

# Parks Without People: A Case Study of the Ngorongoro Conservation Area, Tanzania

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And in future what a splendid contemplation [...] when one [...] imagines them as they might be seen, by some great protecting policy of government preserved in their pristine beauty and wildness, in a magnificent park, where the world could see for ages to come, the native Indian in his classic attire, galloping his wild horse, with sinewy bow, and shield and lance, amid the fleeting herds of elks and buffaloes [...]. A nation's Park, containing man and beast, in all the wild and freshness of their nature's beauty!<sup>2</sup>

## Introduction

The question of a park with or without people is a relevant one, but perhaps it is best suited for academics and international conferences like the World Parks Congress, as the phenomenon of 'parks without people' is the norm the world over. There are only a few areas where people are allowed to live inside parks, and these are often taken as experimental areas of dual land use which attempt to merge the interests of conservation and human development.

The Ngorongoro Conservation Area in Tanzania is a prime example of a multiple land use experiment conducted by conservationists. As will become evident, however, the government and the international community both appear to be tired of such experiments and are now advocating that Indigenous Peoples be evicted from the area so that the conventional and official 'parks without people' model may be adopted. They do this in spite of the fact that the Ngorongoro experience gives testimony to how the environment fares when left undisturbed, in its natural state. It will also become evident, through the Ngorongoro story, that the interests of Indigenous pastoralists in the area have routinely been undermined, purportedly in the name of conservation. Conservation has, in turn, been undermined for the sake of income earned in the popular (but perhaps

environmentally unsound) tourism business. Both the quality and quantity of fauna and flora in Ngorongoro have deteriorated since the ecological balance between different natural uses of the land was first disturbed. Before we relate the Ngorongoro experience, we must first briefly examine the conceptual and historical reasons for the creation of parks.

## The Idea Behind Parks

According to the 1964 *Wilderness Act of the United States*, a 'wilderness' is a place where man is a temporary visitor. When Tanzania's Serengeti National Park was created, the dominant philosophy of its main proponent was, "A National Park must remain a primordial wilderness to be effective. No men, not even native ones, should live inside its borders."<sup>3</sup> In the past two centuries, about ten percent of the earth's surface has been put aside for the establishment of some 20,000 protected areas, based on the above conception of a park. Half of these areas contain land that Indigenous Peoples occupy or to which they assert aboriginal claims. The alleged aim of protecting all of these areas is to preserve critical ecosystems; however, the historical reasons behind the creation of such parks and their practical implementation reveal the opposite to be true. The aesthetic greed of global elites and the thirst to use wildlife for global enterprises are perhaps the real forces behind the modern conservation project, which views the Indigenous inhabitants of rich ecosystems as competitors and threats to unexploited wildlife capital. History is replete with examples supporting this claim.

When the first parks were created in the United States, at Yosemite in 1864 and Yellowstone in 1872, the idea was to conquer and destroy the Miwok Nation by forcing the people out of their territories. The establishment of these parks was coupled with brutal and inhumane practices, revealing the true intentions and conscience of the forces that created the parks. When Yosemite was created:

The main proponent of the Park, LaFayette Burnell, who led the Mariposa Battalion, and who professed a take-no-prisoners approach to the Miwok, wanted to 'sweep the territory of any scattered bands that might infest it.' In common with the prejudices of the day, he thought of 'redskins' as superstitious, treacherous marauders, 'yelling demons' and 'savages.'<sup>4</sup>

The same experiences were encountered in similar or worse degrees of brutality during the creation of the Kahuzi National Park in the Congo in the 1960s, and during the evictions of the Maasai from the Serengeti National Park in Tanzania in the 1950s. These are only two of many such instances.



Zebras, one of the many types of wild ungulates that inhabit the Ngorongoro Conservation Area.

In many other parts of the world, the idea of ‘parks without people’ perhaps appealed to a few sensitive people who wanted to preserve critical ecosystems for aesthetic use for future generations. This brought the modern parks approach to the fore. Again, it is the idea of a defined aesthetic gain for humans that fuels conservation, rather than conservation for its own sake. Ironically, such a philosophy prefers to evict and make life miserable for present generations of certain communities – the fathers and mothers of the future generations in whose name conservation takes place.

