

Unexpected Consequences: Wildlife Conservation and Territorial Conflict in Northern Kenya

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Abstract This article is concerned with the implementation of community-based conservancies (CBC) in conflict-ridden pastoralist areas of northern Kenya and whether the creation of protected areas can facilitate the resolution of conflict. Evidence from ethnographic research in East Pokot, Kenya, reveals a mixed picture. In the last decade, three CBCs were established along the administrative borders. Two of them are located in contested areas between the Pokot and neighboring pastoralists. In order to ensure their long-term success in terms of wildlife conservation and economic viability they must act as catalysts for inter-ethnic conflict resolution. In one case, the implementation proved successful, while in the other it exacerbated tensions and led to ethnic violence. In addition, issues of conservation are also embedded in deeper intra-societal struggles over the reconfiguration and renegotiation of access to and control over land. Drawing on ethnographic data and recent literature this research sheds light on unexpected consequences of CBC.

Keywords Conservation · Interethnic violence · Land tenure · Pastoralism · Political ecology · Kenya

Introduction

Community-based conservation (CBC) is part of the ongoing restructuring of land-use patterns driven by ideals of global environmental governance (Duffy 2006). Following this trend (West *et al.* 2006), the last decades have seen

increasing efforts to establish CBC projects in the marginal semi-arid and arid areas of Northern Kenya where there are frequent violent clashes between young men of various pastoralist groups (Mkutu 2008; Straight 2009). Recent literature on people-park relations address the question of whether the implementation of CBCs can contribute to lasting peace in these conflict-prone areas to varying degrees (Dressler *et al.* 2010; West and Brockington 2006:613; West *et al.* 2006:260). While some authors point to the potential of conservancies in conflict resolution, emphasizing the role of common environmental management in facilitating cooperation (Ali 2007), others express caution, highlighting their potential for exacerbating political and territorial conflict (Duffy 2006; King 2010; Neumann 1997). The research presented here contributes to the growing literature on what West and Brockington (2006) have described as “unexpected consequences of protected areas.”

When plans are made for creating protected areas they are often abstracted from their complex social contexts (West and Brockington 2006). Conservation policies may therefore have significant social effects, such as causing conflict over land rights and land use, which are neither expected nor intended by planners. In focusing on such consequences, I draw on Peluso and Watts (2001) outline of a political ecology of violence in which the connection between violence and environment is constituted by complex and contested social relations over resources, particularly by rules of access and control. Conflicts over environments, from this perspective, are struggles over entitlements, and specific environments or environmental processes “are central parts of the ways violence is expressed” (Peluso and Watts 2001: 25).

The creation of a wildlife conservancy not only alters rights of control, use and access (West *et al.* 2006), it also implies the transformation of a particular resource (pasture in this case) and the creation of a potentially higher-valued

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regime of accumulation. Following Fairhead (2001), I highlight two dimensions of conflict potential connected with this process of resource upgrading. First, it appears that it is the potential value of a resource rather than its scarcity that is the major driver of conflict; second, the demand for a specific local resource, which eventually stimulates conflict, is created elsewhere. The latter dimension points to important dynamics in the interplay among global environmental policies, the safari tourism industry, and localized conflicts over wildlife conservation (Duffy 2006).

This article reports research conducted in East Pokot District, Kenya, located in the Rift Valley Province, where three CBCs were recently established along the administrative borders (Fig. 1). Two of them are located in contested borderlands between the Pokot and neighboring pastoralist groups: Ruko Wildlife Conservancy straddles the border between the territories of the IlChamus (Njemps), located in Baringo District, and East Pokot, and Ltungai Conservancy was established in the neighboring Samburu District. A third, Kaptuya Community Conservancy, was established in East Pokot at the border with the privately owned Laikipia Nature Conservancy in Laikipia District (Table 1). Kaptuya Conservancy was implemented without provoking tensions, and Ruko proved to be a modest success in resolving the territorial dispute between the neighboring communities. The implementation of Ltungai, however, led to warfare and ongoing ethnic tensions. In order to account for these divergent outcomes I focus on three factors: the political dynamics connected to territorial claims, the process of planning and implementation, and issues of intra-group conflicts over questions of participation and territorial control.

I found that three issues played a critical role in these different outcomes: first, the creation of a CBC is always an attempt to add value to an already existing common pool resource. This tends to augment various interests in the area. Second, the implementation of a CBC is a major form of

land-use change, requiring the formalizing of access and administration rights to land and the fixing of the borders of the protected area. If access rights to the area were previously vague, this is highly likely to provoke conflict. Third, the establishment of CBCs in borderlands overlaps with the highly politicized struggle for ethnic territories in Kenya.

