

# **Neoliberalism, Privatization and Social Justice**

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## 1. Executive summary

This paper is based on baseline research on neoliberalism and trade in Kenya that I conducted several months for SEATIN - Kenya. The broad aim of the research was to investigate the level of awareness and understanding among local stakeholders of trade about the nature and functioning of the neoliberal multilateral trade system, its institutions that include World Trade Organization (WTO), World Bank (WB), International Monetary Fund (IMF) and Multilateral Agreement on Investment (MAI) and their effects on Kenyan economy in general and the poor in particular. The research was also concerned about examining the viability of some of the solutions imposed by the multilateral system and that are implemented by the Kenyan Government that are purportedly aimed at ameliorating the social impacts of neoliberal economic policies. This included studying the production and market challenges of small-scale farmers, small-scale traders and artisanal fisher-folk, and also whether they and the legislatures are involved in trade negotiations conducted by the Government with bilateral and multilateral Governments, Organizations and Institutions. In the process I also examined the viability and effects of privatization of state parastatal, trade liberalization and 'rationalization' (it is actually retrenchments) of the civil service driven by neoliberalism and the Kenyan government.

The paper is divided into seven sections. Section 1 is the executive summary that provides an outline of the contents of the report. Section 2 is the introduction which is concerned with defining the problem of the research. It provides a detailed account about the effects of neoliberal globalization upon trade, industry, economy and agriculture of Kenya. It will attempt to show how Kenya and the countries of the East African Community have been made to be dependent on selling and consuming imported secondhand and substandard goods (*mitumba*), and also ideas, while implementing neoliberal economic and trade reforms that have hitherto failed to bring about development and poverty eradication among the majority of the citizens.

Section 3 defines the aims and objectives of the research while section 4 tells about the research methods that were employed for the research. Section 5 explains about the relevance of the research and report which is about the need and right of Kenyans and East African stakeholders - who include legislatures, small-scale farmers, small-scale traders, artisanal fisher folk and the marginalized - to be informed, consulted and involved in various ways in the negotiations between the Government and the bilateral and multilateral organisations that impose capitalist economic reforms including privatization of the economy and services. Mwalimu Julius Kambarage Nyerere while President of the Republic of Tanzania and after he had retired always vehemently struggled against the neoliberal economic policies imposed upon African and Third World countries by imperialist powers.

Section 6 is the conceptual framework of the research and report. Here I propose that it is imperative for the present and any future leadership of Kenya and East Africa to be forced by the united and organised struggle of progressive forces and the masses representing various interest groups, to consult and negotiate with them before they negotiate with foreigners and foreign institutions on behalf of the nation(s). Just like neoliberal economic policies, political and economic solutions that have come from above and outside have not worked hitherto and in fact have led to the present crisis of the cycle of poverty, underdevelopment and social injustices existing in our countries. The search for solutions must start from below involving people's participation at the grassroots. For example, rather than being taught by imperialists about how to negotiate and deal with the imperialist's institutions and policies, the EAC Governments and citizens should instead negotiate among themselves to form the necessary alternative national and regional platforms to forge national consensus in readiness for the struggle against the imperialist multilateral system. This, of course, implies that those who are currently in charge of the governments in our countries are interested in searching for alternative progressive and just economic policies, which unfortunately is not the case.

In section 7 is about the scope of the research. I point out that the objectives of the research were too broad and ambitious to be studied within a period of fourteen days even for a baseline research. Therefore the research could only touch upon the six thematic areas identified as specific objectives and suggested a road map for more comprehensive research. In section 8 I document the research findings while section 9 is about the recommendations of the research where I proposed citizens' and stakeholder's deliberate and organized struggle against neoliberal globalization and for globalization based on human solidarity, peace, justice and socialism.

References are found at the end of the paper. The original report used for this paper had an annex that contained the research questions used for the research and documentation of the interviews with various participants. However, I did not include it in this paper to avoid it longer than it is.

## 2. Introduction: Mtumbaism - crude manifestation of neoliberal globalization

### 2.1. The meaning of *mtumbaism*<sup>1</sup>

*Mtumba* is a Kiswahili word that was originally used to refer to second hand clothes. This is because the first second hand commodities that were sold at a large scale in Kenyan markets were clothes. Now that today second hand commodities have become the norm rather than the exception in Kenya and East Africa in general, *mtumba* refers to all second hand items, clothes, shoes, utensils, vehicles, machines, electronic goods, furniture, medicine, etc. I also take the liberty to refer to as *mtumba* all cheap and sub-standard imported goods and also foreign ideas or ideologies that are aimed at preventing progressive change and that serve to maintain the unjust political, economic and cultural order of poverty, dependency and underdevelopment. Nyerere<sup>2</sup> used to teach that while dependency on other people is bad, dependency of other people's ideas is worse. In Kenya, like in many parts of Africa, the importation, buying, selling and consumption of all sorts of *mitumba* goods has become the norm rather than the exception. It is this culture and process of dependence on *mitumba* goods, values and ideas that I call *mtumbaism* (Mghanga, 2003:93 - 117).

#### 2.1. 1. The trade in second hand clothes

Kenyan markets, whether in the rural or urban areas, are today full of all sorts of *mitumba*, most of which are imported from Western Europe, USA, Canada, Japan, China and United Arab Emirates. In the 1960s, there were hardly any *mitumba* in the Kenyan markets. Then *mitumba* were referred to as *marehemu George*, meaning the clothes of dead people personified by the dead King of England, George. This was in order to discourage people from wearing them. It was only desperate people who had to wear clothes left behind by the dead. One, therefore, had to be extremely poor in order to wear *mitumba*. In those days, the material circumstances allowed Kenyans to conserve their pride. As Olukoshi, 1998; Havnevik, 2000: 27; Gibbon and Bangura, 1992; explain, during the 1960s up to early 1970s, the economies of African countries, were performing relatively well and causing positive development. This was more so in Kenya where the people were enjoying the standard of living that nowadays they remember only with nostalgia.

Today the trade in *mitumba* has grown to be one of the largest formal and informal economies in the country. One of the biggest import commodities of the country is *mitumba*. The largest markets in Kenyan urban areas deal with *mitumba* items. Thousands of people earn their living through buying and selling *mitumba*. The majority of Kenyans now wear *mitumba*. Kenyans who are increasingly being turned into hawkers mainly as a consequence of implementation of neoliberal economic policies that cause unemployment, landlessness and lack of other alternatives of earning a living trade mostly in *mitumba*. While in the beginning one considered it a shame to wear *mitumba* and if he or she had to he or she would not reveal the fact, today *mitumba* have been accepted as part and parcel of life and are bought, sold and used openly and without shame.

The harsh living conditions brought about by the implementation of neoliberal economic policies, corruption and mismanagement, that as in most Sub-Saharan Africa began in the mid-1970s (Hamrell and Nordberg, 1992:7; Mohan, Brown, Milward Zack-Williams, 2000:4; Havnevik, 2000:26 - 40) described so graphically by Olukoshi (1998) are eroding the pride of Kenyans. Today the majority of Kenyans are so poor that they cannot afford to buy new clothes. As poverty escalates and the structural adjustment programmes (SAPs) of World Bank and International Monetary Fund cut more and more jobs through retrenchments brought through the 'rationalisation' of the civil service, privatisation of state enterprises

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<sup>1</sup> The word *mtumbaism* is coined by the writer of this paper.

<sup>2</sup> I used to hear this from Mwalimu Julius Nyerere's speeches called *Ujumbe wa Leo* that used to be broadcasted by Redio Tanzania Dar - es - saalam after news. He was then President of Tanzania.

and the closure of local manufacturing and business enterprises unable to compete with foreign industries, the number of those who rely on the selling and buying of mitumba is increasing rapidly. Second hand clothes are seen and even accepted as the solution in a situation where millions will go naked without them. The problem is that while mitumba may alleviate the immediate problem it is certainly not the long term solution to poverty and underdevelopment. On the contrary, mtumbaism contributes to undermining local textile industry and related agriculture and trade (Kantai,1999:55 - 71) Its implication to the cultures and humanity of Kenyans and the future of the country is horrendous, to say the least.

