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Editorial

Food is a basic everyday reality but it is also a political issue. For Kenya, food is an aspiration. You can find it in supermarkets, from your local *mama mboga* and in the village. You can also find it in the Constitution, meaning that we have signed up and agreed that every Kenyan, “has the right to be free from hunger and have adequate food of acceptable quality” (Article 43: Constitution of Kenya, 2010).

Yet, in spite of our aspirations, the faces of hungry people depict our history. The trends of past regimes have been characterised by charitable food aid or food handouts that coincide with election cycles. As Celestine Nyamu-Musembi and Patta Scott-Villiers emphasise in *The (Im)moral Economy of Accountability for Hunger in Kenya*, the few significant improvements made on the prevalence of food insecurity, leaves little room for doubt as to how seriously the problem is taken by political leaders. Is it politically opportune to have a chronically hungry nation? If it is not, then why do we see the same television features and media reports, year in and year out?

The political prominence of food security in the 2017 election cycle and in the current administration’s ‘Big Four Agenda’, is promising. It communicates that the leadership is aware of its constitutional obligation to protect, promote and fulfil the Right to Food for all Kenyans. Since politics is involved it will be power, money, influence and identity that determines who has food at their table, what that food is, how or where it was produced and who eventually benefits from food production.

It seems logical to assume that because millions of Kenyans do not have sufficient food that we need to produce more of it. And, when we think of producing more food, we turn to agriculture. More food – or, big agriculture – equals more food security, right? Wrong.

For the majority of people in Kenya, the food and nutrition security of each household depends on two things – whether a family can grow its own food and whether it has enough money to supplement what it doesn’t produce itself with goods available in a nearby market. The current realities are explored by Grace Githiri and Patrick Njoroge as they describe Kenya’s urban food system and the importance of informal food pathways.

It is therefore problematic to believe that large-scale agriculture projects necessarily translate into food on the table for all Kenyans. Industrial agriculture serves a different purpose. It is geared to put food on the shelves of local shops and supermarkets at a profitable price tag. It is also geared to produce commodities, such as tea or pineapples, for export to other countries at prices that expand Kenya’s GDP.

We need to think about food security and agriculture separately, because investments into either have different goals and respond to different needs. The current roadmap for solving food insecurity in Kenya makes this error. Daniel Maingi illustrates that the ‘roadmap’ is driven by who holds the power to make decisions when alternatives to industrial agriculture are presented. We are chasing an agri-food system, dominated by multi-national companies that produce seeds or chemical pesticides, that bring the manpower and expertise for mega-infrastructure projects or the knowledge and ‘science’ that apparently we don’t have.

Don’t get me wrong, this is not an editorial that discredits the current buzzwords ‘innovation’, ‘technology’ and ‘modernisation’. It is simply an editorial that encourages you to ask questions about what these words mean for smallholder farmers and pastoral communities in Kenya. Are they applied in a way that is cognisant of and responsive to, the realities and needs of people who are chronically food insecure? In an interview, Sabrina Masinjila from the African Centre for Biodiversity tackles the contentious and politically-sensitive question of GMO’s and gives us the opportunity to learn from South Africa, before we are quick to call genetic modification the innovation we need to solve Kenya’s hunger problems.

*Cha Kula* brings to life the different ways in which politics plays out in Kenya’s food system. For instance, when looking at power relations between men and women, Beth Kamunge highlights that we should acknowledge the gendered dimension of food justice. Philip Kilonzo profiles the legislation that is intended to implement the Right to Food in Kenya and what values or motives, it promotes. In an interview with the Kenya Peasants League, it is evident that organisations have significant potential for grassroots action as long as the political environment provides the necessary democratic space to meet, organise and express opinions publicly without restrictions.

In its first edition, *Cha Kula* explores the issues that affect you and the person next to you, because these issues influence what we need most to survive now and in the future - food. What will be on your plate when it’s your turn to eat?

*Cha kula*
Every person has the right to be free from hunger, and to have adequate food of acceptable quality.

**Constitution of Kenya 2010, Chapter 4, Article 43**

**Right to Food**

**Food sovereignty**
The right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems.

**Food security**
When all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food which meets their dietary needs and food preferences. It includes four dimensions.

**Stability**
The ability of individuals to access adequate and nutritious food on a continued basis. Stability is affected by: weather conditions, political instability, or economic factors such as unemployment and rising food prices.

**Chronic food insecurity**
The situation when people are unable to meet their minimum food requirements over a sustained period of time. More than 10 million Kenyans live in chronic food insecurity.

**Transitory food insecurity**
The situation when there is a sudden drop in the ability to produce or access enough food to maintain a good nutritional status.

**Food availability**
Addresses the “supply side” of food security and is determined by the level of food production, stock levels and net trade.

**Food access**
Food availability is not enough to guarantee food security. Food access is concerned with how incomes, expenditure, markets and prices affect household level food security.

**Food utilisation**
The biological utilisation of food consumed, which determines the nutritional status of individuals. Care and feeding practices, food preparation, diversity of diet and intra-household distribution of food all affect food utilisation.
Hunger
Describes an uncomfortable or painful sensation caused by insufficient food energy consumption, or food deprivation in general. All hungry people are food insecure, but not all food insecure people are hungry, as there are other causes of food insecurity.

Malnutrition
Covers two broad groups of conditions - undernutrition and overweight - and results from deficiencies, excesses or imbalances in the consumption of macro- and/or micronutrients. It may be an outcome of food insecurity, or may relate to non-food factors, such as:
- Inadequate care practices for children
- Insufficient health services
- An unhealthy environment.

Undernutrition
Includes stunting (low height for age), wasting (low weight for height), underweight (low weight for age) and micronutrient deficiencies or insufficiencies (a lack of important vitamins and minerals).

Food politics
Food is a highly political issue. Our choices and preferences and what we eat are all shaped by: availability, culture, global economic structures, tradition, wealth and even trade and foreign investments. These, and many more factors, ultimately avail or restrict food choices.

Poverty
Encompasses different dimensions of deprivation relating to human capabilities such as consumption and food security, health, education, rights, voice, security, dignity and decent work. While poverty does cause hunger, lack of adequate and proper nutrition itself is an underlying cause of poverty.

Gendered politics of food
Today, in most societies, women continue to carry responsibility for the mental and manual labour of food provision. This involvement with food constructs who women are in the world as individuals, family members and workers - in deep, complex and often contradictory ways.
The (im)moral economy of accountability for hunger in Kenya

Celestine Nyamu-Musembi and Patta Scott-Villiers

How do areas of the country continue to suffer repeated years of drought and chronic food shortages while failing to register on the political radar? Celestine Nyamu-Musembi and Patta Scott-Villiers make an argument for a weak Kenyan moral economy that has created a system in which Kenyans do not expect their government to provide for their Right to Food - and the government faces no accountability for its failures.

A combination of post-election violence, soaring global commodity prices and poor harvests in 2008 saw food prices triple in Kenya and millions across the country struggling to afford a nutritious diet. This, and a subsequent leap in food and fuel prices in 2011, sparked protests in the form of spectacular street demonstrations and disruption of national celebrations, as well as localised outcries in far-flung rural areas and urban informal settlements. The most visible and memorable of these events were the Unga Revolution protests, spearheaded by the popular social movement, Bunge la Mwananchi.1

Drawing from our study of these protests and official responses to the price spikes, this article reflects on the moral economy and accountability for hunger in Kenya.2 We found that existing policy does not entail a commitment to institutionalise accountability for hunger and mitigate the impact of food price shocks on millions of Kenyans on low incomes. Rather, responses to hunger have tended to be short-term and tokenistic; at best blunder, at worst plunder.

Our conclusion is that the strong articulation of a Right to Food in Kenya’s 2010 Constitution Article 43 (1)(c) rests uneasily on a weak moral economy. A moral economy is a rationale for action or inaction by poor people, based on popular consensus as to traditional rights and customs at times of scarcity (Thompson,1971). What became clear during the food crises of 2008/9 and 2011 was that people on low incomes understood the moral economy in Kenya to mean that they should struggle almost entirely without state support for subsistence, even at a time of intense market turbulence and food shortage.3 ‘Resilience’ is the narrative. Moral economies emerge and are renewed each time there is a subsistence crisis, when state responsibilities and the rights of citizens are made clear in formal responses. These episodes leave an imprint in people’s hopes and expectations that can last for decades. Kenya’s contemporary moral economy was forged during the colonial famines of the early 20th century. One of the most severe was between 1943-45, when the rains failed in successive seasons even in the fertile western and central heartlands and people began to starve. Yet the colonial authorities gave priority to the British war effort, increasing efforts to conscript labourers and soldiers and raise taxes (Anderson & Throup, 1985; Maxon, 2000; Ochieng, 1988).

Celestine Nyamu-Musembi is a Kenyan lawyer with a background in legal anthropology. She obtained her LL.B from the University of Nairobi and her Masters and Doctoral degrees from Harvard Law School. She is a Senior Lecturer at the University of Nairobi School of Law and a former Fellow of the Institute of Development Studies, Sussex, UK. Her teaching and research interests include human rights and development concerns.