Empirical data were gathered during 12 months' ethnographic fieldwork on land-use change, the expansion of sedentary crop cultivation, social-ecological dynamics and boundary conflicts in East Pokot. The reader should therefore be aware that this article is mainly, though not solely, informed by a Pokot perspective. I also interviewed representatives of the Samburu and IlChamus communities and representatives of NGOs involved in development projects, wildlife conservation and peace-building in the area, as well as police officers and government officials at both local and provincial levels, and conducted a thorough research in the *Daily Nation's* press archive in Nairobi. A large proportion of the data presented here, however, was gathered through ethnographic observation and interviews in East Pokot, most of which were recorded and later transcribed for more detailed analysis. In addition, data on land-use and land-use change and livelihoods were gathered using questionnaire-based surveys. Due to the controversial nature of the subject, a lot of additional information was gained through informal conversations, in which I guaranteed confidentiality to all informants. Even before I became interested in the issues of conservancies in my research area, I had realized that my research caused suspicion, as people assumed I was working as an agent for the conservancy planners. I therefore chose my approach carefully, using public meetings on market days and other events to clarify my role as independent researcher.

In what follows I provide an overview of the literature on conservation and territorial conflict and provide some literature-based evidence on territorial conflict and conservation in Namibia and Zimbabwe. After presenting a brief description of the research area, I present my empirical findings on conservation and conflict in Northern Kenya. Based on these data, I then discuss the potential for internal and external conflict that accompanies the formalization of land tenure for conservation.

Overview: Conservation, Territory and Conflict

The question as to how conservation efforts can induce conflict and even inter-ethnic violence might seem a little out of place, given the general contemporary shift in conservation approaches from "fortress conservation" toward greater involvement, empowerment and participation of rural populations into conservation efforts (Dressler *et al.* 2010; Hulme and Murphree 2001). Issues of conflict, and more particularly human rights violations, are usually

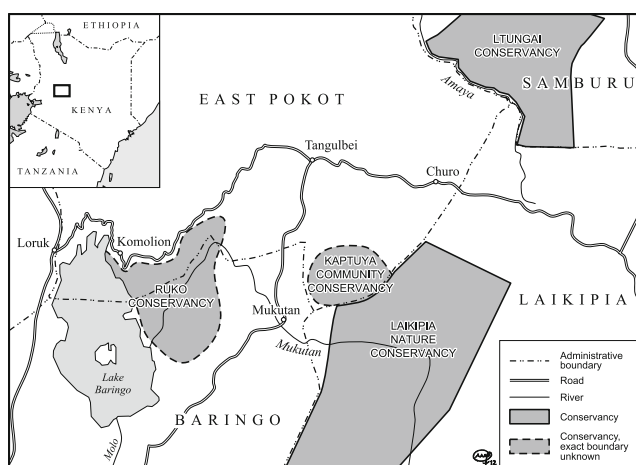


Fig. 1 Map showing the location of Ruko, Kaptuya and Ltungai Conservancies (image: Monika Feinen)

Table 1 Summarized features of Kaptuya, Ltungai and Ruko CBC

Conservancy name	Kaptuya	Ltungai	Ruko
District	East Pokot	Samburu	Baringo/East Pokot
Bordering District	Laikipia	East Pokot	Baringo/East Pokot
Area (hectares)	8,000	to be designated	7,700
Year of registration	2002	2006	2007
Facilitating agency	Global Environment Facility (UNEP); Laikipia Wildlife Forum LTD	Northern Rangeland Trust (NRT)	Northern Rangeland Trust (NRT)
Drivers of creation	attract tourism	attract tourism	conflict resolution/attract tourism
Former access rights	undisputed/clearly defined	disputed/defined vaguely	disputed/defined vaguely
Resulting conflicts within Pokot society	no	yes	yes
Resulting inter-ethnic conflicts	no	yes	no

associated with coercive, state-centered conservation practices. There is now abundant literature on the eviction of indigenous people from national parks and game reserves (Chatty and Colchester 2002; Dowie 2009) and on violence against the residents and neighbors of parks (Neumann 2001), particularly on the more prominent victims of coercive approaches to conservation, such as the San and the Maasai in southern and eastern Africa respectively (Chatty and Colchester 2002). Far less has been reported about how community-based conservation (CBC) approaches can trigger territorial conflict.

Community-oriented approaches to conservation have gained in importance since the 1990s to the extent that they are now among the leading conservation strategies (Dressler *et al.* 2010; Hulme and Murphree 2001). Although there is no universally accepted definition of community-based conservation, the various definitions in use do generally share some basic attributes (Campbell and Vainio-Mattila 2003): They usually imply a utilitarian approach to wildlife and natural resources, and involve local communities as primary managers and beneficiaries of environmental conservation. By placing economic incentives on conservation, communities are expected to assume ownership of the natural resources and find ways to manage them sustainably. The prerequisite for sustainable, group-based conservation rests on clearly defined communal land ownership and the ability to exclude outsiders from using the area under protection. This necessarily goes hand in hand with the task of defining access rights to the territory, the resources and the possible benefits of the conservation area (Ostrom 1990).

The trend toward greater involvement of local populations entails a fusing of trans-nationalized discourses on biodiversity conservation, cultural autonomy and indigenous practices (Brosius and Hitchner 2010; Escobar 1998; Igoe 2005). This is paralleled by a rhetoric that rests on the “widely accepted premises” that indigenous populations should have privileged or exclusive rights to territories that are perceived to have been used exclusively by their

ancestors (Kuper 2003:390). Following this line of reasoning, the association of indigenous rights, identity politics and biodiversity conservation echoes familiarly with what Gupta and Ferguson (1992:7) have described as “assumed isomorphism of space, place, and culture.” Community-based conservation can thus function as a vehicle for claiming exclusive ownership of and cementing access to land. With reference to the Latin American experience, Escobar (1998:61) notes that often “the concern with biodiversity has followed from broader struggles for territorial control.”