### **2.1.2. Other mitumba commodities**

Again, in the beginning mitumba was mostly only about clothes. However, today the majority of Kenyans buys and uses all sorts of mitumba commodity: clothing of all sorts including socks, innerwear's, blankets, bed-sheets, curtains; carpets; utensils; toys; books; cell phones; computers; machines of all sorts; furniture; etc. Many vehicles and most cars on Kenyan roads are mitumbas imported mostly from Japan and also from Europe, many of which enter the country via Dubai and are therefore also called *dubais* (Kantai,ibid.). The cars also use second hand tires and other second hand spare-parts imported from Europe and Japan. All sorts of food-stuffs, milk, eggs, sugar, meat, fruits, a lot of which is considered as *mitumba* in their country of origins, are sold in the Kenyan supermarkets and open markets. Foods that today in the West is regarded as junk food<sup>3</sup> and therefore unhealthy has of late appeared in the Kenyan markets and are becoming more and more popular to the middle class, thanks to trade liberalisation. Tobacco and beer multinational corporations that are prohibited from advertising in the Western countries advertise freely in Kenya and encourage alcohol and cigarette addiction.

### **2.1.3. Kenyans are consuming mitumba ideas and culture**

Mtumbaism is not about material goods alone. It is also about, education, ideas, culture. In the era of great scientific and technological revolutions in the world, particularly information technology, Kenyans import mitumba knowledge from the West. Books that are no longer needed in schools in Europe and USA are either sold in the streets, bookshops or donated for use in nursery, primary and secondary schools, colleges and universities in Kenya.

The Kenyan mass media depend on foreign news agencies for the global news they print and broadcast to Kenyans. The majority of the Kenyan journalist, whether from the print or electronic media, write and broadcast platitudes that only strengthen neoliberalism ideals. Foreign films, many of which were produced several months or years ago, dominate Kenyan television stations, shops and street markets. And while this is happening local films made by local artists struggle to exist. Second hand commercial advertisements are preferred to local made ones to the detriment of local advertising companies.

### **2.1.4. Mtumbaism is a manifestation of neoliberal globalisation**

Mtumbaism is manifestation of the brutal effects of neoliberal globalisation in Kenya (see also Coronel & Dixit, 2006:13-27). It is a testimony about how the process of capitalist globalisation that is rationalised, institutionalised, propagated and enforced upon countries like Kenya through multilateral institutions, agreements and rules - foremost the World Trade Organisation, World Bank, International Monetary Fund and Multilateral Agreements on Investments - has made other human beings second hand citizens of the world (Kantai,ibid.; Okwembah & Lukalo, 1999: 41 – 54). It is about inequality between the North and the South, the rich and the poor, in the era of globalisation based on capitalist ideology and praxis, and how

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<sup>3</sup>Here I refer to the food sold by multi-national corporations such as *Macdonald's* that are increasingly being criticised for their sub-standard foods. One of the impacts of globalisation and trade liberalisation is the coming of *Nandos*, a South African food company equivalent to *Macdonald's*. *Nandos* is dominating the food market in Kenyan towns where it sells frozen chicken, meats, and hamburgers, most imported from outside the country. It is having a negative effect on the eating habits of Kenyans, small-scale local restaurants, trade and agriculture.

this relationship impacts upon the livelihoods, economies, cultures and psychology of the people of both countries (Brie, 2009:18-26). It is about injustice to the poor and the desperate struggle for survival of the people whom Fanon (1967) called the wretched of the earth, people who today have to depend on things and ideas produced and disposed of by other people. Mtumbaism is a manifestation of the brutality of capitalism and imperialism.

In spite of the imposition of mtumbaism upon Kenya, the people are made to believe that capitalism is not only inevitable, insurmountable but also the panacea of their problems. What is even worse, the Kenyan people are misguided that the imperialist multilateral system cannot and ought not to be challenged. This is precisely what motivated this research and report that contends that neoliberal globalization can be challenged, has been challenged and must be challenged (Tandon, 2002; Development Dialogue, 2007; Allain, 2005; and Ouma, 2007: 112 - 116). Another form of globalization that aspires for justice, equality, peace, sustainable development and human solidarity within and between nations is possible (Camilleri, Malhotra, & Tehranian, 2000; Castro, 2000; Chavez, 2003). Therefore, Kenyan people have a right and duty to join other people in the world in the struggle for the alternative globalization that will liberate them and the world from mtumbaism (Mghanga, 2003: 93 – 117; Nzomo, 2003: 47 – 67; Wandia, 68 - 73; and Kaara, 74 – 77; Okumu, 78 -92).

### **3. Aims and objectives of the baseline research**

The research and consequent report that is summarized in this paper was motivated by the situation in the country described in (2) above. The research had the following specific objectives:

1. To establish the awareness of legislators, small-scale farmers, artisanal-fisher folk and small scale traders about the following:
  - (a) the workings and impacts of global economic policies.
  - (b) the purpose and operations of Multilateral Trading System superintended by WTO.
  - (c) appreciations of bilateral trade agreements and initiatives (e.g. Economic Partnership between ACP and EU member states, AGOA, etc. and their relations with WTO.
  - (d) the role of the named stakeholders in trade negotiations and ways in which they can influence negotiations.
  - (e) The emerging trade concerns and how they are likely to affect them.
2. To assess the production and market challenges experienced by productive target groups.
3. To establish the target groups' level of engagement in trade negotiation process and in which they have influenced the processes over the last five years.
4. To assess the level of dialogue and consultations between target groups and other stakeholders in trade negotiations.
5. To identify capacity gaps or constraints that hinder effective engagement of the target groups in trade discourse and ways of addressing these gaps.
6. To formulate recommendations and suggestions based on the findings of the survey.

## 4. Methodology

The research used both quantitative and qualitative methods. The quantitative research involved reviewing relevant literature, particularly on globalization; bilateral and multilateral policies and agreements on trade and related issues; economic and political reforms informed by World Trade Organization (WTO), World Bank (WB) and International Monetary Fund (IMF). The literature review informed the analysis of this report and is the reference that is included at the end of the report.

Through qualitative methods, I conducted both formal and informal interviews and discussions with legislatures, small -scale farmers, small - scale traders and artisanal fisher folk. In the case of formal interviews, I arranged for time and place and provided prepared questions before hand. But in most cases I conducted informal interviews and discussions in which I approached and discussed with the targeted stakeholders in their work places and at various places where I met them<sup>4</sup>.

Observations were a very important method that I used in the research. Being a researcher does not remove me from being part and parcel of Kenyan society. For this reason, as I conducted research I kept my eyes and ears open to see and hear about the real dynamics of trade and economic life in everyday Kenya. Reports and discussions about trade and economic related issues in the Kenyan print and electronic media were part and parcel of the observations that form the content and analysis of this report. So too are my personal firsthand experiences about the research issues as a legislature from 2003 – 2007, readings and participation in various meetings in Kenya and abroad.

## 5. The relevance of the research and report

The dynamic process of globalisation, particularly neo-liberal globalisation, which is in fact global capitalism spearheaded by imperialist nations (Bullard, 2007:7-13) has defied nation - state boundaries to penetrate the remotest parts of the world and nations where both its positive and negative effects are being felt on a daily basis. However, the process of globalization of capitalism, its positive achievements and dynamism aside, does not imply the expansion of the benefits of the rapid scientific, technological and economic development to all countries and all continents, but rather an attempt to create a unified world system, with a handful of capitalist countries (led by those of Organisation for Economic Cooperation and Development - OECD), with 10% of natural and human resources of the world-prospering by appropriating 90% of the resources of the countries of the South, where billions of people are compelled to backwardness and misery and to a non-capitalist and agrarian societies (Njem, 2000:11-12; Camilleri, Malhotra & Tehranian: 13 - 16).

The most important aspect of neoliberal globalisation is the political unity of the imperialist states (G8) of imposing this process as a rule of an international legal system legalizing the inclusion of the non-capitalist countries, as periphery, into the capitalist world system (Njem, *ibid.*). Bilateral and multilateral economic and trade policies and agreements coordinated and implemented through World Trade Organisation and the twin Britton Woods Institutions - the World Bank (WB) and International Monetary Funds - are bedrocks of the neo-colonial economic and trade policies imposed upon Kenya and other African and developing nations (Prah, 2002: 24).

Capitalist globalisation is affecting and determining negatively the economic, political, social and legal policies of developing countries (Camilleri, Malhotra & Tehranian: 9 - 25; Plahe, 1999), including Kenya. Bilateral and Multilateral policies and agreements signed in capital cities far away from Kenya and Kenyan villages nevertheless have direct and indirect impacts on lives and livelihoods not only in the cities and towns but also in the villages in rural areas, whether the people concerned are aware of them or not

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<sup>4</sup> The research questions are found in the annex of this report.

