Call for Inputs on Establishing Effective Mechanisms at the National and Regional Levels for Implementation of United Nations Declaration on the Rights of Indigenous Peoples, Addressing:

***The Cultural Heritage of the Luyia Nation***

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A peoples’ voice, when stifled, cannot be heard without help. It is our utmost responsibility as human beings and as citizens of humanity to assist one another in advocacy and representation until one can be sure of onself once more.

The world is in a state of flux (almost constant). In a dash for resources and in the wake of crises such as the earthquake in Syria and Turkey, the Coronavirus pandemic, and the war in Ukraine, the western world just hasn’t got enough room to accommodate a large wave of migrants. It is not that this people cannot adapt to a new environment but that there should be little need to do so, facing internal as well as external crises, reaching a bureauceatic level locally at such an extent as to have to wait exceptionally long for passports and other resources, documents and qualifications, thus crippling them, meaning that opportunities to go abroad are limited. This vicious cycle cannot continue.

A people in a country not at war must be at liberty to remain therewithin.

This can only be possible through the full implementation of national policies regarding harmonious social life and adequate access to resources for all echelons of society, both rural as well as urban. Much like other countries, attendance of school by indigenous youth can often find itself at a decline due to various factors like family dynamics and the need for a breadwinner. Other issues such as low income and lack of accessibility, as well as bias within the school system lead to a discouragement of youth so that many turn to their own paths or find themselves retreating into a lifestyle which is now being threatened, so that agrarian living cannot always be possible in the way that it used to.

It is also the case that traditional living has been stamped out by gentrification, leading to an alienated youth population speaking very little of their own language and dialect, so that the culture is being diminished even more rapidly than the population, risking a lost people who cannot need to be fully absorbed into “mainstream” society and its ideals, leaving a vulnerability which gap may start to be filled by all manner of unspeakable things. This must be avoided.

The price of young life is immeasurable and the nature of the crisis is such that, a propos of nothing, a whole generation can be rapidly wiped out.

Unskilled labour due to various difficulties has been somewhat of a trend, which leads to dangerous circumstances abroad which cannot yet be rectified because many foreign employers are not willing to accommodate job seekers who haven’t got local qualifications, nor provide for their training.

Peace is essential as well as access to housing, adequate facilities, and dignified treatment and conditions.

It is important to conserve a nation’s history as a whole, paying the utmost detail to each individual story of a diverse population of peoples. Only through unity can a nation succeed, and furthermore, a state.

There cannot be the sequestering of a people within their own ancestral land. There can not be any supported mention thereof.

A peaceful and gentle people are beginning to be taken advantage of. This is the case in more than one part of the country. The issues that are being faced in the midst of famine which has gone on for far longer than expected, have impacted the areas of agriculture and economy, and have allowed for a variety of issues at a micro as well as macro level. There has been extreme drought and difficulty in maintaining a pastoral lifestyle in a pastoralist society, so that many things are found required in 2022 and 2023. Unlike many other indigenous societies such as the well-known and cherished Maasai, the Luyia people have integrated well, adapting to changing regimes adequately and efficiently, including use of infrastructure, trade, and adapting to new crops as well as introducing them, helping to sustain a rhythm of development and economic growth which has now been cut short and may face incredible decline if not addressed.

Cattle are traditionally important, an essential part of life and a symbol of wealth as well as a source of income in times of need. If the ability to provide water and ample grazing ground is diminished, this essential part of culture may be erased or substantially hindered, forcing a migration diaspora of a peoples who may not always be able to adapt to foreign conditions.

Increased urbanisation has highlighted the nature of this difficulty and the ever more explicit indigenous nature and situation of this people, at a stigmatised disadvantage in particularly urban areas, leading unskilled labourers in particular to find themselves more often than not in difficult neighbourhoods where they face social tension - some forced into a vicious cycle of living in slums with little means to return to their former lifestyles.

Internal Displacement has contributed to this, the echo of a civil conflict which occurred 15 years ago; perpetuation of this situation can only hinder the progress of the nation as a whole, as indigenous peoples are the backbone of a nation.

There has also been an increased impact on the education and rights of women and girls, as well as limited interaction with other peoples.

Facing exoticism and distinct otherness, issues such as being persisted on as different cannot be considered or perceived as an acceptable course of action by foreign bodies or actors; there is no possible immersion practice or procedure which can condone this as an adequate reception if forced to flee one’s home. The potential for crises such as those faced by migrant workers, internally displaced (IDP) and externally displaced (EDP) peoples can be avoided through the cultivation and support of a people as soon as a problem is realised, in order to avoid an issue before it begins, then delving into the protection of migrant workers as families as stated in Resolutions (39/46) and (45/158), particularly Articles 8, 12, and 13 of the latter, which become universally applicable and a link between cultures, helping to solve conflicts and grant perspective in other contexts and situations.