Probably the best-documented cases in which the intersection of conservation efforts and claims to land have fuelled inter-ethnic conflict come from southern Africa, where some San activists have been using community-based resource management approaches to further their claims to land.¹ They often frame these claims in terms of ethnicity and cultural heritage (Bollig and Berzborn 2004; Robins 2001). In Namibia, the Ju/’hoansi of the Nyae Nyae Conservancy, for example, successfully managed to secure rights to and legal control over the area, thereby protecting it against encroachment by Bantu-pastoralists (Sylvain 2001). In the nearby Tsumkwe District, the establishment of the N#u-a-Jaqna Conservancy similarly caused ethnic tension (Hohmann 2003). Although the conservancy’s constitution does not define membership in terms of ethnicity, it was deemed to be a vehicle for most San members to secure themselves ownership and deny access to people of other ethnic origins. While San with Angolan as well as Namibian ancestry were welcomed to participate, neighboring Kavango and Herero farmers were excluded. In West Caprivi, Namibia, activists of the Khwe-San community used GIS and mapping technology to bolster their claims for territorial hegemony against the Mbukushu. The mapping was initially done to strengthen capacities for environmental management in a

¹ In Southern Africa CBC is better known as community based natural resource management (CBNRM).

CBNRM project, and was facilitated by an NGO despite their awareness of the existing land conflicts (Taylor 2008).

Ethnic conflict about membership in conservation areas has also been reported for other areas in Namibia. In the Sesfontein area, tensions between Herero and Damara over representation in the process of implementing a community-based conservancy led to an “intensely political and competitive atmosphere” (Sullivan 2004:77). A similar case occurred with the Bersig/De Riet proto-conservancy, where Riemvasmakers and Damara quarreled over ethnically defined issues of participation (Jones 2001:174). In Zimbabwe, the ambitious “Community Areas Management Programme for Indigenous Resources” (CAMPFIRE) emerged in the 1980s as a strategy to devolve responsibility for wildlife conservation to local communities. In Binga, a District located in Zambesi Valley, the implementation of a CAMPFIRE program for wildlife conservation has led to massive conflicts between resident Tonga and in-migrating Ndebele (Dzingirai 2003). The migrants, who are denied benefits from the program, are well connected to the ruling Zanu (PF) party. Protected by local big men, and by their threats of violence, the Ndebele activists undermine conservation goals by resorting to illegal hunting and clearing of land for agricultural purposes.² Thus it is clear that the implementation of conservation areas may cause conflict when they are used as a vehicle for ethnically framed land-claims.

The Research Area

East Pokot District is part of the Kenyan Rift Valley Province. It is located in the savannah plains north of Lake Baringo and on the Rift Valley’s escarpment towards the Laikipia Plateau in the north east. The area is semi-arid to arid, drought-prone and dominated by thorn-bush savannah. The District is one of the poorest in Kenya with weak infrastructure and high illiteracy rates (District Planning and Monitoring Unit 2008). Some 133,000 people live in the District (KNBS 2010:140), the majority Southern Nilotic-speaking Pokot.³ The Pokot of the Baringo area have led a fully mobile pastoralist lifestyle since they

expanded into the area during the nineteenth century (Bollig 2006). In the lowland plains toward the arid north the people are predominantly pastoral nomads. In contrast, the areas stretching from the shores of Lake Baringo toward the Laikipia plateau have witnessed a profound change from pastoralism to sedentary agro-pastoralism. Since the late 1980s rain-fed cultivation has emerged as a dominant livelihood in pockets of the well-watered highlands. During the past decade, the transition to agriculture accelerated and spread into the lowland areas. The resulting land-use patterns have formed a landscape marked by growing fragmentation and habitat loss (Galvin 2009). These trends have been intensified by the implementation of community-based conservation projects.

East Pokot was until very recently bypassed by efforts to conserve wildlife, let alone to establish tourist facilities. Although the District borders private game ranches at the edge of the Laikipia Plateau, the presence of any form of wildlife conservation within the area is a very recent development. The first CBC area, Kaptuya, was established only in 2002; it is located in an area above a spectacular gorge that directly borders a private game reserve in Laikipia. The conservancy has little wildlife, but offers breathtaking views from Mt. Kenya to the Rift Valley floor. Initiated by local leaders with support from the United Nations Environmental Program, the neighboring community has set aside an area of about 8,000 ha for conservation. Kaptuya conservancy is registered with the Kenyan Wildlife Service (KWS) and promoted by the Laikipia Wildlife Forum, a regional conservation organization of landowners and land users. It took a year of negotiations and awareness-raising before the initiators convinced the neighboring communities to set aside land for conservation efforts. I briefly touch on issues of membership and concepts of benefit sharing below. Despite the initial skepticism, particularly with regard to the alleged loss of pasture, the concept of a CBC was adopted by the community and the local leaders reported no problems implementing and running it. The two later conservancies, established in 2006 and 2007, are discussed in greater detail below. Like Kaptuya CBC, they are located at the margins of Pokot territory with the important difference that they are in border zones with the neighboring Samburu and IlChamus, both Maa-speaking pastoralist groups.