(Coronel & Dixit, *ibid.*) Yet the policies and agreements are about the conduct of economy, politics, trade, agriculture, food safety and security, environment, labour relations, property relations and most important the relation between Kenya and other countries and nations, particularly imperialist countries (Shalatek, 2001; Allardice & Tandon, 2004) which have far reaching effects on the lives, livelihoods, culture, health and security of the people and nation.

However, as important as they are to the present and future of the country, these imperialists' policies together with their organisations remain obscure and remote to the majority of the population despite their effects upon their lives. Little is known about the multilateral and bilateral organisations and institutions by the majority of Kenyans who have to live with their decisions and practises approved and signed by the Government without their participation.

Again, numerous and complex as they are, the multilateral economic and trade policies and agreements are still deliberately opaque, covered with secrets, intrigues and signed by the Governments, many times through positions of ignorance, and without their participation and that of their people:

The WTO is probably the most non-transparent of international organisations. Most, if not all, its key decisions are worked out in formal meetings. In many cases, only few countries are invited to these meetings. Where these meetings take place, when and who attends, as well as the positions taken by various countries, are not made known. When these small informal groups work out decisions among themselves, these are taken before the formal meetings and made into decisions....Most times, the "major countries" (the largest developed countries) get the decisions they want. A few countries are able to veto issues or decisions they do not want even if the vast majority of countries agree to them (Plahe, *ibid.*,:77).

Thus, the process of reaching agreements of the multilateral economic and trade organisations Kenya is committed to, such as WTO, is unjust and undemocratic, to say the least (see also Chomsky, 2009:12). The Kenyan Government, that ought to practise democracy, human rights, good governance, transparency and accountability and to champion national interests at home and abroad ought also to make concerted efforts to involve the citizens in understanding, discussing, making decisions and taking positions about the complex multilateral and bilateral policies before committing the country to them. In fact, Kenyan CSOs and NGOs are justified in demanding involvement in this regard. Tandon (2002) cautions African Governments,

"Above all, refuse to sign agreements under the WTO without first understanding and analysing the implications. Unlike agreements made under IMF and the World Bank those made under WTO are not reversible and are subject to judicial process of WTO and unilateral sanctions by the powerful against the weak".

The above concerns about the need and right of Kenyan stakeholders - who include legislatures, small-scale farmers, small-scale traders and artisanal fisher folk - to be informed, consulted and involved in various ways in the negotiations between the Government and the bilateral and multilateral organisations justify the need for this research.

Furthermore, it is important to increase awareness among Kenyans that neoliberal globalization has been and continues to be challenged, in theory and practise, throughout the world by progressive leaders and governments (for example Chavez, *ibid.* & Castro, *ibid.*), intellectuals, and particularly by progressive Civil Society Organisations (CSOs), political parties and movements (Social Democratic Party of Kenya - SDP; Plahe, *ibid.*:77 - 78; Bulard, 2008: 7 - 13; Smith, 2008: 5 - 19; Mooney, 2008: 23 - 28; Shiva, 2008: 31 - 38; Bond, 2008: 41 - 46; Dag Hammarskjöld, 2008: 48 - 49; Waterman, 2008: 51 - 55; Coronel & Dixit, 2006: 27; Bidwai, 2006: 60 - 62; Camilleri, Malhotra & Tehranian: 1997; The Crucible II Group, 2000; SEATINI, 2002; Ouma, 2007).

This research and report calls for all efforts to be made to organize and mobilize the masses and all progressive forces to struggle for an alternative form of globalization that will remove them from neoliberal globalization, mtumbaism, and take them along the development path of utilizing their human and natural resources to realize their development potentials while, at the same time, being in solidarity with other people of the world.

## 6. Conceptual framework

The conceptual framework of the research and analysis of this report and paper is based on dialectical materialism which is the realization that comprehending a problem or situation is to see it from its material base that ultimately determines it and within a time or historical perspective, how it has arisen and how it has come to be what it is. Furthermore, the economic and trade processes that are the subject of the research are neither static nor isolated from other processes - including social, political and cultural - in the country and the world. Rather it is in their dynamism and interconnectedness that trade and economic phenomena exist and should best be studied and understood.

As already explained, this research and report is motivated by the reality of Kenya today (see 2.1. in this report/paper). It is an effort of searching for the reasons for the persistent crisis of underdevelopment in Kenya and what needs to be done to bring about sustainable solutions. My premise is that the present crisis has been brought about both by past and present internal and external contradictions. The solutions should, therefore, be sought from both internal and external factors, starting from internal factors since Kenyans and Africans are also human beings like any others in the world capable of making independent and conscious choices (Babu, August 1979: 70 - 72; September 1979: 85 - 87; December 1979: 68 - 70; January 1986 - 63; Othman, 2001)<sup>5</sup>.

The Kenyan leadership has failed the country through reactionary policies within the country and by giving in to the policies of imperialist multilateral institutions. At home they have betrayed the people through greed, chronic corruption, tribalism, nepotism, cronyism, violations of human rights and dictatorship. At the same time, they continue to implement neoliberal economic reforms imposed by the World Bank and International Monetary Fund that have not only caused a lot of unnecessary pain to the majority of the people but that have in fact also hitherto failed to change things for the better. For greed, personal aggrandizement and sometimes ignorance Kenyan leaders have surrendered national freedom and sovereignty through committing the country to external debts, economic and trade policies and agreements that they least understand and that are used by imperialist countries that make them to manage world trade for the benefit of imperialist nations, MNCs and TNCs (Plahe, *ibid.*).

Although international aid based on principles of international solidarity of alternative globalization is welcome and required to help trigger sustainable development, ultimately, Kenyans should not expect their problems to be solved by foreigners on their behalf. As a matter of fact, fifty years of dependency on foreign aid and of implementing policies made by foreigners in foreign countries and imposed upon Kenya through the imperialist multilateral organizations of trade and economy have not solved Kenya's

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<sup>5</sup> In conceptualizing the research and analysis of the paper, I referred extensively to the late Abdulrahman Mohamed Babu, 1924 - 1996, who was one of the greatest African socialist revolutionary intellectuals, politician and anti-imperialist activist from Tanzania. Throughout his active life as a member of the cabinet of Tanzanian Government holding several portfolios including that of trade; as a journalist and lecturer in various institutions in the world and also as a political prisoner and exile, Babu consistently struggled against imperialist globalization and proposed alternative concrete solutions for Africans and people of the Third World. To Babu, the beginning of the road towards liberation and development is to appreciate the imperialist nature of the multilateral system that dominates world trade, economy and development and seek solutions not from inside it but outside it - scientific socialism. This includes the strategy of struggling for national sovereignty and self - determination.

problems of poverty and underdevelopment. Instead, they have distorted the countries development priorities, killed local initiatives while escalating poverty, the debt burden and dependency.

It is, therefore, imperative for the present and any future leadership of Kenya to be forced by the united and organised struggle of progressive forces and the masses representing various interests, to consult and negotiate with them before they negotiate with foreigners and foreign institutions on behalf of the nation. Political and economic solutions that have come from above and outside have not worked hitherto and in fact have led to the present crisis. The search for solutions must start from below, the grassroots and from the Kenyan people themselves. Thus people that are affected directly and indirectly by policies made by their leaders and by policies and agreements signed with multilateral and bilateral organisations, must struggle to be involved in understanding and deciding about them (Hyden, 2006:183 – 201; Mooney, 2006:2003 - 213; Shiva, 2007: 33-35; Bond, 2007: 41 – 49; Waterman, 2007:51 – 57). Rather than being taught by imperialists about how to negotiate and deal with imperialists' institutions and policies, Kenyans should instead negotiate among themselves to form the necessary alternative national policies and to forge national consensus in readiness for the struggle against the imperialist multilateral system.

All stakeholders of trade, including Civil Society Organisations, Community Based Organisations, traders big and small, farmers big and small, artisanal fisher folk, manufactures big and small, media, elected leaders including parliamentarians and chancellors, workers and trade unions, peasants, etc. must now be organised and mobilised to demand information, accountability and involvement about international policies and agreements signed by Government on behalf of the country.

## **7. The scope of the research**

The objectives of the research were too broad and ambitious to be studied within a period of fourteen days even for a baseline research. Our research could, therefore, only touch upon the six thematic areas identified as specific objectives and to suggest the direction which the future much required research should take.