It is often taken for granted that neighbouring countries are always going to be able to take people in. It is not a given that relations are always going to be peaceable within a region, and this is an attitude that must be done away with. Conversely, it is also not the case that indigeneity is warring peoples and primitive ways of living which cannot acquire nor can be acquired into other societies. In the same way that so many other peoples have been erased and persecuted, this people is at risk of lost language and eventual extinction.

I believe that those who look after and love the planet (environment) should always be protected and looked after; stewards are essential in a changing world.

Traditions cannot take place due to climate change and presence of “outsiders”, as sacred ground is built over and hard to reach, and many rituals are now being forgotten in the fast-paced wave of popular culture.

Things which seem trivial are in fact the backbone of a nation and society. Although perhaps perceived as whimsical and “frou frou”, there is no room for opinion to override reality in a world running short of ideas.

It is essential to provide support through networks so that even in light of the priority of urban life an indigenous community can find footing, grounding and even economic standing in its own right within a state, serving to sustain themselves as well as contributing to the bigger picture in a tangible way, in keeping with Articles 4, 6, and 7 of the Convention on the Rights of Indigenous Peoples.

Violence is uncommon and not a cultural pillar; that is, armament and similar are not well-received nor solicited, (requiring a different sort of defence system than can be imagined) and thus a very great roadblock to a pastoral people.

A decline in the production of Curios and the dying out of a generation of craft and trade, the reduction of cultural norms and activities, which often prove essentially lucrative during times of difficulty and are a cherished part of ancestry, must be revived and preserved insofar as possible, with great effort and care to allow these to be inherited by a younger generation.

A peaceful people are now more often faced with the risk of harmful outsider presence or attack, some attacks even claiming to be of an ethnic nature (which is very frustrating and difficult as a tool and basis for external conflict, that is, by external perpetrators), which behaviour is unsolicited and which an indigenous people are not prepared to contend with nor to retaliate in like manner, neither willing nor having time to spare. Therefore these attacks and attempted economic hegemonies cannot be seen as acceptable nor appropriate, often being limitless in potential for interference and disruption. This is of particular concern and can only grow if not addressed as quickly as possible.

One cannot be forced to abandon one’s language and culture within one’s own indigenous context and homeland, instead deserving the expression of oneself in more than one language and the ability to preserve one’s identity. This must be cultivated within the education system, so that children at school know that they are allowed to be who they are and should not worry about which language to speak, what food they eat and what clothes they wear or what music they listen to. Every student should enjoy the privilege of learning more than one language and history at school, including their own, in keeping with Articles 15,16, 18, 19, 23.4, 27.1, 27.3, 28, 32.1, 33, and 36 of the Convention of the Rights of the Child. This expands to a better representatiton of identity when offered to study abroad or provided opportunity to do so.

Likewise, recognition and respect for culture can help to erase bias within the school system, encouraging each student to reach their full potential, contributing to a better tomorrow for as many people as possible.

Industrial presence has been lived among for decades, if not over a century, even in rural areas, however as it becomes more difficult to walk the same distances as one has previously walked it is important to provide for new means of access to resources as well as removing any idea of forced dependency. We are not a stateless people and should not begin to identify as such. This is crucial to remember especially as there cannot be any successful diaspora presence and representation without a peaceful cultural grounding.

The emergence of violent foreign presence even within culturally intimate settings has become cause for concern, furthering the need to remove an issue before it begins, in the interest of peace as well as social progress as stipulated in the Declaration on Social Progress and Development (Resolution 2542), particularly articles 12, 13, 17 and 18.

Some Implementation strategies for long term cultural sustainability are:

Workshops

Awareness campaigns internally and externally,

Support networks,

Encouraging education,

Representation and representatives,

The cooperation of County governments and local or traditional leaders under new schemes.

All these initiatives and strategies are in keeping with and in the interest of preserving the interests and wellbeing of the indigenous peoples of Western Kenya and of Kenya as a whole, as outlined in the Convention of the Rights of Indigenous Peoples.

Because of the diverse nature of Kenya’s population it becomes ever more important to make sure that indigenous people are also included in the pride of the Kenyan people, being recognised and enjoying a unique role and status which has been previously acknowledged and should be re-established, contributing to the wellbeing of the nation at both a local and national level.