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The million-dollar question is: from which communities will future generations come when present ones are destroyed in the interest of conservation? This is perhaps what distinguishes Indigenous preservation practices from the conventional conservation practices. A distinguished Maasai elder in Ngorongoro had this to say when interviewed on the subject:

We conserve nature because we live in it, because it is our life, it is the life of our cattle. The conservation people do it because it gives them employment, because they get money from the white men [tourists]. For them, if the white man does not bring money, it is the end of the story. For us, even if the white man does not bring money we will still preserve the environment. We did it before the white men came. We do because it is our lives; it is the life of our ancestors and our unborn children.

The conventional approach to conservation has failed to deliver. Critical ecosystems are on the verge of extinction, many animal and plant species have disappeared, and those that remain risk disappearing for good. A prominent elder in Ngorongoro had this to say when interviewed on the current status of wildlife in the area:

Where are all the rhinos we used to have around? They have disappeared. Your Black government keeps telling us that they are the ones who know how to conserve. They have dismissed our traditional systems. I can only say the day will come when all of us will be forced out and nothing of the remaining rhinos will be left, not even their bones for one to see.

In the United States, when the Miwok Nation petitioned the US government to reclaim their land, one of their claims was that the Yosemite was no longer a park:

The valley is cut up completely by dusty, sandy roads leading from the hotels of the white in every direction [...]. All seem to come only to hunt for money [...]. This is not the way in which we treated this park when we had it. This valley was taken away from us (for) pleasure ground [...]. Yosemite is

no longer a National Park, but merely a hay-farm and cattle range.

The failure of the modern conservation project has prompted the world to try to find alternative forms of preservation, and Indigenous knowledge systems are now considered one of these ‘alternatives.’ Indigenous Peoples’ activities in the global conservation agenda, in the form of co-management and self-management, are some of the practices currently under consideration. The international conservation lobby has realised now that Indigenous Peoples can only participate in the conservation of critical ecosystems when their rights are guaranteed and respected in law and practice. The World Wide Fund for Nature has noted that loss of traditional rights can reduce peoples’ interests in long-term stewardship of the land, and therefore the creation of a protected area can in some cases increase the rate of damage to the very values that the protected area was originally created to preserve. “Putting a fence around a protected area seldom creates a long term solution to problems of disaffected local communities, whether or not it is ethically justified.”<sup>25</sup>

The concept of ‘parks *with* people’ comes close to what Indigenous Peoples desire in the conservation arrangement. Supporting the idea of ‘parks without people,’ as propounded by conventional conservation, is a risky business and most undesirable due to several factors. Many of the protected areas that are currently unpopulated were once the homes of Indigenous Peoples or local communities who still claim title. Sanctioning the idea of ‘parks without people’ therefore means betraying the noble cause of these groups and dismissing their land rights. Furthermore, supporting ‘parks without people’ means risking that any Indigenous Peoples’ lands currently not under the domain of protected areas will be converted into protected areas, inviting further alienation. The plethora of popular new buzzwords in conservation circles – like ‘buffer zones,’ ‘migratory routes,’ ‘dispersal areas,’ and ‘wildlife management areas’ – are clear signs of the ever-escalating desire to alienate Indigenous Peoples’ lands for the purposes of conservation.

‘Parks without people’ have not been a success story. Experiences from Tanzania and elsewhere have shown that the quality and quantity of flora and fauna are not as rich as they were when human beings occupied these protected areas. The most reasonable alternative is to investigate how Indigenous Peoples and local communities can participate meaningfully in conservation. In order for this to take place, the following successive actions are required. First, authorities responsible for protected areas must

realise that it was Indigenous Peoples and local communities who sustained the conservation of critical ecosystems for centuries, and that their knowledge in conservation still has the potential to save fast-deteriorating ecosystems. Second, local communities can only volunteer to salvage precious natural environments if they are allowed to share in the enormous benefits that accrue from the modern conservation industry.

Issues in and around Ngorongoro Conservation Area provide more practical examples.

