

CREATURES



RADICAL ECOLOGICAL CONVERSION AFTER LAUDATO SI'
Discovering the intrinsic Value of all Creatures, Human & Non-human

A Response to Prof. Dr. Micheal Northcott, *University of Heidelberg, Germany.*

“Indigenous Peoples, Land Rights and Care for Creatures”

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In this important talk ‘Indigenous Peoples, Land Rights and Care for Creatures’, very significant submissions have been made. For my response, I build on some aspects which resonate with my context.

1. In the presentation, we are made aware of ways in which conservation has been undertaken. On one hand it is the government initiatives, an imposition which yields limited results. On the other hand, it is the indigenous groups living within these systems over the years who continue to preserve and conserve their habitat yielding much better results.

We have been made aware of the UN Convention on Biodiversity (UNCBD) where the state has a crucial role in conservation but the approach to conservation in LS is different as follows:

- It includes not only endangered species
- But Includes endangered habitats
- And also include endangered indigenous peoples and their livelihood.

In the light of these, we are called to ecological conversion to bring lasting change is in the presentation considered ‘also a community conversion’ where all human communities’ in their local places support this responsibility.

In my response, I proceed in the same vein of the highlighted indigenous communities in the Tropical forests of Borneo and the Amazon and also draw one example from the *Ogiek Indigenous Community* of Kenya.

The *Ogiek* community have inhabited the Mau Forest Complex for very many years and are one of the last remaining forest-dwelling communities in Kenya. Subsequently, they are among the most marginalised indigenous peoples. The African Court of Human and Peoples Rights in Arusha found that the Kenyan government violated seven separate articles of the African Charter following an eight-year legal battle. This historic judgment follows a very long land rights case.

Often, state conservation' measures actually threatened the Ogiek with eviction from their forest home. Ever since colonial times there have been attempts to evict them from their ancestral forest, usually on the pretext that they are degrading it. But when the Ogiek are removed, it often turned out that their forest is not protected but rather exploited and subdivided to the political elite.

Crucially the Court recognised that the Ogiek – and therefore many other indigenous peoples in Africa – have a leading role to play as guardians of local ecosystems, and in protecting land and natural resources, including the Mau Forest.... For the Ogiek, this is history in the making. The issue of Ogiek land rights has finally been heard and the case has empowered them to feel relevant.¹

The Ogiek who are the victims in the above landmark case, have lived in the Mau forest since time in memorial. In the court case, they rightfully alleged continued violations of their rights to life, property, natural resources, development, religion and culture by the Kenyan government.

It is important to note the stress that their right to religion and culture was infringed upon when their right to live in the forest was also infringed upon. Their religious observance is connected to a place and space, which in turn has an impact on how they relate to the forest. It appears that there remain significant religious dimensions to this land and forest which requires unpacking in forms of indigenous knowledge carried by the Ogiek. This worldview is useful in the enterprise of care for creatures to explain from other faith traditions, such as the African Traditional Religion of the Ogiek how they effectively afforded indigenous management of the Mau forest over the many years they have inhabited it.

The Ogiek, like other indigenous communities see the world in a different way and are a prophetic voice against the widespread consumerism that we see in our present society. They see the world and all that is within it as interconnected, with none being self-sufficient. Their values and spiritual attachment to the Mau complex if understood and taken seriously have a lot to offer to the care of all creation.

¹ <http://minorityrights.org/2017/05/26/huge-victory-kenyas-ogiek-african-court-sets-major-precedent-indigenous-peoples-land-rights/> Visited on 10.1.2018

2. There has to be a renaming of processes to capture the totality of what they really are. Conservationists in developing countries have in times past been associated with the elite and well-resourced persons in a country and beyond.

In the Kenyan case, conservationists have largely been said to come from Britain, a former colonial headquarter. Their ways and approaches have had far reaching implications on the populations and not only in recent times but also way back since Kenya was a protectorate.

Prof. Dr Micheal Northcott in a 2012 article **Artificial persons against nature: environmental governmentality, economic corporations and ecological ethics**, points to the stark differences between indigenous management of their habitat, community based conservation and the modern conservation movements.

In the typical Kenyan context, it is often implied that conservationists are only the educated, elitist etc. This eventually ignores forms of indigenous knowledge's that have withstood generations, which would have complemented the efforts. Perhaps as theologians we can shift the emphasis, from purely conservation to capture the additional impetus toward a preferential option for the poor which has is often underemphasised.

On matters terminology, is what indigenous people are doing in the name of indigenous management of habitat also conservation? If so, in many ways, conservation may have to be infused with different meanings.

Prof. Dr Micheal Northcott has demonstrated earlier in his 2012 paper the contradictions at the heart of modern conservation. Profits from corporates fund such ventures. There is need to interrogate what in particular contexts consists conservation. For example, in Kenya- it is after wild animals have been killed and hunted down, to again satisfy the appetites for ivory and similar products, that the volume on conservation is heightened. It is clear that poaching and the trade in ivory and other items continues unabated with the elite largely making money out of it.

Further reflections on this presentation includes the following:

- a) In LS an emphasis on the immediate habitat and community can perhaps downplay the challenges of what Northcott has seen in his 2011 paper **Anthropogenic Climate Change, Political Liberalism and the Communion of Saints** to be two storms. The first is the storm of human adaptation to Anthropogenic Climate Change (ACC) and the second is the moral storm of mitigation of ACC in which those least responsible for the problem in Africa and elsewhere suffer most from its consequences. Northcott attests that carbon markets lowest emitters are the ones who end up suffering most. In my response, I ask how we can also account for global scale ecological problems and how they can be addressed when we purely focus on indigenous people's land rights. How shall we take care of the bigger picture at the same time?

- b) There is even a greater challenge when it comes to matters of land rights especially when the respondent in the case is actually the state which has the mandate to execute land and property law as shown in the Ogiek case. Those with power and in this case the state, end up wielding it over and against the indigenous peoples.
- c) A consideration of ecological conversion to bring lasting change needs to be ‘also a community conversion’ that entails a ‘loving awareness’ that we are ‘joined in a splendid universal communion’ with all creatures. (Emphasis mine). The goal would be to see how this might in practice be extended to include all creation.
- d) A take on the concept of land ethic. See Northcott 2012 ‘**Artificial persons against nature: environmental governmentality, economic corporations, and ecological ethics**’. In this paper Prof. Dr Micheal Northcott explains how ecological and evolutionary science indicates that humans are members of the “land community” and that instead of its conquerors they must act as its citizens. Ecology generates a new sense of right and wrong in the earth community, which Leopold called the “land ethic:” “a thing is right,” he argued, “when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise.” pp 108.

It is indigenous peoples who practically show us how best we can be citizens in this land community and whose wisdom and knowledge if taken seriously can have an impact on the world we live in. They remain a storehouse of knowledge which we ought to embrace and learn from before what they know is no longer available to us.