While conservation is completely new to the area, violent conflict is not. The dynamics of violence accelerated with the proliferation of small arms and light weapons beginning in the 1980s (Mkutu 2008). As the price of automatic guns and ammunition decreased, leading to what amounted to arms races by rural populations, the frequency of violent interactions increased. Raids, counter-raids and interventions by security forces became the common. It was not only these “AK-47 raids” (Gray *et al.* 2003) that caused increasing instability and insecurity among vulnerable

² Experience from Transboundary Natural Resource Management (TBNRM) could provide an interesting point of reference, particularly because this is where the idea of Peace Parks originates (Ali 2007). The scale of management, implementation and potential conflict, however, is up-scaled to a transnational dimension (Duffy 2006) and as such is beyond the scope of this contribution. However, I would add that despite the rhetoric on resource sharing, territorial and boundary issues often seem to remain highly contentious (Duffy 2006; Wittmayer and Büscher 2010; Wolmer 2003)

³ I do not include West Pokot in my considerations here; for information regarding West Pokot see, for example, Porter (1965) and Conant (1965).

populations. Cattle rustling, too, became increasingly commercialized and paralleled by other criminal activities such as carjacking and highway robbery (Bollig and Österle 2007). Interventions by security forces often led to further bloodshed and attempts at disarmament largely failed.

During the 1990s the patterns of inter-ethnic violence changed, tending toward more violent clashes which in some cases resulted in high numbers of casualties and acts of “ethnic cleansing” (Bollig and Österle 2007). For East Pokot and the neighboring areas such as Turkana, Samburu and parts of Baringo, I observed that traditional patterns of cattle raiding are not only changing in the manner in which they are conducted, as Bollig and Österle suggest (see also McCabe 2004). They are also changing in terms of their function, in particular they are becoming increasingly politicized, so that cattle raiding itself is enmeshed in struggles for land, infrastructure, administrative boundaries and the fight for ethnically exclusive territoriality (Schlee 2010). Borders of electoral constituencies and boundaries of administrative units are now bones of contention and scenes of the clashes.

Unexpected Consequences: Conservation and Territorial Conflict in East Pokot

In the following, I focus on the three CBCs in the research area, put them into context and disentangle the divergent outcomes of their implementation, first in relation to ethnic conflicts between Pokot and Samburu and Pokot and IlChamus respectively, and then in relation to intra-societal struggles over access to and control over land.

Ltungai Conservancy—Exacerbating Conflict Between Samburu and Pokot

In 2006 tensions between the Samburu and the Pokot escalated into what Gakuu Mathenge, writing in the Kenyan newspaper *Sunday Nation*, described as a “full-scale guerrilla-type war” (Mathenge 2006). The conflict involved high levels of symbolic violence and led to large numbers of casualties.⁴ Victims were mutilated, women and children were killed, whole villages were displaced and large areas

were turned into no-man’s land until a ceasefire was agreed in late 2009. Before the violence escalated, Samburu and Pokot in the Amaya area had been on relatively good terms since leaders of both sides had agreed on a peace covenant in 1913, which was recently renewed in 2001 (NSC 2006). Smaller issues of livestock rustling and petty theft were amicably handled by the elders and since the 1970s Pokot and Samburu had been brothers in arms against the Turkana, who continue to be regarded as a constant threat by both groups. The factors leading to the initial eruption of violence between Pokot and Samburu are complex and to some extent multi-faceted. One of the major catalysts that escalated the conflict, however, was the attempt by the Samburu to implement a CBC area in the Amaiya area, a border zone between the groups (Kiplagat 2006).

The administrative location of Amaiya is part of a valley divided by one of the few perennial rivers of the wider area (Fig. 1). The valley south-west of the river is called Amaya and is an undisputed part of East Pokot. Amaiya is located on the other side of the river in Samburu District. The rugged valley stretching from the north-eastern banks of the river up to the escarpment of the Leroghi Plateau is formally part of Samburu District. The Leroghi Plateau itself is acknowledged as Samburu territory. Until the outbreak of the war in 2006, the area between the river and the plateau was inhabited and used similarly by both Pokot and Samburu. In the late 1970s, the Samburu managed to register group ranches there, which only included Samburu as members, yet the fact that Pokot settled there remained undisputed until around 2004 when Samburu politicians came up with the idea of establishing a CBC on two of these group ranches. The area, which is close to private game sanctuaries in Laikipia, hosts comparatively large wildlife populations and the scenic beauty of the valley would make it a prime spot for high-paying eco-tourism. They applied to a non-profit organization that specialized in the establishment of CBCs for advice and support, which they were granted, and started to implement the conservancy. Up to this point no members of the Pokot communities, either those living in the designated conservancy area or those living on the other side of the river, were ever consulted, let alone involved in decision making.