## **8. Research findings**

### **8.1. Level of awareness of legislatures, small - scale traders, small - scale farmers, artisanal fisher folk**

I interviewed and discussed with legislatures, small-scale traders, small-scale farmers and artisanal fisher folk about the workings and impacts of global economic policies and the purpose and operations of multilateral trading system superintended by WTO. I inquired from them about their level of awareness about bilateral and multilateral trade agreements and initiatives such as, Economic Partnership between African Caribbean and Pacific Countries (ACP) and European Union (EU) member states, African Growth Opportunity Act (AGOA), and their relations with WTO. I also asked about their awareness and involvement about East African Community (EAC) and Common Market of Eastern and Southern Africa (COMESA). I also asked about the role of the four stakeholders in trade negotiations and ways in which they can influence negotiations. I tried to find out from them whether they are aware of the emerging trade concerns and how they are likely to affect them.

#### **8.1.1. Legislatures**

From the interviews and observations I found out the following:

- (a) Most Members of Parliament have hardly any idea about the multilateral system of trade led by World Trade Organization and how it impacts upon Kenya and other developing nations.

- (b) There is hardly any awareness among parliamentarians regarding bilateral and multilateral trade agreements signed by the Government on behalf of the country.
- (c) In most cases Kenyan legislatures are not furnished with information about global economic and trade policies and agreements signed by the Kenyan Government on behalf of the country.
- (d) Few questions are asked in Parliament regarding the trade agreements and policies that have far reaching effects to the economy of the nation.
- (e) The Members of Parliament do not always know that the problems of Kenya are caused by both internal and external factors. They concentrate on internal factors of corruption, tribalism, violence, insecurity, bad infrastructure, bad governance, etc. which are true but not the only factors.
- (f) Although issues of bilateral and multilateral trade policies and agreements are discussed in the relevant parliamentary committees of Trade and Defense and Foreign Affairs, their reports hardly receive the attention and interest of the Committee of the Whole House. Few MPs show interests in issues of multilateral system of trade governed by WTO although it has far reaching effects to the economy and development of the country.
- (g) It is also claimed by MPs that the President, Ministers and Civil Servants avoid providing information about economic and trade agreements they sign with foreign countries and institutions. They provided as examples the agreements made by the President and Prime Minister with the Libyan Government that led to the sale of Grand Regency Hotel to Libya; the agreements signed between Kenya and the Government of Qatar that gave Qatar Government access to land for farming and development in Kenya. Again, agreements between the Government and the Britton Wood's institutions of the World Bank and International Monetary Fund are hardly discussed in parliament. This information is only seen in annual budgets where MPs are used as rubber stamps.
- (h) Parliamentarians are not aware of alternative policies to neoliberal globalization. Most believe that neoliberal globalization - capitalism - despite the injustices it causes to the majority of citizens is good, inevitable and the country has to adjust to it whether it likes it or not.

### **8.1. 2. Small - scale traders**

We found out that:

- (a) Small-scale traders complain about economic liberalization and failure of the Government to protect and nurture local trade.
- (b) The *juakali* (handcraft) manufactures complain about dumping of cheap goods from China, Dubai, India, etc., that prevent the development of local small-scale manufacturing and trade.
- (c) Small-scale traders complain about unfair trade from goods that enter the country without paying taxes.
- (d) Small-scale traders who deal with food products import grains, fruits, bananas, onions and other food stuffs from Uganda and Tanzania that are sold in Kenyan markets including Nairobi.
- (e) Kenyan traders travel to Uganda, Tanzania and around the region and import shoes, clothing and other goods that they sell in Kenya. They trade with traders from Uganda, Tanzania, Rwanda, Burundi, Democratic Republic of Congo and Sudan.

- (f) Many Kenyans travel to China, Turkey, Pakistan, India, Dubai and other places and import all sorts of goods that they sell in Kenya.
- (g) However, the Government hardly controls this trade and the traders are hardly aware of the multilateral institutions and agreements signed by the Government that sanctions this trade. Neither are they aware of the multilateral trade and economic systems and its impacts upon them. They simply trade.

### **8.1.3. Small - scale farmers**

Small - scale farmers complain about the problems that affect them and blame the Government for ignoring small-scale farmers. They complain about the high prices of inputs, bad infrastructure, low prices for their products and unfair competition at the markets. They are aware of the importation of cheap food stuffs from abroad that enhances competition at the limited home market and the Government's failure to promote and protect local agriculture. But they are hardly aware about the dynamics of the neoliberal multilateral system of trade under the WTO.

### **8.1.4. Artisanal fisher folk**

Neoliberal globalization is destroying the livelihoods of artisanal fisher folk (see also Degnbol, 1992:217 - 220). Apart from overfishing, most fish is exported to urban areas, especially Nairobi. It is also exported to the European Union and Japan by rich and more sophisticated traders of fish. As a consequence of capitalist globalization of fish trade, fish is now more expensive where it comes from than in the urban areas where it is exported to. This is having a negative impact upon food security and livelihoods of the artisanal fisher folk. It is also escalating poverty and underdevelopment.

But the fisher folk are hardly aware of the multilateral system of trade under WTO that is increasingly impacting negatively upon their livelihoods. There are, however, local organizations with connections with global fisher folk organizations that aim at creating awareness among artisanal fisher folk in the country concerning their threatened culture and livelihoods and relations with the multilateral neoliberal system of trade (see 8.3.9).

## **8. 2. The production and market challenges experienced by small - scale farmers, small - traders and artisanal fisher folk**

### **8.2. 1. Introduction: Micro and Small Enterprises (MSEs)**

The research was concerned about the experience of small-scale farmers, small-scale traders and artisanal fisher folk in relation to trade. In this regard, small-scale farmers, small-scale traders and artisanal fisher folk are part and parcel of what is described by the Kenyan Government as micro and small enterprises - MSEs (Republic of Kenya, 2005; Republic of Kenya, 2003 - 2007).

MSEs are "formal and informal sectors employing 1 - 50 workers", (Republic of Kenya, 2005: 5). This definition includes small - scale agricultural activities and *juakali* (handcraft) manufacturing (Republic of Kenya, *ibid.*). Since the term is used by Kenya Government's policy documents, its limitation aside, I will also use it in this report to refer to small-scale farmers, small - scale traders and artisanal fisher folk that were the subject of the research.

According to the Kenya Government, MSEs play a very important role to the economy of the country, making the Government to find it necessary to produce three national policy papers about them hitherto. MSEs are said to make significant contribution to economic growth, employment creation, poverty alleviation and the creation of the country's industrial base (Republic of Kenya, *ibid.*,:7). The MSEs economic sector is growing very fast:

According to the 1999 MSE Baseline Survey, the number of enterprises in the sector has grown from 910,000 in 1993 to about 1.3 million in 1999. Out of 1.3 million enterprises in 1999, about 66% were located in rural areas while women owned 48% of the enterprises. According to the survey, 64.3% of the MSEs are in trade, 14.8% in services, 13.4% in are in manufacturing while 7.7% are involved in other activities....According to the 1999 MSEs Baseline Survey, the Sector employed 2.4 million persons. This increased to 5.1 million persons in 2002 per the 2003 Economic Survey and translates to 675,000 jobs per year.

While the Government seems to insinuate that the increase in the number of MSEs and the number of people they employ is an indication of development, this is not in fact the case. The growing importance of MSEs is due to mtumbaism, the effects of neoliberal globalization to the economy and development of the country. As Kenyan industries and businesses are forced to close due the impact of dumping of goods and services brought about by trade liberalization, many Kenyans become unemployed. Privatization of parastatals, civil service reforms brought about by the implementation of structural adjustment programs (SAPs) of the World Bank and International Monetary Fund also cut jobs through retrenchments and contributes to the growth of MSEs. The unemployed people have no choice other than trying to eke a living through MSEs, most of which is in fact hawking in urban areas or rural market places. The majority of Kenyans are forced to be hawkers of imported cheap, sub-standard and secondhand goods for lack of a better alternative.

As “MSEs on average employ 1 - 2 workers while over 70 percent employ only one person (Republic of Kenya (ibid.,: 6)”, they hardly play any significance role in terms of employment as individual enterprises. They are more of subsistence, coping or survival mechanisms of the victims of the impacts of neoliberal globalization in Kenya. The MSEs involved in juakali manufacturing do not last long, no sooner are they started than they become bankrupt and close. They also do not grow to medium or large size enterprises and can therefore not form the basis of industrialization of the country (Republic of Kenya, ibid.,: 6). In fact, the objective conditions of capitalist globalization in Kenya are not only the major cause of MSEs but also cannot allow them to grow towards large medium-scale or large-scale enterprises. On the contrary, most manufacturing and trade MSEs eventually die and the owners either leave and subsist on any job they find, or become subsistence farmers or paupers. Small-scale farming MSEs are ruined into subsistence farming and are protected from plunging into pauperism only because at least they own the land in which they live and subsist upon.

