

**[De]constructing a partnership:
Evaluating a win-win
conservation and development
story, the case of the Mara
conservancies, Kenya**

By

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A Thesis

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Abstract

Kenya's Maasai Mara ecosystem is a particularly contested landscape when it concerns conservation and development interests. In recent years, private conservancies have emerged, redefining the relationships between conservation, tourism and local Maasai pastoralists. The partnership forged between ecotourism operators and Maasai landowners is celebrated as community conservation, bringing together a win for wildlife, and a win for livelihoods. Despite the rhetoric, inherent trade-offs are being made, particularly by pastoralists who now have to navigate an extended network of conservation boundaries with their livestock. Through a qualitative methods approach, this research gauges various stakeholder positions in relation to the emerging conservation partnership. Initial findings suggest the conservancies have made progress in alleviating some of the historical failures inherent in East Africa's well-preserved 'fortress conservation' story. Yet the future of the conservancies remains unclear, in large part due to community concerns for livestock, resource access, and rights to self-determination. The conservancy format in Maasailand needs to consider greater efforts in fashioning a *true* partnership before it can consider itself a win-win enterprise.

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Glossary of Terms

AGM: Annual General Meeting organized by conservancy Landowners Committees for the purposes of sharing yearly changes, current events, policy notifications and concerns for conservancy members.

CBC: Community-based conservation.

CBD: Convention on Biological Diversity.

CBNRM: Community-based natural resource management.

CC: Community conservation.

DC: District Commissioner, office of the county government.

GC: Grazing committee of the conservancy.

GME: Greater Mara ecosystem.

ICDP: Integrated conservation and development project.

Imanyat (singular *manyata*): Maasai homestead.

ILRI: International Livestock Research Institute.

Kraal: A livestock enclosure, or pen. In Maasailand this was traditionally constructed from thorny bushes and local tree stumps, but today are increasingly made of cedar posts imported from the Mau Forest of Kenya along with barbed wire.

KSH: Kenya shillings (estimated 87 KSH =1 USD).

KWCA: Kenya Wildlife Conservancies Association.

KWS: Kenya Wildlife Service, the parastatal wildlife management arm of the Kenyan government.

LOC: Landowners committee within the conservancy governance structure, representing the landowners of the conservancy.

Management: The management team of the conservancy, typically hired by the conservancy board to oversee the day-to-day management activities within each conservancy. Examples include Seiya Ltd (manages Naboisho and MNC) and Olpurkel Ltd (manages OMC).

Member: A title-deed holder who has signed the conservancy lease.

MCF: Malignant Catarrhal Fever, an infectious disease of cattle.

MMNR: Maasai Mara National Reserve.

MMWCA: Maasai Mara Wildlife Conservancies Association.

MNC: Mara North Conservancy.

Monaco Group: A group of landowners who organized in 2006 to create an independent conservancy within the boundaries of Olare Orok Conservancy, but have largely dismantled today.

MP: Member of Parliament.

Mzungu (pl. *Wazungu*) : Kiswahili word for person of European descent.

NGO: Non-governmental organization.

Nonmember: title deed holder, or nonlandowner, who has not signed the conservancy lease agreement.

Olpurkel Ltd: Management company of Olare Motorogi Conservancy.

OMC Trust: Olare Motorogi Trust.

OMC: Olare Motorogi Conservancy.

OOC: Olare Orok Conservancy (now officially OMC).

OOWC Ltd: Olare Orok Wildlife Conservancy Ltd.

PA: Protected Area.

PES: Payment for ecosystem services.

PWC: Payment for wildlife conservation.

SD: Sustainable development.

Seiya Ltd: Professional management company of MNC, Naboisho and Mara Conservancies.

SES: Social-ecological systems.

TP: Tourism Partner, a tourism investor in the conservancy who operates a camp(s).

CHAPTER ONE

Introduction

1.1 Brief Background

The highly productive savannah ecosystems of East Africa have supported nomadic herding communities and vast wildlife populations for millennia (Ogutu et al. 2011, Reid 2012). With drastic changes in land use activities over the course of recent decades, however, the sustainability of this ecosystem has been put into stark question (Seno and Shaw 2002). Systematic shifts in land tenure regimes have added to the uncertainty of a sustainable model for both livestock production and wildlife conservation (Reid 2012). These changes are prevalent in Narok District of Kenya, where wildlife populations have declined by up to 75% in the last several decades (Ogutu et al. 2011). Human influences are primarily to blame for the drastic decline in wildlife populations, including intensification of cultivation (8% loss of rangelands in the last 40 years- Norton-Griffiths et al. 2009, Said and Lambin 2001, Thompson and Homewood 2002), in-migration from outside communities (Homewood et al. 2001), sedentarization (Serneels et al. 2001, Waithaka 2009), climate change and increasing drought (Ogutu et al. 2007, 2008, 2009), poaching (Waithaka 2009), and settlement expansion (Lamprey and Reid 2004). In a similar grain, pastoralism as a way of life is increasingly threatened by these land use changes (Homewood et al. 2001) as competition for land intensifies and resiliency of livestock production diminishes (Waithaka 2009).¹ In addition to recent shifts from cattle to small stock (goats and sheep), per capita livestock has declined, threatening both economic hardship and food security issues in pastoral communities.

In the last several decades a widespread movement towards involving local people in wildlife conservation and natural resource management has occurred worldwide (Brandon and Wells 1992, Hulme and Murphree 1999, Russel and Harshbarger 2003). Referred to as Community-based Conservation (CBC), Integrated Conservation and

¹ As defined by Naimir-Fuller et al. 2012, “Pastoralism covers production systems and livelihoods which are mainly dependent on livestock raised extensively, whether on communal or private pastures, with or without regular mobility.”

Development Projects (ICDPs), or Community-based Natural Resource Management (CBNRM), these initiatives move to reconsolidate social-ecological systems (SES) (Berkes 2004, Seixas and Davy 2008). The Mara conservancies are one such form now taking root in southern Kenya, and while these concepts are introduced here, a thorough treatment can be found in subsequent chapters.

A conservancy can be defined as a collection of lands (private holdings or others) unified under a singular management plan for the purpose of improving conservation and natural resource use collectively (Price Waterhouse 1994). Prompted by successes in Namibia and other countries (Seixas and Davy 2008), Kenya is in the midst of exploring how landowners, through direct linkages with private enterprise, can benefit alongside wildlife conservation. In the Mara, as in all Maasailand, land has traditionally been managed communally, allowing for the transhumant pastoral lifestyle characteristic of the Maasai (Homewood et al. 2001). However, due to various socio-political pressures such as defensive privatization (Fernandez-Gimenez 2002), the communal tenure system has shifted towards individual ownership (Seno and Shaw 2002). This change in tenure has prompted development of new institutions, such as the conservancy model, to maintain open lands for wildlife while generating new income avenues for local people. Eight conservancies exist in the Greater Mara Ecosystem (GME), creating an ideal study area to assess this approach to community-based conservation and its potential application elsewhere.

With the advent of a new ‘conservation for development’ model underway, interest from policy and research communities have grown considerably. Emerging research is addressing the impact of new socio-economic incentives born from the conservancies (Bedelian 2014), the perceptions of communities on conservancy developmental goals (Crystal Courtney, September 2012, personal communication), pastoral livelihood strategies and wildlife-livestock interactions (Butt 2011), and conservancy impacts on single-species management such as large carnivores (Niels Mogensen, September 2012 personal communication). Bedelian (2014) has convincingly presented many of the tradeoffs inherent in conservancy schemes in the Mara. Despite the inroads, there remains a level of uncertainty as to the social and ecological impacts conservancies pose to the region (Robin Reid, October 2012, personal communication). As this unique model

grows in favor across Kenya and beyond, an informational, and perhaps ideological, gap remains to be filled, which may be critical in guiding current and future management of the Mara conservancies.

1.2 Research Purpose

The purpose of this study is to better understand the complex nature of conservation and development partnerships by exploring stakeholder positions, relationships, and the tradeoffs taking place in the conservancies of the Maasai Mara, Kenya. Within the context of the conservancy model, this research explores whether and how space for different actors is carved out in what some term a joint-management process, with particular attention paid to Maasai pastoralist's knowledge, participation, and ownership in management decision-making.

1.3 Research Objectives

Objective 1: To contextualize conservancy development in the Mara, both exploring the emergence and variation within.

1. What are the main drivers leading to the establishment and current governance regimes of the Mara conservancies?
2. What key differences surface among conservancies in Koiyaki Group Ranch (Mara North Conservancy (MNC), Olare Motorogi Conservancy (OMC), and Naboisho Conservancy)
3. Is conflict a product of the model, or a product of the actors?

Objective 2: To explore the 'process' of conservation and development via the lens of multi-stakeholder dialogue.

1. What are the main narratives of various stakeholder groups concerning natural resource management and the conservancies?
2. How do these narratives, or actor orientations, shape relationship building and conservancy partnerships?
3. How does power mediate this negotiation process?

Objective 3: Build nuance to the debate on pastoralism as a fading, or adapting, way of life.

1. How does conservancy development impact essential elements of a pastoral system?
2. What are possible outcomes and development plans actors propose for the future of the Mara and are such visions shared?
3. What are some of the larger forces at play that will shape the future of pastoralism in the Mara?

1.4 Justification for Research

Rapid land-use change, as observed in the Mara ecosystem, risks leaving resource users and landowners scrambling to adapt to different socio-ecological systems with insufficient information for appropriate decision-making. Researchers and community members alike have expressed deep concerns about the pace of change, observed in rapid development of eco-tourism, conservation enterprise, trade, cultivation, land-sales, as well as land competition, harassment/displacement and harvest of wildlife, communal to private and corporate tenure, expansion of settlements and fences, human population growth, and customary values (Ogutu et al. 2009). Although there has been some progress in detailing the effects of these changes on wildlife (Ogutu et al. 2009, 2011, Reid et al. 2003), pastoralism (Lamprey and Reid 2004), and livelihood development (Thompson and Homewood 2002), there is a lack of local engagement to further our understanding of the system dynamics related to rapid land-use change. The long-term effects of intensified eco-tourism operations, heightened food-crop cultivation, sedentarized settlements, and global climate change have been theorized, but locally undefined. Add to this the history of conflict among park managers and the surrounding community, and a deep mistrust exists even when goals are aligned (Okello et al. 2003).

The history of ‘expert-knows-best’ methods for data collection, analysis, and policy implications is diminishing, particularly with recent efforts in the Mara (Reid et al. 2009, 2003), and community collaboration and involvement in decision making, although insufficient, continues to gain ground (Reid et al. 2009). These efforts stem from a recent paradigm shift in the way people think about conservation, which recognizes a coupled socio-ecological system where humans are a requisite part of ecosystems (Berkes 2004, Adams and Hulme 2001, Olsson et al. 2004). Researchers are exploring new models that focus on partnership and “continual engagement” between scientists, community facilitators, and policy makers as a means of building hybrid knowledge for local-level relevancy (Reid et al. 2009). Therefore, participatory, capacity-building initiatives become forefront in methods to meet community and conservation goals (Phillips 2003). This demand is unmistakable in the Mara, where protected areas insufficiently support by wildlife conservation, while competition for dispersal areas is intensifying. To what degree the conservancies embody such a shift in approach is at the heart of this research.

There are many hardened positions when it comes to conservation and development issues; it is often the case these positions conflict and collide, leading to further separation and possibly, project failure. Furthermore, the relatively sparse examples of analysis detailing private-community partnership models, even as the occurrence of such schemes grow rapidly, speaks to an area left open for discussion. Considering the powerful language used to describe these ‘win-win’ alliances between local communities and private companies, it is important to explore these cases in a critical context. With this in mind, the Mara conservancy model is a case worthy of exploration for reasons fourfold: (1) the model is new, relatively unknown, but rapidly scaling up in other areas of Kenya, (2) the model has promise for uniting livelihood and conservation objectives, (3) there is great concern among participating communities and outside actors around its development and (4) gaps remain in its application as a community conservation model.

1.5 Thesis Organization

The thesis is organized into five chapters. Following this introductory chapter, Chapter Two details the study area and research methods, including my role as the researcher and methods for disseminating the findings to participants. Chapter Three is broken into two parts, the first details conservation and development policy in Kenya, while part two tells the ‘story’ of conservancies, including the Mara case studies. Chapter Four first outlines some of the theoretical underpinnings essential in my analysis of natural resource governance, including narratives, partnerships, and negotiation. From here the chapter discusses major findings as they relate to this body of literature, including actor orientations, the process of relationship building, and the power differentials inherent in this process. Finally, Chapter Five concludes with some of the potential outcomes of the conservancy based on my findings and attempts to posit a direction forward for pastoralism as a land-use in the face of change in the Mara.