## **A Case Study of the Ngorongoro Conservation Area: Background**

The Ngorongoro Conservation Area (NCA) was created in 1959 as an alternative to displacing the rightful owners of the Serengeti into the Ngorongoro Highlands. The NCA was also created to cater to the interests of conservation, tourism, and the human development of Indigenous Peoples. The area is renowned internationally for its unmatched beauty, its multifarious spectacle of wild ungulates, and its important archaeological remains. It is also home to the Indigenous Maasai pastoralists who still adhere to their traditional culture and practice cattle husbandry. In recognition of the area's diversity, it has been designated as a World Heritage Site and as a Biosphere Reserve. Legally, the area has been designated as a multiple land use area. Section 5A of the Ngorongoro Conservation Area Ordinance (Cap. 413 of the laws of Tanzania) explicitly states:

5A. "The Functions of the Authority (referring to Ngorongoro Conservation Area Authority or NCAA) shall be;

(a) To conserve and develop the natural resources of the Conservation Area;

(b) To promote tourism within the Conservation Area and to provide and encourage the provision of facilities necessary or expedient for the promotion of tourism;

(c) To safeguard and promote the interests of Maasai citizens of the United Republic of Tanzania engaged in cattle ranching or the dairy industry within the Conservation Area

(d-h) [...]."

The intention to safeguard the interests of the Maasai pastoralists (note that the law specifies the tribe and mode of production) can also be inferred from authoritative speeches of the British Colonial Administrators. Two of these speeches are significant. When addressing the legislative council in 1958, the governor said:

I feel I must take this opportunity of emphasizing [*sizi*] that on all grounds of equity and good faith no government could contemplate excluding the Maasai from the whole of the great game areas of the Serengeti and the Crater Highlands. Lest some honourable Members have not followed the inquiries and debates of the last three years, I would remind them that in 1956, the government chose the highlands as the Focus of the new National Park. It was in response to public reaction, backed by scientific opinion, that the policy was altered to establishing the Park in the plains to the west, leaving the conservation of the Ngorongoro Area to be built around the interests of its inhabitants. These interests include of course the preservation of all its amenities.<sup>6</sup>

More emphatic however, is the speech of the governor to the Maasai Federal Council in August 1959, where he said:

I should like to make it clear to you all that it is the intention of the Government to develop the Crater in the interests of the people who use it. At the same time, the Government intends to protect the game animals in the area, but should there be any conflict between the interests of the game and the human inhabitants, those of the latter must take precedence.<sup>7</sup>

Despite the legal recognition of the multiple land use mandate, and the fact that the interests of the Maasai ought to take precedence in the event of a conflict of interests, the historical and contemporary situation in Ngorongoro speaks to the contrary. The interests of conservation and tourism have clearly been given priority over the development of Maasai pastoralists, as evidenced by well-documented and routine violations of the human rights of the Maasai. Forced evictions from the crater, restrictions from grazing in dry season refuges like the Northern Highland Forest, and a ban on cultivation accompany the violation of many important rights like

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the right to livelihood, participation, movement, and freedom of association. The government has begun to evict Maasai from the area; therefore the future of 'parks *with* people' in NCA looks bleak.

### The Area and the People

Ngorongoro Conservation Area, an ecological continuation of the Serengeti National Park (SENAPA) covers an estimated 829 square kilometres. Ngorongoro Crater, which is perhaps the single largest tourist attraction in the NCA, is a vast area, covering an estimated 250 square kilometres and sinking to a depth of 610 metres. The area is diverse in its climate, topography, plants, and animals. The area is also home to the Maasai, Barbaig, Dorobo and Hadzabe peoples. The Maasai are considered the latest group to have moved into the area, having arrived about two centuries ago. The Maasai and the Barbaig practice traditional cattle husbandry, while the Dorobo and Hadzabe lead a hunter-gatherer lifestyle that was outlawed when the NCA was established (in 1959). These groups are known to have lived harmoniously with nature for centuries before the modern conservation project interfered with their traditional ways of life.

### Multiple Land Use Practice in Ngorongoro: Failure or Success?

The best way to evaluate the success of multiple land use practice in the Ngorongoro Conservation Area is to assess whether or not the goals that the NCAA established have been met. First, catastrophic declines of wildlife have not occurred, with numbers of some species like wildebeest being substantially on the increase. The numbers of some species have fallen, though. Rhinoceros, which were found in the hundreds in the 1950s, number only fifteen today, mostly due to poaching. Tourism has exploded. Earnings from foreigners are on the rise annually, and Tanzania is one of the most popular destinations in Africa. Unfortunately, the situation of the Indigenous pastoralists and hunter-gatherers has not improved and is, in fact, quickly deteriorating. Violations of their human rights are numerous and common.