Patta Scott-Villiers is a Research Fellow at the Institute of Development Studies at the University of Sussex where she convenes the Power and Popular Politics Cluster. She uses action research and ethnographic methods to ask how subaltern people and communities engage the mainstream of development and researches the popular politics of food among people on low incomes and of land in pastoralist societies in East Africa. She co-edited the book “Food Riots, Food Rights and the Politics of Provisions,” which includes a chapter on food protests in Kenya co-authored with Celestine Nyamu-Musembi.
Maize production by large-scale farmers was supported, food export given priority and the migration of young men for paid work promoted. Only when women, children and older people left on the farms began to starve did relief operations begin. The food distributions were short-lived, minimal and brutal (Maxon, 2000). This and subsequent episodes seem to have laid down an unforgotten sense that the Kenyan state is most interested in safeguarding the interests and livelihoods of the rich and that pro-poor intervention is an afterthought.

Subsistence crises assign minimum institutional responsibilities and codify triggers to formal action. Failure to deliver on these basic responsibilities can prompt protest, riot and rock the stability of governments (Hossain et al., 2014). Though Kenya’s (im)moral economy was forged at a time of colonial rule, the pattern of weak responses to undernourishment has persisted. Kenyans on low incomes do not feel that they have a real right to not be hungry, despite the words of the 2010 Constitution. We consider here three reasons why Kenya’s moral economy does not reflect Kenya’s democratic evolution.

(i) The moral economy is subordinate to the political economy

“They cannot eat when we are not eating.”

“The price of maize meal and other essential commodities should be reduced to cushion the poor against the high cost of living.”

These moral economic assertions by people who had taken part in food protests is at odds with the political economy in the current era of free trade. It harks back to the pre-Structural Adjustment era (pre-1980s) of price controls on essential commodities, when minimum guarantees for state provision of education and health-care had nurtured a level of citizen expectation (Ndegwa, 1998). The 2011 tug-of-war over the enactment of the Price Control (Essential Goods) Act, made it clear that these expectations no longer have a basis. Industry opponents of price control legislation cited the danger of market distortion, and Kenya’s obligations under international and regional trade treaties (Musembi and Scott-Villiers, 2015).

Our conclusion is that the strong articulation of a Right to Food in Kenya’s 2010 Constitution Article 43 (1)(c) rests uneasily on a weak moral economy.
Interrogation of Kenya’s commitment to a free market economy in the food and agriculture sectors finds contradictory state policies, however. For instance, the National Cereals and Produce Board (NCPB) interferes in maize pricing through the Strategic Grain Reserve mechanism, but also through producer price-setting and production subsidies. These have been shown to benefit large-scale farmers through raising the price of maize by as much as 20% (Jayne, Myers, & Nyoro, 2008). A majority (70%) of Kenya’s maize farmers produce so little that they end up buying more than they sell, so higher producer prices are of no benefit to them. So why does this policy persist? The maize-surplus areas of Rift Valley and Western Kenya are vote-rich, so any suggestion of radical reform of the NCPB raises political temperatures.

The intricate dovetailing of economic and political power in Kenya is nowhere more manifest than in the history of the food and agriculture sector (Leys, 1975). A post-colonial elite inherited the colonial practice of subsidising large-scale farmers. This privilege quickly congealed into entitlement, secured by political clout.

By contrast, far-flung rural areas such as Ikutha in eastern Kenya can be safely ignored, and repeated years of drought and chronic food shortage can fail to register on the political radar screen. Rumblings in urban slums like Mathare can be ‘waited out’, repressed, or appeased with hurriedly crafted relief programmes that do not need to last. It is no coincidence therefore that Kenya has an acclaimed system for famine early warning and response, on account of which it has all but eliminated famine-related deaths over the last two decades, but has no system for dealing with chronic hunger and malnutrition, in a country ranked fourth in Africa for rates of undernourishment (World Food Program, 2011).

(ii) Limited government accountability

Reflecting on citizenship in Africa, Halisi et al. (1998) refer to ‘dual citizenship consciousness,’ referring to tension between loyalty to one’s ethnic community and the ‘often hollow solidaristic rhetoric of the nation state’ (Halisi et al., 1998, p. 343). In the mind of government officials or politicians, it is not unsurprising to find, in place of obligations to citizens, the notion that the state can be plundered with impunity for the sake of ethno-political allegiance.

The dynamics that have shaped the governance context have not resulted in a consolidated political bargaining process between the state and all its citizens. While a constitution is conventionally understood to be the embodiment of such a bargain, constitutional rights play a marginal role at best in day-to-day interaction between citizens, representatives and officials. Informal rules and ethnic identities have eclipsed the formal system archived in the constitution (Berman, Cottrell, & Ghai, 2009).
In our study we found that government responses in the 2008 and 2011 food crises were not prompted by obligation toward rights-wielding citizens. Mitigating action came almost a year late in 2009 and even then it was defined by blunder and plunder. The NCPB stores were inexplicably empty; there was no grain to release into the market to stabilize prices (Höffler & Ochieng, 2009). Between November 2008 and February 2009 an import duty waiver scheme was put in place to enable millers to obtain maize at below wholesale price, with the expectation that the subsidy would then be passed on to consumers, bringing down the price of maize meal. The scheme failed to affect high maize prices while costing taxpayers Ksh 23.4 billion [US $310 million] (Fengler & Kiringai, 2009). In a gesture of appeasement, there was a short-lived and elusive subsidised unga scheme in low-income areas of Nairobi between December 2008 and March 2009. In the 2011 spike, excise duties on kerosene and diesel were reduced, but the hefty fuel levy was left untouched.

Long-term state measures largely consist of social safety nets programmes, such as the Hunger Safety Nets Program and cash transfer programmes for orphaned and vulnerable children, those living with HIV/Aids, and the elderly. Recent expansion of the latter to a universal pension is laudable. However, donor funding accounts for 71% of relief and hunger safety net spending (Republic of Kenya 2012:vii-viii), which raises questions as to the Kenyan government’s own commitment to sustainability.

The politics of provisions in Kenya is far from consolidating into mutually understood expectations in the vertical relations between the state and citizens.

(iii) Thin horizontal solidarities

Solidarity across people on low incomes in Kenya is fragmented, first, on account of ethnic cleavages in political and civil society. This obscures unified analysis of policies and unified mobilisation of protest. Second, it is fragmented along rural-urban fault lines. There was no connection at all between the Nairobi-based unga protests and the isolated incidents of protest in rural areas such as Ikutha. Media penchant for capital-city theatrical protest with a partisan political slant has not helped forge common cause. By contrast, India’s national Right to Food movement can boast achievements such as a Supreme Court ruling on a Right to Food, and enactment of the Food Security Act, following 14 years of rural-urban and cross-class mobilisation (Sinha et al., 2014).

Mobilisation for rights in Kenya has an elite urban face, which deepens rather than transcends geographical and class cleavages. The origin of an explicit campaign for rights in Kenya is steeped in the fight for multi-party democracy in the 1990s, and therefore has a bias toward civil and political rights, led by elites who seem unable to relate to day-to-day struggles for basics such as food (Berman, Cottrell, & Ghai 2009; Kanyinga, 2004). Integrating social and economic
rights has proven slow, as evidenced by the absence of prominent human rights organisations in the *unga* protests that were spearheaded by popular movements such as *Bunge la Mwananchi*. In addition to this, mobilisation and engagement with government on social and economic rights has been sporadic.

**Conclusion**

Kenya urgently needs a unified, broad-based national right-to-food movement that drives a sustained effort to build horizontal solidarity across class, gender, ethnicity and geography, to demand vertical accountability, claim media space and thereby change the political economy of hunger. Piecemeal efforts to eradicate predatory and corrupt practices in food markets and food aid are unlikely to succeed. Only a movement on such a scale in pursuit of food justice could surmount the obstacles posed by Kenya’s political economy and ethnically defined politics.

### Footnotes

1. *Bunge la Mwananchi* (literally, the ordinary person’s parliament) was founded in 1990. It started as a ragtag movement discussing inter-religious harmony between Christians and Muslims, following several incidents of conflict, then broadened out to constitutional reform. At a time when few dared to speak out, Bunge identified its mission as providing a public platform where ordinary citizens could discuss constitutional reform to address social justice issues affecting them. Martin Shikuku, an outspoken critic of the Kenyatta and Moi governments and a veteran independence-era politician, was actively involved in its foundation. Consolidation of a leadership structure within the movement only came after 2002. There is a bunge (parliament) in every ward, some very active and others not so, culminating in a national bunge. The *Unga Revolution* drew its energy from bunge chapters in Nairobi’s informal settlements. Interview with Cidi Otieno, National Convenor, Bunge la Mwananchi, 3 June 2013.

2. The study was part of a four-country project entitled ‘Food riots and food rights: the moral and political economy of accountability for hunger’, led by Naomi Hossain (IDS) with colleagues in Bangladesh, India, Mozambique, Kenya and the UK and funded by the Economic and Social Research Council / Department for International Development Joint Fund for Poverty Alliation Research (Grant reference ES/J018317/1). Empirical research for the Kenya component was conducted in Mathare (a Nairobi informal settlement) and Ikutha (in rural Kitui county). For more detailed reporting of the study’s findings see Musembi and Scott-Villiers 2017; Musembi and Scott-Villiers 2015 and Hossain et al 2014.

3. The moral economy is an unspoken but widely held understanding about the point at which the people’s right to adequate subsistence legitimately supersedes the right to profit at times of dearth. Historian E.P. Thompson analysed the claims of protestors against market actors and state authorities at times of food shortage and rapid rises in the cost of living in 18th century England. He argued that the protests were informed by a moral economy that harked back to a 16th century law restricting profiteering and guaranteeing a minimum subsistence to the poor.