CHAPTER TWO

Study Area and Research Methods

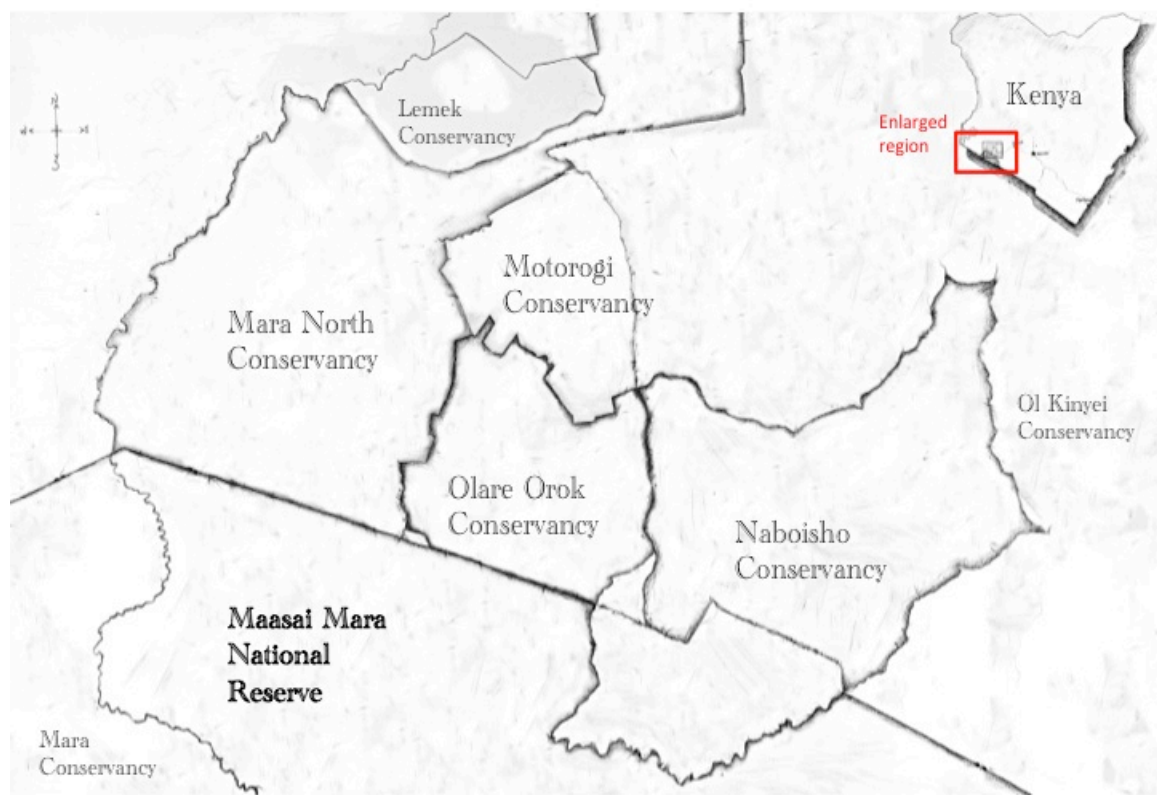
2.1 Study Area

The Greater Mara Ecosystem (GME) encompasses the northern range of the 30000-km² Mara-Serengeti ecosystem spanning the international boundary of Kenya and Tanzania, confined by the Rift Valley in the east and the Siria Escarpment in the west (Figure 1). The Maasai Mara National Reserve (MMNR) occupies the southern area of the ecosystem to the Tanzanian border, totaling 1,530 km² of protected land under the jurisdiction of Narok and Transmara County Councils (Seno and Shaw 2002). Surrounding the reserve to the north and east are group ranches (now subdivided), which act as extensive dispersal areas for wildlife, grazing lands for cattle, as well as large-scale wheat, corn and other crop-cultivation, tourism operations, settlements, and other land uses (Seno and Shaw 2002, Ogutu et al. 2011). The 30,000-km² dispersal area is occupied and owned by the Maasai, a traditionally seminomadic pastoral society who have recently moved towards a sedentarized, agro-pastoral livelihood (Homewood et al. 2001, Ogutu et al. 2005, Waithaka 2009). Pastoral peoples have been in the region for at least 2000 years (Lamprey and Reid 2004), living in relative co-existence with vast wildlife populations. Only recently have conditions threatened this co-habitation, and the development of conservancies is in direct response to this.

The area is characterized by a bi-modal seasonality of wet and dry seasons. The long rains occur from March-June, followed by the dry season from July-October. The short rains fall during November-December, and a short dry season finishes off the year. A significant rainfall gradient is evident in the Mara, with mean annual rainfall less in the southeast (877mm), increasing towards the northwest (1,341mm). Temperature averages 18° Celsius, with monthly variation between 14.7°C and 30°C (Waithaka 2009). Drought is a recurrent disturbance in the landscape, due in part to El Niño-Southern Oscillation (Nicholson and Kim 1997) as well as the Indian Ocean Dipole (Webster et al., 1999). Mean temperature is rising, along with “progressive habitat desiccation” (Ogutu et al. 2007). The landscape is composed primarily of savanna grasslands, with interspersed

pockets of woodlands and shrubs along riparian systems and ridges. Three permanent waterways exist in the region, including the Mara, Sand, and Talek Rivers (Ogotu et al. 2005), while most other streams and natural springs cease in the dry season. Water plays a critical role, nonetheless, in movement patterns of wildlife and pastoralists throughout the year, where wet and dry seasons dictate migration of people and animals following forage availability (Waithaka 2009).

Figure 1: Study area map of northern Maasai Mara ecosystem and conservancies



Maasai Mara Study Area Map

The area is home to the Serengeti-Mara wildebeest migration, one of the greatest wildlife spectacles still remaining relatively intact in post-colonial Africa. Roughly 1.5 million wildebeest and zebra migrate from Serengeti National Park in Tanzania north to the lush grasslands of the Maasai Mara Reserve (Reid 2012). Other mega-fauna migrate to the region, adding to substantial permanent resident taxa and creating a truly rich assemblage of wildlife. For these reasons, coupled with well-established tourism

infrastructure, the Mara attracts a substantial percentage (60% of all tourists) of Kenya's tourism sector (Waithaka 2009).

2.2 Methods

2.2.1 The Case Study Approach

The case-study approach is appropriate due to the exploratory nature of the study (Creswell 2009). The case study is best suited for the “how” and “why” questions posed by a researcher, and adapts well to a real-life context or applied research (Yin 1994). The case study as outlined by Creswell (2009), assumes the research:

- Is concerned with process, not products or outcomes.
This project targets the *process* of partnerships in a conservation and development context, in an attempt to hypothesize some of the key factors that may lead to position outcomes.
- Is concerned with meaning (how people make sense of their lives and experiences).
A majority of the data comes from perspectives and individual narratives from local informants, asking them to interpret their views and observations.
- The researcher is the primary instrument for data collection and analysis.
Myself and my research assistant(s) are the sole investigators.
- Is descriptive, as meaning is gained through words, pictures, and other mediums.
The first objective is entirely descriptive of the research context, while the following two objectives use words, imagery, maps, and other qualitative information gleaned from informants to provide meaning and interpretation.
- Is inductive, researcher builds theory from observation.
This is the method used for analysis, whereby the summary and conclusions are embedded in the data and observations from the field.

2.2.1 Data Collection

Community entry

Upon arrival in Nairobi in January 2013, I began meeting with key informants residing in the capital city to discuss field methods and hone project scoping/scheduling. These included Dr. Jesse Njoka; Director for the Center for Sustainable Drylands at the University of Nairobi, Dr. Bilal Butt; University of Michigan, Dr. Claire Bedelian; International Livestock Research Institute, Dr. Crystal Courtney; University of

Edinburgh, Dr. Mohammad Said; International Livestock Research Institute, and Dr. Jeff Worden; African Conservation Centre among others. This initial scoping helped to frame current understanding, and ongoing research, of the Mara conservancy model in relation to levels of community participation, degree of multi-stakeholder management arrangements, and the viability of systemic monitoring.

Entering the field site in February 2013, the first few weeks were spent reanalyzing my objectives, which as originally defined were largely irrelevant and in need of adaptation. My interest in establishing a participatory monitoring framework in the conservancies, for instance, was replaced with a broader concern for whether the conservancy was meeting its social development goals. The first several months were used to gather a sense of community perspectives across the various sub-locations of the Mara. These were then compared and contrasted with interviews of conservancy management, landowner committee representatives, and tourism operators.

It was during this early assessment that I also fostered a relationship with my translator and field assistant.¹ Evra Rawka was a research assistant working with Dr. Bilal Butt (University of Michigan) prior to my arrival in the Mara. He initially helped me settle into Talek and offered some assistance with translation while I searched for an assistant. He eventually evolved into the role of friend, confidant, and primary research assistant.² Having very little previous involvement in the conservancies, Evra offered a relatively neutral position on the subject. He was well positioned to connect me with many folks across the study area, and furthermore provided a youthful perspective concerning the myriad changes happening in his community. He was also a great motorbike driver, an essential part of our research strategy.

The stakeholders identified as key actors in the conservancy negotiation process included: a) the signed conservancy members, b) nonmembers including nonlandowners, non-signees, and those outside conservancy boundaries, c) tourism partners and camp management or investors, d) conservancy management companies, including managers, rangers, and liaisons, and e) committee members including Land and Grazing committees

² Myself, with the help of my family, are sponsoring Evra Rakwa through college as he pursues a two-year degree in hotel management in hopes of continuing to a four-year institution in the future. We are also contributing to his younger brother's primary education.

(Figure 2). I also conducted interviews with representatives of the Narok District Livestock Officer and members of the Maasai Mara National Reserve management. Table 1 breaks down the composition of semi-structured interviews conducted with each stakeholder group (Figure 2 shows this graphically). Figure 3 breaks down the primary stated occupation of all interviewees. Compensation was provided for some participants traveling by vehicle to a meeting place for research purposes (such as the Focus Groups), for assistants in the research effort, and for some families who hosted us while conducting fieldwork. I provided gifts for all Focus Group participants, elders assisting with transect walks, as well as for families who kindly hosted the researcher and his field assistant. Gifts for men were Maasai *shukas* and tobacco, while women were given *kangas*. Focus groups, mapping exercises and other gatherings were also provisioned with beverages (hot tea or sodas) and in some cases, food.

Table 1: Composition of participants in the semi-structured interviews

	Men	Women	English***	Ki-Maasai	Total
Conservancy Members	52	9	15	46	61
Conservancy Nonmembers	17	7	9	15	24
Nonlandowners	7	1	2	6	8
Tourism Partners	7		7		7
Tourism Management*	16	1	15	2	17
Land Committee	6		3	3	6
Grazing Committee	6		2	4	6
Government Officials	2		2		2
Conservancy Consultants	1		1		1
Total	114	18**	56	76	132

*Management interviewees included managers (3), assistant managers (1), wardens (3), rangers (4), community liaison officers (4), a financial officer (1) and a representative of the trust (1).

** 18 interviews were conducted with at least one woman, although most occurred in groups making the total number of women included in the study nearly 40, not including Focus Groups. There are no women on grazing or land committees. During one interview with a conservancy manager, the manager's wife was a significant part of the interview, as was one interview with a camp management team couple.

*** Denotes interviews conducted in English, versus interviews conducted in Ki-Maasai.

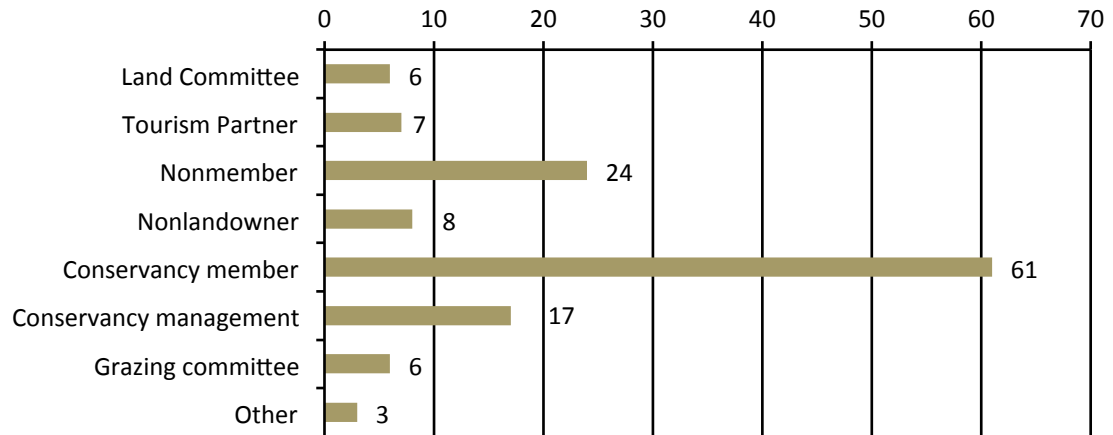


Figure 2: Stakeholder distribution across semi-structured interviews

Note: Conservancy Management includes managers, wardens, rangers and liaisons. Other includes government officials and a conservancy advisor.

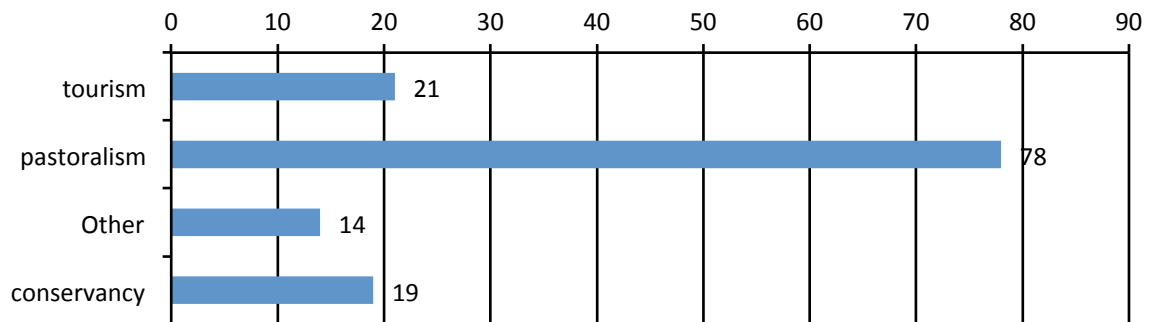


Figure 3: Primary stated occupation across semi-structured interviews

Note: The figure gives an indication of how participants view their primary occupational identity. Conservancy indicates employment within the conservancy; other is a catchall group that includes business owners, government among others; pastoralism is self-identified as a ‘farmer’, and tourism is employment in the tourism industry.

Semi-structured interviews

Interviews allow a depth of inquiry unattainable through observational methods (Russel and Harshbarger 2003), and were one of the primary methods of data collection in this study. Semi-structured interviews allow open and closed-lines of questioning, where discussions can sway from specific inquiries and the freedom to add new questions is inherent (Creswell 2009). As I was interested in understanding and comparing narratives across various groups of people, the interview provided one of the most direct means to

instigate such dialogue and individual perspectives. The semi-structured nature could allow for informants to shape the course of the conversation depending on what they viewed as relevant, but also allow me the researcher to ensure comparative value across interviews by targeting consistent areas of questioning. I established one interview guide acting as a platform that was then adapted according to the stakeholder group being interviewed. Maasai communities, or sublocations, are composed of clusters of *imanyat* (singular, *manyata* Maasai settlement traditionally of circular thorn-fences enclosing homes and cattle kraals) commonly composed of a family patriarch, his wives, his sons, and their wives. These communities are scattered across the region, and are often clusters of close relatives. To assess the conservancy-community relationship, I conducted semi-structured interviews in communities bordering the three conservancies, striving to capture voices from across stakeholder positions listed above. Women often felt more comfortable speaking in groups, and this was welcomed. Interviews typically ran between 30 minutes to 1 hour depending on the participant. Interviewees who did not speak fluent English were interviewed in KiMaasai with the assistance of a translator, in most cases Evra Rakwa. Notes were taken during the conversations and most interviews were also tape-recorded (with permission by the interviewee). Recordings helped fill gaps in the notes during data analysis.