Violence erupted on several occasions after the Samburu asked the Pokot to leave the two group ranches designated as the conservation area. An initial series of smaller skirmishes escalated into larger raids and the conflict then rapidly spread over to neighboring areas in Laikipia, where it fueled the ongoing conflict over access to land. A peace accord initiated by government institutions in October 2006 failed to stop the conflict because it did not address the thorny issues of land ownership and boundaries (NSC 2006). Political leaders on both sides were heavily involved in stirring up hatred and trying to cement their claim over

⁴ It is difficult to assess the number of casualties. According to the Justice and Peace Commission of the Catholic Diocese of Maralal, the number of victims was estimated to exceed 500 (Evans Onyego, pers. comm. Maralal, August 29, 2011). This figure appears somewhat high given that the incident reports of the administration police for Baringo, Samburu and Laikipia listed a total of 62 casualties: 21 in 2008 and 41 in 2009. However, informal conversations with warriors, victims and members of the local administration indicated much higher numbers than the police reports, particularly in 2009. I do not have figures of casualties for 2006 and 2007. I thank Peace Cops Kenya for providing the data.

the area. Samburu politicians accused the Pokot of “expansionist tendencies” (Kariuki 2007) and insisted that they had the right to establish the conservation area without the consent of the Pokot. The Pokot, on the other hand, insisted that the land had always been theirs. This was made clear by the Pokot leadership in a memorandum handed to the Interim Independent Boundary Review Commission (IIBRC) in March 2010, in which they officially claim ownership of the area based on colonial contracts dated back to 1903 (Kipturu *et al.* 2010).⁵ Most Pokot feel that they are the rightful owners of the designated conservancy area, and they are afraid that with the implementation of the conservancy the Samburu will cement their claim to the area.⁶ This was vividly expressed by a young Pokot man: “We are fighting over boundaries and land. The Samburu want a conservancy but the area they want to use for it is our land. This is where our grandfathers were living. The Samburu want a conservancy, but they do not want to give out their land, they take our land.”⁷ After a series of massacres in Laikipia, both sides finally agreed upon a ceasefire in late 2009. By then, Pokot warriors had largely displaced the Samburu from their group ranches. Although armed Samburu scouts were employed and stationed at the rim of the Leroghi Plateau to guard the protected area, Ltungai has never been established as a successful CBC.

The Role of the Northern Rangeland Trust

The Northern Rangeland Trust (NRT), the non-profit organization that supported the Samburu in implementing Ltungai, was established in 2005 as branch of Lewa Wildlife Conservancy, one of Kenya’s largest and probably most successful private game sanctuaries. NRT was founded to take over the task of helping local communities to develop CBCs, a matter in which Lewa was engaged since its foundation in 1995. NRT is an umbrella organization which describes itself as “a home-grown institution aimed at addressing home-grown problems and creating long-lasting local solutions.”⁸ Its mission is to establish and promote conservation, sustainable management and development in the pastoralist communities of Kenya’s northern rangelands. Together with Lewa, it has implemented 18 CBCs, most of them in pastoralist areas. In terms of numbers of conservancies hosted, it is the leading CBC NGO in Northern Kenya. The leadership of NRT

consists of a board of individual and institutional members and a council of elders. The council consists of elected members of the communities and organizations represented in the NRT. It is responsible for reviewing applications from communities that seek support for a project and “peer reviewing” the members in good governance. At the time of the Ltungai application, of the nine CBCs represented on the board four were Samburu. The remainder were Laikipiak- and Mukogodo Maasai, Rendille and Meru.

According to NRT’s Community Development Manager, the Ltungai Conservancy application was thoroughly examined by an assessment team and by the council of elders.⁹ Despite the fact that the area in question was inhabited by both Samburu and Pokot and that both communities shared the grazing and water resources, the proposal for a conservancy was approved in 2005 and has been supported by the NRT since then. The intensity of the struggle and the political dimensions that arose from the attempt to implement Ltungai conservancy apparently caught the NRT by surprise. According to NRT’s Community Development Manager: “There came a lot of politics into that area, a lot of politics (...) Ideally they [the Samburu] were not supposed to kick out anybody. (...). So basically there was a lot of misunderstanding, and (...), you know by their own approach they decided just to stay on their own as two group ranches and they never wanted to work with the Pokot.”¹⁰ This quote sheds some further light not only on the conflict dynamics, but also and more particularly, on NRT’s policy. As an umbrella organization, they deny any responsibility. Instead, they blame the Samburu for getting the approach wrong and excluding the Pokot. Despite this “misunderstanding,” which gave the CBC a “bumpy start,” the NRT renewed contracts with Ltungai conservancy during the war. This approach appears either naïve or cruelly irresponsible given the fact that land-based conflicts had also occurred in two other earlier CBCs established by the Lewa/NRT consortium: Lekurruki CBC (founded 1999) and Sera CBC (founded 2001) where after their legal establishment ethnic conflict arose between former neighbors (CDC *et al.* 2009:23). According to the study’s analysis, in both cases the establishment of the conservancy led to tenure arrangements that allowed certain parties to exclude others.

Ruko Conservancy—A Modest Success

In 2007, a year after war broke out between the Pokot and the Samburu, another hotspot of inter-ethnic violence in

⁵ Further detail is beyond the scope of this article, but it is important to note that the IIBRC was implemented in 2009 to review and redefine constitutional boundaries in order to implement the new constitution.

