ But we know it is nothing compared to what they are earning. The benefits are a lie, so maybe we should go out and kill the wildlife that is more important to the government than people.”<sup>56</sup>

Protest killings had a devastating impact on Amboseli's rhino population in the 1950s. More recently, lions have been speared in retaliation, not against the lions, but against the government; this made international press in February, 2006 when 17 lions were killed.<sup>57</sup> As their access to

legal resources and literacy remains marginal, killing wildlife may be the only means available to many Maasai people to get the government's attention. Protest killings have been effective in reminding policy makers that the tourist industry relies on Maasai good will, and so the wildlife remains vulnerable as long as other avenues of redress are not available.

David Western's history suggests that another reason for the creation of the park was that the governing body of elected Maasai representatives, the Olkajiado County Council, misused park revenues, neglecting both the management of the park and the needs of local communities. The OCC was created in 1961 and was given management authority over the Reserve for ten years, and the use of park revenues for a total of thirteen years, until the national park was created. The government's decision to grant control over Reserve revenues to the OCC resulted from policy established in the 1956 Game Committee Report which represented a new governmental approach to create financial incentive for Indigenous communities to preserve wildlife on their land necessary for tourism. This local control of park revenues was brief, but it provided a window of opportunity to establish services and infrastructure in Maasailand. The revenues gave the OCC genuine power, and it is commonly acknowledged that during this time, "the council was... a powerful political and developmental force in the area" and this power could have an impact if used wisely.<sup>58</sup>

According to David Western, this opportunity was squandered by the OCC. He has stated that the Council "ignored the concerns of local people" in rural areas and that the OCC, like county councils in Maasailand generally, used revenues "to finance development in the more populous areas of their districts." He also suggests that the OCC did not truly represent the communities in the Amboseli area, saying that Elders mistrusted the OCC as much as they did the government, as neither had looked out for their interest.<sup>59</sup> The suggestion that the OCC

mismanaged its revenue deserves a closer look, more than it will receive here. This is especially true in light of the historical tendency to quickly label the political maneuverings of Indigenous governing bodies as 'corrupt,' and to hold them to more stringent standards of behavior than those of dominant governing bodies.

Frances Alex was Chairman of the OCC from 1963 to 1979, and he oversaw the transfer of the Reserve to the Amboseli National Park. To this day, Alex argues passionately that the park was not taken away because the Council mismanaged funds. He claims that during the 1960s the Council was actively involved in many community projects and spent the revenue earned from the Amboseli Reserve on education, and to a lesser degree on health-care and roads. The records of OCC meeting minutes and other archived documents show that Council did support some community project: In 1970s, it spent 75,000KSH in section of the Kajiado District, Keek-Onyokie, building several dispensaries, two cattle dips, and supporting three schools.<sup>60</sup> Plans and spending allotments for "Adult Literacy" and "Adult Education" were drafted and discussed in meetings through 1969 to 1971. Philip Ngatia, a non-Maasai headmaster at the Lenkitem Primary School in the Amboseli explained that the OCC "funded education very heavily before the Park." He pointed to a new cinderblock school building and a generator for the school's borehole, all recently provided by the OCC "even without park money."<sup>61</sup> There is evidence that the Council built roads: In May, 1971, the District Joint Roads and Works Committee of the County Council approved construction or maintenance on 35 minor roads in the district.<sup>62</sup> Over the next year the Council spent 15,020.5LBS on these construction projects between Namanga, Loitokitok, and several nearby schools. This evidence is not conclusive, but it is enough to show that OCC was not ignoring its responsibilities to the rural communities. Even as late as April, 1974, as the council expressed concern about rumors that the government would take revenues

from the OCC, 16 boreholes were being sited and drilled with Council funds.<sup>63</sup> Council meeting minutes reflect a bustle of activity in these areas in the late 1960s through 1971, the year of the presidential proclamation and the theoretical cessation of Council's management of the Amboseli.<sup>64</sup>

Western has also argued that the council neglected its responsibilities to Amboseli, saying that "very little money was spent within the reserves" and especially that after the presidential proclamation, the council, in a "suicidal" move, "abandoned" the area, undermining any claim to continue to manage it. He supports this first claim by citing revenue and expenditure figures: in 1969, the OCC earned 2 million KSH (285,000USD) and spent only 50,000 (7,100USD) to manage the Reserve.<sup>65</sup> The Reserve management included monitoring the gate fees, of which "there was very little traffic going through at that time," and working to control poaching. Some of the Council's management represented a Maasai cultural approach. Instead of building, maintaining and monitoring the use of roads within the Reserve, the Council would close the Reserve entirely to tourists for a month or two at a time, several times a year, to allow for the regeneration of grasses. This was done, apparently, with the knowledge of the grazing cycles of cattle and wildlife and times when the ecosystem was more and less vulnerable to traffic. It may be that the Reserve did not need a more intensive style of management before the expansion of tourism, which happened after the park's creation, and that the deferred use was more effective, designed by members of the community who knew the local rhythms. As Alex remarked, the OCC was suddenly made "to look after the [Amboseli] area," by the transfer of power in 1961. "But can I say," he continued, "that it was this area that had always looked after us?"<sup>66</sup>

Western makes a third claim in regard to the Council: that it was offered the opportunity to actually participate in designing a plan for the Amboseli National Park in 1969, at the urging of MP Stanley Oloitipit, but that it rejected the offer, forcing the government to act instead.<sup>67</sup> This claim suggests that the OCC has shown a lack of interest and/or ability to become involved in conservation and tourism, and it is the main argument made to explain why Amboseli was taken from the OCC. But that claim is challenged by other evidence. In fact, as early as 1964 the Council had developed its own plan to set aside parts of Amboseli as a community sanctuary free from grazing, for the purpose of tourism development. This critical piece of information shows that the OCC had a very different attitude toward tourism and conservation than what has been reported, but that the Council's initiative was not in line with the agenda of the Kenyan government and conservation community.