Were the Government committed towards industrialization, it could have made more deliberate efforts to at least nurture and develop the creativity that is found at juakali manufacturing sectors such as those in Kamkunji and other urban and rural areas of the country. It is also important to note that most MSEs participate in trade informally, are not registered and as such do not pay taxes. Therefore, apart from helping the citizens to survive, they hardly contribute directly to the growth of the national economy.

### **8.2.2. Production challenges of MSEs**

The Government identifies several challenges that face MSEs in general. These include unfavorable policy environment and inhibitive legal and regulatory framework; limited access to financial services and markets; inadequate access to skills and technology; insecurity of land tenure; poor infrastructure; inadequate business know-how and linkages with large enterprises; gender inequality; job quality deficits; unfair competition from cheap imported goods; limited access to information and unsatisfactory occupational health and safety standards (see also Republic of Kenya, 2005:7).

### **8.2.3. Market challenges of MSEs**

According to the Government of Kenya (Republic of Kenya, ibid: 9 - 10), one of the most important challenges facing MSEs is access to markets. These include low demand; overproduction; saturation of

markets due to damping, lack of information about markets due to high transaction costs; unfair competition due to some imported goods entering local markets without paying the required taxes; inability to access to foreign trade through such means as electro commerce. Only few MSEs are able to engage in export markets,

As a result, most MSEs are confined to very narrow local markets where intense competition drives prices down, resulting in very low profit margins. In many cases, the market mechanisms that can deal with these problems are either missing or weak. Also, a small capital base and limited technological sophistication confine MSEs to products and services, which cannot compete effectively in a globalize and competitive market environment due to quality limitations (Republic of Kenya, *ibid*: 9 – 10).

The market challenges of MSEs are, in fact, the objective conditions of small-scale trade under the capitalist system. MSEs cannot compete with large-scale industries and businesses that are more organized, with a larger capital base, and more prepared to access local and foreign capital and markets. Large - scale industries and businesses also enjoy economies of scale as well. Small-scale traders, including hawkers, compete fiercely among themselves in selling all types of goods, including mitumba of all types, most of which are imported. There is little local demand not because the people do not need the goods, but because they are too poor to afford them. Thus urban markets are full of all sorts of foodstuffs that rote for staying too long before they are bought, while at the same time, the majority of the people are at the brink of hunger and starvation. Kenyan urban areas are full of tiny shops of owners - mostly young persons - competing against each other to sell imported cellphones, clothes, electronic goods, etc. In order to develop local industry and trade, strategies should be devised and implemented of poverty eradication to stimulating local demand.

### **8.2. 3. Small - scale traders**

#### **8.2.3.1. Introduction**

During the course of the research we visited Githurai Market, Gikombaa Market, Gikombaa Fish Market, Ngara Vegetable Market, City Market and Kamkunji Juakali.

#### **8.2.3.2. Production challenges**

There are several production challenges that face small-scale traders that are also identified by the Government (see Republic of Kenya, *ibid*.). These include:

- (a) Unfavorable policy environment and inhibitive legal and regulatory framework. Although the Government has developed three national policy papers on small-scale trade (see for example Republic of Kenya, 2005; Republic of Kenya, 2003 - 2007) it is yet to implement the policies of supporting the growth of small-scale businesses and manufacturing. Small-scale trade remains chaotic and it is hard to distinguish between informal and formal small-scale trading. Under such circumstances small-scale trade hardly contributes to the national economy in terms of taxes.
- (b) Limited access to financial services. Many small-scale traders complain that they cannot access financial services to expand their trade easily. Local banks that encourage small-scale traders to apply for loans prefer to provide the loans to the traders who form groups as this allows them to recover their money more easily from the traders who lack other forms of collateral. However, it is not always easy for small-scale traders to form the groups.

- (c) Inadequate access to skills and technology. Small-scale traders need assistance to acquire more advanced machines, skills and technology to develop their manufacturing. They also require marketing and management skills.
- (d) Insecurity of land tenure. Small-traders that include juakali manufactures, lack space to conduct their manufacturing and market their products. In fact, conflicts between the small-scale traders and the local government authorities is part and parcel of life in Kenyan urban areas.
- (e) Juakali artisans complain about high prices of raw materials, such as wood, scrap metal and new metal.
- (f) Lack of adequate place causes manufacturing, food marketing and processing to take place under unclean conditions that are not conducive for health. Food is also transported and stored under conditions not good for healthy.
- (g) Poor infrastructure. Poor infrastructure, especially of roads, water and electricity, is a great impediment to small-scale trade and manufacturing.
- (h) Insecurity is also a big challenge to small-scale traders and manufactures who have to employ watchmen to safeguard their goods.
- (i) Inadequate business know-how and linkages with large enterprises and foreign markets are also challenges to small-scale trade and manufacturing.

### **8.2.3.3. Market challenges**

The market challenges of small - scale farmers include:

- (a) Fierce competition over access to limited markets of the same produce and products.
- (b) Low purchasing power. People need the goods but they are too poor to buy them.
- (c) Saturation of markets due to damping. Juakali artisans complain about unfair competition from plastic products and cheap substandard imported goods from Dubai, China and other places.
- (d) Competition with large-scale traders. Large-scale traders enjoy economies of scale, cheap imports, better marketing strategies and access to information and finance. Small-scale traders cannot compete with large-scale traders in this regard.
- (e) Unfair competition due to some imported goods entering local markets without paying the required taxes;
- (f) Inability to access to foreign trade through such means as electro commerce. Electronic commerce remains a myth to most small-scale traders.

### **8.2.4. Small-scale farming**

#### **8.2.4.1. Introduction**

We visited, made observations and talked to small-scale farmers at Werugha in Taita, around Kiambu District and Nairobi. Small-scale farming for both subsistence and cash crops is the dominant agricultural activity in Kenya. Most people in Kenyan live in rural areas where agricultural activity of food crops and cash-crops such as tea, coffee, pyrethrum, sugarcane and milk production are the main economic

activities. It is hard to draw a line between subsistence farming and cash-crop farming since small-scale farmers in the rural areas use whatever they produce both for their food needs and also for sell in order to meet other basic needs such as essential manufactured products found in markets near them and other commodities. Small-scale farming is also used to acquire essential services such as education and health. Throughout Kenya, commodity production is now part and parcel of farming, whether large-scale or small-scale.

#### **8.2.4.2. Production challenges**

Despite its importance to the national economy, small-scale farming is actually peasantry farming and embodies all the characteristics and contradictions of peasantry agriculture that makes Babu, 1979:47, to suggest "peasant agriculture is not an ideal state to be retained forever. It should be gotten rid of in as short a historical period as possible". The production challenges of the peasant based small-scale farming include the following:

- (a) It is archaic, drudgery and hardly changes overtime and uses humble tools of jembes, donkey or cow pulled jembes, and pangas that are leftovers of thousands of years of human history.
- (b) The primitive tools limit the production capacity of the peasants. The farmers cannot utilize the tools to farm large pieces of land and in time even if they had access to it.
- (c) The farmers also have only little access to improved agricultural technology aimed at increasing farming methods and yields. The structural adjustments programs of the World Bank and International Monetary Fund forced the Government to reduce and privatize agricultural extension services. This has impacted negatively to small-scale farming.
- (d) Land tenure system also inhibits agricultural production of small-scale farming. Most families own too little land that besides has been sub-divided into small pieces of land for homes and production of individual members of families. Little land is left for production.
- (e) Land tenure and poor technology also contributes to erosion of the soil and environment that leads to soil infertility and low yields.
- (f) There is too much dependency on inputs such as fertilizer and insecticides that not only increase the cost of production, but ruin the soils in the long run.
- (g) Preservation and storage facilities are hindrance to agricultural production. A lot of grains and crops are lost during, just before harvesting, during harvesting and after harvesting.
- (h) Too much dependence on seasonal rainfall. The effects of climatic change are ruining small-scale farming producing hunger and starvation. Small-scale farming is now unable even to meet subsistence needs.