⁶ I wish to emphasize here that I do not intend to imply any judgment as to the validity of the claims of either the Pokot or the Samburu to the area.

⁷ Interview with two young men (anonymous), Chepelow, August 21, 2011.

⁸ This and the following quotes and information are from <http://www.nrt-kenya.org/home.html>, last accessed November 21, 2011.

⁹ Interview with Tom Lalampaa, NRT Community Development Manager, Isiolo. September 2, 2011.

¹⁰ These and the following quotes are taken from an interview with Tom Lalampaa, NRT (see above).

East Pokot became the focus of conservation practices. The area which is now Ruko Wildlife Conservancy¹¹ is located on the shores of Lake Baringo on some 7,700 ha of contested borderland between two pastoral peoples: the Pokot and the IlChamus (Njemps). After severe clashes in 2005 between the two groups, elders from both sides were seeking ways to create sustainable peace and the idea of a conservancy was brought into consideration. Financially and logistically supported by an Anglo-Kenyan family that runs a tourism facility in the area, plans were developed and the NRT was approached for support. This highlights an important difference between Ruko and Ltungai: In the former case, the idea of a conservancy was advanced by local leaders of both groups. Negotiations took a whole year. Although both groups agreed on sharing the disputed area, the actual boundary line between the IlChamus and the Pokot is still hotly disputed. To avoid open conflict, conservancy leaders, committee members and government officials have agreed that at conservancy meetings that involve the neighboring communities there will be no mention of the boundary. Border issues are not brought to the agenda at such meetings, and any attempts to raise them are firmly suppressed. Despite the simmering conflict, Ruko is a modest success. All revenues, as well as the committee positions, are shared equally, the 14 staff members are from both communities and employed on equal terms, and small projects, such as honey production and women's groups, have been initiated. This has not eliminated the tensions between the Pokot and the IlChamus in the wider area, but the neighboring communities bordering the conservation area at least are living together peacefully.

Conservation and Land-Use Change: Internal Conflicts Over Participation and Control

Besides their strikingly different impacts on inter-ethnic relations, both Ltungai and Ruko conservancies reveal similar dynamics within Pokot society. They are embedded in deeper intra-societal struggles over the reconfiguration and the reimagining of land.

From Open Access to Closed Communities

In areas where agriculture is spreading, institutions regulating control over and access to land are changing rapidly toward individual tenure. The implementation of conservancies brings about another level of aggregation: village-based control over a given territory and exclusive, group-based use of its resources. Like individualized tenure, this is relatively

new for the Pokot. Legally, their land is communal, vested under the trusteeship of Baringo County Council, and until recently most people led a nomadic pastoral life. The use of neighborhood pastures was regulated by elders and resource management was exercised in a manner probably best described as “flexible informality” (Bollig and Österle 2008).

Although traditionally everybody was identified by a place of origin, there were no clear cut rules of belonging to a certain village or area. Every Pokot man was granted the right to make use of the land wherever he wished. This is aptly summarized by a Pokot elder: “In the past there were no rules. Not like now, where we have shambas and shops around, because in the past a Pokot could move from here to Tiati or to Silale and there were no restrictions.”¹² Although this notion of East Pokot as an open-access territory is rapidly and profoundly changing, people from areas outside the designated conservancies feel alienated from what they claim is also their land. They fear losing access to pastures which they formerly used and which are critical for the survival of their herds. This is particularly so in Ruko. Although the conservation concept allows grazing by outsiders on demarcated pastures to some extent, bylaws restrict animal movements within the area. This raises suspicion, tension and frustration among former users. Attempts to sabotage the conservation area by violating these rules, and, in some instances, even by poaching, were common problems that Ruko Conservancy struggled with during my fieldwork.

Struggles Over Participation and Control

In the case of Ltungai, initially virtually all Pokot opposed the idea of a conservancy. After the fighting stopped in late 2009, however, Samburu and the NRT radically changed their strategy. Realizing that any attempt to establish a conservancy without involving their neighbors was doomed to fail, they switched toward a more inclusive policy, admitting that they made a mistake in excluding them from the start.¹³ Although this reversal was conducted awkwardly and seemingly unprofessionally, a small group of Pokot residing close to the designated CBC nevertheless expressed a general willingness to negotiate with the Samburu and the NRT. This provoked most other Pokot, particularly the elites of neighboring areas who feared losing access to valuable pastures for their animals. Pokot politicians started to openly instigate campaigns against giving out land for a conservancy

¹¹ Ruko is a contraction of Rukus and Komolion, the IlChamus and Pokot villages that border the conservation area.

¹² Interview with Lokoulem. Chepkalacha. July 26, 2011. Shamba is the Swahili term for farm; Tiati and Silale are (grazing) areas in East Pokot.