Focus groups

A focus group usually consists of six to eight interviewees facilitated by the researcher more or less directed by a question guide (Creswell 2009). One could argue the power of the focus group comes with the interactions between participants: they are talking to each other, building consensus or debating views that add richness to the data (Cameron 2005). There is a level of empowerment, due to its participatory nature, that comes from focus group discussions and can help to illuminate a researcher's interests in the 'why' behind local held beliefs (Cameron 2005). This empowerment aspect was particularly fruitful in the case of my research, whereby individuals who were invited to participate shared openly their feelings of excitement and gratitude knowing their views and perspectives were valuable to the work and possibly towards instigating change. Participants further appreciated this method as a rare opportunity to hear from and discuss perspectives of the conservancies with fellow community members in a neutral

space without fear of reprisal. In addition, overlapping results between focus groups and interviews grant further validity to the findings (Bernard 2006), which was one of the prime motivators for pairing interviews with subsequent focus group discussions. The focus group helped answer questions surfacing in interviews, and also strengthened confidence in patterns observed in other data collection methods such as participant observation. Detailed consideration of group composition significantly determines the success or failure of this method (Bernard 2006), so acute attention was placed on the within-group dynamics of all participants. Focus groups were homogenized by gender,³ while heterogeneous according to conservancy relationship, including members, nonmembers, non-landowners, and grazing committee members (conservancy leadership were excluded in Focus Groups out of concern for their positions of power). Individuals interviewed previously were invited to join the focus groups, as I knew their position concerning the conservancy (including whether they were supporters or opponents), and could therefore select individuals who expressed commitment to the research process and who valued their own views and opinions. This also allowed us to construct groups with individuals from close sub-locations to capture variation between focus groups, and naturally relied on logistical necessities when selecting participants (Table 2).

The content of the focus group discussions were largely informed by initial patterns gleaned from the interviews and participant observation, including the costs and benefits of the conservancy, the perceptions of ownership and community buy-in, evolution of conservancy management, learning events, participation, and concerns for the future, among other topics. The focus groups proved critical in strengthening the data gathered from other methods, particularly with regard to the myriad community perspectives. They allowed a dynamic, interactive, and at times debate-style conversation to unfold, something interviews could not achieve. They also lent strength to relationships between the research team and the informants, securing a level of trust superior to the interview format. Focus groups were conducted entirely in KiMaasai,

³ During the women's focus group, participants argued it was unnecessary to separate women from men in group discussions; that in fact women would be comfortable talking in front of and perhaps against the views of men. They even requested a platform to sit with men to discuss conservancy issues, something that had not been done previously. While this never came to fruition during my fieldwork, it is noteworthy for future researchers wary of mixing sexes in focus groups to consider experimenting with heterogeneous groups.

placing significant importance on the facilitation skills of my assistant, who took my questions and largely conducted the focus groups. Equal participation was monitored and encouraged, and discussion was limited to a maximum of two hours with a tea or soda break in between.

My assistant and I convened after the focus group to discuss any issues that may have surfaced during the discussion, including unaddressed questions, novel information, participant concerns, issues with the recording and so forth. Recordings were transcribed verbatim afterwards with the help of assistants, and read through with Evra to ensure completeness and accuracy.

Table 2: Focus Group composition

FG region	# Participants	Sex	Members	Nonmembers	Topic
Talek	5	men	3	2	Rangeland health
Emarti	6	men	3	3	Conservancy costs/benefits
Esilalei	6	women	3	3	Conservancy costs/benefits
Enkikwei	5	men	2	3	Conservancy costs/benefits
Mpwai	7	men	4	3	Conservancy costs/benefits
Total	31		15	14	

Participant Observation

Observation is a fundamental method for collecting qualitative data, and refers to the researcher taking field notes regarding actions and behavior of participants in a particular setting, whether in an informal or highly systematic fashion. The true power of participant observation, however, comes from the researchers actual involvement in activities, rather than as a ‘sideline’ observer. This allows an internal perspective, closer to the participants and more intimately involved in the actions, allowing for specificity in the types of information observed and collected. Participant observation is useful in

freeing the researcher to collect a diversity of information, assists in selecting appropriate questions for later interviews, reduces the likelihood of reactivity (participants changing behavior during a study), and builds a deeper sense of cultural and contextual issues that strengthens the researchers understanding (Bernard 2006).

In this research, participant observation was used to supplement interview and focus group data, and in fact became one of the most important data collection techniques in verifying narratives. Observation was critical in documenting participant relationships (and power structures), as well as exploring and honing interview questionnaires with more relevancy. Observational methods included a journal with daily entries and various field notes (Bernard 2006).

In particular, I observed:

1. Individual hierarchies among participants (is this influencing participation?)
2. Common threads and shifts in discourse
4. Areas of consensus versus areas of contention
5. Conflict arenas
6. Reactions to my involvement

Over the course of the fieldwork, I participated in various activities, both as an observer, and as an active participant. These included accompanying shepherds with herding duties (both during the day and at night), attending grazing meetings between conservancy management and grazing committees, attending the Annual General Meetings of three of the four conservancies, participating in the regional Maasai Mara Stakeholders Forum, accompanying rangers on daily and nightly patrols, attending ceremonies, other community meetings, as well as general *manyata* and town life.

Transect Walks

A transect walk is a method of systematically walking through an established path (or transect) with key informants, in order to learn and understand a local reality (Chambers, 1994). It is a way of introducing the researcher(s) to an area and its inhabitants as well as identifying problems and opportunities. Moreover, it provides 1) a background for discussion amongst participants, 2) the identification of possible cause and effect

relationships perceived by locals, 3) understanding of local knowledge and practices, 4) may improve rapport between locals and researchers, and 5) have potential to empower local people, by including and consulting their local understandings and perceptions of the landscape (FAO 2006, Oudwater and Martin 2003). Transect walks were conducted to identify external queues/indicators and methods for detecting change in rangeland environments employed by Maasai pastoralists. Four walks were conducted, ranging from two to four hours in length while over a two to five km path. The transect typically began at the elder's homestead (high intensity of use) and extended to within the conservancy boundary (low intensity of use). The transect walks took place along the border of both Naboisho Conservancy and OMC in the Talek, Kolong, and Tipilikwani communities (Appendix 1).

The selection of community-acknowledged key informants, considered to have expert knowledge of the land (Kofinas 2002) occurred through the advise of field assistants. Individuals who they considered knowledge leaders, rather than political leaders, who had good experience of the bush, cattle keeping and, most importantly, respect of the community, were asked to go on transects. Transect walks were vital to the research process as a source of data for the resource-use map (Appendix 1), trust-building with various elders, in addition to a satellite research question which culminated in a paper exploring the role of traditional knowledge and land management in a changing environment.⁴ The transect walks provided a powerful opportunity to observe and question elders on observations of landscape change, land management, environmental indicators, and resource use and policy. We discussed fire, erosion, grazing, plant cover change, and weather, as well as conservancy policy, cultural change, fencing, and tourism dynamics.

2.2.2 Data Analysis and Validation

Data collected in the field was first written in field notebooks and later transcribed into word documents and catalogued along with their audio recordings. After returning to

⁴ The paper titled: "Continuity in ways of knowing amidst a changing socio-ecological, and political landscape in the Maasai Mara, Kenya" was submitted to the Journal of Pastoralism: Policy, Research and Practice and is currently under review.

Canada, the process of coding the data was facilitated by the mixed methods software program Dedoose (www.dedoose.com). This is a highly compatible data analysis package that works with qualitative and quantitative data with seamless processing on a Mac platform, the most significant motivator for using Dedoose. Codes were assigned to excerpts within the interviews, meeting minutes, field notes, and focus groups, including codes such as ‘holders of power, contradictions, win-win, respect, cross-pollination,’ among others. The codes were tabulated and grouped into broader themes. For instance codes such as ‘respect, agreement, trust, negotiation, and points of contention’ were grouped into the relationship-building theme. These themes emerged as the organizational structure of my results Chapter 4. The strongest themes were of discourse and narrative, of relationship building, and of power (having the greatest number of codes and the greatest occurrences within the excerpts).

Validity was checked throughout the research process, including trusted key informants within and outside the community, and in particular my research assistant. Data reliability was a product of an informant’s position, degree of community respect, known political interests and motivations, validity-checking (cross referencing one’s story with another’s version), and my own instincts. Employing different data collection tools allowed for triangulation among data origins to identify consistent themes that accurately reflect participant experiences. Conducting focus groups after interviews was important in verifying themes from the interviews. I also visited key informants multiple times across the eight months in the field, revisiting earlier topics and gauging changes in perspective overtime. Credibility was enhanced through member-checking during focus group discussions and a final visit to the field in August of 2014 during dissemination (refer to 2.2.3). The 2014 visit was a particularly valuable opportunity to gain assurances from key informants that my analysis reflected their own understandings. Importantly, the majority of eight months was spent in the community, nesting my understanding and interpretation of the data within the case-study environment.

2.2.3 Dissemination and knowledge exchange

“One of the long-standing complaints from communities is that researchers come into the region, work for a bit, then leave, and communities do not receive the results of the

research” (Eamer 2006, 199). From first hand experience and secondary sources, this issue has plagued the Maasai communities of East Africa and pose a significant threat to researcher-community relations. Most vividly, I was called up during a large gathering of several hundred people and told, in plain language, that in the case I do not provide feedback to this community, I will not be recognized or welcomed back again. In this light, I returned to the Mara to engage in discussion concerning the research findings with participants. Part of this included a printed booklet that captured the main elements of my findings in a photographic format digestible to participants (Appendix 1). The document was translated into KiSwahili and distributed to participants by hand.⁵ This exchange precipitated discussions about the overall research message, ongoing struggles in the Mara, and advances in the relationship between community members and the conservancies. It ranged from simple dissemination (i.e. dropping off booklets) to full-fledged conversations and exchanges of news and research validation. In addition to the booklets, I provided the final masters thesis (digital) to participants via email. I presented findings at the International Livestock Research Institute, Nairobi, Kenya, as well as the 8th Annual International Wildlife Ranching Symposium: Congress on Wildlife on Private and Communal Lands. I plan to further share my findings via the Center for Collaborative Conservation website, as well as additional conferences and journal publications.

2.4 Study Limitations

Research, especially in remote field locations, is not without limitations, and requires attention here. As an ‘outsider,’ I myself bring limitations such as language barriers and cultural differences that may enhance or detract from communication efforts. As I do not speak KiMaasai, and have a functional but by no means fluent grasp of KiSwahili, the use of translators was an essential element to my methods of data collection (over half the interviews and all the focus groups were conducted in KiMaasai and translated either verbally or in subsequent written transcriptions). The language barrier limited my ability

⁵ It should be noted that many participants preferred the English version of the dissemination booklet to the Swahili translation. While Swahili is taught in school, preference is growing towards English as the primary mode of communication, and some felt their Swahili skills were lacking. They found it easier to have someone translate from English to Maa than from Swahili to Maa.

to definitively capture their intended response, relying instead on an interpreter's translation. Without KiMaasai, I also struggled to engage with the community in informal settings away from my interpreter, or read and understand conversations that happened around me. The cultural differences added to communicative limitations, as body language differs, as do customs of greeting, interacting, and building relationships.

Apart from communication, the study went through several interactive and adaptive phases before the final approach was established. This required re-designing my interview schedules, and at one point, most of my study objectives. Although this allowed the research to conform to some of the more relevant and pertinent issues on the ground, it also constrained time for honing research questions. Furthermore, the study was designed to articulate a broader understanding of the conservancies in the Mara, taking a wide brush stroke across several conservancies. While this allows for a more generalized view of the larger ecosystem and the relationships between, it may have neglected some of the finer details that would have surfaced if only one conservancy was scrutinized. This limitation was accepted, as the nature of the study was partly to explore and compare across conservancies, but nonetheless should be stated as a constraint. Finally, as a young male myself, working with a young male translator, we often struggled to garner the degree of participation by women we originally aimed for. This was circumvented to a degree by organizing group interviews with women as opposed to one-on-one interviews, but the limitation remains important. The relatively short timeframe of the field period may well be insufficient in grasping the larger picture of long-term change, especially concerning the evolution of the partnership and conservancy policies and the high variability experienced in the semi-arid rangelands of Kenya.

2.5 Role of the Researcher

Several epistemologies have guided the development of this research, including constructionist and advocacy/participatory knowledge claims. In assuming that a participatory approach to knowledge generation will empower marginalized communities and build capacity for change, these methods are clearly advocacy/participatory. However, the researcher also assumes that diverse local perceptions guide social learning, acceptance, and value change, leading to a constructivist paradigm in cataloguing the

process and integration of multiple nodes of thinking and reality (Creswell 2009).

Engaging in research involves exposing one's so called 'baggage,' which includes values, biases, personal histories, and worldviews. It is therefore necessary to share these in the final report (Creswell 2009). My experience in east Africa, and with the Maasai, began in 2009 when I studied abroad in a wildlife management and conservation field program. Although not explicitly set in the Mara, the field courses introduced me to the Maasai way of life, in addition to the issues and struggles of conservation and development, rapid political and environmental change, and other contextual conflicts. I worked in communities adjacent to protected areas in Maasailand in Tanzania as well, and am broadly familiar with the historical conflicts inherent in such situations. Through a deep devotion to humility, learning, and listening, I hope I continued to nurture a true, open relationship with the project participants. I was connected with well-respected community members and researchers, but I also chose to actively downplay any perceived connections with the tourism industry, living in Talek town, riding a motorcycle, and becoming part of Evra's family. Despite this, I continually fought with a perception of being 'part' of the conservancy or the tourism sector, on several occasions being questioned if I would take my findings and apply for a conservancy manager position. I do recognize I am not a neutral figure in this project, and tried to my greatest ability to consider this in the analysis of my findings.

2.6 Ethics Review

All research under the auspices of the University of Manitoba involving human subjects must gain approval by the Joint Research Ethics Board under the protocol #J2012:209. This research was further approved by the Republic of Kenya with the Research Clearance Permit No. NCST/RCD/12B/013/11.

CHAPTER THREE

Excavating grounds for a foundation: Kenyan conservation policy and the development of conservancies

This chapter is structured by first discussing Kenya's broader conservation policy as a relic of colonial forces and the turn to a community-focused approach, woven together with theoretical elements within the conservation and development literature. It then turns to a discussion of the key drivers of conservancy development in the Mara, followed by a more detailed elaboration of the conservancy case studies explored in the field. The chapter closes with some of the inherent structural dimensions of the conservancy model itself, independent of actors, which prepares the space for debate.

3.1 Part One: Conservation and development- a Kenyan perspective

The pairing of conservation and development, at its most basic level, aims to strategize win-win outcomes between environmental sustainability and human well-being (Hirsch and Brosius 2013). Promise first emerged from Integrated Conservation and Development Projects (ICDPs) in the 1980's promoted by big conservation groups such as World Wildlife Fund for Nature (WWF). However, the projects were critiqued harshly from the start, charged with being short sighted and therefore financially vulnerable; often reducing numerous and diverse stakeholders groups to 'the community,' and ultimately, led to neither poverty reduction nor biodiversity conservation (Brown 2002). More recently, conservation and development is enjoying renewed vigor with the emergence of payments for ecosystem services, ecotourism, bio-prospecting, and the all-encompassing community-based conservation initiatives (Brosius 1999). With growing investment by private groups into conservation and development projects, the branding of efforts as win-win or community-based are useful buzzwords for encouraging both conservation financing and 'community buy-in'. As scholars began to understand the complexity of environmental problems, and the nature of trade-offs inherent within social, ecological, and economic goals, the win-win frame has begun to blur (McShane et al. 2010).

