

Henry George Newsletter

High School Edition

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Battle for Land in Kenya

In many post-Colonial African nations, the problems of land distribution are only now being addressed. After centuries of foreign rule and exploitation, the indigenous populations of many of these nations are demanding an equal share in land ownership and equal access to the political structures of their economies and their governments.

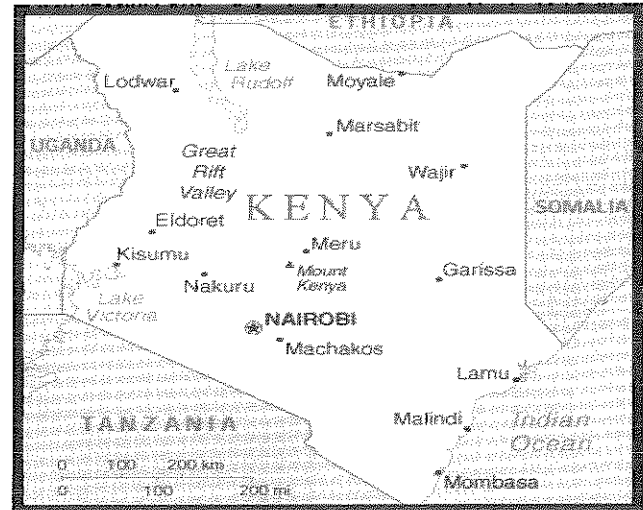
In Zimbabwe recently, much of the anger and frustration were expressed in acts of violence against white farm owners who still owned most of the productive farm land in that country. A number of farm owners were killed and their farms taken over by the attackers.

Many of the white farm owners had ties to the international business community and had relied on a production and distribution infrastructure that took decades to establish. It remains to be seen if the new possessors of the farms in Zimbabwe can rely on the same production and distribution lines or if the entire economy of that country will have to be reorganized.

In Kenya, the problems of land ownership and tenure appear a bit more complex. While some of the post-Colonial population directs its anger and resentment against white landowners, many are beginning to see that their own leaders are also part of the larger problem. After Kenya's war for independence, the veterans of that war were promised a share of the land. However, most of them, after more than 35 years of independence, have wound up as squatters on roadsides, eking out a living on the margins of their own society. Those who are able to find jobs as farm workers live on subsistence-level wages.

Meanwhile, Kenyan President Daniel Moi is one of the largest land owners in the country as well as one of its richest men. The interests of land owners and government officials appear to be inextricably linked. Will Kenyan landowners become subjects of violence as in Zimbabwe? And will the violence be directed at only the white owners or will it also target black landowners as well?

This article can be used with Economic Studies lesson # 5, Class Struggle and Economic Studies lesson # 20, Economic Problems of Less-Developed Countries.



Houseboat Owner Now Homeless

Is it possible to trespass on public land? Who owns a river or the land beneath it? Can someone be evicted from common land without a legal hearing?

These are legal questions that frequently arise when someone tries to strike a homestead on public property that is otherwise in use by the public everyday.

For Hungarian artist Balacz, these questions are particularly poignant for his home on the Hudson River was recently forcibly removed and demolished. Balacz had lived for a number of years in a makeshift houseboat on a part of the Hudson that the River Park Trust claims it owns. Balacz's lawyer and other legal experts claim that the river is public domain and that no one should be evicted from it without at least a legal hearing. His lawyer claims that Balacz' right to due process was violated.

The Coast Guard and the Army Corps of Engineers, both of whom have jurisdiction over the waterway, side with Balacz and his attorney. The River Park Trust, however, claims that it is the landlord of that public land and therefore has the sole right to determine its use.

This article can be used in conjunction with the Land & Freedom Series World History lesson # 6, The Enclosure Movement.

HENRY GEORGE SCHOOL of SOCIAL SCIENCE
121 EAST 30TH STREET NEW YORK, NY 10016

DAVID DOMKE, EDITOR 212-889-8020 hengeoschool@worldnet.att.net



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Battle for Land in Kenya Has Deep Roots

by Ian Fisher

Kagoshi, Kenya - As in Zimbabwe, to the south, Kenya has a problem with the distribution of land and with many angry people who do not have any.

David Muriethi Githui, for example, illegally built a hut on a small plot — along with his wife, 8 children, 2 cows and 10 sheep — on a narrow strip of land less than 20 feet wide between a rich man's plantation and an old road.

He lives, along with 1,500 other squatters nearby, pretty much in the gutter. So he is sympathetic to the black Zimbabweans who are trying to take over farms owned by whites in that country. He would not mind, in fact, if poor people in Kenya, with a colonial past similar to Zimbabwe's, did the same thing, though perhaps, he says, with less violence.

"The white people here in Kenya don't deserve land," he says.

But a friend and fellow squatter, Paul Kanyiri, reined him in with a reminder of the complexity of the land issue in Kenya.

"The big problem is not white people in Kenya," he said. "The big problem is our own leaders."

But after 37 years of independence, the source of the problem is not so clear. There are still white farmers, but most have sold out or gone into business with Africans. Many of their partners have ties to Kenyan President Daniel Moi. President Moi himself is one of the largest landowners, as well as one of the richest men in the country.