4. Comments of an unidentified protester during a street protest on 31 May 2011. The phrase ‘to eat’ has a strong meaning in Kenyan political talk, since it implies plundering the state as well as having food. See video clips from Citizen TV and NTV respectively: https://www.youtube.com/watch?v=GaTG8CgFKyU and https://www.youtube.com/watch?v=CZe5JX28cHk.

5. Comment attributed to Professor Yash P. Ghai, former chair of the Constitution of Kenya Review Commission that presided over the process of enacting a new constitution, which culminated in the 2010 Constitution. Professor Ghai was taking part in the fuel price protest led by COFEK on 19 April 2011. See ‘Kalonzo urges patience over cost of living’, Daily Nation, 19 April 2011, www.nation.co.ke/News/-/1056/1147378/-/10ycd5iz/-/index.html

6. The scandal led to the sacking of the entire NCPB board of directors and 17 senior managers in early 2009 (Jayne & Tschirley, 2010), but no one was prosecuted and no further information was given to parliament or the Kenyan public about the scheme.

7. Focus group discussion with community activists, Mathare, 10 June 2013. Government officials acknowledged that this intervention was ill conceived and hurriedly implemented. Interview, National Drought Management Authority, 11 June 2013.

References


Strategies for structurally transforming Kenya's food systems

Daniel Maingi

Kenya is facing increasingly complex food and nutrition security problems which makes it easy to rely on the ideas and associated funding, terms and conditions of global philanthropic giants committed to ending hunger. Producing and providing food is a power game that Kenya’s smallholder farmers are losing. Daniel Maingi joins a growing movement of scientists arguing that agro-ecology infused with traditional-indigenous agricultural knowledge, holds the best potential to overcome years of destructive and unsustainable agriculture in Kenya.

The uneven distribution of hunger and nutrition reflects the unequal distribution of power in global food systems. Power is defined as, “the degree of control over material, human, intellectual and financial resources exercised in the social, economic and political relations between individuals and groups” (VeneKlasen & Miller, 2002, p. 39). In food systems, power is exercised through concentrations of capital and market share that allow agri-food corporations to influence the price of food and food inputs as well as supply or quality.

This power is wielded through and by, government offices, international organisations, or public-private partnerships (PPPs), which can influence, implement or block food policies and with their intellectual or organisational resources, can shape debates and mobilise public opinion over decisions about household food expenditure. In the food system, this differential power appears in various forms, levels and spaces, ranging from who has the financial muscle to decide what to get for dinner tonight, for example, all the way up to whose voice gets heard in debates about international food regulations and policy frameworks.

In 2016, there were about 800 million people who experienced chronic hunger and over 2 billion who were overweight or obese worldwide (Hamano et al., 2017). In Kenya, approximately 25% of the population i.e. more than 10 million people experience chronic food insecurity. While the country faces ongoing crises of undernutrition and child stunting, rates of adult obesity are high, and recently it was estimated to be at 26% nationally. In Central Kenya, research showed that 47% of women were overweight in 2014 (Demmler, Ecker, & Qaim, 2017). These deep contradictions are now commonly referred to as the ‘double nutrition burden,’ and it is obvious that Kenya’s food and nutrition security problem is fast-becoming increasingly complex and affecting more people every day.

Philanthro-capitalism and the Scramble for the Control of Local Food Systems

For the past 15 years, it is this backdrop that has dominated the discourse on the use of biotechnology, policies and legislation that govern food security and food sovereignty in Kenya, and indeed in Africa. The entrance of the Gates-Rockefeller funded, Alliance for a Green Revolution in Africa (AGRA) which has its headquarters in Nairobi, has further muddied the waters and created a rift that has revealed the great complexity in the nature of the current food politics in the world (Toenniessen, Adesina, & DeVries, 2008).

Daniel Maingi is an ardent agroecologist, consultant and the Director of Growth Partners Africa. Here, he leads a team partnering with grassroots communities on appropriate sustainable farming technologies that increase their food security, improve their livelihoods and protect the environment. For the past 15 years, he has worked with civil, community and church based organisations in Uganda, Tanzania, Ethiopia, Eritrea, South Sudan, Kenya and the USA, helping them champion people’s rights to food, genetic resources, land and water.
Pro-biotech genetically modified foods (GMO) groups have accused governments and ‘slow technology adapters,’ including groups that practice natural farming methods such as agro-ecology and permaculture, of being responsible for causing starvation in Africa. They have gone further to label as anti-science, civil society and smallholder farmers in Africa who reject the adoption of industrial and chemical intensive models of agriculture (Paarlberg, 2009).

Kenya, admired by many developing countries, has in the last 5 years passed a number of laws that severely curtail farmers’ rights to freely save, sell and exchange their farmer-owned seeds, while giving immense power and space to both local and multi-national private interests in the agriculture sector on issues such as seed trading and breeders’ rights protection.

AGRA amongst others, are key players in the efforts to harmonise Africa’s agricultural policies and legal frameworks through regional economic commissions (RECs), in order to facilitate the entrance and privileging of multi-national corporations in the local food system (Obenland, 2014). We are firmly in a period of corporate, profit-driven, agricultural and rural development strategies at the expense of smallholder farmers across the continent – the majority of them being women – and who are primarily responsible for Africa’s food production.

New forms of funding from global philanthropic giants such as the Gates Foundation have shifted and reduced the need for traditional bi-lateral and multi-lateral government agreements and instead, have emerged to fill this role through neoliberal philanthropy. Philanthropy is not neutral. It is clear that political and ideological commitments of these new structures of ‘charity’ continue in the capitalist tradition of putting profits over people, food and environmental justice.

From Tragedy to Farce

Since the food crisis of 2008, many governments have had to grapple with the enormous task of providing food and decent jobs to their citizens, in an age of multiple inter-connected crises of climate, finance, water and energy. For reasons of national security, foreign exchange conservation and protectionism, countries have aimed to achieve ‘food self-sufficiency’ – the ability to produce enough food to feed the populace, through domestic channels alone (Clapp, 2017). Ironically, and during a time when Kenya was experiencing a severe drought and famine amidst the world food crisis, the government allowed the government of Qatar to acquire 40,000 hectares of irrigated land to grow food for Qatari citizens (Von Braun, & Meinzen-Dick, 2009).

This was a critical turning point in the local food justice discussions. There was fierce criticism from civil society groups on the government’s inability to forge a concrete path that would allow Kenyans to achieve the Right to Food, but instead the state was further compounding existing problems of land injustice by selling land to foreign governments.

In 2009, the Kenyan government illegally imported 280,000 tons of GMO maize from South Africa – most of which was unfit for human consumption (Thatiah, 2009) – and at this point it was evident that the path to food security in Kenya was littered with missteps. Additionally, the Ministry of Agriculture abandoned the blue print set in Kenya’s Vision 2030 (a development framework that remains contested in certain corners because of its uncritical embrace of neoliberalism) that envisioned 80,000 acres being put under irrigation, annually. Instead, the ministry opted to try and meet Kenya’s food security needs as well as to fulfil a campaign manifesto, by focusing on one mega-irrigation project covering one million acres – the Galana-Kulalu Food Security Project (Ombaka, 2014).

The project became steeped in controversy over costs and viability, to the point where the Parliamentary Committee on Agriculture subsequently called for its total suspension (Nado, 2017). Over the past few years, it has become clear that the project is a subpar approach to making Kenya food secure and driven by questionable (political) motives.

Whether importing food or investing in mega-billion dollar food production projects that are bound to fail, the government of Kenya has performed dismally with regards to helping Kenyans realise their Right to Food that is provided for in Article 43 of the Kenyan Constitution. Legislation in place serves to attract private corporations only interested in profit making rather than ensuring Kenyans are food secure.

In spite of decades of research by world class elite institutions based in Kenya such the Consultative Group on International Agricultural Research (CGIAR), the Kenya Agricultural
Livestock and Research Organization (KALRO) and in spite of AGRA’s own research work and promise of a ‘uniquely African green revolution’, Kenya continues to experience chronic food insecurity and recurring hunger crises.

Conventional industrial agriculture is increasingly relying on chemical intensive inputs such as certified hybrids seeds, pesticides and inorganic fertilisers. In spite of this, yields on average have continued to drop yearly, leaving policymakers baffled. The government of Kenya banned the use of DAP fertiliser especially in the grain basket of the Northern Rift, blaming a continuing yield decline of more than 30% to the acidifying effects of long term use of inorganic DAP input (Bii, 2017).

Local Strategies to Engender Food Rights at Individual and Community Levels

Food sovereignty is defined as the right of each nation or region to maintain and develop their capacity to produce basic food crops with the corresponding productive and cultural diversity, emphasising farmers’ access to land, seeds and water while focusing on local autonomy, local markets, local production-consumption cycles, energy and technological sovereignty, and farmer-to-farmer networks (Altieri, 2009).

In the last two decades, the realisation of the contribution of small-scale farmers to national food security in the face of climate change, economic and energy crises has led to the global embrace of the concept of food sovereignty and agro-ecologically based production systems (Altieri, Funes-Monzote, & Petersen, 2012). In Kenya, thousands of farmers and some civil society organisations including, Kenya Organic Agriculture Network (KOAN), the African Biodiversity Network (ABN), Participatory Land Use Management Association (PELUM), and some academic institutions like Kenyatta University, Egerton University and the University of Nairobi, have provided new approaches, education and technologies which blend agro-ecology and indigenous knowledge together to achieve higher levels of sustainable food production.