This type of farming that is also export oriented with more emphasis on cash-crop production than food-crop production is encouraged by the agricultural reforms that were imposed by the World Bank and International Monetary Fund. Even progressive individuals and organizations often romanticize peasant based agriculture and believe that it ought to be reformed and not transformed. Yet with this type of farming, the lives of the peasants hardly change for the better. On the contrary they tend to become worse and more so now following the effects of climate change that is ruining agricultural activities in the country. Many peasants are forced to migrate from the countryside to urban areas where they are confronted with the harsh reality of urban life of the capitalist system.

Responding to a meeting held in Rome on agrarian reforms and rural development in 1979, Babu, *ibid.* captured the production challenges of small-scale farmers.

The present hunger in Africa is not a problem of land reform or lack of political power by the peasants. It is a problem of peasant agriculture - small-scale, patriarchal - and it engenders capitalism daily, hourly, spontaneously and on an expanded scale. The natural economy of the peasants tends to perpetuate the old processes of production and repeats them on the previous scale and often on previous technical basis. Its economic units exist for centuries without changing in size and character, each isolated from the other. This isolation and seclusion has resulted in the notorious narrowness of the intellectual and political life of the peasants which the elites, to whom the "Rome Declaration Group" are opposed, exploit to the advantage.

#### **8.2.4.3. Market challenges**

Small-scale farmers are faced with many market challenges that are based on the nature of peasantry agriculture, poverty and underdevelopment. The challenges include the following:

- (a) Geographical proximity to markets-urban areas. Those farmers, like the surrounding areas of Nairobi for example, who are near urban areas and shopping centers have more access to markets for their produce. The farther the farmers are away from urban and shopping centers, the less access they have to markets from their produce.
- (b) Population density of the area where production takes place. The greater the population near agricultural production, the more is the demand for farm produce. The converse also applies.
- (c) Increasing unemployment and poverty. Food is in the market, people are hungry and starving yet they cannot afford it. There is little home market for agricultural produce, despite food insecurity in the country.
- (d) Many farmers lack information about how to market their produce and are exploited by middlemen and market-women. As a consequence the middlemen and market-women gain more profit from the agricultural produce than the farmers who actually produced it.
- (e) Intense competition due to the chaotic nature of the economy which is not planned. Most farmers plant and harvests similar crops and the same time and take them to the markets at the same time competing to sell same similar products. This creates a lot of wastage nationally.
- (f) Unfair competition, imported agricultural goods find their way to the market without paying taxes. Due to trade agreements within the East African Community, goods - including agricultural produce - from the Tanzania, Uganda, Rwanda and Burundi enter Kenyan markets without paying tariffs. Yet Kenyan products have to pay tariffs to access the markets of other member countries.
- (g) Bad infrastructure leading to markets increases transportation costs to the markets.
- (h) Low prices for agricultural goods, due to intense competition, especially food crops.
- (i) Small scale farmers cannot access export markets, they have to pass through large scale farmers who take advantage of the situation to exploit them.
- (j) Numerous barriers, tariffs and rules made by the European Union, Japan and USA to regulate agricultural imports, especially food produce, from Kenya are major market constraints to Kenyan small-scale farmers.

- (k) Kenyan small-scale farm produce is ill prepared to compete in the liberalized global food markets dominated by large - scale farmers, multinationals and transnational.
- (l) Lack of policies and measures to protect local agriculture from the dumping of foreign agricultural produce impact negatively on small-scale farmers.

The market challenges of small-scale farmers are also summarized by Babu, *ibid.* in the following words:

Peasant productivity cannot be improved dramatically in a way that is necessary for extended reproduction. Conversely, because of their subsistence agriculture they do not have the purchasing power essential for the development of a viable home market which is the only means of extricating ourselves from dependency and set in motion development process. Without development we cannot wage our three prolonged struggle against nature, exploitation and archaic mode of production. Without production, furthermore – well, starvation.

Many years later since Babu wrote these words, which were a sort of early warning to Africans, there is I hunger and starvation in Kenya more often than not.

## **8.2. 5. Artisanal fisher folk**

### **8.2.5.1. Introduction: definition of artisanal fisher folk**

Artisanal fisheries are normally carried by small-scale fishing units, often consisting of groups of relatives, friends or people coming from the same village or locality. Artisanal fisher folk mostly use small boats - mitumbwi, ngalawa etc. and sometimes powered small boats or non at all. The fishing activity is often part-time, and household income maybe by other non-fishing activities such as small-scale or subsistence farming.

“Payment to fishermen is often on share basis and vessels and gear are usually owner operated. Gear is normally operator assembled and requires minimal or non-machine assistance to operate. Investment levels are relatively low, with capital often borrowed from those who market the catch. Catch most often does not enter large markets, but sold at dispersed points of landing. And part or all the catch is operator or family consumed”. (Hersoug & Tvedten, 1992: 11).

Today, artisanal fishery, which is an intricate and complex culture, is increasingly being globalized and commercialized and is no longer only for subsistence (Lindqvist & Mölsä, 1992:194; Madala, 9.3.13. in this report; Havnevik & Hårsnar, 1999:59- 65). Market oriented artisanal fishery is observed throughout the Coast in Lamu, Malindi, Kilifi, Mombasa South Coast; Lake Victoria: Kisumu, Homa Bay, Port Victoria; Lake Turkana; Lake Jipe and Lake Chala in Taveta and even Sagana in Central Province. Fish farming is also growing in Central Province and other parts of Kenya. All this is caused by the large demand for fish in rural and urban areas and also for export abroad.

### **8.2.5.2. Production challenges**

#### **8.2.5.2.1. Domination of fishing by large-scale fishing**

Amidst all this, artisanal fisher folk face a lot of challenges from large-scale fisheries, particularly at the Coast and Lake Victoria. Large - scale fishery is characterized by the use of motorized canoes and boats of up to fifteen meters in length; crew of 15 - 20 people employed as full time fishermen; highly sophisticated gear including purse seines and trawls; seasonal or semi-permanent migration to main

fishing sites and markets; intense and extensive involvement in capital markets exchange (Hersoug & Tvedten, 1992: *ibid.*, Havnevik & Hårsmar, 1999: 59 - 74).

Most artisanal fisher folk rely on productive means that are produced outside their local context (Hersoug & Tvedten, 1992: 12). Only in rare places, such as in creation flood plain and river fisheries will all means of production be produced locally. Otherwise both fishing-gear (nets, hooks, lines, etc.) and boats, sails, outboard motors, ice, salt and sometimes even bait often have to be acquired through external channels. For motorized production groups, moreover, oil and gasoline also have a defining influence on productive capacity. Outboard engines from United States and Japan, nets and lines from China and Korea and hooks from Norway are found in the remotest fishing villages.

As a result of all this, fishing in Kenya is increasingly being dominated by rich fish traders who control production, pricing and marketing from a distance away in Nairobi and other urban areas and even from abroad. This is at the expense of small-scale fishery that has been the part and parcel of the culture of the people around Lake Victoria and the Coast for many centuries.

#### **8.2.5.2.2. Lack of capital**

Most artisanal fisher folk do not have capital to invest in sophisticated fishing gear or fish processing plants. Many fisher folk are forced to be employed as fishermen of rich fish traders who own the sophisticated fishing gear. Employed fisher folk have no right to the fish they catch that is the automatic property of their employers. As a result, although fishing is a very lucrative business today, it is hardly benefiting the fisher folk that are increasingly being alienated from their culture and becoming poorer by the day.

#### **8.2.5.2.3. Exposure to the dangers of the waters**

Fishing is a dangerous work and reports of boats capsizing, disappearances and deaths of fisher folk tend to be part and parcel of fishing culture.

#### **8.2.5.2.4. Overfishing**

Due to the lucrative trade, fishing has now attracted all sorts of players who want to make plenty and cheap money from the trade and export of fish. This has caused overfishing and the depleting of fish stalks by the invasion of fish breeding places. This happens at the expense of the fisher folk who have always lived around the lakes and the Sea and to whom fishing with conservation of fish has been a culture.

#### **8.2.5.2.5. Lack of implementation of fishing policies and regulation**

Fishing is now taking place in liberalized markets that operate chaotically under free for all atmosphere. The government does not protect the fisher folk from unfair competition and exploitation from fish traders. Neither does it help the fisher folk to develop and manage fishing in the liberalized markets. It watches as the fisher folk are reduced into the life of poverty and slavery as rich local and foreign traders continue to prosper (Madal, *ibid.*)

#### **8.2.5.3. Market challenges**

Most fishermen, who produce for subsistence and for commercial purposes, rely on some external market of exchange for sale of their fish, either directly or through intermediaries. The prices in normal cases fluctuate due to processes beyond the control of the individual fishermen such as national supply and demand, government decisions, changes in consumer preferences, etc.