In a nation of 27 million people, at least 5 percent of the country's people live as squatters. The unemployment rate is about 45 percent. Farm workers on tea, pineapple and coffee plantations have held public demonstrations to improve their subsistence-level wages.

Smokin Wanjala, a lawyer in Nairobi and an expert on land issues said "The interests of the government and the white landowners are inextricable. The land should be returned to Kenyans — there is much foreign investment but it doesn't help us at all."

Paul Muite, a member of Parliament considered one of the brightest of Kenya's young politicians, has recently

People accuse the country's leadership of destroying the country.

In the city of Kagoshi, Kariuki Karuku, born in 1926, summed up many of the ambiguities of this country. He was a Mau Mau soldier who fought the British in the mid-1950s. The aim of that war, he said, was not only to gain independence, but also to acquire land.

But life did not get better for Mr. Karuku after independence in 1963. Like many other veteran soldiers, he was promised land but never got it. He lived in a forest near Mount Kenya, tending trees in exchange for the right to farm a small plot of public land, until the late 1980s. Then, the government expelled all the people living in the forest. Some of the forest land was then used for planting new trees and some of it was given away to rich people. The rest still lies idle. With no other choice, Mr.

Karuku, like Mr. Githui, took up residence with his family on the roadside, less than 3 feet from the road itself.

Mr. Karuka says: "Now the people who became our leaders are behaving just like the white people. We are still oppressed."



David Muriethi Githui, with two of his eight children, lives with his family in a roadside hut in Kenya.

said: "The potentially explosive Kenyan situation should not be underestimated." Mr. Muite believes that Kenya must embark on serious land reform as part of an overall restructuring of the country and its Constitution, or there may be violence as in Zimbabwe. One major question is whether the 3 to 4 percent who are white, and who on the whole have a better life than black Kenyans, would become targets, as they have in Zimbabwe.

Robert Shaw, a white Kenyan and an economic analyst, said the issue is driven more by class divisions. "If feelings are stirred up, I think everyone who is a large landowner — black or white — is at risk. The resentment of the deprived knows no barriers in terms of race."

While the white population is by no means loved by ordinary Kenyans, there appears to be far more resentment against the government.

- reprinted from the NY Times

Questions

1. Who owns most of the land in Kenya?
2. What role do Kenya's leaders play in land-ownership?
3. Toward whom do most Kenyans hold the most resentment?
4. What was promised to veterans after the war for independence?

Cry Me a River; Houseboat Owner Now Homeless

by Thomas Hackett

What would you get if you crossed a junk-heap barge with paddle wheels and public art made from recycled castoffs? For a Hungarian artist-recycler named Balacz, the correct answer was – his home.

But Balacz never suspected that a raid by city authorities that destroyed his makeshift houseboat earlier this year would raise a sticky legal question: Who has the right to certain stretches of the Hudson River?

For the past three years, Balacz has lived with his Siberian sled dog Suba and a cat named Lucky on a houseboat moored in the Hudson River at the foot of West St.

On May 8th, Balacz saw his homestead built from recycled scraps towed away and smashed to smithereens a mile or so up river.

Balacz's domicile broke apart when a crew hired by the Hudson River Park Trust attempted to hoist the multicolored, paddle-wheeled creation out of the water.

Balacz protested that he was not given prior notice and that he had been blocked from going aboard to retrieve his art work, his passport, his green card, \$4000 in cash and his cat Lucky.

The cat was an especially painful loss. His dog Suba was saved, however.

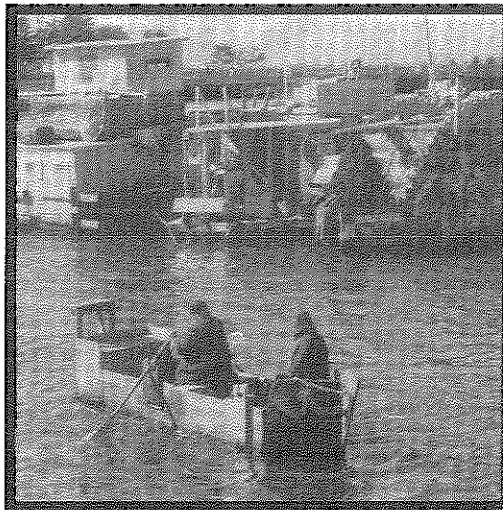
Balacz and his lawyer now want to know whether the Hudson River Park Trust – an organization created in 1998 by the New York State Legislature to develop the riverfront south of 59th St. as a public park – can legally remove Balacz's home without first bringing the matter before a judge.

"There's something called due process," said Steven Short, his lawyer. "We would have been happy to meet them in court if they

felt he didn't belong in the river."

At issue is who owns and controls exactly what part of the Hudson. Balacz, Short and many independent legal experts say nobody does – or rather, that the river is public domain.

The Hudson River Park Trust says that it is the landlord of the underwater land all the way out to what's called the pierhead line. The group contends that anyone living



above that underwater shelf without permission is trespassing.

In 1999, Balacz was told to clear out. He ignored the order, arguing that he should at least receive a proper eviction notice.