Central to their work has been a quest for nutritionally balanced foods that meet the cultural and gender sensitive needs of local communities (Benessia et al., 2012). These innovations enhance food self-sufficiency at the farm level, while conserving agro-biodiversity, soil and water resources.

In other words, agro-ecology infused with traditional-indigenous agricultural knowledge, holds the best potential to overcome years of destructive and unsustainable western style industrial agriculture in Kenya.

Market Oriented Models vis-à-vis Self-sufficiency

In Kenya, the commodification of food and market deregulation has created unjust access to food, patriarchal control of farm profits, and shaped the monumental collapse of nutritionally balanced food that is available to the rural and urban poor. The government and agricultural industry’s uncritical support for ‘farming as a business’ campaigns, has led to a dispossession of smallholder farmers.

A privileging of market-centered value chains approach to agriculture production has the potential to over-produce and depress commodity prices, leading to increased rural poverty. In addition, it is clear that the Kenyan government policy and project support for small-scale farmers’ farming and businesses is dismal, benefiting mostly local large-scale farmers and foreign agri-investors.

To realise the spread of agro-ecological innovations and sustainable food self-sufficiency, Kenya needs major changes in policies, institutions, research and development approaches. Farmers’ rights to biodiversity needs to go beyond being enshrined in various pieces of legislation but actively promoted by county and national governments.
These plans must go beyond a basic aim of increasing food production and conserving natural resources. Importantly there must be a deliberate focus on women, with a bias toward women in rural areas, and the poor. Of course these are not mutually exclusive identities and the intersections must be navigated with care. Agro-ecological practices under food sovereignty, while focusing on food self-sufficiency at the community and often rural areas, must not ignore the food inequalities in urban and peri-urban centers. The drive for fresh, local and organic produce has the potential, for example, of increasing the incomes of local small-scale farmers as urban middle-class consumers are increasingly becoming aware of the enviro-socio-economic benefits of consuming indigenous foods and vegetables that are grown sustainably.

Conclusion

Farmers’ rights include the protection of traditional knowledge relevant to plant genetic resources for food and agriculture, the right to equitably participate in sharing benefits arising from the utilisation of plant genetic resources and the right to participate in making decisions at the national levels on matters related to the conservation and sustainable use of plant genetic resources, for food and agriculture.

Another aspect, generally considered the most essential part of the farmer’s rights debate, is the right to save, use, exchange and sell farm-saved seed. According to the Article 9.3 in the International Treaty on Plant Genetic Resources for Food and Agriculture, the right to save, use and exchange is “subject to national law and as appropriate” (Food and Agriculture Organization of the United Nations, 2009, p. 13). This implies that the implementation of a strict plant variety protection law could strongly limit these farmers’ rights with respect to protected varieties (De Jonge, 2014).

The Kenyan government should enact policies and invest in farmers existing agro-ecological projects. This would boost farmers’ perception and their role in feeding themselves and their families first and then the nation. Large sections of the Agriculture, Fisheries and Food Authority Act 2013, the Crops Act 2013 and the Research Act 2013, need to be suspended as they criminalise farmers who opt to follow agro-ecological farming practices that are in line with their evolving traditional knowledge.

Finally, the government and its development partners need to carry out innovative research, concomitant with climate change resilience and that complements the already existing food producing and life-sustaining work of Kenya’s smallholder farmers. The results of the research and development initiatives should also be open source, available as public knowledge and collective commons, but protected as one of the farmers’ skills worthy of protection under the UNs multilateral system of access and benefit sharing (ABS).

References


Intersectional approaches
to food and gender politics
in Kenya

Beth Kamunge

What difference would the concept of intersectionality make to the way we think about the gendered dimensions of the Right to Food in Kenya? There are no conclusive answers, if any were at all possible. But there are different entry points for engagement that (may) reframe how we approach food and gender politics in the country.

The Right to Food is a concept that is similar and connected to other food related concepts such as food justice and food sovereignty, which overall are in opposition to particular understandings and articulations of food security. State, aid and development agencies and UN bodies such as the Food and Agriculture Organization (FAO), use food security in its ‘strictest sense’ (Escobar, 1995). Food security is often concerned with how to ensure the availability, access, stability and utilisation of food for the world as a preventative measure to ‘global security threats’ such as the uprisings and mass migration of hungry people (FAO, 2011). The Right to Food on the other hand has a different starting point and while this piece will not be able to fully get into the nuances of food rights, food security and food sovereignty, it will briefly discuss the origin of the concept of the Right to Food as well as the rationalisation for it.

The framing of food as a human right is in direct contrast to the understanding of food as charity. In other words, food is a right in the same way that the right to vote, adequate shelter, freedom from torture and so on are universal rights connected with what it means to be human (UN, 1948). This framing has allowed activists and critical academics to make the case that the provision of food is not something that should be left to charities, or individual well-wishers with a heart for helping the less fortunate, as is often the case in Kenya. Rather, it places the duty on the state to create the structural conditions that enable full access to adequate food for all Kenyan citizens.

If food is understood and respected as a right in the Kenyan context, how would this reframe how we discuss poverty and the poor, women’s rights and most importantly, how is the Right to Food connected with the upholding or violations of other political, economic and socio-cultural rights? While the language of rights has been empowering, it has its limitations. To begin with, it can be argued that the progressive realisation of socio-cultural rights, of which the Right to Food is one, may allow states to wilfully ignore their institutional responsibilities, which are necessary to ensure that these rights are realised by all citizens.

Writing as a feminist lawyer and scholar, arguably a rights framework over-relies on legal mechanisms for the prevention of and remedies to rights violations. This is problematic because it creates the tendency for rights-based dialogues to absent explicit critical discussions on who is constructed as human in the first place (McKittrick, 2015). In other words, there is often a failure to explicitly discuss how white supremacy, capitalism and patriarchal structures, together structurally and systematically have shaped who is considered ‘human’ across the world, and therefore determining who has the right to have rights (Hooks, 1982).

This filters into the very construction of the judicial system – as critical race theorists, black-feminists and more recently, the Black Lives Matter movement (BLM) have reminded us – legal systems are not built with the dignity of black (female) life as a priority for example. In fact, it is the opposite (Gilmore, 2007). Black women are often repeatedly and systemically absent from and let down by judicial structures around the world.
It would be disingenuous, to speak of ‘Kenyan women’ and their experiences on food, as though we are all the same – as though ‘Kenyan woman’ is a monolithic category.
What are the consequences of beginning from a human rights centric framework that draws on legal systems and conceptualisations that are built to fail us? Might it be a case of trying to use the master’s tools to dismantle the master’s house (Lorde, 1984)? This leads us to conversations about intersectionality, a concept coined by Kimberle Crenshaw, an African-American black-feminist legal scholar, after observing the repeated systemic failures of the American legal system with regard to black female survivors of sexual assault (Crenshaw, 1991).

Crenshaw observed that the law provided redress either on the basis of race or on the basis of gender, but not both. As a result, violations against black women were rendered invisible, because these women could not establish whether the violations they faced were only to do with race, or only to do with gender. An intersectional framework argues that amongst others, racial, ethnic, gendered and classist systems of oppression are always interlocking and overlapping. In simpler terms, this negates the idea of universal womanhood – that is that all women are the same because we are all women (Collins, 1991). In fact, it problematises mainstream and patriarchal definitions and categorisations of ‘women’.

As such it would be disingenuous then, to speak of ‘Kenyan women’ and their experiences on food, as though we are all the same – as though ‘Kenyan woman’ is a monolithic category. For example, as a Kikuyu able-bodied woman in my early thirties who has grown up in Nairobi, the levels of hunger that have become commonplace for Turkana women in Turkana are not only alien to me but will probably never be part of my future experiences. The fact that Turkana is constantly in the news as a result of perennial drought and famine, at scales that are unlikely to occur in Nairobi, or experienced by those from other ethnic communities in Kenya, is not neutral. Pointing this out is not divisive – as Audre Lorde reminds us, “it is not difference which immobilises us, but silence. And there are so many silences to be broken” (Lorde, 1984, p. 111).

From an intersectional approach, the answer as to why some Kenyan women perpetually go hungry would not be because they are ‘lazy’, ‘undeserving’ or ‘culturally backward’. Intersectionality prompts us to have rigorous conversations about the ways that our differences as (Kenyan) women impact our experiences of power inequalities related to ethnicity, sexism, class and other social relations. If done well, this will ultimately create solidarity and progress in ensuring the Right to Food.

To conclude, here are reflections as to what a rights perspective to food in Kenya that took intersectionality seriously might look like. Again, this is not an exhaustive list, but the beginning of a dialogue and perhaps, of a research prioritisation process. Questions of food and black (African) women tend to either be wilfully ignored, or only spoken about in the context of agriculture, food production, land tenure and hunger (Williams-Forson & Wilkerson, 2011). Indeed these remain crucial topics particularly because the labour of many African and other women in the Global South continues to revolve around deep inequalities in food production - usually as tillers of land but rarely as owners (Allen & Sachs, 2007).

However, food production and consumption are inseparable. We need to think of food politics and associated power relations, playing itself out from farm to fork/flush. So for example, we need to pay attention to food preparation spaces such as kitchens (Hayes-Conroy & Hayes-Conroy, 2008). Who is in the kitchen and why? Who does the cooking and washes up the dishes and why? Often kitchen spaces are simultaneously empowering and oppressive to different women (Abarca, 2007). What does this look like in the Kenyan context?