Industrial fleets influences all maritime artisanal fisheries and also some of the larger inland artisanal fisheries such as Lake Victoria. The influence is both direct through industrial vessels' impact on the resource situation (overfishing) and price levels of fish, and directly through their physical presence in waters used by artisanal fleet. Trawlers too close to the shore (i.e. inside the 3 mile limit normally being defined) ravage catch, destroy gear and even endanger the lives of artisanal fishermen.

Artisanal fisher folk are exploited by the rich fish traders and exporters who not only own sophisticated fish gear but also cooling and possessing facilities. When they come to the shores with the fish after fishing overnight, they meet the rich fish traders who determine the price. The fisher folk have to sell at the price set by the rich fish traders or their fish perish since they cannot preserve it.

The external dependency is currently clearly demonstrated through the impact of structural adjustment programs that continue to be implemented in the country. Common austerity measures such as import restrictions (on outboard engines, gear and gasoline, etc.), export incentives (often on exportable such as shrimp) as well as liberalization of prices and the creation of a generally more commercial economic environment, are now profoundly changing artisanal fishery adaptations (see also Havnevik & Hårsmar, *ibid.*). This is robbing fisher folk of the traditional livelihoods and escalating food insecurity and poverty. As fish production and marketing is increasingly controlled by large scale traders fish is now more expensive around Kisumu and the shores of Lake Victoria than in Nairobi and other areas where it is exported to.

### **8.3. The level of engagement in the trade negotiation process of the trade stakeholders**

#### **8.3.1. Legislatures**

Legislatures have hardly been engaged in trade negotiations on foreign trade under the multilateral system of WTO. Yet given their role they have a right and duty to engage in trade negotiations. The legislatures or Parliamentarians are the elected representatives of the people whose duty is:

(a) To make policies and enact laws, including on trade. In this case they should be involved in debating various national policies and laws including on trade. However, how effectively they can do this depends on their knowledge of the subject, ideological positions and commitment towards national interests. Many times both the two leave a lot to be desired.

(b) To represent the people, including all the stakeholders of trade, such as small-scale farmers, artisanal fisher folk and small-scale traders. As the representatives of the stakeholders of trade, some of who are their constituents, they have a right and duty to negotiate about policies and laws favorable to their constituents and nation. They can and must claim to participate in the formulation of relevant trade policies and access to information regarding international bilateral and multilateral trade policies, treaties and agreements signed by the Government on behalf of the nation. They also should demand to know about what international treaties and agreements have been signed by the Executive on behalf of the country and their implications to the economy and wellbeing of the country. They could raise the concerns of the stakeholders of trade through questions to the Executive in Parliament, contributions to relevant motions and bills in Parliament. They could even refuse to enact and ratify undesirable treaties and agreements signed by the Government on behalf of the nation and without their participation. How effective they can do this also depends on their commitment and capacity to comprehend national and international trade issues. This is mostly limited and many times relevant questions are not asked in Parliament and the legislatures end up being used as rubber stamps of ratifying bilateral and multilateral treaties and agreements signed by the Government many of which are not comprehended albeit they have far reaching implications to the economy, freedom and sovereignty of the nation.

(c) To make budgets. Through the budget process, they can force a reluctant Minister of Trade to account for the national and international policies of the Government on trade. They can even force him or her to rescind undesirable trade policies signed by the Government with bilateral and multilateral partners.

(d) To ensure that the various Government Ministries function in accordance with the law and the constitution and that public funds/taxes (budget) are managed properly. This is done through various parliamentary committees that are enshrined in the national constitution. Through the Departmental Committee for Finance, Planning and Trade, legislatures can influence Government policies and negotiations on trade. The Committee is charged with the duties of scrutinizing the functioning of the Ministry of Trade, national laws on trade, bilateral and multilateral agreements between Kenya and others on trade, etc. The Departmental Committee can and should engage with other legislatures and Civil Society Organizations including NGOs and other stakeholders to scrutinize, comprehend and make relevant recommendations regarding trade agreements and negotiations on behalf of the country.

(e) Finally, under multiparty system, legislatures are members of political parties and come to parliament through their political parties. Legislatures can and should be engaged about their political party's trade policies, including national and foreign trade. Legislatures can influence policies and negotiations on trade through pushing their political party's policies on the same. However, the level of engagement of political parties in trade and economic matters are limited hitherto. As such political parties hardly influence Government policies as they are used as mere vehicles towards acquiring elective positions. Their manifestoes hardly find place in Government policies made by bureaucrats who are yet to comprehend and appreciate in theory and practice the meaning of multiparty democracy.

### **8.3.2. Small-scale traders, small-scale farmers and artisanal fisher folk**

Small-scale traders, small-scale farmers and artisanal fisher folk are not involved in trade negotiations at the global level that remains the domain of the Executive arm of Government. However, the stakeholders are daily involved in trade negotiations among themselves, with customers, with Local Government authorities and the Government. Some small-scale farmers, like those involved in dairy, tea, coffee, pyrethrum and sugarcane production and farming are organized in cooperatives. Trade negotiations take place within the cooperatives among members and the leadership of the cooperatives. It also takes place between the cooperatives and other stakeholders, including with the Government and large-scale traders and companies that buy the produce. Conflicts between the small-scale agricultural producers with private and state parastatals and the leadership of the cooperatives, especially over corruption and pricing, take place more often than not. The same applies to small-scale traders and artisanal fisher folk.

### **8.4. The level of dialogue and consultation between legislatures, small-scale traders, small-scale farmers and artisanal fisher folk and other stakeholders in trade negotiations**

There is hardly any formal (organized) dialogue and consultation between legislatures, small-scale traders, small-farmers and artisanal fisher folk and the Government in trade negotiations. People just trade, unaware of the global trade dynamics and the neoliberal economic policies that impact upon them. The legislatures who are also best placed to initiate dialogue and consultation are themselves also not aware of their right and obligation to do so. Yet the stakeholder's consultation at the grassroots could be a good source of ideas about what and how to negotiate about trade with bilateral and multilateral institutions in the interests of the country.

## **8.5. Constraints of effective engagement of the four stakeholders with other stakeholders in trade discourse and ways of addressing these gaps.**

The constraints of effective engagement of legislatures, small-scale traders, small-scale farmer's, artisanal fisher folk and other stakeholders in trade discourse include the following:

(a) A Government that is not interested at mobilizing popular support against imperialism for fear that this will turn against their own local class interests based on the capitalist political and social system.

(b) Lack of understanding and appreciation by the stakeholders of the fact that Kenyan trade and economic problems are caused by both internal and external factors. In this regard, the stakeholders hardly appreciated the fact that the Government is often forced to adopt trade and economic policies determined by the multilateral system under World Trade Organization and other imperialist's institutions.

(c) Alienation of the Government from the stakeholders and other citizens. Years of bad governance that include dictatorship, corruption and violations of human rights has created the conditions where leaders and the Government are not trusted by the people. People have no faith in the leaders and Government that are seen as part and parcel of the problem of the political and economic problems. All this has led to the naïve belief by Kenyans that the problems of the country will be solved by foreigners and foreign policies, institutions and ideologies.

(d) Most Kenyan Civil Society Organizations, including Non-Governmental Organizations, depend on foreign donor funding of the imperialist nations. As the old adage says, "he who pays the piper sets the tone", the ideology and world view of most CBOs and NGOs is that of the donors many of which would not wish to contradict the policies of their Governments. Under these circumstances, the role of Kenyan CBOs and NGOs in creating awareness among Kenyans on the role of the impact of the imperialist system upon trade, economy and development is limited by the fear of losing donor funding. There are, however, few NGOs that are brave enough to challenge imperialism in the country.

(e) Enough work has not been done to provide information to the legislatures, small-scale farmers, small-scale traders, artisanal fisher folk and other stakeholders of trade about the nature and working of the neoliberal trade and economic system under World Trade Organization and its impacts upon Kenya. There is hardly any information about the world trading and economic system spearheaded by WTO in Kiswahili that is spoken by the majority of the Kenyan people.