3.1.1 Early conservation efforts

Conservation policy in Kenya has evolved through the selective influences of colonialism, international companionship, and so-called ‘panacean’ solutions (Child 2004, Hackel 1999). In more recent decades, community-based conservation (CBC) or community-based natural resource management (CBNRM) have emerged as possible solutions towards bridging sustainable resource management with growing community needs. However, these approaches have seen relatively few success stories and extensive critique (Jones and Horwich 2005, Kellert et al. 2000). Here I briefly introduce the history of conservation efforts and the slow evolution of community-based approaches leading to the birth of conservancies in Kenya.

The historical and political evolution of the East African region has had major repercussions on today’s management policies. Conservation as a governed land use in Kenya began during the period of British colonial rule in the mid 1890’s. British conservation policy was based on two notions; the first to eradicate the pre-colonial land tenure schemes that impeded the newly formed crown lands, and secondly, to introduce a land-use policy that stemmed the drastic declines in East African wildlife due to commercial harvest (Kameri-Mbote 2002). The 1933 Convention Relative to the Preservation of Fauna and Flora in their Natural State, also known as the ‘London Convention’, resulted from this concern (Steinhart 1994). The convention marked the degeneration of commercial wildlife utilization and ultimately centralized natural resource management to centralized authority. This movement proves severely influential for the evolution of conservation to this day (Suick et al. 2009).

The major product to come from this shift in conservation policy was the gazettement of national parks. Kenya’s first park was established in 1946, opening the floodgates for numerous others in the following years. Conservation officials, viewing indigenous methods of natural resource management as outdated, if not savage, sought to eradicate these practices or alienate local communities from the newly established protected area system (Akama 1998). This ideology led to the development of a top-down approach to management. Conservation and local indigenous knowledge were perceived as incompatible, and therefore land-use rights were stripped from local communities. Akama (1998) reminds us that a central idea behind the gazettement of parks was to protect

nature from the natives. A redistribution of land tenure allowed for the designation of these protected areas, and quite literally removed local communities from important natural resource areas.

The land tenure system rapidly shifted from a communally owned land mosaic of socially defined boundaries to a western approach with titled deeds and individual ownership. This trend is observable when one considers the historical range of the Maasai pastoralists residing in Kenya and Tanzania. At the advent of colonialism, Maasailand dominated most of Kenya's landmass, but was subsequently broken up for colonial settlement. This resulted in a series of resettlements, ultimately leading to concentrated Maasai reserves, which threatened the long-term viability of a traditional nomadic lifestyle (Homewood et al. 2009). The colonial government further supported the sedentarization of East Africa's vast pastoral communities, increasing the problems of soil erosion and land degradation (Kameri-Mbote 2002, Ofcansky 2002). The colonial scaffolding that established Kenya's protected area model, needless to say, heightened tensions between native peoples and the Crown. Kenyans not only lost faith in the colonial establishment, but also the incentive for preserving wildlife as a resource, a fact lingering today (Kameri-Mbote 2002).

At the time of independence in 1963, Kenya had four national parks. Currently, Kenya is home to 26 national parks and 29 national reserves, 11.76 million hectares of the nation's surface area, as of 2010 (Hughes 2013). The region embraced a blossoming tourism industry that now competes with agriculture as a key contributor to GDP (Ogolla and Mugabe 1996). Poaching emerged as the greatest threat to African wildlife, feeding an increasing market of trophy hunting, ivory exports as well as subsistence bushmeat. Investment in tourism and the 'Africanizing' of game departments with graduates from Kenyan wildlife management colleges (Western 2003) helped stabilize wildlife populations. Other threats have emerged, and the sustainability of wildlife today is as uncertain as ever (Ogutu et al. 2011). This outline lays support for the claim that wildlife conservation, although peppered with significant accomplishments, has suffered greatly in its policy and implementation in the East African context. The period of independence saw little improvement in a conservation strategy as compared to British colonial occupation. The modern conservation model is a direct descendent of this

history. Apart from illegal poaching and bushmeat, sustainable wildlife populations face an exploding human population, extensive urbanization and development, agricultural expansion, land degradation from pollution and overstocking, global climate change, as well as political instability (Ofcansky 2002, Suick et al. 2009). These factors are at the forefront of conservationists' minds as they consider management options for application in East Africa.

3.1.2 The Community shift

The exclusionary policies of colonial conservation management and associated expansion of parks and reserves during much of the twenty-first century have largely lost favor as conservationists, social scientists, and natural resource managers consider the future of human-wildlife coexistence. Berkes (2004) suggests a paradigm shift has taken place with a conceptual emphasis on the 'systems view', which includes humans as an integral component of ecosystem management. The quick realization that parks and reserves alone would not suffice in maintaining viable wildlife populations have led researchers to different conservation strategies (Suick et al. 2009). The notion of conserving wildlife outside protected areas brought into focus the need for collaborative processes and the inclusion of socio-economic considerations formerly disassociated with wildlife management (Ghimire and Pimbert 1997). A foundational construct born from this idea is the notion of the 'price, proprietorship, and subsidiary hypothesis' (Child et al. 2012, Child 2004a). The practicality of which suggests that wildlife and resource management enjoy greater prospects of sustainability when they possess value, this value being proffered to the local level, and authority devolved similarly.

Community conservation (CC) and its many forms, introduced at the 1982 World National Parks Congress, has emerged as one avenue for bridging sustainable natural resource management and a growing social demand on the environmental landscape (Rechlin and Taylor 2008). Community conservation (CC) is the inclusion of local resident participation in decision-making concerning the sustainable management of natural resources (Adam and Hulme 2001). This has evolved into numerous practices ranging from community-based conservation (CBC), community-based natural resource management (CBNRM), collaborative management, collaborative conservation as well as

integrated conservation and development projects (ICDP). This ideology has attempted to replace the ‘fortress conservation’ of old with its implementation across the world (Murphree 2002). Enthusiasm was widespread, community-based conservation suggested as a panacean solution for future conservation. Extensive research and experimentation followed, but as success stories were few and far between, the enthusiasm dwindled (Rechlin and Taylor 2008).

A full understanding of CC is inadequate without the consensus of what *community* entails. Community is a relatively vague word in the social sciences with no distinctly agreed upon definition. According to Barrow and Murphree (1998), community can be defined in numerous terms that relate to an area, common interest, ethnicity, and/or collective resource users. Community should be approached spatially (proximity to others), socio-culturally (historical threads that unite members), and economically (those with particular resources) (Barrow and Murphree 2001). Community represents a simplification of a more complex set of boundaries, institutions, and heterogeneous collective bodies (Armitage 2005).

Murphree (2009) states that a form of community conservation is “the only viable option for an effective human stewardship of most of Africa’s landscape”. His sentiments are echoed by others who necessitate people *in* landscapes as opposed to excluded from them (Torquebiau and Taylor 2009). Berkes (2007) adds that much of the community conservation projects in the last few decades have been misappropriated and ‘theory-ignorant’, ignoring the lessons emerging from ‘subfields’ such as commons theory, political ecology, and environmental history. Conversely, researchers have acknowledged these failures, but also recognize numerous success stories emerging as more cases are described in the literature and practitioners capitalize on learned lessons (Torquebiau and Talyor 2009).

According to Adam and Hulme (2001), community conservation is twofold in its application. Firstly, it allows for user access to protected areas through property rights, land claims, or resource use. These users *should* have equitable access to participatory roles in management. The second pillar involves bridging the objectives of conservation with the developmental needs of the local community. This outright refutes the ‘fortress’ model where surrounding communities endure severe economic impacts. Instead, active

decision-making balances social welfare with corresponding management implications (Adam and Hulme 2001). Community conservation in Africa has been applied as a continuum according to variability in participation, resource ownership, and project scale. Protected area outreach lies on one end, an alternative being Community-based Natural Resource Management (CBNRM) (Child and Barnes 2010). The two extremes overlap greatly, composing other practices and procedures such as the Integrated Conservation and Development Projects (ICDP) and collaborative and co-management strategies among others.

Integrated Conservation and Development Projects (ICDPs) were first developed by the World Wide Fund for Nature (WWF) in the mid-1980s to bring rural development into biodiversity conservation projects (Hughes and Flintan 2001). Highly convergent with the ideas of Sustainable Development (SD), ICDPs have become primarily sustainable rural development projects with one distinction; that they occur near protected areas (Hughes and Flintan 2001). As they were a response to the preservationist model dominant at the time, ICDPs too can be grouped with Community-based Conservation as disputing a ‘fines and fences’ approach. Although application of ICDPs varies considerably, they are all united on one front in that they attempt to provide economic returns to local people through conservation activities. Critics have found ICDP’s managerially heavy, leaning towards conservation rather than development, dependent on large outside funders, externally motivated, inflexible, focused around protected areas, and not explicitly devolved or community-based. The evolution, so to speak, of ICDP’s into “second generation ICDPs” such as CBNRM and CBC attempts to resolve some of these concerns.

Community-based natural resource management (CBNRM) attempts to fully implement the institutional reform necessary to align property and resource rights with the focal community aimed at enhancing sustainability of natural resources (Child and Barnes 2010). As Newmark and Hough (2000) argue, “Its [CBNRM] success depends on communities seeing more value in managing their wildlife on a long-term sustainable basis than in pursuing short-term exploitation or alternative land uses” (Newmark and Hough 2000, 590). Although interest emerged in the 1970’s in response to failings of conservation and development projects, large-scale application did not emerge until the

1980's and early 1990's (Kellert et al. 2000). Unlike ICDPs, CBNRM historically emphasized community development over biodiversity conservation. These projects are committed to involving local community members to co-manage resources, requiring power sharing and devolution from central governance. CBNRM often incorporates and defends indigenous knowledge and traditional resource uses and tenure systems (Kellert et al. 2000). They are not as closely link to protected areas as are ICDPs, although Protected Area Outreach as a component of CBNRM is designed to enhance the working relationship of protected areas and their surrounding community through education, local benefit-sharing, and rural development planning schemes. In East Africa, this has been applied by agencies such as the Tanzania National Parks (TANAPA), Kenya Wildlife Service (KWS), and Uganda Wildlife Authority (UWA) (Venter and Breen 1998, Barrow and Murphree 1998, Bergin 1998). The collaborative or co-management process attempts to bridge conservation authorities (often state officials) and local groups or communities to negotiate the access and use of natural resources for multiple purposes. In some sense, CBNRM projects attempt to restore traditional and indigenous land management practices which may be more suitable than modern methods to address poverty alleviation and conservation objectives (Berkes et al. 1998). The complexity of these projects, which rely heavily on equity, empowerment, conflict resolution, institutional knowledge, and linkages across many scales, has often left implementation short of success (Kellert et al. 2000).

3.1.3 The rise of neoliberal conservation and the win-win rhetoric

The emergence of conservation as 'development' offers another example showing the effects of exclusion. The sense of alienation from land, be it through the creation of protected areas, the restriction of land-uses, or the usurpation of land management decision-making, promotes interference between herders and land (Sarma and Barpujari 2011). Whether one calls it green-grabbing (Fairhead et al. 2012) or a conservation 'win-win', the re-imagination of local users as custodians to outsiders is a real facet of conservation projects (Sarma and Barpujari 2011). Conservation and development projects often center on mitigation and incentivizing alternative livelihoods so as to

mediate against destructive land use activities (i.e. payments for ecosystem services, carbon offsets), however, founded upon a different cosmology;

“Herders contested beliefs underlying attempts to separate humans and nature, for example through exclusion of herders from particular grazing areas in the PA [Protected Area], by drawing attention to the lengthy history of co-existence of wildlife with domestic flocks and their own existence as part of this wider natural environment and landscape” (Upton 2010: 311).

The terminology is different, the approaches are varied, and the outcomes decidedly unclear, but the premise is analogous- local needs and conservation objectives are negotiated under a unified policy framework. The conservation and development dialogue is forever evolving as new methods arise in the face of growing anxiety over the state of socio-ecological systems. In the Mara ecosystem, one method, the conservancy, has taken root as yet one more chapter in the search for a win-win strategy.

3.2 Part Two: The Conservancy

3.2.1 The Conservancy Model under CBNRM

Conservancies, a method of CBNRM, seek to devolve natural resource management to the local level so as to improve conservation and fight poverty (Hoole and Berkes 2010, Hoole 2007). A conservancy can be defined as a “common property resource institution” (Hoole and Berkes 2010) whereby individual landowners or communal resource users pool lands to create a singular trust where benefits from wildlife and tourism development are shared by participants (Sorlie 2008). In exchange, landowners agree to limit resource use either by physically moving off the land, restricting grazing or cultivation activities, or adjusting other land-uses that may conflict with wildlife conservation. Landowners or communities partner with local, national, and/or international tourism operators, who pay for exclusive access within the conservancy boundary and all tourism infrastructures.

In Namibia, the communal conservancy model has enjoyed international recognition as a successful approach to integrating conservation and rural development initiatives (Hoole 2007). Beginning as a minor alternative to agricultural development in

the late 1990's, there are currently over 50 conservancies in Namibia with ranging levels of success. As one of the first, and most applauded conservancies, the Torra Conservancy is a collective of 450 Herero and Owambo pastoralists working in cooperation with an international tour company who pays an annual land rent and monthly bed taxes. Under these negotiations, Torra generates enough income to operate self-sufficiently. Revenue precipitating from high-end tourism fees funds an operational budget, staff, annual programming and revenue-sharing among all members of the conservancy (Hoole and Berkes 2010). The success in this example lies in the partnership of communities and private enterprise, in the expansion of jobs and higher wages, of international recognition brought to ecotourism in Namibia, as well as invested capital in local resources and wildlife conservation. However, concerns of elite capture, power dynamics, and the lack of community empowerment are threatening the benefits to local communities and is a big concern going into the future (Hoole and Berkes 2010).

3.2.2 Emergence of conservancies in the Mara

The Maasai Mara is a particularly contested landscape when it concerns conservation and development interests. With international distinction as one of the seven-world wonders (ABC 2006) while situated among communities well below rural poverty thresholds (Oxfam, Homewood et al. 2012), the contrasting pressures for pro-poor policies and conservation protection can be conflicting. It is in the face of a recent conservation and development scheme sweeping the Mara where scrutiny of this context is warranted. The emergence of private conservancies has redefined the Mara as a space of negotiated interests, but without sufficient attention paid to the winners and losers as a result.