An additional suggestion would be to talk about the often taken-for-granted food taboos and customary dietary laws experienced by different Kenyan women. How do different food-related taboos hinder Kenyan women’s access to culturally appropriate and nutritious foods in comparison to their male counterparts? Might food customs be acceptable because they’re rooted in the past, or do they contravene the rights of black African women?

To realise the Right to Food in Kenya, we must be bold enough to talk about food justice within the context of feminism and vice versa. We must connect the Right to Food as a human right with the understanding that there are different forces acting on what defines us as human in the first instance. With this in place, we must then be courageous enough, to hold each other and our elected leaders to account for chronic food insecurity and related systemic injustices.
Footnotes


2. For a comprehensive discussion of this distinction, albeit in the Global North context, see: Riches, G., & Silvasti, T. (2014). First world hunger revisited: Food charity or the Right to Food? Basingstoke, GB: Palgrave Macmillan.

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Challenges in implementing a Right to Food framework in Kenya

Philip Kilonzo

The article raises key questions that are necessary in setting the context for a Right to Food framework in Kenya. What is food security? Is food security the same as the Right to Food? When a country speaks of having achieved the Right to Food, who is at the centre of its considerations? How is the political economy connected to the realisation of the Right to Food? In his analysis, Philip Kilonzo argues that too much emphasis is placed on agricultural commodities trading from Kenya into global markets and that too little, disjointed and problematic attention has been given to local food needs and livelihoods. This makes the Right to Food in Kenya at best, words in a constitution and at worst, almost impossible to achieve.

To begin with, it is clear that any action that increases or improves access and control over food, broadly referred to as food security, enhances the realisation of the Right to Food at a basic level. The Right to Food cannot be actualised unless a state takes progressive measures in policy, law and practice to dismantle the systemic barriers that face women, people living in poverty and marginalised communities. Women are particularly important in a country that receives over a quarter of its annual GDP from agriculture, and in a continent where women are responsible for about 80% of the agricultural production and food provisioning (FAO, 2011).

The article locates its arguments and analysis on women living in poverty and marginalised groups of people in Kenya who rely on agriculture as their main economic activity. It examines state measures and their implications in realising the Right to Food. In so doing, the article offers us an opportunity to vet state policies related to achieving sustainable food security and in promoting the realisation of the Right to Food.

Legal and Economic Paradigms and the Right to Food Framework

The Right to Food is globally anchored in the United Nations (UN) general comment on Economic, Social and Cultural Rights. Generally, it is understood as the right to feed oneself in dignity and the need to put in place and implement policies, national laws and programmes that will guarantee this right for all, but specifically for vulnerable groups.

Under the Kenyan Constitution (2010), agriculture was one of the principle sectors devolved, and Article 43 (1)(c) of the same constitution is explicit on the Right to Food, stating, “Every person has the right to be free from hunger, and to have adequate food of acceptable quality.”

This right can be understood in both a narrow and broad context. Indeed, the Right to Food is facilitated by the enjoyment of other rights that are anchored in the Kenyan
Agricultural projects put too much emphasis on agricultural export markets. They focus on agricultural commodities trading from Kenya into global markets through value addition and pay little, disjointed and problematic attention to local food needs and livelihoods.

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Agricultural projects have also failed to take into account the economic realities of women in Kenya, specifically rural women farmers who by far and large are the biggest food producers in the country but surprisingly face shocking levels of hunger and economic injustice.

The Kenya Agriculture Sector Development Strategy (ASDS) 2010 and the Medium Term Investment Plans (MTIP) of the same sector have continued to guide priority setting and resource allocation. Budgets have been skewed almost entirely towards increasing agricultural commercialisation as shown in Table 1. The reality however, particularly in arid and semi-arid agro-ecological zones as captured in the ASDS, shows that the emphasis on commercialisation and farming for export has brought little benefit to local smallholder farmers. As a result of this, the 2017 long rains assessment carried out in July/August has estimated that approximately 3.4 million Kenyans are now acutely food insecure and in need of humanitarian assistance compared to 2.6 million people as established by the 2016 short rains assessment.

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Kenya’s recent agriculture laws, namely, the Crops Act (2013) and the Agriculture, Food and Fisheries Authority Act (AFFA) (2013), have significant and worrying implications on the Right to Food in the country. The laws criminalise a number of farmers’ practices, which Kenyan women farmers depend on to strengthen their food and livelihood systems. For example, the Crops Act 2013 prohibits seed exchange among farmers, storing or handling of uncertified agriculture commodities, and the ability of farmers to grow their own seed varieties next to fields of certified crops. This is a dangerous move considering that it is estimated that between 80-90% of seeds used in the country by smallholder farmers does not come from seed companies but is acquired ‘informally’ through established farmers’ networks. The AFFA further attempts to claw back on the decentralisation spirit of the Constitution of Kenya.

Other Elements Relevant to the Implementation of the Right to Food Framework

The exclusion of women and communities from areas where agricultural productivity is perceived to be marginal has been a historical practice in the implementation of agriculture sector policy in Kenya. The over-emphasis on commercial crops for exports and high agricultural productive areas has further compounded the problems of hunger and exclusion witnessed in these areas.

During the past 5-10 years, the immediate pre and post-devolution era have been characterised by extreme projectisation of development efforts in the agriculture sector. While direct investments in the sector have increased, they have largely been donor driven, with uneven distribution of projects and funding across counties. Notable projects included Njaa Marufuku and Accelerated Input Agricultural Access Programme among others. Donors provided an average of 14% of Kenya’s agricultural sector spending in this period. In 2010/11, donors were funding Ksh 15.4 billion worth of agriculture projects, with over 40% of agricultural aid being received as concessional loans rather than grants (ActionAid Kenya, 2011).

One of the most troubling results of these projects and funding landscape is that on further scrutiny, it is clear that they have primarily supported the Kenyan middle class and elite. Women, particularly in rural areas who

Table 1
Projected Budget Allocation of the First Medium Term Investment Plan of the ASDS

<table>
<thead>
<tr>
<th>Investment area</th>
<th>Kshs. billions</th>
<th>USD millions</th>
<th>Budget share (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased productivity, commercialisation and competitiveness</td>
<td>88.92</td>
<td>1.112</td>
<td>36*</td>
</tr>
<tr>
<td>Promote private sector participation</td>
<td>30.88</td>
<td>386</td>
<td>12.5*</td>
</tr>
<tr>
<td>Promote sustainable land and natural resource management</td>
<td>103.74</td>
<td>1297</td>
<td>42</td>
</tr>
<tr>
<td>Reforming delivery of agriculture services</td>
<td>2.47</td>
<td>31</td>
<td>1.0*</td>
</tr>
<tr>
<td>Increasing market access and trade</td>
<td>19.76</td>
<td>247</td>
<td>8.0*</td>
</tr>
<tr>
<td>Ensuring effective coordination and implementation</td>
<td>1.24</td>
<td>15</td>
<td>0.5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>247</strong></td>
<td><strong>3.088</strong></td>
<td>100</td>
</tr>
</tbody>
</table>


* Captures values that are for directly promoting private sector investments. Sustainable land use has continued to be neglected both in allocations and budget actualisation.
disproportionately bear the burden of feeding the country as well as experience severe levels of hunger, lack the institutional and structural support to access and match the resources available in these projects. As a result, they have been excluded in the targeting process and thus continue to face continued multiple and intersecting violations over their Right to Food and economic rights.

In 2010, the previous (Kibaki) government pledged to put over one million acres under irrigation. The pronouncement was welcomed with pomp and colour by civil society organisations working in arid and semi-arid areas, because it indirectly implied an increase in investments that would go toward tapping the water potential in these areas to boost food security. Substantive progress was to be registered much later with a considerable shift towards irrigation in the sector allocation budget, which is evident from the increase in the budget to the Irrigation and Drainage Infrastructure Programme, as a share of the department of agriculture budget from 39% in 2014/15 to the current 47.8% (ActionAid Kenya, 2011). In fact, in 2015/16, irrigation took the lion share of the agriculture budget, while its budget allocation increased by 41% from the previous financial year. It is however, important to note that women and marginalised communities in arid and semi-arid areas continue to be bypassed by investments in the sector, with priority being given to Public-Private Partnership (PPPs) programmes. For example, the Galana-Kulalu Food Security Project – a mega irrigation investment – received Ksh 3 billion in 2013/2014 and another Ksh 3.5 billion in 2014/15. The rights of women and local communities to access land, productive resources as a whole, as well as benefit from project infrastructure within the scheme is not only wanting but has done very little to actually promote food security.

In Kenya, the Agricultural and Rural Development sector for the financial year 2013/14, was allotted Ksh 38.8 billion at the national level, amounting to a meagre 2.3% of the total national budget. Seventy-five percent of this funding is directed to major irrigation schemes, to be managed largely through PPPs and therefore hidden from the much needed public scrutiny and beyond the access of Kenya’s smallholder farmers. If Kenya is to meet its obligation under the Maputo declaration requirement of allocating at least 10% of its national budget to agriculture, counties should be spending 7.7% of their budgets in agriculture (approximately Ksh 130.22 billion).