A document was prepared for the Ministry of Tourism, dated December 3, 1966, titled "Outline of a Wildlife Utilisation Programme For Kajiado District" and marked "Secret," which stated that the OCC plans to develop the Reserve would compete with the designs of the government to establish the national park. The document acknowledged that, "in April 1964, the Olkajiado County Council first resolved to set apart 200 square miles at Amboseli as a game sanctuary area, free of all livestock, if the government would ensure the provision of piped water for the Masai outside this area."<sup>68</sup> Though the document elaborated on the benefits to be incurred from such an area, it also revealed more than once that the government itself had been planning such a move for "some time." The OCC's 1964 proposal was shelved for two years, ostensibly while details of the "water and other needs of the Masai people" were sorted out, but in fact the delay gave time for the government to develop its own plan. To undermine the Council's initiative, and assert the government's control, it was suggested that the OCC could not afford to

create an expanded tourist industry. It reasoned that, "Since the scientific and technological management of such an area apart from administration and accounting inevitably places strain on the County Council resources, these 200 square miles will be gazetted under that section of the National Parks Act dealing with National Reserves, and will in fact become (legally) a National Reserve though bearing the title 'Masai Amboseli Game Sanctuary'." The details of the legal change would leave the land title with the Olkajiado Council, but made the National Parks Department of the central government "competent to exercise statutory powers and assume full management of the area."<sup>69</sup> The proposal suggested that the Council be offered a revenue-sharing program for game viewing fees and profits from the new 100-bed safari lodge, and mentioned the possibility of providing a pipeline and several boreholes. None of those amenities would come close to compensating the loss of the OCC's opportunity to create its own sanctuary, on its own land, to help construct the tourist industry in Amboseli and of course reap the revenue. In effect, it appears that the Council's own initiative in promoting conservation lead to its loss of control of the land and the income.

In light of this history, it seems unlikely that the OCC would have blindly rejected an opportunity to contribute to the blueprint for the Amboseli National Park just a few years later. The main problem with the Council's attitude, from the government's perspective, appears to have been that it wanted to profit off the development of its own land and control the use of that income.

Amboseli Park was created, not primarily to conserve wildlife for its own sake, but to establish a mass tourist industry for the Kenyan national government. The groundwork for the plan of Amboseli Park was the laid in 1969 by two people, David Western and Frank Mitchell. Both Western and Mitchell worked for the Institute for Development Studies at the University of

Nairobi and both published reports that would be very influential. Mitchell's report was a thirty-year estimate of the revenues that would be seen by the Olkajiado County Council by developing tourism on the Amboseli Reserve. This document asserted that Maasai communities' "contribution to any solution...has been repeatedly ignored," but it does not appear that any members of the OCC, were given a copy of the report<sup>70</sup> before it was presented to the Kenyan public through a double-page ad in the Kenyan Daily *Standard*. The public was astounded to learn of the bounty that could be realized from wildlife tourism: in the following fifteen years alone, the Reserve could generate a staggering 2,570,000LBS. Even though Mitchell's report was about potential income for the Olkajiado County Council, the report described the revenue to be generated, not necessarily under the Council's management. Mitchell's estimates were referenced in the drafting of a second report, written by David Western, which detailed a proposal for the development of the national park in Amboseli. As a conservationist, Western lobbied for the preservation of Amboseli by touting its marketability as a park. Although he recognized that the Maasai of Amboseli must benefit if conservation efforts were to succeed, his priority was conservation of the land at any cost, especially the loss of community control if necessary. Western's 1969 paper recommended that Amboseli be "set aside as a game park adequate to persist indefinitely" and that "legislation comparable to the National Parks is essential."<sup>71</sup> Two years later, President Kenyatta decreed that an unspecified 200 square miles of land would be set aside for a national park in the region. This designation, in effect, would remove all management and revenue control from the OCC. Western proposed that displaced Maasai communities not be directly compensated for the loss of this land. Instead, in keeping with the policy established in the 1956 Game Committee Report, they would be compensated by

water pipelines and boreholes. Their financial incentive would be realized through indirect revenue from the tourism industry coming to the area.

The stakes for the park's development grew in 1971 when the World Bank (WB) revealed its plans to become involved in development in the region. The WB had offered a 40,000,000USD loan for a livestock ranching scheme in the area, but was persuaded by Western and Mitchell to invest instead in wildlife tourism; the WB agreed, provided that the development of Amboseli Park benefit individual landholders. The loan undermined the involvement of local communities by requiring, Western reports, the direct involvement of the national government as well as backing from an established international organization: the New York Zoological Society. A new Olgulului/Olalarrashi Maasai Group Ranch was drawn around Amboseli park to stream-line administrative issues between the government and the community. When the deal was final Mitchell moved to a new job at the World Bank Headquarters in Washington D.C. and Western and economist Philip Thresher were hired to write the 1973 plan for Amboseli National Park.

That 100-page 1973 proposal, "Development Plans for Amboseli: Mainly the Wildlife Viewing Activities in the Area," expressed much of the same concern for local involvement expressed in Western's 1969 paper. Western and Thresher recognized the importance of a buffer-zone around the park, contingent on community participation, and the danger of creating an "ecological island" without the Group Ranch land.<sup>72</sup> Despite the language of community involvement, the Maasai and their pastoral lifestyle were described as "detrimental to the conservation" goal. The Maasai were seen to be "introducing downward biases [to the plan] via increasing pressures" and it was stated that their "domestic stock [would] continue to undermine [the park]."<sup>73</sup> The report, while at least in theory considering Maasai needs for water and

revenue, did not consider them as potentially equal partners, stating, “The traditional dependence of Maasai on livestock still largely prevails, and strongly influences their development objectives. This acts as a major constraint in the potential returns from wildlife utilization.”<sup>74</sup> The plan provided for designated cattle-free zones, including most of the swamps that the Maasai had relied on as livestock watering points. The Maasai would be given 400 acres in the Ol Tukai region and allowed to retain some of their original petrol stations for revenue; ultimately the OCC was to lose the lion’s share of its income for work on water, roads, and education. Compensation would come in the form of a “bed-tax” for local lodges, indirect revenue from tourism from jobs as “hotel employees,” or through selling “cultural amenities” such as handicrafts, and water pipes and boreholes to be funded largely by the World Bank and the New York Zoological Society.

The plans of the Olkajiado County Council to develop their land to generate income for the future appear to have been thwarted by the long-standing agenda of the colonial and neocolonial governments in Kenya to reap the rewards of Amboseli instead. The national park was finally created and thirty-two years later Maasai communities in the area still lack the basic necessities of life that were theoretically to be guaranteed in the 'compensation' for land lost to the park, including water and education. That the promises made to the communities have not been delivered raises questions about the legitimacy of the Amboseli Park and of the lack Maasai control over the revenues that it generates.