¹³ At this point, the conservancy board members began to discriminate the two group ranches into a Samburu and a Dorobo group ranch. This episode, however, is beyond the scope of this article.

and cooperating with the Samburu. A high ranking politician, who in 2006 still supported the involvement of both communities into the conservancy as “the only way of ensuring that the communities coexist harmoniously” (Kiplagat 2006), at this point began to publicly incite his electorate to “beat up” those in favor for the conservancy.¹⁴ After the small group of alleged conservancy supporters was massively threatened with violence by fellow tribesmen they ceased any attempts to openly promote their ideas of a joint Samburu-Pokot conservation initiative.

The establishment of Ruko conservancy brought about similar although less aggressive conflicts. Here the residents of the Pokot village of Komolion decided to set aside land for the conservancy. Following massive raids by Pokot warriors on their IICHamus neighbors in 2005, the Kenyan Army indiscriminately confiscated livestock in some Pokot villages to compensate IICHamus losses (Bollig and Österle 2007). Komolion was one of the villages hit hardest in this campaign, and its residents were left impoverished and resentful because they felt they had been punished for acts perpetrated by warriors from the interior of Pokot country. Against this background, the establishment of a conservancy close to the tourist attractions of Lake Baringo appeared a promising way to generate alternative incomes, and the narrative of their unfair victimization was used justify the proposal. Leaders from other areas, however, did not subscribe to this argument, and opposed the conservancy initiative on the grounds that the area designated for protection is important pasture for all Pokot. While people from Komolion now share the benefits of conservation, people from areas further away are excluded and their grazing activities in the area are severely restricted. I wish to emphasize here that the process of benefit sharing within the Pokot community is not transparent, but rather highlights existing inequalities and power-topographies within the communities. A closer analysis of these processes, however, is beyond the scope of the present article.

Unlike Ruko, where membership is loosely defined by residence in a certain area, Kaptuya CBC did not cause tensions over participation and the sharing of potential benefits within Pokot society. In fact, the Pokot refer to it as “the silent conservancy.” When Kaptuya CBC was established in 2002, some 300 membership options were issued. In this shareholder model, which is not restricted to Kaptuya community alone, anyone who wanted to could buy such a membership for 300 Kenyan shillings.¹⁵ About half of the members are from outside the community, and not all residents of Kaptuya have bought a membership. According to conservancy representatives, the majority of members from outside the community are from the emerging Pokot elites.

Although the conservancy has not generated any revenues up to this point, its establishment and persistence illustrate the fact that the Pokot are neither generally hostile toward conservation nor lagging behind in their understanding of the concept, as the NRT representatives put it when offering their own explanation of the resistance of the Pokot towards the Ltungai CBC. It remains to be seen whether or not the shareholder model of Kaptuya offers a genuinely viable solution: as and when the time comes to distribute what economic benefits the CBC may generate, will the incentive of such rewards encourage more people to become members?

Discussion

In a discussion of conservation buffer zones in Tanzania, Neumann (1997:573) notes that land-based conflicts in Africa are often exacerbated by interventions into existing arrangements. Any attempts to establish conservation areas will therefore inevitably impact ongoing struggles over land, particularly if customary tenure is poorly understood, and yet the definition of a legal entity is mandatory for the establishment of a conservation area (Thompson and Homewood 2002). For the NRT, as well as for any other conservation NGO, the establishment of formal land ownership is therefore a crucial step in establishing a CBC. Although the NRT acknowledges that land usage in pastoralist areas has traditionally been conducted according to an “open access approach,” they note that these systems “do not keep pace with the rapidly changing socioeconomic environment of modern Kenya.”¹⁶ Though the NRT’s notion of “open access” appears to be inconsistent with actual and historical land use practices in the area, there is certainly some truth to their statement, as the developments in East Pokot demonstrate. My intention here, however, is to highlight the potential for external and internal conflict that accompanies these changes in land tenure and land use.

Since the early 1990s ethnic mobilization has increasingly impacted the political climate in Kenya, particularly with regards to land (Klopp 2002; Rutten and Owuor 2009). While ethnic violence peaked in the post-election violence of 2007–08, everyday politics continue to be divided along ethnic lines (Barkan 2011). These political dynamics have their repercussions in the pastoralist areas of northern Kenya. Schlee (2009:223), for example, remarks on a recent tendency toward an “undisguised” framing of territorial claims in ethnic terms. He notes that patterns of conflict in pastoralist areas are increasingly influenced by national politics, where the notion has gained ground that “every

¹⁴ Speech given on a fundraising event in Churo, April 30, 2011.

¹⁵ About 4 Euro in 2002.

¹⁶ Quotes are taken from <http://www.nrt-kenya.org/conservancies.html>, last accessed November 21, 2011.

group had a homeland and the right to expel minorities by force” (Schlee 2010:9). This involves a shift toward a hardening of ethnic boundaries (Watson 2010) as well as the political use of cattle raiding in land-based conflicts (Straight 2009). These dynamics resonate in the struggles over redefinition of territorial control and access in the case of Amaiya.¹⁷

Upon assessing the application for the proposed Ltungai conservancy, the NRT neglected the historically complex land-use patterns of the area as well as the current political situation in Kenya as a whole. They conducted neither a feasibility study nor any other scientific pre-assessment of the project.¹⁸ They began implementation without taking into account possible political repercussions of their intervention. The tendency by conservation NGOs to neglect social and political impacts in conservancy planning has been remarked upon and criticized by many authors (Campbell and Vainio-Mattila 2003; McCabe 2002; West and Brockington 2006). This strongly recalls Ferguson’s (2003) work on Lesotho, which demonstrates that contextual de-politicization is a key component of many development projects (Sullivan 2004:78). As has often been the case with development planning, the idea of a designated conservation area is frequently abstracted from the social context of those that live there, and the political dimensions of such interventions are often ignored (Brosius and Hitchner 2010:148).