With the 47 counties collectively receiving a total allocation of a mere 13%-30% of the total national budget based on the last audited accounts, it is practically impossible for counties cumulatively to allocate the remaining 7.7% required in the agriculture sector so as to ensure that the country achieves its financial commitments under the Maputo declaration. Counties have other competing and complimentary service delivery priorities in the water, roads, health care and education sectors, for example. In fact, with devolution, agriculture spending in Kenya seems to be on the decline.

Table 2 offers an analysis of county budgets. The analysis is based on budget data provided by Commission of Revenue Allocation of seven counties in the 2013/14 financial year.
The gap in organising among farmers – noted from both the pattern of allocations towards strengthening farmers’ cooperative movements and local level actions – is a significant impediment to sustained dialogue through public participation. The repercussions being that farmers are not involved in the opportunity to demand that budget allocation is untied to philanthropy and in accordance with international binding commitments that Kenya is signatory to.

Conclusion

Women farmers’ movements and CSOs working on food security need to advance the Right to Food framing in law and policy reforms and practice in order to put back into perspective the rights discourse that has been eroded over time. A deeper analysis and targeted actions to different farmer typologies remain central in achieving the Right to Food. The Sustainable Development Goals (SDG) provide anchors in promoting women and marginalised producer’s Right to Food. SDGs target 1.4 on equal rights to economic resources among men and women; target 2.3 on doubling the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers; and target 2.4 on ensuring sustainable food production systems, are important in this regard. It is useful to institutionalise the tracking of these indicators at all levels.

Counties and farmer movements need to critically analyse the extent to which food and agriculture legislation either promotes or impedes the Right to Food and livelihoods. Indeed, counties through their visions, integrated development plans and annual budget allocations will continue to shape the agriculture landscape across the country and the extent to which it contributes to the Right to Food. It is not enough for governments to spend money – public finance must work for women and other excluded groups of producers.

References


Wesley Towett picks tea leaves near Kericho Town for a living and has been doing so since he was a young boy.
How peasant farmers are building a grassroots food rights movement

Kenya Peasants League

In 2011, as food and commodity prices spiraled upwards in Kenya, the price of a packet of maize flour (unga) - a staple for many - quickly became unaffordable. With little government incentive to alleviate the high costs of food staples for low income Kenyans, the Unga Revolution was born. Through the movement, Kenyans demanded the government take immediate action and lower the price of unga to Ksh 30; ensuring that all Kenyans could afford to feed themselves.

While its goals are yet to be realised, the Unga Revolution helped spur a modern food rights movement in Nairobi - and Kenya at large. The Kenyan Peasants League (KPL) has been central to this movement. Here, it shares its vision for an alternative food system that puts all people at the center.

The glo(cal) food crisis of 2007/08 eventually gave rise to the Unga Revolution street protests during Kenya’s food crisis of 2011. The protests were largely seen as a way for marginalised individuals and communities, especially in urban areas, to bring to the surface the systemic state failures spanning decades around guaranteeing their Right to Food. Members of what is now known as the Kenya Peasants League were central to this and the grassroots food rights movement in Kenya over the last decade. What is KPL’s account of the movement’s struggle for food justice in Kenya?

The Kenyan Peasants League (KPL) is a social movement of Kenyan peasant farmers and consumers whose main aim is to promote peasant, family, smallholder and agro-ecology farming in the promotion of food sovereignty. KPL promotes indigenous seed, banking of livestock and plant varieties and creation of an alternative economy that is driven by provision of livelihoods.

The KPL stands in opposition to the World Trade Organization (WTO) and other Free Trade Agreements (FTA) which tend to skew against developing countries like Kenya, killing local agriculture and livestock production. KPL seeks to streamline the voices of Kenyan peasant farmers and consumers against tendencies of commodifying food production and food production systems.

The Kenyan Peasants League is a social movement of Kenyan peasant farmers whose main aim is to promote peasant farming, agro-ecology and smallholder farming so as to promote food sovereignty. KPL promotes indigenous seeds, livestock and plant varieties banking and creation of alternative economy that is driven by provision for livelihoods.
Formed in June 2016 as a result of the WTO Ministerial Conference 10 (WTO MC10) that took place in Nairobi in December 2015, the KPL has since established its presence in Nairobi, Migori and Machakos Counties. Here, it has organised rural small-scale farmers, pastoralists, urban peasant farmers and fisherfolk into clusters that can ensure they control food production systems, maintain their food sovereignty and that aid in the creation of an alternative economy controlled by peasant farmers. In these clusters, farmers are encouraged to produce indigenous foods and livestock, including planting indigenous trees and grasses. KPL has also held monthly farmer-to-farmer dialogues in the three counties and established a system of joint storing of produce and preservation of seeds for increased food sovereignty.

In a country where poor people, most of them women in rural and urban areas, spend up to 70% of their income on food, even as smallholder women farmers continue to be the primary food producers in Kenya, what has been KPL’s response to the gendered-class dimensions of food poverty in Kenya?

KPL recognises the central role that women play in the food production process and has ensured that women are at the center of its leadership. We also work to promote the protection of women’s rights to land, especially widows. To do this, KPL has programs aimed at influencing policies at the national and county level so that they can be friendly to women. In Migori County, for instance, KPL through its Women League is following up on two cases where widows have been denied access to land belonging to their deceased husbands and has raised the issue with administrative officials.

KPL also encourages women to pool resources together and invest in family farms. With our food production program, women farmers have been able to produce and store food together for their livelihoods. KPL believes that with more investment in family farms, income spent on food by peasant farmers, particularly women, will fall creating more disposable income for them and their families. With more disposable income, women peasants will have more resources to improve on their livelihoods and farms including educating their children and contributing to the general growth of the KPL.

The KPL like Bunge la Mwananchi and Bunge la Wamama Mashinani draws its membership almost exclusively from the urban and rural poor and working class, basically those at the forefront of the intersections of various forms of inequalities. What is the potential for building cross-class solidarity to fight for food justice in Kenya, with the aspirations of marginalised people guiding this movement?

KPL offers solidarity among peasant farmers and provides opportunities for farmers to build alliances that are central to establishing an alternative food production system driven by provision of their livelihoods.

In February this year, KPL also hosted a Farmer to Farmer Exchange Visit in Mariwa Village, Migori that brought together 12 farmers from Southern and Eastern Africa and six farmers from other parts of Kenya. The exchange visit provided opportunities for KPL and local peasant farmers from Mariwa Village, Kangemi slums in Nairobi County and Kaliani Village to share practices, build solidarity amongst themselves and to learn more about the challenges facing peasant farmers in other countries, the similarities of their struggles and strategies being used to tackle these challenges elsewhere. As with KPL’s Farmer to farmer dialogues, the visit also allowed for farmers to exchange indigenous seeds.

In the future, KPL hopes to continue building cross-class solidarity through increased dialogue between the various classes to promote understanding of the challenges and victories in organising for food rights. KPL also hopes to establish agro-ecology schools and centers, and has already successfully done so in Mawira Village. Through these centers, KPL seeks to provide a space where local indigenous knowledge can be documented and disseminated to various groups and where farm-based farmers research can be conducted and used to provide evidence based advocacy for the rights of peasants.

Footnotes
Enhancing food justice for communities in Kenya’s urban informal settlements

Grace Githiri and Patrick Njoroge

Food justice and food sovereignty aim to ensure equity in food systems. They represent concrete visions of transforming the current food systems by eliminating the structural inequalities underpinning these systems (Gottlieb & Joshi, 2010). The concepts of food justice and sovereignty are guided mainly by the aspirations of people who have been marginalised by mainstream agro-food regimes. The question therefore is, what problems need to be overcome to achieve food justice and sovereignty in Kenya’s informal settlements?

The Spatial Politics of Nairobi

Informal settlements are rapidly growing as Africa urbanises and a key marker of this growth is the glaring spatial inequalities being witnessed across the continent. In Nairobi for example, 63-70% of people live in informal settlements (UN, 2015), occupying only 6% of urban land (UN Habitat, 2017). The disparity in population densities is such that high income households on average live on, or have access to one acre of land, whereas there are up to 250 households per acre in the informal settlements of Nairobi.

In a recent study undertaken by Akiba Mashinani (2016) in Mukuru – one of the informal settlements in Nairobi the 101,076 households in the area cumulatively spent Ksh 365,056,000.00 per month on food, provided through informal food networks. This translates to over Ksh 4.2 billion in a year and only represents the 30 villages in Mukuru. The whole of Nairobi has 152 villages spread across different informal settlements (Slum Dwellers International Kenya, 2013).

While the consumption base for food is evidently large, access to safe, nutritious, affordable and sufficient food still remains a mirage for many living in these settlements.

In the research, it was also clear that there exists a price penalty called the poverty penalty, where a poor person pays more for products and basic services yet receives goods and services of a lower quality. For example, on average residents of Mukuru pay 172.72% higher for water and 45.35% higher for electricity (Corburn et al., 2017). While water pipes and electricity lines supplying services to the wealthier areas pass through or near informal settlements, county and national governments treat residents as disposable and not worthy of these services, leaving them at the mercy of cartels that control the price and access of basic services.

Navigating Urban Informal Food Networks

Street food vending is an important source of food for many urban dwellers, not just for those living in informal settlements, but also serving the middle class (Githiri, 2018).
Informal food trade is the backbone of food security in Nairobi for the poor and marginalised – occurring in a space in which county and national governments shirk their constitutional responsibilities over ensuring the Right to Food.