Participants commonly identified three major drivers leading to conservancy development in the Mara: (1) the historical failures to protect user rights and re-distribute tourism rents to adjacent communities (e.g. wildlife associations); (2) the emergence of new business and/or profit seeking interventions and opportunities that improve the quality of tourist experiences in a period of overuse, aesthetically degraded national parks (e.g. demand to 'save' the tourism industry from over-crowded, mass-tourism); and (3) a growing sense within domestic and international discourses of the urgency to conserve un-fragmented landscapes for the conservation of charismatic mega fauna (e.g. the sense that after privatization, as in other areas of Maasailand, rangelands are divided, fenced,

turned to crops, and otherwise undesirable for wildlife, and associated tourism). These drivers, it is argued, have shaped the way conservancies arose, evolved, and perform today amid a mounting push towards private-based initiatives cloaking conservation and development as a win-win strategy.

Driver 1: Historical roots

A thorough history of the Mara is treated by others (Cambell 1993, Waller 1988, Tignor 1976, Sanford 1919, Waithaka 2004), so the aim here is to highlight key historical elements precipitating the conservancy development today. These include the formalization of the National Reserve, Maasai group ranch rise and fall, the introduction of large-scale cultivation, and the recent turn to privatization.

The Mara Game Reserve was originally established in 1948 by the British colonial administration; however, it was not until the official introduction of the Maasai Mara National Reserve (MMNR) in 1961 that brought persistent confrontation among PA managers, government officials, conservationists, the tourism industry, and surrounding Maasai communities. MMNR is unique in Kenya due to its status as a reserve, designating management to the Narok County Council (now Narok County Government) rather than the parastatal Kenya Wildlife Service (KWS). This distinction is important to Maasai herdsman, where one Talek elder explains, “*the meaning of a reserve [as opposed to a park] is that wildlife and livestock mix together. You can graze inside day and night.*” As we will see, however, the fuzzy interpretation between a reserve and park status leaves room for confusion and conflict! The reserve management sources much of the critique, frustration, and mistrust among stakeholder groups. Conflict erupts over the access and sharing of resources in the reserve: namely park fees, grazing rights, and water access among others. Reserve policies from the onset forbid livestock grazing or other human activities, save for the purposes of tourism development (Butt 2012). The MMNR enjoys comfortable classification as a model of fortress conservation.

The argument critiquing fortress conservation is well known (Brockington 2002, Goldman 2003, Homewood and Thompson 2011, Igoe 2006), and yet many tenets and assumptions live on in practical policies across Kenya. The legacy of early colonial separation of nature and culture has in part led to a segregation among conservationist and pastoralist goals; a separateness that has informed the debate over conservancy

development in the Mara. Experience with the reserve grounds many individual understandings of the conservationist and pastoralist narratives in the Mara. Some argue the reserve did not relocate Maasai herders or dispossess key grazing areas during its establishment, for the reserve was infested heavily with tsetse fly and therefore undesirable to pastoralists.⁶ This argument is lent some support by Lamprey and Reid's 2004 findings of southward expansion from the Lemek Valley (see Appendix 1) by Maasai herders after reserve establishment.

This view helps legitimize the reserve as a protected wilderness to be managed without people. However, according to pastoralists, the grazing areas of the reserve are critical grazing resources today and have been so since recent memory (Mzee S. key informant). Regardless of whether or not the land was carved from existing Maasai grazing lands, the reserve is often perceived, according to interviews, by pastoralists as a regulatory palisade fashioned from former grazing lands, sourcing a long-standing sense of exclusion in the views of many local Mara residents. This sense of alienation has been further enhanced by displacement from large-scale wheat farms, in-migration from surrounding ethnicities, land grabs by internal elites (e.g. Mara Triangle owner Gov. Tunai) as well as external agents (some say even the conservancies). These added users are often forgotten sources of pressure on limited rangeland resources, leading to greater competition as noted by many in the interviews.

Moreover, often these incursions occur in especially important areas of dry season refugia, such as the Siria Escarpment, the key to mobile systems of pastoral production (Appendix 1). The overall result, seen in the case of the Mara but also across many pastoral areas in East Africa, is a shrinking acreage for extensive pastoral management systems, and the corresponding labeling of land degradation by ignorant pastoralists (Homewood and Rodgers 1991). Some will view the pastoral expansion into the Mara as greedy herdsmen expanding exploitation in once fertile, un-grazed, and unspoiled lands, while others see a story of displacement and flexibility, first by colonial settlement schemes, then group ranch development, reserve establishment and further fragmentation events. It is partly this division that sets the tone of today's political climate in the Mara;

⁶ This is a common argument among conservationists and tourism operators in the Mara, having surfaced in several interviews and conversations with these stakeholder groups.

who has rights of access to these lands, while who has priority and authority over the resources? Whether one views the 1984 excision of Block 5 (Appendix 1) from the reserve as a land grab by Maasai interests, for example (as cited in a few interviews with tourism practitioners), or as a warranted acknowledgement of the rights of local communities to place and critical resources, this positioning helps form the backdrop of decision-making authority extending to the conservancy context as well.

An insightful characteristic of today's boundary disputes with the reserve is the *de jure* and *de facto* treaties negotiated among herders and rangers along the MMNR periphery. Official policy declares strictly no grazing livestock inside the reserve, whereas in reality a complicated negotiation of rules and concessions take place, modified according to the particular segment of reserve boundary, the individuals negotiating, the season, the relative tourist presence, and even time of day. Although significant costs occur to herders caught in the reserve, there appears to be some capacity for flexibility in interpreting existing laws. During a visit with one *Mzee*, for example, as we spoke he received a visibly disturbing phone call:

"Twenty herds including mine just got captured in the reserve, that's 200,000 (KSH) in fines today." I asked him if the news causes him pain: *"Yes it hurts, but we made the mistake. I told my herder to stay between the conservancy and reserve [i.e. to graze the edge where it is relatively neutral]. This is a business; it gives the rangers pocket money. In high tourism season they are strict, they fine everyday, but in low season they give us a chance."* Mzee from Kolong

However, this apparent flexibility is vulnerable to changes in future management which is currently experiencing severe pressure from international and domestic calls to 'save the Mara' from community incursions.

An excerpt from Governor Tunai's speech at the Mara Stakeholders Forum:

"You are our tribe, you supported us well in this campaign. This issue of cows, because you belong to us, we are going to start to restrict it, and it's good for you to listen and spread to the rest of the community. It's already a law that has been implemented. We need no cows inside the reserve, totally! We have been going around with the president, he gave us a notice: "If I see or hear of cattle going into the reserve, I will take it as a big issue to be discussed with the Maasai leadership." Do you want our president to take this action, or us as a community to discuss it? The president said I don't

want to see cows in the reserve. All Kenya's central government are concentrated on this reserve- the reason I'm saying this is because I don't want the president to take action before we have told you its coming. I don't want to be disturbed, I don't want a call from X or Z saying that my cows have been caught! I don't want to hear it. Even now, I have employed rangers, they are coming very soon. They will be focusing only on cows from Musiara Gate to Sekenani. As of tomorrow, we don't want any cows to go beyond that boundary, the boundary is clear. "If you don't do this, I do this" (said the president). Do you think it's a joke for the president to come up here to say that! No this is serious, as from tomorrow, as from tomorrow, as from tomorrow, no cows in the park!" Narok Governor, Mara Stakeholders Forum

The fines-and-fences brand of PA management is but one relic of conservation policy embedded in the consciousness of Mara residents. The MMNR has become one of the most visited PAs in Kenya, comprising 50% of total visits by tourists (Honey 2009), and collecting annual revenues in the billions of Shillings (tens of millions USD) (Business Daily 25th June, 2013). Although re-distributing part of these earnings among local Mara residents is mandatory policy, the absence of revenue-sharing is strongly influential relic informing today's conservation narrative.⁷

The infamous 19% is a relevant starting point, as it illustrates the troubles of distributing park revenue to adjacent communities. The 19% signifies the percentage of park fee earnings theoretically destined for surrounding communities via revenue-sharing mechanisms (Thompson and Homewood 2002). Revenue-sharing was a policy adopted as part of a broad restructuring of wildlife management in Kenya at the advent of KWS and the community conservation movement (Hulme and Murphree 2001). In the Mara revenue-sharing began in 1988 when the then Narok County Council began distributing checks to nine surrounding group ranches (Thompson and Homewood 2002). These moneys were designated for bursaries, schools and classrooms, medical expenses, and other community-led projects, but rarely trickled past the county council and group ranch officials (Thompson and Homewood 2002). As little as 5% may be a more accurate figure (Norton-Griffiths and Said 2010). According to interviews with surrounding

⁷ Daily Nation reported on December 19, 2013 the Narok County approved a plan to allocate 19% of MMNR revenue to surrounding communities for development and conservation, as if the governor has developed a new plan to combat poverty and conservation issues. The allocation would equate to 170.5 million KSH <http://mobile.nation.co.ke/counties/-community-projects/-/1950480/2128770/-/format/xhtml/-/n27dvb/-/index.html>

community members and even the park warden himself, this critique is equally valid today. Some argue the 19% is not sufficient even if the accounting was transparent. As one community member added at a regional forum, “*we are the security of these wildlife, we getting killed everyday and yet we only getting 19%*” (Sekenani community meeting attendant, August 2013). Unfortunately, transparency has been difficult to maintain, most recently exhibited by the expulsion of Equity Bank Inc. as the revenue collector in favor of a still undefined e-ticket system (Daily Nation, 28th June, 2013). In July of 2013, for example, KSH 922 million in MMNR gate fees ‘disappeared’ allegedly in the hands of a reserve clerk (Daily Nation, 29th July 2013). This comes days after the Narok County Assembly claimed their coffers are empty even though KSH 1.57 billion was collected from MMNR visitors in 2012 (The Standard 23rd July 2013). It is generally agreed upon (Thompson and Homewood 2002, Bedelian 2013) that such promised allocations are far from the actual figures, and far from fairly distributed. It is fair to conclude from the onset of conservation enterprise until today, the general feeling among community members in the Mara describe it as an era of watching fat cats skim the milk from their most productive cow, with nothing but empty promises left in the calabash. The conservancies are, for better or worse, built on top of this perceptual scaffolding.

Group ranches and the push to privatize

The story of Group Ranches in Maasailand is relevant to the context of conservancy development due to its lasting influence on power imbalances, the breeding of fear and mistrust, and subsequent continuation of dispossession. The generally conceded failure, although not conclusively, of the Group Ranch idea is most visible in the discourses of group ranch members themselves (Mwangi 2007), but also officials and critical observers who point to the rapid rise and fall of a western imported land management system (Kibugi, 2009, Galaty 1994, Rutten 1992). Created by an act of parliament in 1968, calls for dismantling the policy mounted as early as 1979, and all but a few group ranches clustered in the arid extremities of Maasailand have been subdivided today. The intention of the group ranch, noted in greater detail by Galaty 1992, 1994, Akama 1996, Rutten 1992) was to commercialize Maasai subsistence livestock production and stabilize environmental degradation, or as some might say ‘control’ the uncontrolled (Galaty 1992). The logic behind transferring ownership of land from the government (held in

Trust) to communities (or their leaders) was rooted in a classic capitalist scheme, leveraging land titles for loans to develop livestock processing facilities, markets and infrastructure, veterinary care, and other intensifying meat-production capabilities (Galaty 1992, Lesorogo 2004). Due to the arid nature of most pastoral lands in Kenya, policy developers retained collective ownership administered by elected ‘representatives’ of the ranch members, rather than granting individual title deeds characteristic of Kenya’s wetter highlands region. The mantra was ‘reduce livestock numbers, exit subsistence dairy, and enter market-beef production’ (Veit 2011).

The relatively quick dissolution of the Group Ranch model predominately emerged from internal agents pressuring for secure title (Lesorogol 2004, Mwangi 2007). The Group Ranch model fashioned ahistorical Maasai leadership structures vulnerable to elite capture (group ranch officials versus traditional elders). Group Ranch officials were literate, often highly educated, and therefore steeped in the integral parts of the legislation, whereas the general membership had little access to such legal details. Misinformation and the lack of transparency led to many stories of abuse among group ranch administrations (Mwangi 2007, Narok District Commissioner, personal communication). The group ranch model also bred a divisioning among group ranch membership. Resources were suddenly divided, not necessarily by clan as in the traditional system, but by often arbitrary political boundaries, leaving some critical grazing resources straddling different group ranches and causing conflicts among members, especially in times of drought (Narok District Commissioner, personal communication). Finally, the group ranch system most arguably laid the foundation for individual tenure. In the Mara, six Group Ranches were established between 1963-1989, while titles were being divided as early as 1986, and by 1999 member of Koiyaki voted to subdivide (Lamprey and Reid 2004).

Although popular consensus seemed to have favored subdividing group ranches across Maasailand (Lesorogol, 2008), and particularly in the Mara (Gohil and Bhanderi 2011), the process itself was again swept by a few powerful committee members who often warped the adjudication process towards self-interests (Mwangi 2007). The Narok District Commissioner (DC) himself notes:

“The demarcation process in Koiyaki was problematic. Among the three leaders, two were illiterate while the third was literate. There was much confusion due to this and we had something like 10 court cases, 3 brought by the MP [Member of Parliament] concerning widows with no land.” [He noted the cases were eventually resolved and all three women received 100 acres, but the DC wondered in the process] *“Where did the extra land come from when subdivision means all land is divided up among registered members and their sons?”* (DC conversation, field notes).

The DC’s comments, supplemented by several participant interviews, hints to a relatively undisputed claim that land was not divided fairly; influential individuals were granted title deeds from land registries they did not belong to, officials and their allies were granted multiple parcels, lands along river corridors or in high tourism potential areas were grabbed by the powerful, and some say officials even claimed parcels in the name of their unborn sons. Political foes or those without ties to leadership received smaller parcels, in poor quality lands, or in some cases no land at all. In the Mara, this has bred a significant and highly age-dependent body of frustrated youth who either remain landless or will eventually own small parcels effectively useless for pastoral production purposes (personal communication with youth). The fruits of this frustration were partly apparent in the most recent Narok County election, where a Koiyaki Group Ranch subdivision committee official and longtime member/leader of the community was *not* elected county governor, in favor of a Maasai from a neighboring clan. Might this be the emergence of a youth vote with different allegiances?