In the case of Ruko, the proposed project was handled with more care. The NRT took this as an opportunity to learn from failures in Ltungai and to improve their relations with the Pokot. When negotiations over a joint conservancy between the Pokot and the IICHamus started, ownership of the now-protected territory was highly controversial. It took a whole year of consultations until both sides agreed to forego their claims. On the Pokot side, the boundary issue is still disputed. The establishment of ethnically shared CBCs is very rare, at least in northern Kenya. Ruko is one of only two CBCs in the portfolio of NRT that are multi-ethnic. All others are designated exclusively as CBCs of Boran, Samburu, Rendille, and so on. The example of Ruko shows that it is possible to create conservancies shared between (formerly) hostile groups if the negotiations are transparent and management terms are considered fair by those involved. During fieldwork I did not explore the specific conditions of cooperation, but the fact that the Ruko CBC actually generates revenues and people have benefited in terms of school fees, medical assistance, or employment

as scouts contributes to a growing acceptance. The transparent and fair inter-ethnic disbursement of these revenues is clearly a further incentive for cooperation.

In the case of Ruko, Pokot from the wider area are excluded from benefits and feel defrauded of land that they claim is theirs. In Ltungai, similar fears hinder further negotiations on the side of the Pokot. This touches on two distinct yet connected issues: the process of rangeland fragmentation, and the social conflicts accompanying the subdivision of land. Studies from pastoralist areas in East Africa show that the subdivision of formerly communally-used land leads to severe constraints in seasonal herd mobility and contributes to increasing sedentarization. This accelerates the erosion of traditional coping strategies, but it also furthers livelihood diversification and intensification (Burn-Silver *et al.* 2008). In the case of Ruko, controlled grazing is permitted but households can no longer settle temporarily in the conservancy area. While flexibility is therefore clearly restricted, it is more difficult to say whether increasing sedentarization can be seen as a direct consequence of fragmentation or vice versa. The social-ecological consequences of fragmentation, and of modification and loss of habitat in pastoralist areas, are of course much more far reaching and complex (Hobbs *et al.* 2008), and as such beyond the scope of this article.

On the social side of territorial fragmentation is the demarcation of boundaries within Pokot land. This resembles the demarcation of reserved village grazing areas among the pastoral Galole Orma, who, with increasing sedentarization and social differentiation, started to protect pastures surrounding their settlements against nomadic tribes-fellows (Ensminger 1992). Recent literature on property rights and land points to the manifold dimensions of social relations attached to land and land use. Any formalization is like a “cutting of the web of overlapping interests” (Meinzen-Dick and Mwangi 2009). In a rapidly changing pastoralist society, in which many people are only beginning to develop more consistent relations to bounded territories, the formalization of land tenure is therefore necessarily conflictual. Galaty (1980), in a description of the process of land demarcation of group ranches among the Maasai in Kenya, points to these often violent conflict dynamics. He aptly notes that: “It is the very process of turning ‘pasture’ into ‘land’ which is seen as the root of the threat against the Maasai way of life and the major threat to their collective existence” (Galaty 1980:165).

Conclusion

Conservancies in disputed borderlands may contribute to the amelioration of conflict and competition for shared resources. However, if this laudable idea is not implemented with

¹⁷ Unlike the Namibian examples given above, these struggles are not framed in terms of indigenous identity politics. They rather follow the logic of political tribalism (Berman and Lonsdale 1992). This, however, is not to claim that global indigenism does not have its repercussions in Eastern Africa (Igoe 2006).

¹⁸ Interview with Tom Lalampaa, Community Development Manager, NRT (see above).

due consideration to all groups affected it can have unexpected consequences and result in severe territorial conflict, both within and between groups. If interventions into existing land-use patterns, access rights and tenure systems are not understood as potentially conflicting and highly political, the implementation of CBCs can exacerbate or even stir up violent conflict. In terms of the political ecology of violence (Peluso and Watts 2001), in light of the research results reported here I conclude that, while the idea behind CBCs is to remedy alleged or actual conflicts over natural resources, without appropriate implementation conservancies can actually create new conflicts through two distinct processes in particular: by increasing the value of these environmental resources by implementing new modes of resource exploitation (for a similar reflection see Duffy 2006), and by re-regulating entitlements to access and control (Peluso and Watts 2001).

This is certainly the case in Ltungai, where aspirations of creating a high-potential tourist facility have, for the time being, dispersed. If, however, former rivals join forces and propose a CBC as a solution to their land-based conflicts, and if the subsequent negotiations and implementation are conducted in a transparent, professional and fair fashion, these processes increasing value of resources and of re-regulation can contribute to peace and reconciliation. It remains only to emphasize once more that social contexts must be understood before interventions are planned.

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