Ngugi, Njoroge, & Sverdlik, (2016). Food traders are typically located near residential areas, offering food on credit, and are often better equipped to sell products in volumes that low income customers can afford and many times are desperately in need of. It is clear that the informal food trade is the backbone of food security in Nairobi for the poor and marginalised - occurring in a space in which county and national governments continue to shirk their constitutional responsibilities over ensuring that people realise the Right to Food.

Unfortunately, street food vending in the country has historically faced and still continues to face high levels of criminalisation by county and national government officials. The majority of street food vendors practice without licenses, mostly because of how prohibitive the costs of acquiring one are, as well as the bureaucracy and exclusion surrounding these formal processes. In addition, there exist problematic, highly contested and purist ideas of food safety and sanitation around informal food networks that are sadly enshrined in various laws and which urgently need to be debated.

The lack of basic social services creates a situation in which many street food vendors have to sell their food items in locations that may expose food to contamination, such as near open sewers. For women vendors, the lack of lighting presents a real security risk as many of them have to sell until late into the night and walk home alone in the dark (Githiri et al., 2016).

Population growth in urban areas, especially among youth, continues to increase due to rapid urbanisation and the ever increasing rural economic marginalisation that is driving rural-urban migration. On the other hand, land that was previously used for farming in rural and peri-urban areas such as Kiambu, which has historically been a big source of fresh food and milk to Nairobi, is also quickly being converted for real estate purposes. Adjusting to these challenges, urban dwellers have become creative in curbing food insecurity through practicing innovative urban agriculture, maximising the remaining public spaces available, and at times, violating laws put in place by state organs to criminalise or curtail these practices, mainly in low and middle income settlements.

Gendered-Class Realities of Urban-Informal Food Trading

Looking at the informal markets in the country, you will find that they are mostly comprised of women, who are the major providers of food. Recent research, *Nourishing Unequal Scenes series: Loresho, Nairobi.*
Livelihoods; Recognizing and Supporting Food Vendors in Nairobi Informal Settlements, found that, women comprise the majority of food vendors: 63% and 81% of vendors are female in Mukuru, Viwandani and Korogocho respectively. Men prevailed in the sale of meat and milk. In rural areas, food markets are predominantly also occupied by women (Quisumbing, 2014). The informal food markets are important in terms of creating employment opportunities for women, which in turn helps in alleviating poverty. Other benefits of operating local informal food markets include the ability of women to combine work and child care, reduced transport costs and a high number of customers due to population densities. It is imperative that a strong gendered-class analysis guides any formal and informal approach to addressing food and livelihood inequalities in the country.

Case Example: Grassroots Responses to Urban Food In(security)

Muungano wa Wanavijiji’s advocacy and research work looks into the challenges of informal settlements especially in the areas of land tenure and basic services, addressing them through partnerships with the county governments and urban right-holders. During these engagements, issues touching on food safety and security in general are a constant feature. Communities are mobilised and brought together through the strategies that the Muungano wa Wanavijiji collective has been using for the past 20 years, ensuring that community members are at the forefront of dealing with the food insecurity challenges they experience.

In Mathare informal settlement for example, an association of food vendors - Food Vendors Association - was created to bring food vendors together from all of Nairobi’s informal settlements. This association was tasked with the role of sharing the reports of the existing conditions for food vendors in all settlements and proposing collaborative solutions to address existing challenges to the relevant stakeholders. Through the association, many food vendors have come together to form savings groups, which not only unite them but sustain their businesses through loans and welfare kitties that they would not be able to access from mainstream banks.

The association also works to challenge toxic ideas of ‘illegality’ associated with informal food traders and demand for the same recognition and livelihood security that formal food traders have. Most importantly, the Food Vendors Association is at the forefront of demanding quality and non-privatised social services for themselves and their families, from both county and national governments.

Towards Development Justice as a Form of Food Justice

It is imperative that both state and non-state actors undertake a situational analysis in all the informal settlements in Kenya, in order to better understand the complex challenges – many of which are described here – with regard to food security. An analysis is critical in formulating strategies to overcome the challenges while building on the existing systems mapping work of grassroots organisations working in these communities. In cognisance of the fact that state and county governments are trying to upgrade informal settlements, it is important to align housing and infrastructure development goals with food justice plans and in particular, recognising and including food vendors who are important in helping to achieve food security in these areas.

Upgrades should be holistic as Githiri et al. (2016) argue, “improving food security in African informal settlements must form part of a broader set of upgrading interventions to promote jobs, improve safety, and political empowerment and economic justice for residents.” We must guard against any form of upgrading that further excludes already marginalised communities or presents a development path that continues to concentrate urban wealth in the hands of the elite.

State and non-state actors, rural and informal food providers who are predominantly women, should work together to achieve food justice both in the informal and rural areas. Tackling the shelter and environmental short-falls in informal settlements can, in turn, strongly support vendors’ livelihoods and thereby help to reach the urban poor with safe, affordable food sources. Additionally, by prioritising jobs and improving security in informal settlements, upgrading policies can support equally vital transformations in living conditions and community empowerment.

Finally, informal food vendors are invaluable repositories of information about the histories of the politics of urban food provisioning and understand the challenges in very personal ways. Moving forward, it is important that the state relies on and resources their existing knowledge and visions for food justice.
Eunice Achieng runs a canteen near Dunga Beach, Kisumu County.

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Lessons from Africa’s largest producer of GMO crops

Sabrina Masinjila

The African Centre for Biodiversity (ACB) was formed in response to the South African government’s approval of GMOs in agriculture in 1998 and the subsequent first approvals of commercial GM crops in the country. ACB has been a vocal critic of GM crops and their expansion both in South Africa and across the continent. In an interview with Sabrina Masinjila, the ACB builds its argument on why GM crops are not the answer to Africa’s food insecurity.

What is the political and economic history of the introduction of genetically modified foods into South Africa?

South Africa is the ninth largest producer of Genetically Modified (GM) crops in the world and by far, the largest in Africa. It also became the first country in Africa to allow the commercialisation of a food crop, GM maize, and today still remains the only country in the continent to do so. Currently, the South African maize sector is completely dominated by GM maize, accounting for over 80% of white maize planted in the country.

In 2016, the total area under GM crops cultivation was 2.66 million hectares with 2.16 million hectares covered by GM corn/maize, 494,000 hectares by soybean, and 9,000 hectares by cotton, according to the 2016 International Service for the Acquisition of Agri-biotech Applications’ (ISAAA) report on the global status of commercialised biotech/GM crops.

Commercial cultivation of GM crops in South Africa began in 1997 when GM varieties of Monsanto’s insect resistant (IR) cotton known as “Bollgard,” and its IR maize, MON 810, were approved for growing. Since then, there have been 70 events approved for planting. These include: five Argentine canola events, 10 for cotton, 42 for maize, one rice event and 12 soybean events. In 2001, a first GM soybean variety genetically engineered to be herbicide tolerant (HT) was also cleared for growing. There have also been numerous developments on ‘stacks’ which have been trialed and approved for both growing and importation for use as commodities over the years.

The South African context is very dissimilar to the rest of Africa. This is a country with a well established commercial farming sector, with experience of using hybrid seeds - and the chemical inputs they require - and with no mass peasant farmer base, making it easier for the introduction of GM. This is not the case in the rest of the continent where, for example, women grow 80% of staple crops. Nevertheless, at the moment, Africa’s hundreds of millions of peasant farmers represent an enormous potential market to biotechnology, seed and agro-chemical companies.

The ISAAA estimates that economic gains from biotech crops for South Africa for the period of 1998 to 2015 was US $2.1 billion and US $237 million for 2015 alone. In 2011, the same ISAAA claimed that Bt cotton, a variety of GM modified cotton, had “made a significant contribution to the income of 15 million small resource poor farmers in 2011.” However, there is overwhelming evidence contrary to this as we see in the case of the Makhatini Flats in KwaZulu Natal and the cultivation of Bt cotton there.

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Higher-yielding crops have not automatically translated into improved diet quality because the problem of food security does not lie with food production but with unemployment and inequality.

What are the potential gains - or losses - for these ‘hundreds of millions of peasant farmers’ when it comes to the adoption of GM crop cultivation and what have been the experiences of black smallholder farmers in South Africa?

Bt cotton represented the first systematic attempt at introducing GM crops to small-scale farmers in South Africa in the Makhatini Flats, a poverty stricken, remote rural district just south of the border with Mozambique. This was done through a targeted campaign by Monsanto to increase adoption among smallholder cotton farmers. Historically, the smallholder farmers of Makhatini were growing cotton due to a range of economic, political and social forces that resulted in chronic indebtedness. These farmers also operated in a closed value chain, where one parastatal cotton company managed all aspects of production including credit supply, seed production and distribution, extension support, transport and ginning. Together with the luring of the Makhatini farmers into adopting Bt cotton, the government and a range of agribusiness actors, including Monsanto, provided free production packages, including Bt cottonseed that was subsidised with public funds.

By the 1999/2000 growing season, just two years after its introduction, Bt adoption rates had spiraled from 7% to 90%, prompting a flurry of academic and popular articles heralding the success of the technology. The chairman of the local farmers’ association was flown to 13 different countries to tell policy-makers and farmers, first hand, of the benefits Bt cotton had brought his community. However, the initial success for the farmers in the Makhatini Flats did not last. In 2003, the local credit institution collapsed under the weight of unpaid debt of approximately R22 million (approximately US $2 million at that time). This was due to farmers deciding to sell their cotton to a new company in a bid to avoid paying back their loans. Without the certainty of using cotton as collateral for loans, credit became unavailable and cotton production declined. Farmers were destitute, with social relations in tatters due to unpaid debts. Within 10 years of its introduction, most growers had abandoned Bt cotton altogether. Reduced cotton production led to the closure of the Makhatini gin in 2007.