(f) The Government is accused of hiding information to the public and even legislatures about bilateral and multilateral agreements that it has signed on behalf of the country and its impact to the country. It is even reluctant to share even such information as the status of Kenya's external debt. Rather than seek the support of its citizens to deal with the pressures of the neoliberal trade and economic policies such as those of the World Bank and International Monetary Fund that have produced negative social and economic impacts, the Government instead chooses to give in, collaborate and surrender and in the process compromise national freedom and sovereignty.

(g) The false belief that neoliberal globalization is good, inevitable and that there is no alternative to it. The leadership of the country, which comes from the comprador class that believes its interests are related to those of imperialism, preaches that there is no alternative way of development to that of capitalism. The media and the Government bureaucracy are dominated by persons who believe in the inevitability of market forces and neoliberal globalization. Many CBOs and NGOs are led by persons who believe that the capitalist and imperialist system can only be reformed but cannot and need not be transformed.

(h) Research done by scholars and intellectuals, including those from universities and institutions of research and higher learning is ignored by the Government and is not used to formulate policy on trade

and economy. Besides, knowledge in the country's universities and other institutions of learning has succumbed to the market force of capitalism. Knowledge has become a commodity to enrich individuals who have it and not to increase human security, knowledge and national freedom and development. Most university authorities and lecturers at the universities no longer think for the country but only for money and parochial interests. Education has been privatized and the right to good quality education is often denied the children of the poor who are the majority of citizens. There is therefore lack of alternative policies and ideas from those who are supposed to generate knowledge.

(I) Poverty. Small-scale traders, small-scale farmers, artisanal fisher folk and other poor stakeholders are too involved in the day to day struggle for survival to find time to reflect about issues of internal and external trade and economy. The legislatures who ought to inform and involve the stakeholders in the trade and economic matters either lack the capacity to do so or are too preoccupied with issues of amassing more wealth for themselves and retaining positions of power.

## **9. Recommendations and suggestions of specific activities**

The recommendations are based on the realization that trade and economy of the country is influenced by both internal and external factors. At the era of neoliberal globalization, the Government of Kenya is often forced to sign and commit the country to bilateral and multilateral trade and economic agreements that often impact negatively on the development of the country. Various stakeholders of trade are forced to live with the impacts of the trade policies and agreements signed upon by the Government without their participation. These imperialist policies continue to be an impediment to Kenya's development, social and national liberation. In the era of imperialist globalization, therefore, the need to unite all democratic and progressive forces for anti-imperialist struggle is more relevant than ever before. The struggle should assert itself more in the interest of freedom and liberation from imperialism and its institutions, policies, rules and agreements that are imposed upon Kenya, Africa, Third World Countries and the poor and exploited of the World. Generally, the research findings and constraints identified in 8.5. above should be discussed and used as the basis of devising strategies and tactics of liberating the country from the neoliberal system of trade.

### **9. 1. The need for research**

As insinuated in section 7 in this report, there is the need for detailed research about the relevant themes identified as objectives in section 3 of this report. Further research that is aimed at documenting organizations of small - scale traders, small - scale farmers and artisanal fisher folk, finding out about their needs, views and how they can be united and mobilized to struggle for their interests at the national and international levels is required. Such research together with that already done by SEATIN Kenya, for example, should be published and disseminated to the stakeholders in simple language (such as that of Tandon, 2002) and in Kiswahili.

### **9. 2. Capacity building seminars, workshops and meetings**

Progressive NGOs and CSOs concerned with trade issues such as SEATIN Kenya should develop programs, including capacity building seminars, workshops and meetings, aimed at creating awareness among parliamentarians, small-scale farmers, small-scale traders, artisanal fisher folk and other stakeholders about the multilateral system of trade and its implications to them and the country. The programs should provide information about the alternative to the neoliberal economic and trade policies. They should also discuss the tactics and strategies of struggling against the imperialist trading system while providing information about the global movements against imperialist globalization and for the alternative globalization based on human solidarity, social justice and socialism.

### **9.3. Networking and Organization**

The NGOs and CSOs in 8.6.2. in this report should identify and document all organizations dealing with issues of trade in the country with the view of creating a united front of forcing the Kenyan Government to involve Kenyans in discussing bilateral and multilateral agreements before signing them. This will also help the Government to deal with the external pressures. The struggle against the imperialist multilateral system of trade should be connected with the global struggle against imperialism and for socialism.

### **9.4. Advocacy**

Progressive NGOs, CSOs (social movements) should intensify their advocacy activities for a just and equitable global trading system and the need for people's participation in deciding about the country's commitment to global bilateral and multilateral trade policies and agreements. Clear alternative policies should always remain an embodiment of the advocacy strategies. The relevant Parliamentary Committees should remain major targets of the advocacy activities. As most of the Clerks who advise the Committees are hardly aware of the functioning of the neoliberal multilateral system of trade, relevant seminars should be organized for them.

### **9.5. Lobbying**

Progressive NGOs and CSOs such as SEATIN Kenya should lobby for alternative policies for Kenya away from neoliberal globalization. It should also organize other stakeholders dealing with issues of trade and the imperialist multilateral system to discuss about strategies and tactics of lobbying the Government including Parliament<sup>6</sup>; CSOs and NGOs and other key stakeholders about the need for people's participation in deciding about major bilateral and multilateral trade and economic agreements. Lobbying should also be aimed at forcing the Government to reject implementing imperialist economic policies and adopting alternative ones rooted from among the people.

### **9.6. Knowledge and literature**

Progressive NGOs and CSOs such as SEATIN Kenya should always be aware of their key role of generating and disseminating knowledge on trade and related issues in the era of neoliberal globalization. As Fidel Castro often emphasizes, this is also the era of intensification of the battle of ideas between the reactionary forces of capitalism and the progressive forces of socialism. In this regard, it should also always be remembered that without revolutionary ideas there cannot be a revolutionary movement. At the same time revolutionary ideas become a revolutionary force once they reach the masses. That is why we must ensure that the knowledge that is generated does not remain in printed materials for intellectuals and elites of sorts but that it actually reaches the masses at the grassroots in their own languages.

Knowledge about the working of the neoliberal multilateral system of trade and its effects particularly to Kenya, could also be disseminated through the growing radios (especially FMs), TVs and the internet. FMs radio station enjoy popular hearing among the ordinary people in urban and rural areas and could be a means not only of disseminating the knowledge but also soliciting the views, wishes and aspirations of the popular masses about trade and economic matters and the battle against capitalism and imperialism.

Information Technology (IT) in Kenya faces many challenges. Many areas in the country, particularly rural ones, have no access to electricity and therefore the IT services. Class and geographical differentiations and the prevalence of poverty and illiteracy in the country means that IT remains the domain of the elites and educated young persons, mostly in urban areas. Nevertheless, IT is growing very rapidly in the country

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<sup>6</sup> Given the importance of Parliament, I provide detailed example about how to lobby it about trade matters in section 9 of this report.

and is a very popular mode of communication. Anti - imperialist activists as individuals and organizations should therefore enhance their activities by utilizing IT for the struggle of just trade.

### **9.7. Targeting religious organization**

Religious organizations led by genuine religious leaders too play a very important role in Kenyan society. Although belated, still they played a significant role in the struggle against the Moi - KANU dictatorship that culminated in multiparty democracy in 1992. Since then religious organizations have continued to play significant role in calling for greater democracy, human rights, peace, justice, transparency, accountability and good governance. They have also been involved in the call for debt relief. For these reasons, it is important to target religious leaders and organization in the advocacy and lobbying work about involving the Kenyan people to participate in the struggle for fair trade. Information about the working of the neoliberal multilateral system of trade and its negative impacts to the development of the country and the alternatives to the system should be disseminated to religious organizations through seminars and other methods. Religious leaders enjoy huge influence in the country as Kenyan society is still very religious. Appeal to them on moral grounds about the need for a just world order and globalization based on humane values of friendship, solidarity and the desire to do good to the world, will find fertile ground. Religious organizations could also, in turn, add pressure to the Government to find strength in struggling imperialist's trade and economic reforms imposed upon the country.

### **9.8. Direct citizen actions**

In a democracy, citizens have a right and duty to use all lawful and peaceful means possible to air their views and demand solutions from authorities. In fact, democratic freedoms including the right to peaceful demonstrations and picketing are entrenched in the Constitution of Kenya. Efforts should therefore be made by progressive NGOs and CSOs to educate the masses on this right and about various methods of mass actions for a just economic system that include demonstrations, petitions, boycotts and demanding accountability from their elected representatives. In so doing, emphasis should also be put in increasing awareness about mass struggles in other places of the world and the global movement against neoliberal globalization.

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