Privatization is at its best enigmatic. While privatization secures title deeds from some, it has also led to growing insecurity for many others, whether through land sales (often with poor understanding of the consequences and finality of the sale), the leasing of lands to agriculturalists and conservation groups, land grabs as discusses above, or simply missing out on the land registry. Subdivision has threatened poverty for some (small parcels), great wealth for others (best business potentials, most productive lands, large parcels), punished some clans, and rewarded others (Mwangi 2007). The process has marginalized women completely who are now dependent on their husbands for land title (Rutten, 1992, Galaty, 1993, 1999). Youth were equally excluded, either in actually receiving title deeds or in future conceptualizations of productive pastoral land uses (interviews). Furthermore, privatization has led to what some term the pastoral paradox

(Fernandez-Gimenez 2002), in which individuals strive for secure land title, but in effect struggle to maintain pastoral operations without the flexibility of communal access. Although some point to a continuation of informal alliances granting extensive movement capabilities on privatized lands (Seno and Shaw 2002), in the Mara we are seeing a shift to hard boundaries along parcel edges, beginning to exhibit the tough realities of raising livestock on semi-arid and heterogeneous landscapes.

Emergence of agriculture

A final historical root of importance to conservancy growth is the germination of agriculture in the Mara. Large-scale wheat farming emerged in the 1970's with the aid of the Canadian Development Agency and the World Bank (Serneels et al. 2001). Also, as noted by several farming entrepreneurs in the Mara, surrounding ethnic agriculturalists such as the Kisii and Kuria influenced Maasai pastoralists to adopt agro-pastoralism in the highland regions of the Mara. The expansion of agriculture was a further driver of land privatization. Agriculture is generally incompatible with migratory wildlife and livestock, in effect alienating both from large blocks of former pastureland (Homewood et al. 2001). Agriculture also incentivizes diversification into other land uses, encouraged by development agents as income stimulus (Little et al. 2001). The emergence of agriculture in the Mara has led to further introduction of in-migrants, and with them external interests (Homewood et al. 2001). Even while cultivation in the Mara is fraught with risk, where financial returns are highly variable and often marginal at best (Homewood et al. 2012), pressure to convert lands to agriculture remains strong. Agricultural land uses offer secure land title (Sachedina 2008), are pushed as the national ideal (Bishop 2007), and the perceived benefits large-scale cultivars gain in other areas of the ecosystem are idealized as opposed to meager benefits from wildlife or other land uses (Norton-Griffiths et al. 2008). In the highlands group ranches of Transmara, most have converted their pastoral grasslands, bushlands, and, increasingly, woodlands into primarily maize and other vegetable crops (personal observation). Conflicts have arisen among farmers and pastoralists, although it seems during severe drought there remains some kinship ties exchanging fodder between lowland pastoralists and highland agro-

pastoralists.⁸

Unlike many other areas of Maasailand, where agriculture has become a significant segment of the household livelihood strategy, it remains to a large extent undeveloped in the Mara, although according to conversations with research participants, this seems likely to change.⁹ During the fieldwork, several wealthier pastoralists have invested in electric fences, have hired Kipsigis agricultural laborers, and have begun introducing significant maize crops in the Aitong region and south towards the MMNR. This is not the first attempt to cultivate in the area, but it is one of the first scenarios of large parcels fenced with electric wire and converted to maize production by local landowners rather than outside farmers. If the harvest is successful, these agents will bring drastic change to the Mara. These threats have heightened calls for conservancy and protected area expansions by conservationists.

The consequences of early trials and mishaps are arguably felt in the relations, narratives, and social memories of today's 'highly politicized climate' in the Mara. To the extent that conservancies reflect a mix of mistrust (as sensed in community interviews), a legacy of dispossession (Mwangi 2007), blindness to trade-offs, power imbalances within Maasai groups and among other stakeholders, conservationist and pastoralist confrontations, as well as the potential for a mutually negotiated system of diverse interests speaks to the sentiment that the conservancy is a new chapter situated within an historically informed narrative.

Driver 2: Business opportunities and tourism expansion

"The initial objective of the conservancy was to create a superior product with exclusivity. Now, access to grazing is a real benefit. Increasingly conservation needs to be equitable for landowners- the honeymoon is over, landowners are demanding more." Conservancy Manager

During the 2013 Mara Stakeholder's Regional Forum, several hundred people gathered to discuss current issues in the region, pertaining largely to MMNR management, tourism

⁸ These were apparent upon visits to Transmara and interviews with households there and within the Mara.

⁹ This excludes the large-scale wheat and other crop cultivation taking place to the north of the Maasai Mara National Reserve dispersal zones, although the scale of crop encroachment, according to some informants, is diminishing due to individual privatization where securing leases on smaller plots becomes exclusionary.

products and facilities, the new county's development agenda, and to a lesser extent the conservancies. Kenya's current president Uhuru Kenyatta had visited the Mara that same day, and through a media blitz pressed reserve managers 'to clean up the Jewel of Kenya' before the federal government usurps control.¹⁰ The Narok County governor signified confidence in his team's ability to ensure top-destination status for Kenya's *Jewel*, and President Kenyatta's tourism secretary was present to shore up support for thorough development of the Mara and Kenya's 'alternative' destination apart from her primary 'Coastal Product'.¹¹ After concerns for tourist security, new licensing for tour operators, and discussing tarmac pavement options to the Mara, the elephant in the room was finally addressed- where the blame was for the destruction and degradation of the reserve by cattle. The blame lay squarely, and unquestionably, on the surrounding communities. All of this mounts to the fact that tourism is a highly marketed, highly valued, and significantly powerful interest in the Mara among holders of power, and community interests will find themselves amidst a lengthy agenda concerning tourist comfort, product quality, and wilderness maintenance. The cow is the reserve, the milk its profits, and the grass to be banked, to use the analogy by Narok's Governor.

The Mara Stakeholders Forum illustrates the true leverage tourism garners amidst decision-making in the Mara, the conservancies no exception. Viewed as a win-win for community and national interests, the main question is not whether to engage in tourism, for that is assumed, but rather how in fact tourism can become a viable industry outside established protected areas such as the Maasai Mara National Reserve. The 'mushrooming' of camps and tourism infrastructure inside and outside the reserve continues unabated since the 1980's in spite of the ban on lodge development. This market overkill is driving demand for a 'new' tourism product in response to perceived degradation in the mass-produced MMNR experience. The blossoming of ecotourism in the Mara is a market and value-driven strategy to re-sell the wilderness of the African savanna and salvage the image of Ernest Hemingway's grasslands from mini-bus parking lots. With the marketability of exclusive wildlife-viewing coupled with relative independence from county/national policies, the conservancy model offers the tourism

¹⁰ Common reference for the Maasai Mara National Reserve.

¹¹ Kenya markets protected areas and the accompanying wildlife safari, and the Indian Ocean, with sand, sun and coral reefs, as their two primary international attractions

investor the freedom to charge for a premium product, benefit from the proximity to an internationally renowned destination (MMNR), and cater to a growing eco-conscience and socio-conscience tourist, according to interviews with Tourism Partners. This is touted as win-win because not only is the tourism product salvaged, but so to is the conservation of charismatic mega fauna; all the while contributing significant, never-before-seen profits to local households.

The conservancies are an attractive business model at a time when industry competition intensifies and tourists seek alternative experiences distinguished from the typical minibus safari. The conservancy fights a stigma, however, being a relic of the colonial days where early ranchers fenced massive acreages, and invited European aristocrats to hunt Sable and Cape Buffalo, all the while fashioning a picturesque private get-away from communal Maasai, Samburu, and other pastoral lands.¹² Ol Pejeta, Kenya's conservancy Gold Standard according to many conservancy developers interviewed, is an illustrative example.¹³

The conservancy was made possible through the privatization process, and has further crystallized the effects of private ownership. Prior to conservancy development in Koiyaki, landowners held title deeds but generally kindled long-standing relationships and mobility mechanisms overshadowing private property boundaries (Seno and Shaw 2002). However, after the conservancies took shape, occupying over three fourths of the former Koiyaki Group Ranch, land holders began flexing their private-property rights as a way to prevent others grazing access on their limited parcels, now that the conservancy demanded greater space for tourism-based enterprises. Those signing leases in conservancies were on the onset prevented from full access to grazing lands, and therefore were accommodated by periphery landowners. This placed significant pressure on those pastoralists who not only needed resources for their livestock, but for their relatives and friends as well. Without the ability to reciprocate the sharing of grazing lands that were now signed under a five or fifteen-year lease, tensions have grown and reciprocal linkages are starting to unwind (see Chapter 4). Fences are being demarcated,

¹² This view was shared by a couple tourism camp managers who explained their initial hesitation to work in the Mara's conservancies for fear of the continuation of an elite colonial playground. It should be noted, they found this not to be the case after a few months working in the Mara.

¹³ Ol Pejeta is a private conservancy and cattle ranch in the Laikipia District. See <http://www.olpejetaconservancy.org>

and angry neighbors lock cattle and shoats into their bomas and deny their owners access until fines are paid. The solidifying nature of property boundaries may have been inevitable, but in many cases across the Koiyaki lands, the conservancies seem to have hurried this fate. The question is whether evolving policy in the conservancies can shift this trend and rekindle the sharing of properties for mobile livestock systems.

With privatization, negotiations between investors and the community are scaled down to the individual title deed-holder rather than a group ranch committee, leasing contracts are bounded, and rent payments are made transparent, accountable, and manageable.

Driver 3: Conservation interests

Kenya's tourism is largely contingent upon charismatic wildlife adorning national geographic specials and 'Out of Africa' characterizations. The colonial legacy of safari hunting has spawned a vigilant and generally well-funded conservation corps within both government and non-governmental organizations (NGOs). Merged with the international focus on biodiversity hotspots, the need to meet multi-lateral environmental agreements such as CBD (convention on biological diversity) along with support from big conservation players such as the U.S. and European zoo lobby and World Fund for Nature, the overall presence of a strong conservation concern has played a significant role in driving alternative conservation mechanisms, including the ballooning of conservancies in Kenya (Naimir-Fuller et al. 2012). Much of this immediate urgency spawns from observing changes in Maasailand, such as the Kitengela Plains and Kajiado County in general. Documentation of habitat loss and fragmentation has begun to tell a story of severed migratory routes and disappearing megafauna (Ogutu et al. 2009). A significant case-study in today's conservation discourse in Kenya is the downward spiral of Nairobi National Park and its surrounding dispersal areas. Studies by Nkedianye et al. (2011), Western et al. (2009), and others have illustrated how recent privatization of Kenya's drylands has led to a crisis of land acquisitions, large scale development plans, and fenced rangelands. Migratory pathways are disrupted and calving and foraging grounds are severed, leading to substantial population declines of migratory ungulates and their predators. The most recent report from the Maasai Mara comes from Ogutu and

colleagues (2011) who estimate over 70% decline in wildlife populations in the ecosystem over roughly a 20-year period. This is joined with similar findings by others in the Mara (Said et al. 2006, Reid et al. 2002) and across Kenya (Okello 2005), painting a rather bleak picture for wildlife. The mounting panic of poaching is only adding fodder to the flames.¹⁴

The commonly cited finding that 80% of Kenya's wildlife occurs outside protected areas has placed significant emphasis on expanding the real or effective boundaries of PAs to protect dispersal areas for wildlife (World Bank 2004). A conservancy provides such a mechanism to expand protected area status outside official designations, while retaining the flexibility to conduct business ventures and multiple-use philosophies. The end goal for conservation organizations and other wildlife advocacy groups is to retain open lands for wildlife, and conservancies have proven effective to some degree (Glew 2012), although robust measures still do not exist in the Mara context.

Privatization in the Mara, and Kenya generally, was a doom and gloom projection from many pastoralism and conservationist advocates (Western et al. 2009, Adams and McShane 1996, Ntiati 2002). It was going to fragment rangelands and displace livestock and wildlife. It is in this dark hour that conservancies have arisen so sharply, to the delight of conservationists who see this as a rescue from the downfall of Kenya's megafauna. The conclusion is less conclusive for pastoralists, who contend with tradeoffs between policies for wildlife, livestock, and other activities.

An encouraging parallel to the interests of conservationists are those of pastoralists, where extensive rangelands are part of a long established method for utilizing semi-arid to arid rangelands (Reid et al. 2010). Inevitably the partitioning of this land into smaller units functions similarly to wildlife in that critical dry and wet season grazing areas are isolated and perhaps severed altogether (Press et al. 2005). The emerging argument for the conservancy is the notion of retaining pastoral lands collectively for grazing. This idea is explored further in other sections, as it is the forebear to the incorporation of grazing as a management tool within conservancies.

¹⁴ Poaching has become a global interest, with a war declared on poachers and their networks, for instance: <http://www.npr.org/blogs/parallels/2014/08/05/337973375/african-countries-say-they-need-help-to-stop-elephant-poaching>

3.2.3 Mara Conservancy Case Studies

The initial excitement, and some might say success, of the Mara conservancies can be seen in the sheer amount of land under contractual arrangements, over 92,200 hectares as of 2010 (ILRI 2011). The land under leasing arrangements has grown steadily since 2005 when the first land-based conservancy scheme emerged in Ol Kinyei, a neighboring group ranch.¹⁵ Since then, over 1,500 families have joined a conservancy, with over US\$3.6 million in earnings per year paid directly to individual landowners (ILRI 2011). Similar to the Namibian and other African examples, the Mara conservancies organize a collective conservation area through the enrollment of individual landowners from surrounding Maasai communities. These landowners, upon agreeing to the terms of the leasing arrangement (eighteen months to five years, although contracts differ among conservancies), move out of the conservation area and relinquish land-use decision-making to conservancy management. The landowner is then paid a fixed amount dependent upon the quantity of land he owns.

The Mara conservancies fall into a category of conservation for development projects termed payments for environmental services (PES), or more specifically payments for wildlife conservation (PWC). PES and its many factions is a relatively new approach to conserving natural resources (Sommerville et al. 2011), as it attempts to incorporate the economic values of environmental processes, functions, and products into mainstream economies to encourage conservation-compatible practices. As there have been increasing calls for diversifying livelihood strategies in the Mara (Ogutu et al. 2005), PWC offers a new avenue for addressing poverty alternative to livestock or cultivation enterprises. PWC provides incentives for landowners to maintain intact ecosystems for wildlife (Engel et al. 2008). As a community-based conservation strategy, the conservancies are purported to devolve natural resource management to the local level as to improve conservation and fight poverty (Hoole and Berkes 2010, Hoole 2007). As many critics of CBNRM have pointed out, this assumption remains steeped in a ‘rhetoric vs. reality’ ideal. One may make the claim that conservancies emerging in the Namibian context perhaps conform to such a devolved system of governance (Hoole and

¹⁵ Albeit with some controversy, the first conservancy to establish in the Mara is arguably Ol Chorro Conservancy, although the agreement was with largely made with a single family and differs in the lease arrangement, most notably that payments are not according to acreage, but rather tourism volume.