The history suggests that Amboseli National Park was taken, against the will of Maasai people, from land guaranteed to them by the 1911 treaty, and that the future of Maasai culture and society has been severely undermined by the government’s usurpation of their ability to

profit from their own resources. First, Maasai people were not sufficiently consulted about the establishment of the park between 1969 and 1974. Secondly, they have not benefited from tourist income that was anticipated as compensation for the land taken to create the Park. Third, the government has not provided the alternate sources of water that were promised as compensation.

Neither the OCC nor the local communities were included in the decision to create the park and transfer control over their land to the national government. This statement is at odds with David Western's recounting of this history, which is based on his own experience. Western has written that he worked with Elders Ole Purdul, Ole Musa, and Stanley Oloiptip, MP for Kajiado South, between 1968-74 to try to get the OCC and Elders to accept drafts of a park plan in 1968 and 1969. Western's eight-page 1969 report, he says, was written to be "simple and rudimentary" to leave room for Maasai opinion. He remembers that the plan was accepted by Maasai Elders, but then six weeks later was rejected; he attributes that denunciation to rising fears of a government take-over of the park stemming from the recent elections. After that negative response Western says "the die was cast for government intervention" and subsequently that the OCC abandoned the park to be taken by presidential decree in 1971.<sup>75</sup>

Stanley Oloiptip's role is important, because though only one man, he was given authority by the government to speak for the entire Maasai community. Oloiptip was singled out as the conduit for information between Western and Thresher and the Maasai community; he became the go-between for water projects being drafted by the World Bank and the New York Zoological Society, as well as an expert on Maasai ideas for wildlife and development. In Western's account, he and Oloiptip worked closely together to defend Maasai rights against the agenda of the government to create the Park. According to this account, Oloiptip tried to

convince the OCC to work with the plan drafted for the Park by Western because he “insisted on a local solution rather than one imposed from outside” and that he “squared solidly with the Maasai” against the government’s “little-disguised takeover efforts.”<sup>76</sup> Frances Alex, Chairman of the OCC during the takeover, and many other leaders in Maasailand, are certain that, instead of being the champion for a "local solution" and on the side of the Maasai against the government, Oloiptip was the means through which the government took the Park. Frances Alex reveals that a political rivalry between Oloiptip and the power of the council, which focused on Alex specifically, led Oloiptip to collude with Kenyatta, even to the point of lobbying that the park be created and the revenues removed from the council's domain. Alex believes that this was done to consolidate power, in relation to the government, in a single Maasai leader, and advance Oloiptip's personal power and career. Other Maasai people remember that Oloiptip deliberately misrepresented their views. Logela Ole Melita was told by both of his grandparents Kasaine Ole Ntawuasa and Wambui, before their deaths, about a meeting convened by Oloiptip near the Serena Lodge, attended by "very many" Maasai people and by representatives of Kenyatta's government, to discuss the park creation. Oloiptip is remembered to have asked in the Maa language, "How many people here do not want the government to take the park?" When all hands shot into the air, Oloiptip was said to have turned to the government representatives next to him and report that the raised hands reflected the people's support of the park creation.<sup>77</sup>

According to Maasai sources, including Frances Alex and other Maasai leaders, Oloiptip did not have the authority of the Council and the Elders to negotiate on behalf of the Maasai community. Western acknowledges that both the OCC and the council of Elders in the area rejected the proposal brought by Western and Oloiptip, the report drafted in 1969, which

appears to have been their last opportunity to voice opposition. Alex argues that Oloiptip was known by Maasai leadership for jealously guarding power and, even though an MP, he did not enjoy the unanimous respect of local leadership. Alex recalls that Oloiptip was sometimes made to "sit outside of the meetings on a cinderblock because he wanted to come in and take over the meeting." Because Oloiptip was a leader and an Elder, such treatment would have been shocking, a clear and direct statement that the man was not only mistrusted by some members of the OCC, but by the communities as well.<sup>78</sup>

Francis Alex, and other Maasai Elders alive during the turnover, say that the Council was "blindsided" by the news that the park would be created, that the OCC received little information following the presidential proclamation, and what they received was more in the form of rumors and not ultimately accurate. The minutes of the meetings of the OCC reveal that, as late as the winter of 1974, the Council still did not know that they would lose park revenues in the transfer of Amboseli to the national government. In April 1974, three years after the presidential proclamation, the OCC had still not been informed of the Government's agenda to take revenues, even though that had been understood clearly since Mitchell's 1969 report. At that April 11<sup>th</sup> meeting, Chairman Alex said, "It has come to the notice of the Council that National Parks have posted a Park Warden to Amboseli without the knowledge of the council..." The Chairman also reported on information from a meeting with the Undersecretary of the Ministry of Tourism and Wildlife and the Director of National Parks, Mr. Olindo, explaining that, "The Government will not take over Amboseli till the whole machinery of negotiations between the Council and Government and local people have taken place." But, Alex reminded the Council that, "The [1971] takeover of Amboseli is to protect the Wildlife and to show the Maasai the benefits of Wildlife and not to take over finances accrued from Amboseli." Anxiety was not put to rest- the

loss of park revenue was unthinkable. After lengthy discussion, "The Council resolved that if the Government is to takeover all finances from Amboseli Gates this council will collapse within a few days as there is no other source of finances to keep this council running."<sup>79</sup>

In September of the same year, Honorable John Keen, the Maasai Kenyan Assistant Minister of Water, attended the OCC meeting and informed the Council that, "The Kenya National Parks is trying to take all the revenue from Amboseli..." He argued, "You know very well that we do not have another source of revenue except from Amboseli" and he "appealed to Councilors to be united and defend our heritage."<sup>80</sup> Keen promised again, at the November meeting, that he would do his "lived best" to retain revenue for the Council, but he too was preparing for the worst. Afraid of the impact the withdrawal of revenue would have, "He appealed to the council to raise revenues from Natural Resources, i.e. Sand as to get revenue to build Primary Schools [and] Dispensaries..."<sup>81</sup> Finally, on December 11<sup>th</sup> 1974, the OCC was informed of the Government's plan and an emergency meeting was held on the 27<sup>th</sup>. The Council unanimously resolved, "That all revenue remain Council property" but "should any agreement be reached there must be a matching grant equal to the loss of revenue to this Council."<sup>82</sup>