To date, there is minimal cotton production while the total number of adopters during the same period was below 5%. Makhatini showcases the inappropriateness of a development regime that seeks to introduce technological solutions to deeply rooted, systemic socio-economic problems.

The failure of Makhatini has not discouraged further attempts at the dissemination of GM seeds to peasant farmers. The
Eastern Cape, one of the poorest provinces in the country, has been subject to numerous developmental policies including attempts to spread the use of GM crops. The Massive Food Programme (MFP), initiated in 2002, forms part of the Eastern Cape’s Provincial Growth and Development Plan (PGDP) and has been designed to facilitate “a seamless trajectory from subsistence to commercial production.” Research carried out in the Amathole district of the Eastern Cape in 2010 has revealed the severe shortcomings of this kind of approach. The manner in which the projects were prescribed took away virtually all production decisions from farmers.

The Uvimbo bank purchased seeds and agro-chemicals directly from suppliers, while many farmers were unaware that they had been given GM cotton, maize and soybean seeds to grow. The growing of mono-cash-crops, particularly in the case of Bt cotton, did little to aid household security and in many cases at harvest time the farmers’ lack of bargaining power severely curtailed their incomes.

Issues around credit, debt and unequal power relations are not exclusive to GM crops but rather are the symptoms of much wider systemic problems. However, it does highlight the shortcomings inherent in trying to address these issues through a technological lens. Moreover, the concentration of commercial markets and political influence that needs to be overcome are the very conditions that the multi-national seed and agro-chemical companies benefit enormously from; the ‘solutions’ they are proposing, such as GM seeds, are the result of an ideology whose very existence is dependent upon the perpetuation of the status quo.

South Africa is the only country in the world where its main staple crop, maize, is primarily GMO, with about 70-80% of the maize consumed in the country being genetically modified. Considering that one of the key selling points of GM foods is that they will completely alleviate perennial problems of hunger and food insecurity in Africa by increasing yields, what has been South Africa’s experience in this regard?

Despite longer than a decade of GM maize use in the country, food insecurity is rife, with over 46% of South African households experiencing hunger. South Africa also experiences the double burden where a major proportion of society suffers from malnutrition in the forms of both undernutrition and obesity. One in five children in South Africa are stunted and over 50% of South African women are overweight and obese.

The assumption is that hunger is caused by a lack of food availability, and therefore the solution is to produce more food, hence the focus on high-yielding crop varieties. Higher-yielding crops, as part of a larger industrialised agricultural system, have not automatically translated into improved diet quality, which is the root to South African malnutrition. The problem of food security does not lie with food production but with unemployment and inequality. There needs to be a shift away from focusing on high-yielding crops with high calorie content, to a diverse range of foods that are accessible, affordable, produced in ecologically sustainable ways and that are culturally appropriate. This requires a holistic approach to food systems, one that also looks at ways to increase diet quality and considers the impact of a product’s life-cycle on nutrition and the role that well-resourced marketing campaigns and food environments play in defining consumer choice and behavior.

What about the argument that embracing genetically engineered crops will result in farmers using less herbicides and pesticides, therefore contributing to more eco-friendly farming practices? Has this been South Africa’s experience?

On the contrary, introduction of GM crops has only resulted in increased use of herbicides and pesticides, with a good example being glyphosate. Glyphosate is the commonly used herbicide in South Africa in crop production and it has become synonymous with GM crops. Over a period of seven years between 2005 to 2012, the overall use of glyphosate increased from 12 million liters to 20 million liters while from 2007 to 2011, glyphosate imports increased by 177%.

South African commercial farmers embraced herbicide tolerant (HT) crops with the first HT cotton variety commercially released in 2000 followed by HT varieties of soybean and maize in 2001 and 2002 respectively. Currently, HT maize accounts for 61.7% (1.33 million hectares) of all GM maize planted in South Africa. At the moment, South Africa is also facing the commercialisation of GM herbicide tolerant crops to replace the failing glyphosate tolerant varieties that are succumbing to weed resistance, such as 2, 4-D, and dicamba.

With cotton, Monsanto’s Bt technology was developed initially for the US market, where the Bollworm is a major cotton pest. In South Africa production is also affected by the Jassid, a small winged leaf hopper that breeds on the underside of the leaf. During the 1920s, a concerted effort was made to breed cotton strains resistant to the Jassid. Reports in 2012 emerged from northern Zululand that the Jassid was making a comeback, forcing farmers to increase their spraying of organophosphates by as much as 25%. On the other hand, 2, 4-D and glyphosate have been classified by the International Agency for Research on Cancer (IARC) as ‘possibly carcinogenic to humans.’ However, with glyphosate, the controversy surrounding its safety has resulted to its label as carcinogenic being withdrawn through lobbying by the biotech industry.

The additional use of 2, 4-D and dicamba are truly going to increase the chemical burden on foods, water, land and health at a time when evidence backs the urgent need to...
move towards sustainable food systems to protect food supplies and the health of our people and planet in an era of unpredictable climate change. There have been recent changes to regulations on Maximum Residue Levels (MRL) in 2017 by the South African government, but these did not include glufosinate-tolerant maize even though this has been cultivated in the country for years. This shows lack of monitoring on the part of the South African government and is indicative of an increase in the use of herbicides and pesticides in the country, contrary to what the biotech industry claims.

There is a growing wave pushing for the introduction of GM crops across Africa, while the power and influence of multi-national agribusiness companies such as Monsanto and international philanthropic organisations like the Bill and Melinda Gates Foundation is actively growing and shifting the dynamics of Africa’s food and agriculture systems. The ACB has termed the influence of these organisations as a key feature of the systemic neoliberal and neo-colonial capture of Africa’s food systems. Is the Right to Food in Africa being privatised and commodified and how can this be resisted?

Yes, there is increasing privatisation of food systems in Africa. Since the introduction of GMOs, the seed industry has rapidly consolidated with just four companies controlling almost 60% of the seed market. For certain crops, the market is even more concentrated. Monsanto, Dupont, Sygenta and Dow own 80% of the corn and 70% of the soybean market. This consolidation of the market has extended to these companies merging in order to expand their footprint in the seed and agro-chemical market. Furthermore, there are three mega-mergers taking place globally in the seed and agro-chemical sector globally—Bayer and Monsanto, Dow-Dupont and ChemChina-Sygenta.
In South Africa, the Bayer-Monsanto merger was approved in May 2017, by the Competition Commission of South Africa (CCSA). This would produce a monopoly in the supply of GM cottonseed in South Africa where 90% of the seed used is genetically modified. The Bayer-Monsanto company now controls the future of the agro-food system while controlling vast information on seed, soil and weather. Concentration and consolidation of the market entrench the future direction of the farming system creating dependency of farmers and marginalising more sustainable models of agriculture, such as agro-ecology, which is increasingly being called for by organisations representing African smallholder farmers. Furthermore, it decreases innovation as orientation of research in the agricultural sector is privatised leading to further entrenchment of intellectual property rights, including plant breeders rights. The merger is also likely to cause increased price of inputs which will have a knock-on effect on the price of food.

In the rest of Sub-Saharan Africa, the private seed industry has made gains in recent years, with the usual players of companies such as Monsanto and other groups of large multi-national companies from Europe and Asia (mainly focused on horticulture), national seed companies and newly emerging local companies supported by the Alliance for Green Revolution in Africa (AGRA). For millions of smallholder farmers on the continent, impacts are bound to be felt.

Farmers are expected to become more commercially oriented to cover the rising costs of inputs that will occur. Of concern are the resource-poor farmers and those living in remote or ecologically harsh environments not suited to constantly producing for markets. The majority of farmers will also not have the means to engage in seed selection or production, should onerous certification laws being proposed become the norm throughout the continent. As private seed companies on the continent continue to grow and consolidate they are likely to focus on a narrower range of commercially lucrative crops when most people agree that seed systems in Africa will require more, not less, diversity going forward.

Footnotes

1  An event is the insertion of a particular transgene into a specific location on a chromosome. It is used to differentiate genetically engineered crop varieties.

2  Gene stacking – also known as gene pyramiding – is the process of including more than one transgenic event in one plant to produce stacked traits, stacked transformation events, or stacked genetically modified organisms (GMO).

References


The Route to Food Initiative is a publicly funded programme of the Heinrich Böll Stiftung in Nairobi. Through the initiative, a Route to Food Alliance has formed that works towards realising the Human Right to Food in Kenya.

Our activities aim to influence the political approach to food security and target avenues related to policy development and implementation at national and county-level. Additionally, the initiative relies on creative communications and an influencer-led campaign to promote innovative solutions to the problem of food insecurity. We engage with mainstream and alternative media to shift the emphasis of hunger and unaffordable or inadequate food to a discussion about food rights.

You can join the Route to Food Alliance via www.routetofood.org. If you would like a copy of this publication, it will be available on our website or can be ordered by emailing info@routetofood.org or calling Layla on +254(0)202680745.

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We stand for the Human Right to Food.

We stand against the politics of hunger.

Where do you stand?