Berkes 2010), but is such a claim equally valid in the Mara context?

One of the unique attributes of the Mara conservancies lies in the consistent lease arrangement, where tourism dollars flow to landowners independent of bed-nights, insulating the payment from fluctuations in an often-volatile tourism industry. Additionally, in most cases a third party financial institution collects and distributes revenue, theoretically bypassing the issues of elite capture inherent in former schemes (Sorlie 2008). Early concerns have been noted, however, including the issue of restricting settlement and grazing by pastoralists (Homewood, personal communication). This questions whether community access and user rights are protected under the conservancy model (Bilal Butt, September 2012 personal communication). This also heightens land use and stocking densities on adjacent lands, adding grievances to landowners outside the conservancy, who do not earn income from the conservation area (ILRI 2011, Courtney 2009). Furthermore, there is growing concern of power dynamics due to the landowner stipulation, where larger landowners (local elites) are favored financially over small landowners or those who do not own land at all (Courtney 2009, Bilal Butt, September 2012, personal communication). This may call for modifications in the model to allow for other land tenure systems, as well as to consider the use of grazing by cattle as an effective management tool within conservancies, which have been shown to benefit wildlife at intermediate levels (Reid et al. 2003). These questions highlight a need to explore the flexibility of current conservancy approaches in operation, particularly concerning how variations in the model influence the success or failure of the partnership. Let us first look at the case study conservancies in greater detail (Table 3).

Olare Motorogi Conservancy

Olare Motorogi Conservancy (formerly Olare Orok and Motorogi Conservancies) was among the first conservancies to establish in the Mara and arguably the most influential in stimulating further conservancy expansion. It has also been explored in the greatest detail and its creation story is well known (Bedelian 2012, Sorlie 2008, Courtney 2009). Olare Orok Conservancy (OOC) was first established in 2006 through the coordinated efforts of a select group of community leaders and tourism investors. Following an initial MOU, the first leases were signed as a one-year lease in 2006, followed by a 5-year and

finally a 15-year lease agreement (Table 3). Beginning with 75 landowners in 2006, today 277 landowners have leased their lands to the now-merged Olare Motorogi Conservancy.

Table 3: General comparison of facts and figures across conservancy case studies

	Olare Motorogi Conservancy	Mara North Conservancy	Naboisho Conservancy
Date established	2006 (Motorogi est. 2007)	2009	2010
Size (acres)	About 25,000	76,490 (65,000 managed)	51,760
Number of members	277	900	550
Number of partnered camps	5	12	6
Topographic characteristics	Open plains and whistling acacia bush with year-round water and numerous salt licks, a small number of inholdings within, a few settlements in the Motorogi side	Plains and mixed woodlands with year-round rivers bordering two sides, calving area for wildebeest and significant human settlement inside	Acacia bushland, escarpments and hills with pockets of open savanna, tsetse fly zone, rocky, sandy, dry with intermittent streams and a few springs, settlement in pockets along periphery
Tourism representation	Olpurkel Board	Mara North Conservancy Ltd Board of 3 TP, 3 Land Committee)	Naboisho Conservancy Ltd
Management company	Olpurkel Ltd. 1 manager Assistant manager Community liaison 28 rangers (2 wardens)	Seiya Ltd 1 manager 1 community liaison 29 rangers plus Senior warden	Seiya Ltd. 1 manager 2 wardens 1 community liaison 30 rangers
Landowner representation	OOC landowners committee (4) Motorogi Landowners Conservation Company Ltd: land committee representatives (4)	Mara North Land Company 6 landowners 1 Tourism Partner 1 lawyer	MANCO (Mara Naboisho Land Holding Company Ltd.) Executive board (3) Committee (23) Landowners committee
Grazing committees	One grazing committee initially, followed by several periphery community sub-committees established in 2013	Committees representing three major periphery communities; smaller committees established in 2013 modeled after	Began in 2011 with grazing committees representing each peripheral community around the conservancy.

		Naboisho	
Fines policy	1st time -verbal warning 2nd time- stern warning 3rd- fine 5,000 ksh 5,000 ksh first two times, then 10,000 afterwards. Significant repeat offenders have money automatically deducted from accounts. Livestock corralled until fine is paid. Money spent on management operations and paying security guards around community solar panels	Initially 10,000 ksh, although negotiable. As of July 2013, 5,000 ksh for grazing during the day and 10,000 for night-time grazing. Fine pays rangers' bonuses	5,000 ksh daytime grazing fine. Shepherd is arrested until the fine is paid. Fines contribute to community projects.
Grazing system	- Grazing zones opened and closed based on tourism levels, - Herds condensed to one herd - Single route accessing the zone	Open season (April-July) and closed season (July-March) August 2013 began implementing Naboisho inspired grazing plan with community zoning and grass banks.	In 2011 began instituting rotational grazing by zoning community grazing areas and grass banks
Yearly payment/hect	2006-2008= 36 USD 2009-2010= 43 USD 2013= 45 USD	2012= 2500 ksh or 36USD	2012= 2000ksh or 29USD 2013= 30 USD
Attached community outreach organizations	Olaré Orok and Motorogi Trust (OOMT) Individual camp programs	Obell Foundation individual camp programs Compensation program, paid in part by Tourism Partners, part by landowners, for livestock killed by wildlife	Basecamp Foundation Individual camp programs
Conservancy fee	100 USD/person/day	Dependent on Camp	Tied to the MMNR (currently 90USD)
Tourism density	94 beds within 21,386 acres= 1 bed/228 acres	1/350 acres	1/350 acres

Motorogi was added to OOC in 2007 after the investor Richard Branson's Virgin Group committed to constructing a camp on additionally leased lands, which has since opened for guests as of July 2013. The two conservancies are managed together and operate

under one banner; however, the landowners maintain a distinction, reflected in two land committees representing Motorogi Conservancy members and OOC members separately, along with their own boards and AGMs.

The land holding company Olare Orok Wildlife Conservancy (OOWC) Ltd. was formed by representatives of the landowners (Table 3). In this way, as stipulated by the Land Control Act prohibiting foreigners from owning land in Kenya, the leases are held by landowners who then grant the tourism operators permission to operate on their lands. The land company is not obligated with distributing revenue to its membership; rather, their main function is to hold the leases and provide a point of communication between landowners, the management company, and the investors.

The tourism partners have established a management company Olpurkel Ltd., where the four original tourism partners occupy shareholder positions, while the board of directors is composed of both OOWC and TP representation and a member of the OMC Trust (Table 3). Within Olpurkel Ltd., there is a conservancy management committee where both Olpurkel and OOWC representatives negotiate day-to-day conservancy issues. The OMC Trust is partly funded by Olpurkel, and further contributions come from donor funding (NGOS and others) and OOWC for the purposes of community outreach projects. In the 2013 contractual agreement of Olare Orok Conservancy, landowners are paid rent at the rate of 3,850 KSH/ha/yr., or about 45 USD (an increase from 2,000 KSH/ha/yr. in 2009, according to Courtney (2009)).

The terrain of OMC is representative of the Mara's iconic plains stitched together by two significant and semi-permanent waterways, the Olare Orok and Ntiakitiak Rivers (Appendix 1). The plains, paired with several small escarpments, provide for panoramic views equally attractive to tourism as to policing and enforcement. The plains make it difficult to hide cattle in OMC. The conservancy is relatively small, which means tighter interactions between pastoralists, wildlife, and tourists, although it also allows for more thorough monitoring and enforcement of conservancy regulations. The conservancy has 26 rangers patrolling 32,000 acres. Compare this with the 30 rangers in Mara North Conservancy responsible for 76,000 acres and its clear OMC is the most patrolled of the conservancies. OMC is situated in an area of critical importance due to its water sources and the many salt licks found along the tributaries of Olare Orok River. Prior to

demarcation, elders spoke of the plains along Olare Orok River as critical temporary grazing areas during the dry season, migrating from the wet season grazing areas of the Pardamats and Endoinyo Erinka to the area of Mpwai and Olare Orok (Appendix 1). It also adjoins the reserve, flanked on both sides by other conservancies, and therefore provides a key movement corridor for wildlife moving in and out of MMNR.

OMC began as a cattle free conservancy after a one-year ‘grace’ period where only a small core conservation area remained un-grazed. As the rent payments increased (quadrupled), pressure from TPs expanded the cattle-free zone to the current conservancy boundaries. After several seasons of a strict no grazing policy, conservancy management and TPs began noticing a decline in wildlife numbers. This was attributed to the tall grass that had built up over the early years of ‘rest’. This conclusion in part supports, and indeed was informed by, findings from Reid et al. (2002) who noted benefits of grazing by domestic livestock for wild herbivores at certain densities.

Beginning as a request from a member camp to ‘mow’ down the vegetation surrounding the camp, small numbers of cattle were gradually allowed to graze for short periods inside the conservancy. This has since evolved into the current system of controlled grazing composed of small, moveable zones targeting areas where grass biomass has reached conditions excluding wildlife. Zones are accessible to specific communities depending on what portion of the conservancy is open (e.g. west side open to Olare Orok community, while the southern portion open to Mpwai and Ngila communities). The zones are generally open for 0.5 to 1.5 months, depending on grass condition, tourism pressure, and predator activity. Herds are condensed using a single route accessing the zone, monitored by rangers. Herds are grouped in an effort to graze as one large herd, coordinated by restricting the size of the zone and encouraging shepherds to join herds. No night grazing is permitted, nor are sheep or goats allowed into the conservancy at any time. In addition to many tenets of Savory’s Holistic Rangeland Management ideology (short grazing times, heavy pressure, large herds, intermediate rest, etc.), OMC grazing policy is greatly informed by concerns for big cat conservation, the ‘big money maker of the conservancy’. According to management, by concentrating livestock into one area, lions, cheetahs, and leopards are less disturbed by cattle and pastoralists. As explained by the conservancy manager, cattle left to disperse freely act as

a fine net scattered across the landscape, displacing wildlife and consequently impacting the tourism product. By concentrating cattle herds, wildlife displacement is localized on 3-5% of the conservancy where the cattle are, leaving 95% for tourism interests.

“My thinking has changed initially with talking with people like Robin Reid. Small herds are like a fine-grained net. We pushed wildlife everywhere originally, 20% of conservancy would be grazed by small, dispersed herds, making 80% available for tourism. Now 3 to 5% of conservancy is grazed, 95% plus can be for tourism.” Conservancy Manager

The conservancy has a hard boundary whereby the entirety of the conservancy is managed as a no grazing area unless otherwise specified by management, as in the case of a grazing zone. There are no villages inside the conservancy except for those whose parcels have not been signed. Before the conservancy was officially established, there were at least twelve villages (over 100 individuals) located inside the conservation area who agreed to relocate at the onset of the lease. Motorogi, as an extension of OOC, has several villages remaining within the conservation area who are being paid in full or a portion of the lease amount, with the eventual promise to relocate. However, Motorogi landowners retain their own Board, community liaison, committees, and a separate AGM, leaving some regulations in contestation.

Grazing policy in OMC shifted over the course of the conservancy history according to management and community members (see Table 3). Early policies for restricting grazing involved detaining the trespassing shepherd until a fine was paid. The challenges with this policy, from a management perspective, was in the difficulty in detaining shepherds who could easily escape into the bush or push cattle into the conservancy and leave the herd to graze alone. According to interviews with rangers, the difficulties of capturing shepherds at night were especially troublesome. This policy also caused strong reaction from community members, who spoke of a history of beating shepherds and detaining them (often youth) in makeshift jails and thus inflamed many opponents.¹⁶ For these reasons, the conservancy adopted a new method, which involves corralling a percentage of the trespassing herd (three to five animals typically) into a detention *boma* and holding them as collateral until the herd owner pays the fine to

¹⁶ This community claim of brutality climaxed with a visit from the Narok District Commissioner and a court case, eventually dropped.

retrieve his cattle. In this way, no shepherd is touched in the ‘arrest’ and the fine is paid. This model is also used in the MMNR, in contrast with both MNC and Naboisho, which arrest the shepherd in cases of illegal grazing.

Mara North Conservancy

Mara North Conservancy emerged in 2009 from the ashes of the Koiyaki-Lemek Wildlife Association. The story as told by one conservancy manager was a South African tourism developer began leasing plots in Koiyaki, amassing 300 plots in a quilted patchwork and threatening the well-established tourist facilities along the Mara River. The camps galvanized together and erected a standoff, recognizing the need to come together to push the developer out and save their businesses. Twelve camps came together to form Mara North Conservancy (Table 3). They began leasing roughly 30,000 hectares from over 800 landowners, forming the largest conservancy in the Mara. The governance structure differs from others in that the Tourism Partners hired an outside management company Seiya Ltd., a wildlife management consultancy working in both Naboisho and the Mara Conservancy. The Mara North Conservancy Ltd. is a company composed of the Tourism Partners, and managed by an executive committee with three TPs and three Landowners Committee (LOC) representatives who are hired by Seiya Ltd. The Land Holding Company was formed by MNC landowners and is composed of eighteen committee members, six of whom sit as representatives of landowners on the board along with one tourism partner and one lawyer who is paid a retainer fee. The two company boards meet quarterly.

Mara North was originally zoned under a tri-use scheme: 1) a core conservation designation where no livestock grazing occurs (e.g. key lion habitats, camp peripheries), 2) a mixed-use zone for game-viewing and open to cattle during the low tourism season of April-June, and 3) the periphery settlement zones where permanent bomas occur. Parcels in the settlement zone may or may not be paid depending on their tourism value, or whether they host other landowners who have moved off the conservation area, in which case they are paid a smaller rent. The tri-zonal model was practiced up until 2013 when policy changed to more closely resemble Naboisho’s grazing plan. In mid August, MNC managers, rangers, LOC, and grazing committee representatives gathered to discuss details for implementing a new grazing model within MNC. The rotational

grazing system will divide the conservancy into zones based on community proximity, core conservation areas (no grazing zones), camp locations, and watering points. During the time of establishment the conservancy was in the midst of a particularly long dry season, and water access limited the options for zone delineation.