All potential opposition to the legality of the transfer of revenue was quickly arrested. By January, a working group had been assembled and began meeting on the transfer of the Park. The group was comprised of Chairman Alex, Secretaries for the Ministry of Tourism and Wildlife, the Director of Kenya National Parks, the Chief Game Warden, and the other members of the OCC. The first words spoken at the January 21<sup>st</sup> meeting, a statement by the Ministry of Tourism and Wildlife, were that, "Since Amboseli National Park is already a National Park in fulfillment of the 1971 Presidential decree, [he] was of the opinion that nobody was questioning the decision." All that remained, he said, was to assure a smooth transfer. Francis Alex expressed the

unhappiness of the Council over the way the Parks department had handled the matter "contrary to previous arrangements and promises" and that, "no takeover of Amboseli National Park would take place until outstanding matters, such as water supply, grazing rights, Council assets and staff had been discussed and agreed on." He threatened that, "patience was already wearing thin" due to the fact "that they had been let down so much" and that the Council had, until that moment, "been counting on the 1975 revenues." He asserted that the takeover of Amboseli had been "unilateral." The Minister of Local Government acted as a peacemaker and undertook a list of all points of controversy. The OCC agreed not to object to the takeover in exchange for continued grazing and water rights "until alternative water supply is established outside the park" and "some" continued revenue shared.<sup>83</sup>

The government's strategy was very effective; left in the dark, the Council was told that they could not fight the loss under law, and was reduced to scrambling for crumbs. By January 30<sup>th</sup>, 1976, the Council was pleading to the Minister of Local Government for funds for the water projects, roads, and other projects the Council once paid for itself. As Council Member Wuantai explained at the January meeting, "the revenue was limited as a result of the takeover of the park."<sup>84</sup> The formerly powerful OCC was suddenly, and remains, dependent for its existence on the bureaucracy of the national government.

#### The Communities Have Not Been Compensated

The expected compensation for the loss of the park land has not been realized by Maasai communities who were promised compensation for the loss of land through income from the tourist industry. The proposed "bed-tax" of 40-60KSH per guest was never implemented in the lodges around Amboseli. Lodges in the area are typically owned by Asian and European investors and they hire very few local employees; those that do employ Maasai people usually

hire them simply to chase away monkeys or walk around the lobbies in traditional shuka costumes, often not in accordance with the individual's age-set, and paid 100KSH (\$1.30USD) per day. Additionally, those Maasai that are hired for higher positions such a walking tour guide or bartender, even those with degrees, are put into lengthy "training programs" working without pay for up to two years.<sup>85</sup> This reliance on a 'trickle-down' economy is further undermined by the instability in the tourist industry which was expected to boom and flood the area with financial investors and eager tourists, but has fluctuated in response to global dynamics such as terrorist attacks and travel warnings.

Even Maasai initiated projects have been co-opted by outside profiteers. Several years ago, Daniel Laturesh, Chairman of the Olgulului/Olalarrashi group ranch, and Joseph Sayaialel, current member of the OCC, created a 'cultural boma' program to bring tourists directly to Maasai villages who pay \$20 USD apiece directly to the village. But the program became monopolized by tour operators from Nairobi who blacklist villages that do not allow them to take all but a fraction of what is paid. These operator warn tourists against buying jewelry directly from Maasai people, taking clients instead to curio shops where drivers receive paid commission.<sup>86</sup>

#### Water has not been delivered

Water was first promised as compensation for the 1955 Ilkisongo Grazing Scheme which reduced cattle in the area of Ol Tukai and promised to use revenue from their sale to build watering points for the community's use outside the forest belt inside the Park. The scheme relied on the continued access of some Maasai people, the Ilkisongo clan, to the belt and its swamp land.<sup>87</sup> Maasai of Loitokitok reportedly agreed to the scheme, and had borrowed 10,000LBS for the development of water supplies to implement it.<sup>88</sup> The scheme was hard on

Maasai cattle which it confined in smaller areas with insufficient watering holes and many cattle died after 1955 because of these imposed restrictions.<sup>89</sup> But the promised compensation was never delivered. Instead the 1956 Game Committee Report recommended that, in light of the significant British financial investment in tourism in the Ol Tukai area, water be provided outside of the park on a permanent basis, and that a national park be created and grazing completely excluded.<sup>90</sup> In March, 1957, a hydrologist survey was commissioned to investigate ground and surface water in the Reserve, and the Chief Hydrologist understood his task to be “find[ing] means to keep the Masai cattle as far away from the Ol Tukai area as possible.”<sup>91</sup> A “water supply scheme” was developed by the African Land Development Board which relied on boreholes and came with a steep price tag of 78,000LBS.<sup>92</sup> A second investigation was done to find a cheaper solution, but that one proved to be just as expensive; it turned out that, if the Amboseli swamps were made unavailable, water would need to be piped great distances to meet the needs of herders.<sup>93</sup> In December, 1957, the Governor decided that “the costly full scale scheme for providing water for Masai cattle in Amboseli, could not at present be justified.”<sup>94</sup> Other ideas were tried in the following couple of years, exploratory boreholes drilled, and a few thousand pounds found to do the work. Water had still not been provided by 1960, and the Maasai appealed to the government in search of water supplies.<sup>95</sup>

Maasai people were wary of government plans to site the boreholes from the beginning, because they feared that the water schemes were the first step in a plan to remove them from the Ol Tukai area and create a park. They were assured, again and again, that “the Government would not force them to leave the swamps” which they needed to survive times of drought. They were told that, “their position would be similar to say dwellers in Loitokitok who were dependant on Nairobi for their supplies but would use shops if they were built nearer Loitokitok and at the

same time retain the right to use Nairobi if it was ever necessary." <sup>96</sup> But the area Elders, especially Headman Lengo, consistently rejected the boreholes, and that resistance continued through 1958.<sup>97</sup> In August of that year, the Governor of Kenya sought to calm the fears in at a *baraza* at Ol Tukai. In a speech he assured the people, that the "first aim of Government in the Amboseli Area is a controlled and organized water and grazing scheme for the benefit of the Masai." He said that, "The Government recognizes that the whole Amboseli area is within the Masai native land unit and belongs to the Masai whose rights to it are protected under the native lands Trust Ordinance. The Government will not take away any of this land from the Masai."<sup>98</sup>