Maasai women.

### *The Right to Move*

The freedom to move is an important right guaranteed in the *Constitution of the United Republic of Tanzania*. According to the law governing the area, the NCAA is given enormous powers to prohibit, restrict, or control the use of land for any purpose it deems appropriate, including the introduction, grazing, watering, or movement of stock and the use of wells, boreholes, waterholes, watercourses, streams, rivers, or lakes. The pastoralists of Ngorongoro are restricted from grazing in the crater, the crater rim, the Northern Highland Forest, and in some of the highlands. These restrictions affect their access to salt licks in the crater and good pastures and water in the Northern Highland Forest, previously a grazing refuge during the dry season. These limitations to grazing will inevitably affect the lives and welfare of a people whose livelihood is entirely dependent upon cattle.

### *The Right to Participate*

Article 21 of the *Constitution of the United Republic of Tanzania* explicitly states that every citizen has the right to participate in the affairs of the

country, including the right to elect or be elected and to participate directly or indirectly through representatives. The governance of the NCA, however, deprives Indigenous Peoples of this important right. The management of the NCA is vested exclusively in the NCAA; there is no mechanism in place to ensure effective participation of Indigenous Peoples in the management of the area. Sound principles of good governance, such as the rule of law and democracy, would have called for Indigenous Peoples to participate in the decision-making process of the area, as such decisions directly or indirectly affect their lives. The Pastoral Council, which was created to be an effective tool for participation, has failed to fulfil its potential as it legislatively falls under the auspices of the NCAA. As a result it only has an advisory role on development issues, and none at all on issues related to tourism or conservation.

### *The Right to Life, Livelihood, and Land*

The right to life and livelihood is not guaranteed under the Constitution, only the right to *exist*. If one is serious about guaranteeing one's right to life, then the right to livelihood must also be respected. "An [...] important facet of that right is the right to livelihood because no person can live without the means of living, that is, the means of livelihood. If the right to livelihood is not treated as a part of the constitutional right to life, the easiest way of depriving a person of his right to life would be to deprive him of his means of livelihood [...]."<sup>8</sup> In Tanzania, for Indigenous Peoples, the right to livelihood is violated on a regular basis. The law officers in NCAA have constantly employed unreasonable force against Indigenous Peoples. For example, it is reported that a park warden shot and killed Oltukai Maandalo in 1993, resulting in the warden's arrest. On March 21 1997, park wardens assaulted Maasai herdsmen and slashed their cattle, allegedly because the latter had taken their cattle to the Northern Highlands Forest Reserve, a prohibited grazing area. While the Maasai and their cattle are restricted from using some of the areas to which they have traditionally had access, wildlife are not restricted from using the prohibited 'pastoralist development zone.' The authorities' prioritizing of tourism and conservation over the interests of Indigenous Peoples is unquestionably contrary to the 'parks *with* people' model under which the area was legislatively created. The area is often cited as a prime example of dual land use, but should rather be used as an example of how the admirable 'parks

*with* people' arrangement can fail when equitable attention is not given to both sides of dual land use.

### ***The Threat of Eviction***

While the NCAA is thought to be a shining example of a 'park *with* people,' it is in danger of extinction now that the Tanzanian government has resolved to evict pastoralists from the area. The intention of the NCAA to evict people in order to better protect the wildlife has been on the agenda since 1979. The most convincing evidence of this desire can be found in the May 19, 1992 agenda of the ruling party (Chama Cha Mapinduzi), with file CCM/C/T.10/4/3/Vol VX/76 expressing the perceived problems in the Ngorongoro area. The file states the intention to "convince these pastoralists/peasants to vacate the Conservation Area and take them to fertile and large areas, like Loliondo, where they will be able to cultivate and herd on ample space and without detriment to the environment and wildlife."<sup>9</sup> This strategy was to be implemented in the following ways:

- Relocation should not be by force, but with long-term education, so that the target population moves out voluntarily.
- Services for humans, livestock, and agriculture will be boosted in the new lands so that the emigrants are enticed to move into these areas voluntarily.<sup>10</sup>

The government initiated this plan when it announced that it would move about 200 families from the area before the end of the year, on the grounds that they were/are 'illegal immigrants.'