"They were well aware that they were trespassers," said Noreen Doyle, a spokeswoman for the park trust. "We were well within our rights to remove him without notice."

Not so fast, said the Coast Guard and Army Corps of Engineers, which both oversee New York Harbor.

"Only the Coast Guard has the legal right to issue what's called a captain of the port order to remove something that might be a pollution hazard," Lt Chip Lopez said. "In this case that did not happen. However, if the vessel is deemed a hazard to navigation, then it becomes a Corps of Engineers issue."

But Chris Mallery, the chief of harbor supervision for the city, said

that because the houseboat wasn't anywhere near the shipping channels, the Coast Guard and the Corps of Engineers had no cause to remove it. It therefore became a matter of property and trespass typically decided by the court.

Instead, Balacz said, Park Trust officers with nightsticks simply pounced on the houseboat the minute he came on shore.

"They were waiting for me, spying on me," he said as he stood on a pier and pointed to a placid plot of water he used to call home. That day, Balacz followed his houseboat up the river as it was being towed away. He then saw a crane attempt to lift it out of the water and on to a barge. When it was about 10 feet in the air, the slings snapped and the flat-bottomed boat crashed back into the river, breaking apart.

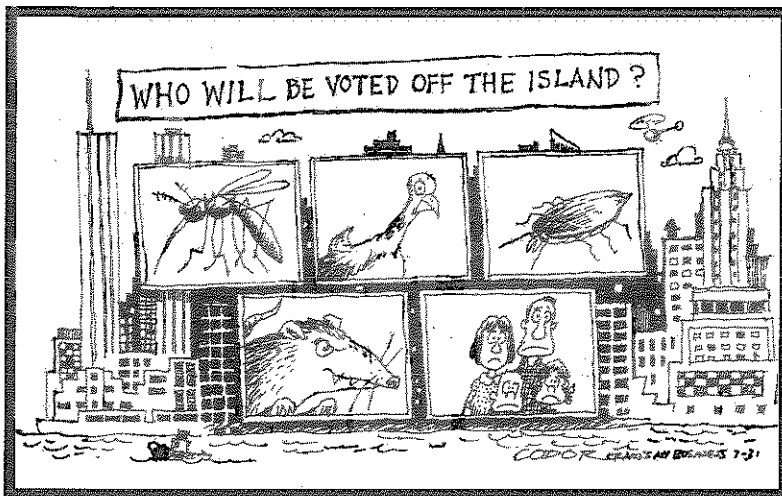
Although many New Yorkers considered the houseboat an eyesore, to many others it was a symbol of the sort of wacky eccentricity that the city should tolerate. Balacz for his part plans to take the Hudson River Park Trust to court. "Someone will be accountable," said Adam Brown, president of the New York Working Waterfront Association. "This will be a test case."

—reprinted from the NY Daily News

Questions

1. What is meant by "public property"?
2. How does that differ from "private property"?
3. What are some of the issues involving property mentioned in this article?
4. What sort of laws should be made regarding public property?

CARTOONS



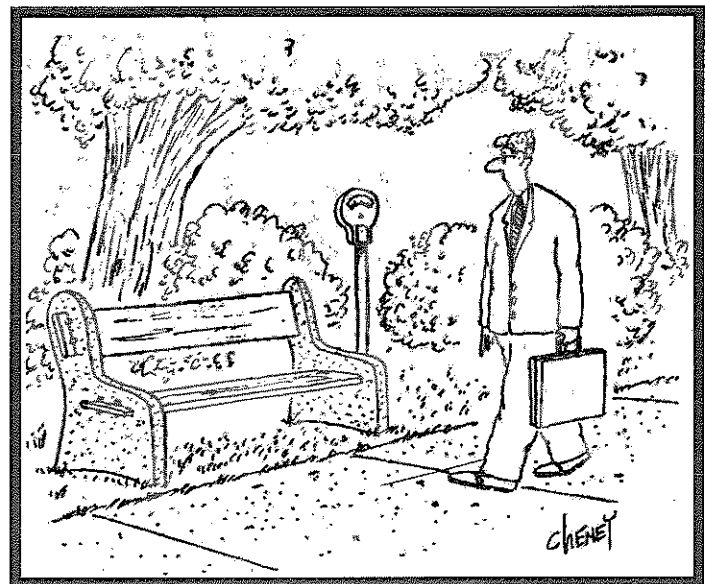
Questions

1. What would be a good title for this cartoon?
2. What is the cartoonist trying to say?
3. Of the five types of life represented, which is affected by voting?
4. What happens when people cannot afford rising housing costs?

Any real estate "boom" creates escalating land values and a consequent rapid rise in what tenants pay for rent. This puts pressure on middle-class and lower income people, who frequently cannot keep up with the steep rises in the cost of housing. Both cartoons illustrate this predicament. Both cartoons can be used with Economic Studies #7, Supply and Demand, and #12, The Law of Rent.

Questions

1. What would be a good title for this cartoon?
2. What does it say about the use of land?
3. What types of land do you have to pay to use?
4. What is the difference between private and public or common land?



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