Kenyan government funds may not have been made available in the 1950s, but the international moneys were promised in the 1970s: the New York Zoological Society was to provide boreholes as part of the 40 million USD World Bank loan to Kenya to establish Amboseli as a National Park. Some boreholes were dug, but they have not been maintained. Currently, of nine boreholes in the Olgulului/Olalarrashi group ranch, only four are operations. The broken boreholes include one near the Mishenani gate of the Park, and a large watering point near Risa, originally intended to distribute water to other tanks. Those boreholes that are currently working, including one in Enkong'u Narok, Kitenden, Irmarba and Embarinkoi, are working only because of community efforts. These boreholes rely on hand pumping and therefore serve only people but not livestock. Because community efforts have needed to focus on reviving old boreholes, rather than building schools or other priorities, these boreholes are all very expensive and continue to require maintenance. In response to the rising threat of drought and thirst the Southern Kajiado District, recognizing the challenges they face, convened a workshop in 2004 to create a five year plan for Olgulului Group Ranch. Various stakeholders included Kenyan government organizations, as well as non-governmental organizations,

businesses, and research institutes. Maasai leaders themselves provided the initiative and direction for the meeting. The report shows that boreholes, pipelines and artificial water sources implemented through Amboseli have failed over the years and the Maasai people are suffering because of this. The disruption of Maasai traditional mobility has exacerbated the effects of severe drought conditions and in 2005 Maasai communities in Amboseli lost 80% of their livestock to drought conditions without the relief of promised water sources. The Olgulului/Olalarrashi five year development plan admits that to revive the five broken boreholes “will require an enormous injection of resources which the group is not currently in a position to meet,” and that other infrastructure, such as gravitation of water from Kilimanjaro and construction of pipelines, is necessary to adequately water the area.<sup>99</sup>

#### *Collaborative Conservation and the Future of Amboseli*

Almost three decades before the term of ‘community-based conservation’ was coined, there was a moment in Amboseli's history, little known to the outside world, which reveals what is possible through collaboration of Maasai communities and the Kenyan government when the knowledge of the community receives equal respect. Park Ranger David Smith worked with Maasai leadership to respond to the water crisis and the government’s recalcitrance, to create cattle watering areas by diverting the flow from the swamp inside the Park. At this time, Smith reports, there was little money for wildlife preservation; the country had not fully committed to developing tourism, and so the park’s employees and Maasai community members shared a dearth of resources and an equal footing which led to success. Smith concluded that:

The future of Amboseli should lie in the greater delegation of authority to the Maasai tribesmen themselves, and...a management board, composed of local Kisongo headmen and National Parks staff, should be set up officially, to administer the area. After all, the

Maasai had looked after the wildlife there for many generations before and Europeans came on the scene, and had done it very well indeed. We were now proving beyond doubt that it was possible for the two factions to agree on major policies affecting both wildlife conservation and the Maasai way of life.<sup>100</sup>

Recent collaborative solutions to conservation in Amboseli include:

1. The Maasai of Olgulului/Olalarrashi group ranch 2004-2009 planning document, referred to as the “five year plan,” focuses on the need for collaboration and partnerships with non-Maasai. In the workshop leading up to the plan, they invited participation from government offices, NGOs, hoteliers, tourism entrepreneurs, and others. The five year plan outlines projects, with accompanying deadlines and potential sources of funding, in the areas of water, education, tourism, and agriculture, seeking in all aspects to partner with outside stakeholders to ensure the sustainability of these endeavors.<sup>101</sup>

2. A Community Land Sanctuaries (CLS) model was designed by Maasai landowners to use their property to generate communal benefits through tourism, to avoid subdivision for agriculture or other development which removes the land from its dual function as grazing for livestock and wildlife habitat. Privately allotted land is brought back into communal management, and tourists charged fees for day use. Revenue is used for community projects like schools, water and dispensaries, and remaining funds are distributed to the individual Maasai landowners. The parceled land is allocated specifically for tourism endeavors and landowners voluntarily designate cattle to graze outside of the CLS area to preserve the land for wildlife. Yale Lema Lampa involved in a Narok District CLS, believes these refuges have provided a significant increase in community benefits compared to the average group ranch. He explains, "When the land was under jurisdiction of the group ranches there was no way to access the

money and it was held only by the leaders and now, with the development of CLS, the money goes directly to the community members themselves."<sup>102</sup>

3. Another example of the invaluable contribution of a Maasai perspective into conservation efforts is the Amboseli Elephant Research Project's Conflict Resolution Committee (CRC) led by Maasai project manager Soila Sayaialel. Addressing the issue of human/wildlife conflict, the CRC has developed a compensation program founded on the Maasai consensus-based justice system. When a Maasai herder loses a cow to an aggressive elephant, a local conflict resolution committee gathers to identify the underlying cause of the problem, such as overlapping pathways to water, and agree on a strategy for solution. The CRC facilitates the mediation process with representatives for all stakeholders, including the elephant, whose interests are presented by Soila herself. If the conflict occurs within the Park boundaries, the herder will be given compensation for his lost livestock- an amenity not currently provided by the government. Recently the CRC took a leadership role in organizing monthly meetings between all the Group Ranch Chairmen around Amboseli, Kenya Wildlife Service rangers, representatives from NGOs working in the area, and community members to discuss issues and strategies related to human/wildlife conflict. By prioritizing the needs of community members actually living with the wildlife and not minimizing the natural element of conflict, the CRC has begun to slowly rebuild the eroded trust between people, the government, and wildlife in Maasailand.

4. Many Maasai people have an interest in finding jobs in the tourism industry as naturalists or walking tour guides, but face discriminatory hiring practices and are often subjected to indentured training programs because they lack formal certification. Currently, Maasai ecologists and students and faculty at Prescott College in the U.S. are partnering to

develop a guide training and certification program in Maasailand to help ensure equitable employment. The mission and objectives of the program are based on surveys undertaken by the Maasai Environmental Resource Coalition (MERC) throughout rural communities seeking to redefine, from a local perspective, the concepts of eco-tourism. After 2 years of consensus meetings throughout Maasai bomas, the surveys expressed the communities' want for a program that is based on their own expert knowledge of the land and wildlife. The program will emphasize natural history and ecology of the region, as interpreted by local Maasai in partnership with outside conservationists, and work to bring equitable business to cultural bomas and local women's micro-enterprise operations. By establishing a program where Maasai are in positions of management and leadership from the conception, the guide training school may serve as a model for true integration of Indigenous knowledge into the larger field of environmental science.