### ***Cultivation***

The Maasai have always been people of cattle; they do not take pride in tilling the land and only resort to cultivation in difficult times, as a supplement to traditional animal husbandry. The law that governs the conservation area, however, prohibits any form of cultivation, stemming from the current popular belief that farming and conservation are mutually exclusive. This legislation was created in spite of the fact that cultivation has been practiced in the area since at least 1890, and has never interfered with conservation. Authorities contend that cultivation, if allowed to continue, will invite immigrants to the area, despite the fact that they have the

necessary mechanisms in place to combat illegal immigration. Although the ban on farming was lifted temporarily in 1992, there is substantial evidence attesting to the fact that the authorities intend to permanently phase out cultivation within the next five years. If this occurs, it will be a gross violation of the right to livelihood, as the Maasai will be prohibited from alternative forms of earning a living.

### *Tourism and Associated Malpractices*

NCAA's tourism gains have been astronomic. There is a gross disparity between the standard of life of the Indigenous Peoples of the area and the amount of wealth that is generated from their lands. As a result, the inhabitants are forced to engage in degrading practices to earn a living. Their young are forced to stand by the roadsides and pose naked to satisfy the desires of rich adventure seekers, an obvious act of desperation that they would not perform if they had other means of benefiting from the influx of tourists. The tourism industry in the area has also introduced many practices that are not conservation-friendly. International hotel chains have established branches in Ngorongoro, quickly becoming major sources of environmental pollution. They have also compromised pastoralists' right to water, building storage facilities in water catchments areas that had always been critical access points for Indigenous Peoples and their animals

### **Conclusion**

'Parks *with* people' is a conservation model that emulates the natural arrangement that existed when man was a constituent part of nature. In contrast, parks, as we understand them today, are a modern invention. The experience in Ngorongoro Conservation Area has demonstrated that 'parks *with* people' can only function when all interests are given equivalent and equitable respect and attention. When one set of interests is forgotten, then the model merely serves to camouflage the agenda of modern conservation, which explicitly excludes human beings from the ecological balance. It has also been demonstrated that the 'parks without people' arrangement has not succeeded in its aim of conserving the environment. Perhaps the only remaining solution is to allow Indigenous Peoples and other local communities to manage their own natural resources, as they have the requisite knowledge, heart, and goodwill necessary to sustain them.

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NOTES

<sup>1</sup> This case study was written by William Olenasha, Programme Officer for the PINGOS Forum, Tanzania, and revised and edited by the Indigenous Information Network. It includes original interviews with Indigenous elders in Ngorongoro.

<sup>2</sup> George Catlin, qtd. in Marcus Colchester, "Conservation Policy and the Indigenous Peoples of the Commonwealth," paper presented to the conference *Indigenous Peoples of the Commonwealth and the Millennium Development Goals* (London: University of London, 20-21 March 2003) 5.

<sup>3</sup> Bernard Grzimek, qtd. in J.S. Adams and T.O. McShane, *The Myth of Wild Africa: Conservation without Illusion* (London: W.W. Norton, 1992) xvi.

<sup>4</sup> World Rainforest Movement, "Sorry Story of the World's First National Park," *WRM Bulletin 73* (2003): 7.

<sup>5</sup> Christine Carey, Nigel Dudley and Sue Stolton, *Squandering Paradise? The Importance and Vulnerability of the World's Protected Areas* (Gland Switzerland: WWF, 2000) 25.

<sup>6</sup> I.G. Shivji, "Grounding the Debate on Land: The National Land Policy and its Implications," *Debating Land: Proceedings of the Workshop on the National Land Policy* (Dar es Salaam: LARRRI/HAKIARDHI, 1996): 10.

<sup>7</sup> K. Homewood and W.A. Rodgers, *Maasailand Ecology: Pastoralist Development and Wildlife Conservation in Ngorongoro, Tanzania* (Cambridge: CUP, 1991) 72.

<sup>8</sup> Decision in the Olga Tellis case (AIR 1986 SC 180) by the Supreme Court of India. Cited in H. Suresh, *Socio-Economic Rights and the Supreme Court* (Ambedkar: Ambedkar Center for Justice and Peace, 2006) par. 16.

<sup>9</sup> Chama Cha Mapinduzi, CCM/C/T.10/4/3/Vol VX/76 (Tanzania: CCM, 1992).

<sup>10</sup> Chama Cha Mapinduzi.