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<sup>1</sup> Prescott College students and community members from the Olgulului/Olalarrashi group ranch, and especially the Ngong' Narok village, worked on the research presented in this chapter, which was also led by members of the Institute for Maasai Education, Research and Conservation Institute (MERC), Kaitlin Noss and Daniel Leturesh.

<sup>2</sup> See Erika Barthelmess, "Kenyan Government Degazettes Amboseli National Park," "Hot Topics," *African Conservation Telegraph*, 2:1, Oct/Nov 2005

<sup>3</sup> "Notes of a Conference Held at Government House, Nairobi, at 10 A.M. on the 31<sup>st</sup> July, 1930, for the Purpose of Discussing Policy with Regard to the Preservation of Game," 1930 Kenya National Archive, GM 7/32

<sup>4</sup> As late as the 1950s, American Russell E. Train founded the African Wildlife Leadership Foundation (now African Wildlife Foundation) and also became a member of the "Hundred Pounder Club" for shooting an elephant with tusks weighing a collective 207 pounds. Raymond Bonner, *At The Hands Of Man: Peril And Hope For Africa's Wildlife* (New York: Alfred A. Knopf, 1993): 55

<sup>5</sup> *Ibid*, 40

<sup>6</sup> Lottie Hughes, *Moving The Maasai: A Colonial Misadventure* (Oxford; Palgrave, St. Anthony's College, 2006): 5, and David Western, "Ecosystem Conservation and Rural Development: the Case of Amboseli" in ed. Western et. al., *Natural Connections: Perspectives in Community-Based Conservation* (Washington DC: Island Press, 1994)

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<sup>7</sup> “Memorandum II: Game Reserves, and the Possibility of Establishing Permanent Sanctuaries (National Parks)” Report presented to the Game Policy Commission explaining current policy, 1954, Kenya National Archive, “Game Control and Preservation, 1955-57,” 8, PC/NGO/1/16/2

<sup>8</sup> Recent scholarship has asserted, not without controversy, that the initial moves of the Maasai by the British Colonial Government involved force, fatalities, and Maasai resistance not previously addressed in written works. In 1904 the Maasai were forcibly moved off their favored sections of grazing land in the Central Rift Valley to make room for white settlers. This first move resulted in the creation of two Maasai reserves: Laikipia Reserve to the north and Ngong Reserve to the south. Seven years later, however, the Laikipia Maasai were again relocated by British authorities at gunpoint, with arguable reports of deaths resulting from harsh conditions and suspected British violence, to join the southern reserve in the 1911-1913 moves. It is suggested that through these moves the Maasai lost between 50-70% of their original lands, including the future capital city of Nairobi and some of the most prime grazing refuges in East Africa. Despite their increasing and dramatic marginalization at this time, a band of young Maasai men made their way to Mombasa and hired a British lawyer to assist them in fighting for compensation for land and lives lost in the 1911-13 moves. The Maasai, led by elder Parsaloi Ole Gilisho, eventually lost the case because of technicalities, specifically because they were not literate in English and could not write mandatory testimonies of what had occurred. Hughes, *Moving the Maasai*, 2006, 6.

<sup>9</sup> Bethwell A. Ogot, “Kenya under the British, 1895 to 1963,” in ed. B.A. Ogot and J.A. Kieran, *Zamani: A Survey of East African History*, (London: East African Publishing House and Longmans, green & Co. Ltd, 1968): 273

<sup>10</sup> “The Kenya Land Commission Report,” Memorandum to The Office-in-Charge, Masai District, Ngong, from Colonial Secretary, December 19, 1934, Kenya National Archive, “Officer in Charge,” Masai District, DC/NGO/1/7/7, KLC

<sup>11</sup> “The Kenya Land Commission Report,” Memorandum from Officer-in-Charge, Masai District to Mr. Loyal Ole Nanjiru, December 21, 1974, “Officer in Charge,” Kenya Land Commission-Masai District, Kenya National Archive, DC/NGO/1/7/7

<sup>12</sup> Ogot, “Kenya under the British, 1895 to 1963,” 272. Also see series of memorandums, correspondence and meeting notes, in “Officer in Charge,” Kenya Land Commission-Masai District, Kenya National Archive, DC/NGO/1/7/7

<sup>13</sup> Letter from Olgayal s/o Nanjiru, T.H. Motian, Arthur G. Tameno, and Thumb mark of Karaga Ole Saitaga A. Kaurai, to The Honorable The Officer in Charge, Masai Province Ngong, October 1, 1934, in “Officer in Charge,” Kenya Land Commission-Masai District, Kenya National Archive, DC/NGO/1/7/7

<sup>14</sup> Petition with 35 signatories to the Hon. The Colonial Secretariat, Ngong Masai Reserve, August 28, 1934, in “officer in charge,” Kenya land commission-Masai District, Kenya National Archive, DC/NGO/1/7/7

<sup>15</sup> The Colonial Secretary said about these adjustments in a letter to the Land Commission, “I doubt greatly if the Masai will appreciate the reasons for any change, but they should of course be told. They are almost certain to object to any change, and I would again stress the necessity for over-riding po[w]ers.” “Kenya Land Commission Report: Summary of Conclusions Reached by His Majesty’s Government,” (London: His Majesty’s Stationary Office, 1934) and The Officer in Charge to Honorable Colonial Secretary, in “Officer in Charge,” “Kenya Land Commission-Masai District,” Kenya National Archive, DC/NGO/1/7/7

<sup>16</sup> “Notes of a Conference Held at Government House, Nairobi, at 10 A.M. on the 31<sup>st</sup> July, 1930, for the Purpose of Discussing Policy with Regard to the Preservation of Game,” Kenya National Archive, GM 7/32

<sup>17</sup> Ogot, “Kenya under the British, 1895 to 1963,” 283

<sup>18</sup> Bonner, *At The Hands Of Man*, 60, 82

<sup>19</sup> *Ibid*, 58

<sup>20</sup> David Lovatt Smith, *Amboseli: Nothing Short of a Miracle*, (Nairobi: East African Publishing House Ltd, 1986): 26

<sup>21</sup> *Ibid*, 44

<sup>22</sup> “Extra from Masai District- Intelligence Report, February, 1948,” in “Leases in Native Land Units,” Kenya National Archive, PC-NKO-2-16-6

<sup>23</sup> *Ibid*

<sup>24</sup> “Amboseli National Reserve,” Confidential Memorandum from the Provincial Commissioner, Southern Province, to The District Commissioner, Kajiado, November 1, 1955, and related correspondence through November 12, 1955, from the East Africa Tourist Travel Association, E.A. Paring, Governor of Kenya, Kenya National Archive, GA/22

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- <sup>25</sup> “Kenya National Parks: Amboseli,” to the editor from Donald Ker, Nairobi, October 28, 1955; “National Parks-Amboseli,” to the editor from S.H. Edwards Oakland California, October 18, 1955; and “Game Preservation,” to the editor from (Mrs.) Harold Ebinger, Aurora, Illinois October 18, 1955, *East African Standard*, Nairobi, Kenya
- <sup>26</sup> “Amboseli National Reserve”, Confidential Memorandum from the Provincial Commissioner, Southern Province, to The District Commissioner, Kajiado, November 1, 1955, and related correspondence through November 12, 1955, from the East Africa Tourist Travel Association, E.A. Paring, Governor of Kenya, Kenya National Archive, GA/22
- <sup>27</sup> Confidential Letter from M.H. Cowie, Director Royal National Parks of Kenya, to the Director of Forest Development, Game and Fisheries, May 16, 1955, Kenya National Archive, GA/22
- <sup>28</sup> “1956 Game Policy Committee, First Interim Report” 1956, Game Control and Preservation, 1956-58, Kenya National Archive, PC/NGO/1/16/2,
- <sup>29</sup> “Amboseli National Reserve: The Other Side of the Story,” to the Editor, *East African Standard*, [October, 1955] Kenya National Archive, GA/22
- <sup>30</sup> “1956 Game Policy Committee, First Interim Report” 1956, Game Control and Preservation, 1956-58, Kenya National Archive, PC/NGO/1/16/2, p4
- <sup>31</sup> “Memorandum II: Game Reserves, and the Possibility of Establishing Permanent Sanctuaries (National Parks)” Report presented to the Game Policy Commission explaining current policy, 1954, Kenya National Archive, “Game Control and Preservation, 1955-57,” 8, PC/NGO/1/16/2
- <sup>32</sup> *Ibid*, 9
- <sup>33</sup> “Amboseli National Reserve,” Confidential Letter from Provincial Commissioner, Southern Province, to the District Commissioner, Kajiado, November 1, 1955, Kenya National Archive, “Game Control and Preservation,” 1955-57, PC/NGO/1/16/2
- <sup>34</sup> Confidential Letter from M.H. Cowie, Director Royal National Parks of Kenya, to the Director of Forest Development, Game and Fisheries, May 16, 1955, Kenya National Archive, “Game Control and Preservation,” 1955-57, PC/NGO/1/16/2
- <sup>35</sup> “1956 Game Policy Committee, First Interim Report” 1956, Game Control and Preservation, 1956-58, Kenya National Archive, PC/NGO/1/16/2, 5
- <sup>36</sup> *Ibid*, 7
- <sup>37</sup> “Game Policy Committee; Ol Tukai Area” Confidential Letter from the Kajiado District Commissioner to the Provincial Commissioner, Southern Province, June 7, 1956, Game Control and Preservation, 1955-57, Kenya National Archives, PC/NGO/1/16/2
- <sup>38</sup> Confidential Memo: “Game v. Masai,” A.B. Simpson, District Commissioner, Kajiado, to The Provincial Commissioner, Southern Province, July 7, 1956, Game. Control and Preservation Policy, 1955-57. Kenya National Archives, PC/NGO/1/16/2
- <sup>39</sup> “Game Policy,” draft reply from the District Commissioner Kajiado to E.A. Sweatman, Provincial Commissioner Southern Province, [c. September 1954.] Kenya National Archive
- <sup>40</sup> [Game Ranger Zaphiro] “Game Report- Kajiado District, 1954,” Confidential report submitted to the Game Warden, Nairobi January 7<sup>th</sup>, 1955. Kenya National Archive, “Game Control and Preservation, 1955-57, PC/NGO/1/16/2
- <sup>41</sup> *Ibid*
- <sup>42</sup> Sessional Papers No. 7 of 1957/58, *Report of the 1956 Game Policy Committee*, 7-8, Kenya National Archive, KW/23/28
- <sup>43</sup> See K.M. Homewood and W.A. Rogers, “Pastoralism and Conservation,” *Human Ecology*, Vol. 12, No. 4, 1984
- <sup>44</sup> See Arnold L. Mapinduzi, Gufu Oba, Robert B. Weladji and Jonathan E. Colman, “Use of Indigenous Ecological Knowledge of the Maasai Pastoralists for Assessing Rangeland Biodiversity in Tanzania.” *African Journal of Ecology*, *African Journal of Ecology*, 41, 2003: 329-336.
- <sup>45</sup> Jim Igoe, *Conservation and Globalization: A Study of National Parks And Indigenous Communities From East Africa to South Dakota*, (Australia: Thomas Wadsworth, 2004): 46
- <sup>46</sup> *Ibid*, 53
- <sup>47</sup> [Game Ranger Zaphiro] “Game Report- Kajiado District, 1954,” Confidential report submitted to the Game Warden, Nairobi January 7<sup>th</sup>, 1955. Kenya National Archive, “Game Control and Preservation, 1955-57, PC/NGO/1/16/2
- <sup>48</sup> Interview with George Ole Lupempe, Olgulului Group Ranch Campground, Amboseli, 6/06.

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- <sup>49</sup> Address to Governor. Statement by Chief Kisimir, Baraza Meeting at Ol Tukai August 8, 1958, "Amboseli National Reserve" Kenya National Archives, 1958-60 GA 3/13  
PC/NGO.1.16.8
- <sup>50</sup> David Lovatt Smith, "Amboseli-The First Years," Draft Manuscript, Kenya National Archive, PC/NGO, 9
- <sup>51</sup> Homewood & Rodgers. "Pastoralism and Conservation," 103 and Igoe, *Conservation and Globalization*, 48
- <sup>52</sup> Smith, "Amboseli-The First Years,"
- <sup>53</sup> Roughly \$210 USD
- <sup>54</sup> Personal Communication, Wuala Ole Parsanka, Olgulului Group Ranch Campground, Amboseli, 6/30/2006
- <sup>55</sup> Personal Communication, Parit Ole Noomek, Lonany de Noosunta, Olgulului Group Ranch Campground, Amboseli, 7/1/06
- <sup>56</sup> Personal Communication, Logela Melita, Olgulului Group Ranch Campground, Amboseli, 8/1/06
- <sup>57</sup> "Conservation Refugees," San Francisco Chronicle, late May, 2006.
- <sup>58</sup> Western, "Ecosystem Conservation" 22
- <sup>59</sup> Western, "Ecosystem Conservation," 29
- <sup>60</sup> Memo to the District Officer, Ngong Division, from J.K. Kuantai, Clerk to the Council, "Re:KSH 75,000/- Compensation for 2,500 Acres of Olosho Olbob," 12<sup>th</sup> February, 1970. Kenya National Archive, Olkajiado County Council, "Full Council Minutes," JG/2/20, 35/6
- <sup>61</sup> Personal Communication, Philip Ngatia, Maasai Mara, 7/8/06
- <sup>62</sup> "Minutes of the District Joint Roads and Works Committee Held on 17<sup>th</sup> May, 1971 at 10:30 a.m. In County Clerk's Office," "Full Council Minutes," Olkajuado County Council, Kenya National Archives, JG/2/20, 35/6,
- <sup>63</sup> Letter from J.K. Huantai, Clerk to the Council, to The District Officer, Ngong Division, February 12, 1970, in "Full Council Minutes," Olkajuado County Council, Kenya National Archives, JG/2/20, 35/6,
- <sup>64</sup> "Minutes of the Full Council meeting Held on 11<sup>th</sup> April, 1974 at 10.50 A.M. in the county chambers," Kenya National Archives, JC/12/19, "Full Council Minutes," Olkajuado County Council, 1974-1979
- <sup>65</sup> Western, "Ecosystem Conservation"
- <sup>66</sup> Mary Poole, Kaitlin Noss, Ann Radeloff, Walt Anderson, George Lupempe, Interview with Francis Alex, July 3, 2006, Loitokitok, Kenya
- <sup>67</sup> Western, "Ecosystem Conservation," 30
- <sup>68</sup> Outline of a Wildlife Utilisation Programme For Kajiado District, 1966, 1, Kenya National Archive, "Proposed New Parks," 5/8/483, KW 13/28
- <sup>69</sup> Ibid, 2
- <sup>70</sup> David Western, "Proposals for an Amboseli Game Park," Institute for Development Studies, University College, Nairobi, Staff Paper No. 53, September 1969, 4
- <sup>71</sup> Ibid, 5
- <sup>72</sup> David Western and Philip Thresher, "Development Plans for Amboseli: Mainly the Wildlife Viewing Activity in the Ecosystem," September, 1973, 18, Kenya National Archive, GP 639.9.WES KW/9/15
- <sup>73</sup> Ibid, 68
- <sup>74</sup> Ibid, 18
- <sup>75</sup> Western, *Natural Connections*, 25
- <sup>76</sup> Western, *Natural Connection*, 26
- <sup>77</sup> Interview with Logela Olol Melita, August 1, 2006, Amboseli Community Campsite, Mary Poole.
- <sup>78</sup> Mary Poole, Kaitlin Noss, Ann Radeloff, Walt Anderson, George Lupempe, Interview with Francis Alex, July 3, 2006, Loitokitok, Kenya
- <sup>79</sup> "Minutes of the Full Council Meeting" Held on 11<sup>th</sup> April, 1974 at 10:50 A.M. in the County Chambers, "Full Council Minutes" Olkajuado County Council, 1974-1979 Kenya National Archive, JC/12/19
- <sup>80</sup> "Minutes of the Full Council Meeting" Held on 6<sup>th</sup> September, 1974 at 10:47 A.M. in the County Chambers, "Full Council Minutes" Olkajuado County Council, 1974-1979 Kenya National Archive, JC/12/19
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- <sup>83</sup> "Minutes of Meeting on Amboseli National Park," Held on 21<sup>st</sup> January, 1975. At the Ministry of Tourism and Wildlife Conference Room in Nairobi. Kenya National Archives, 9/7 DCAW

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- <sup>86</sup> Personal Communication, Daniel Laturesh, Joseph Saiyalel, Amboseli, Olgulului Group Ranch Campground, June, 2005
- <sup>87</sup> "Summary Report on Water Supply Investigation at Amboseli" and "Amboseli: Inspection by the chief Hydrologic Engineer, 9<sup>th</sup>-12<sup>th</sup> January, 1939" in "Amboseli investigations, including Co-ordination plan for Action," Industry of Natural Resources Department, 1958-1960, Kenya National Archive, WAT/SURV/1 Vol II
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- <sup>90</sup> "Address to Governor," Statement by Chief Kisimir, Baraza Meeting at Ol Tukai, August 8, 1958, in "Amboseli National Reserve 1958-60," Kenya National Archives, PC/NGO.1.16.8
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- <sup>95</sup> "Amboseli Water Supplies," Memo from Provincial Commissioner, Southern Province, to the District Commissioner, Kajiado, August 25, 1960, in "Amboseli National Reserve," 1958-1960, Kenya National Archive, PC/NGO/1/16/8
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- <sup>97</sup> "Minutes of a Meeting of the Kajiado District Agricultural Committee Held at Kajiado on the 12<sup>th</sup> January, 1959" "Amboseli investigations, including Co-ordination plan for Action," Industry of natural Resources Department, 1958-1960, Kenya National Archive, WAT/SURV/1 Vol II /13
- <sup>98</sup> The crowd was reported to have been primarily from Loitokitok. "His Excellency the Governor's Speech at the Baraza held at Ol Tukai in the Loitokitok Section of Kajiado District on Friday, August 8<sup>th</sup>, 1958. "Important political Events," 1958-1960, Kenya National Archive, DC/KAJ.1/3/1
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- <sup>100</sup> Smith, "Amboseli – The First Years"
- <sup>101</sup> "Olgulului/Olalarrashi Group Ranch Five Year Plan" 2004-2009
- <sup>102</sup> Personal Communication, Yale Lempa, Maasai Mara, 7/23/06.