Mara Naboisho Conservancy

“Everyone has been talking Naboisho: we have grass, we have wildlife, and we have cows!” Conservancy Liaison Officer

Formalized in 2010, Naboisho Conservancy is the most recent conservancy to establish in the former Koiyaki Group ranch. This was in part due to delays in the subdivision process of Block 4, where demarcation only recently concluded in 2009 due to court challenges. The conservancy was financed initially by Basecamp Foundation, the philanthropic arm of Basecamp Explorers Tourism Ltd., who now operates three ecotourism camps in the Mara. Basecamp has a significant history and reputation in the Mara as a community, tourism and research partner. Developers of Naboisho used the trials and tribulations of earlier conservancies to inform their policy and management structures, as we will see in later sections, and these differences are apparent in many aspects of Naboisho, including its name, which translates as *together* in KiMaasai.

Naboisho Conservancy has five member camps and over 500 participating landowners who have signed fifteen-year leases, with new lands being leased continuously (Table 3). The structure is slightly modified from the other conservancies in that the board is composed each of three TPs, three Land Committee members, and one intermediary (the founder of Basecamp Foundation). The Land Committee is composed of 20 representatives of the nine major communities where Naboisho’s members live. Each surrounding community has selected a grazing committee to represent them in grazing decisions, and there is one community liaison hired by the management to attend to members’ concerns. Naboisho Conservancy Ltd. has hired Seiya Ltd. (the same company managing MNC and the Mara Conservancy) to manage the conservancy on their behalf, which includes a general manager, 30 rangers and two wardens. The Land committee hosts one AGM, typically in August, where all members and representatives of the LOC and the management company gather to discuss the year’s progress, changes,

and future plans.

Naboisho operates a rotational grazing system based on community or village-level zones. The core area is broken into village zones, each zone divided into numerous smaller subzones, where cattle are rotated at two to four week intervals. Grazing banks are established on the conservancy peripheries, set aside for the dry and peak tourism seasons when cattle are removed from the core conservation areas. Conservancy edges are left ‘unmanaged’, where grazing is allowed throughout the year. Rotation between zones is based on grass condition, water availability, tourism pressure and requests from grazing committees. During the low tourism season, pastures surrounding camps are grazed during short windows with no clients (two to eight day intervals). The grazing ‘plan’ is flexible with rainfall, grass condition, tourism ebbs and flows, cattle needs and the expressed interests of camp managers/owners and community members. Grazing is instituted throughout the year albeit in varying degrees of openness, and significant between-year-variation is evident by the evolution of grazing management in Naboisho.

Originally grazing was restricted in core areas and the conservancy, like its neighbors, policed a ‘cattle-free’ policy. In response, herders switched from day to nighttime grazing. Conservancy management attempted to contain the incursions, but in failing to stem the grazing subsequently allowed access for cattle at 8pm, stipulating cattle must be out of the conservancy by dawn. According to management, herders pushed this window to begin at 7:30, then 6, then 5pm, etc., until the tensions boiled into heavy conflict. Cattle were in camps at night, clients wrote angry letters, which turned into angry emails to management from TPs, and resulted in angered community denied grazing access. Management instituted constant overnight surveillance during the tourism season, where rangers went without sleep to prevent grazing.

To stem the conflict, a new system was developed with the input of various actors (see further discussion in learning section of chapter 4). Management began establishing a pie-style zoning system beginning in one community (Nkoilale community, refer to study area map), slowly spreading the plan to other periphery communities. As the pie-approach evolved into Naboisho’s current zoning method, the system increasingly expands the managed area heavily with less and less ‘open access’. The conservancy ‘edge’ regions continue to shrink as patrolled acreage increases, while the actual grazing

subzones also get smaller and more numerous. The time intervals for grazing each subzone get longer, more water access points (catchments) are being developed, and grazing banks are ‘the cornerstone of the model’.

Similar to other conservancies, management decisions are increasingly informed by the Holistic rangeland Management paradigm promoted by the Savory Institute, alongside previous experience in other land management contexts, and consultations with Maasai and non-Maasai advisors.¹⁷ For instance, zoning plans reference Allan Savory’s publishing’s, which promise as much as 460% increase of stock carrying capacity, requiring tight, small zones, heavy grazing intervals with four to five month rest periods, and repeated grazing.¹⁸

3.3 Setting the Space for Debate

With an initial understanding of the conservancy operations in the Mara and the variations within, and before moving to the roles of the actors themselves in shaping the negotiation process, let us magnify how the model itself, independent of managerial inputs, cross-conservancy learning, or stakeholder relationships, shapes the way the conservancy debate is initiated. The following headings bullet some of the key attributes inherent in the general Mara conservancy model that opens space for debate and conflict, providing an easy transition into the following chapter which attempts to characterize some of the ways actors deal with and resolve these and other discrepancies.

Removal of settlements

The conservancies, with greater or lesser urgency, demands the conservation area be free of people living within it. Rent is stipulated on the movement of the leaser from his (or in a few cases, her) owned plot(s) to other plots outside the conservancy area. This requires moving one’s *boma* (house, kraal and other infrastructure) to resettle elsewhere. Some members have alternative plots of land they own and can live on, but often leasers rely on call-to-favors from family and friends to host them for the lease period (5 to 15

¹⁷ Seiya Ltd is owned by Brian Heath, who previously managed one of Kenya’s largest cattle operations

¹⁸ Allan Savory is a controversial figure in the rangeland ecology field, largely due to his approach to the scientific method. While many range ecologists remain skeptical, many land managers have begun adopting his practices.

years depending on the lease and conservancy), or in the case of Naboisho and MNC, can buy subsidized plots.

Resource competition

Due to the nature of tourism and the models' construction, conservancies place the greatest pressures on resources from tourism and livestock at the same time, resulting in enhanced competition, stress, and ultimately conflict. High tourism season, when the tourist lodges have full bookings, corresponds with the Mara's long dry season. The pastoralists' demands for grass are met with demands from investors for cattle free conservancies, and management is left to intervene. Lodge owners locate camps on prized wildlife viewing hotspots, which also happen to be the most important livestock areas such as watering holes and salt licks. Access to grass, water and salt now drives the bulk of conflict between conservancy stakeholders and necessarily alters the pattern of grazing management. It is imperative for camps to establish on waterways or permanent springs, which provides both for camp atmosphere (i.e. a dense fig tree canopy and hippo pools) as well as providing intimate wildlife viewing opportunities.

An ideal location, for instance, is Virgin Group's Mahali Mzuri Camp (translates as 'a good place' in Kiswahili) within the Motorogi portion of OMC. The camp overlooks a permanent watering hole, where even in the driest months herders say the deep pools of the spring will support livestock and domestic water use. The camp is also near a cluster of salt licks used heavily by wildlife and livestock. This site enables guests relaxing in the infinity pool to glass wildlife and sip cocktails in the picturesque drama of the Mara. From Virgin's website:

"Take a dip in the outdoor infinity pool and soak in the views from there too. As the camp is set on a ridge above a wide valley it creates a natural amphitheater for game viewing which is just simply amazing and you won't be disappointed!"
<http://vlog.virginlimitededition.com/mahali-mzuri/mahali-mzuri-news-mahali-mzuri-to-do-list>

Due to the sensitivity of the camp, however, the conservancy has halted all use of the salt licks and watering access for livestock and people. Landowner representatives negotiated for women and donkeys to access to the salt lick so that they could excavate

salt and bring it back to the *boma* (Motorogi AGM meeting minutes).

Conflicts of Interest

Leases are amalgamated into the possession of a few individual ‘community representatives’, who happen to be well-placed camp owners with the potential for a conflict of interest. This sets the grounds for voices of power, issues of trust and questions of transparency.

Auxiliary effects

The model necessarily places added pressures to lands outside conservancies through the concentration of human activities like settlement and grazing pressures. The insularization of protected areas surrounded by individually owned land constructs borders of ‘dos and don’ts’. This leads to mounting pressure on utilizers of conservancy resources to restrict others, or on landowners surrounding the conservancies to harden their own rules. While the conservancy is dependent on collective action in order to function as an amalgamated mass of individually owned plots, the conservancy is also equally dependent upon the replacement or relatively watered down importance of clanism and formal/informal Maasai leadership structures.

Privatization

The current model requires subdivided lands and secure land title, therefore encouraging privatization. The model is dependent on relatively low land-values, where rent is cheaper than agricultural lands, in order to pay the significant number of landowners. With the advent of conservancies, and the increasing demand for land in the Mara, Kenya and across Africa in general, land prices are rapidly growing, threatening the viability of the lease payments (TPs pay rent money, so incentive is to keep rent as low as possible. Five years ago, land was valued at 5,000 to 15,000 KSH per acre; now lands within a conservancy are valued at 85,000-100,000 KSH/acre according to one conservancy manager). The initial agreement was in a large part dependent on the landowners’ relative ignorance of the value of their lands. Further, land subdivision within families (i.e. when a patriarch dies and the lands are subdivided among his wives’

sons), parcel size diminishes along with the rent payment (as it is linked to acreage), effectively demoting conservancy leasing as a viable land-use option.

Business centrality

The nature of the business aspect invites conflict and competition between conservancies—particularly in management approaches, but also within land committees, and among conservancy membership. As a business, investors have exit strategies, which are not always aligned with long-term interests of communities. Also, as a business the financial side is generally kept under wraps, and the relative lack of transparency, even if appropriately accounted for, leaves many questioning, hypothesizing and criticizing profit margins. As one common argument for the private sector moving into conservation and development schemes, it is offered that business can create financial stability for community welfare, yet in all cases in the Mara conservancies, the model relies on additional funding for community development projects (i.e. donor funding).

CHAPTER FOUR:

The studs, joints and rafters: constructing a conservation partnership

Success or failure of initiatives aimed at bridging conservation and development to a large degree depend on how a multiplicity of interests are expressed, invited, negotiated, ignored, implemented, and monitored. This process is inherently complex and can easily be lost in a blindness to tradeoffs (Brown 2002), can boil over in conflict, or else drift into something entirely unintended. Amidst partnerships, such as the Mara conservancies, investigating the process of negotiating management, policy and governance issues can assist in distinguishing essential elements for a potentially fruitful, deliberative collaboration. It is in this space, too, that will help to illuminate a more productive discussion concerning livelihood change in pastoral societies like those in the Mara.

The conservancies of the Mara are difficult to place cleanly within a typified box: do they conform to a joint business venture, a protected area, a payments for ecosystem services scheme, an example of community-based natural resource management, co-management, or a land grab? There are elements of all of these boxes, but to many on the ground, conservancies are, at the very least, a partnership. At the most basic cut, a partnership is a lasting agreement between two or more bodies (individual or collective). Slightly more helpful, Brinkerhoff (2002, p. 216) defines partnership as:

“A dynamic relationship among diverse actors, based on mutually agreed objectives, pursued through a shared understanding of the most rational division of labor based on the respective comparative advantages of each partner. Partnership encompasses mutual influence, with a careful balance between synergy and respective autonomy, which incorporates mutual respect, equal participation in decision-making, mutual accountability, and transparency.”

Partnerships are oriented by objectives that are mutually and voluntarily agreed upon, which include accounting for different actor's interests (Agrawal and Gibson 1999). They employ mutuality (Brinkerhoff 2002), in that partnerships exist as a greater

sum of lesser parts, a joining together of resources for a common goal and net benefits for all partners (Trauger et al. 1995) that would otherwise be unachievable independently (Scheou and Southon 2013). There is a complementarity between partners that is nurtured through equal decision-making, respect, trust, and solidarity (Scheou and Southon 2013). Transparency and accountability are stressed as two measures necessary for a trusting relationship (Berkes 2004). On the other hand, partnerships are also about identity. Partners should not become dependent on the other, so that each partner maintains both its identity and autonomy (Brinkerhoff 2002). Maintaining a partner's autonomy is akin to maintaining some resemblance of power neutrality. Vermeulen and Sheil (2007) add that robust partnerships share not only in the decision-making process, but also rights, responsibilities, and, importantly, benefits and risks. As Scheou and Southon (2013) reminds us, the partnership is strengthened through perceptions, by all parties, of an improved return on investment, fostering further cooperation through positive reinforcement.

As community conservation took the conservation and development world by storm in the 1980s, so today private sector partnerships are increasingly becoming a favored approach, offering conservation outcomes that some argue are more ethical, sustainable, and practical in an increasingly neoliberal agenda (Scheou and Southon 2013, Igoe and Brockington 2007). Private sector partners can provide antidotes to the failures of donor-based approaches through profitability, sustainable financing, and transparent benefits to locals (Spenceley 2008). The neoliberal discourse has a new vehicle in conservation that hybridizes with civil society in the form of private, community partnerships for environmental sustainability (McCarthy 2005).

4.1 The process of ‘partnering for conservation’: An approach to analyzing a community-private partnership

“The local Maasai have been completely involved in the development, their cattle are grazing in the area, and many young Maasai are working at Mahali Mzuri. It has been a win-win for everybody.” Mahali Mzuri website
<http://vlog.virginlimitededition.com/mahali-mzuri/mahali-mzuri-news-mahali-mzuri-to-do-list>

“Five years back, we never found cows being charged [fined for grazing illegally], but now every one to two weeks we’re being charged 5,000 to 10,000 [KSH, about 65-125 USD] for cows! You are getting losses ' month... Are we moving forward or backward? In a few years to come, [there will be] poverty. The money from the conservancy is so little; the conservancy is getting us Maasai poor. The conservancy removes cows, that is why people don’t sign. Our cows decrease and the money is not enough.” Conservancy Member, Talek

The Mara conservancies, in a formal sense, involve a signed partnership between tourism investors and a land-holding body composed of numerous independent landowners, and can thus be considered a private-private partnership. In effect, however, the partnership is largely contingent upon agreement among a majority of landowners, one might say a series of communities, in order to maintain the conservation area and function as a conservancy. In this sense, the partnership is better understood as private-community whereby communities of landowners have agreed collectively to partner with several tourism operators. From this perspective, can we call conservancies a private-public partnership, public referring to the broader interests of the Mara community? Without a consensus among the majority of Maasai, there would not be a contiguous land base to operate tours within. This points to an interesting distinction between the formal and informal partnership of the conservancy model.

The concept of partnership can be considered as a scaffold framing the conservancy governance context. If collaborative governance denotes the *shared* process of rules and policy creation, enforcement, and modification, it is through the conservancy partnership lens that a fruitful analysis of this shared space will unfold. This chapter explores the partnership between tourism investors and Maasai community landowners, as well as the various actors more or less involved in the arrangement. Analyzing the conservancy partnership is done using three iterative steps, recognizing the back-and-forth feedbacks inherent among them (Figure 4). The approach argues that partnerships can be understood by first exploring the actors themselves: their perspectives, histories, and visions for the future; in other words their primary discourses. Here I pick up from the previous chapter’s conclusions regarding how the model itself situates and introduces debate among actors, using this as a backdrop that in turn informs how past grievances,

particular management paradigms and/or contrasting knowledge claims among actors, help to shape divergent perspectives.

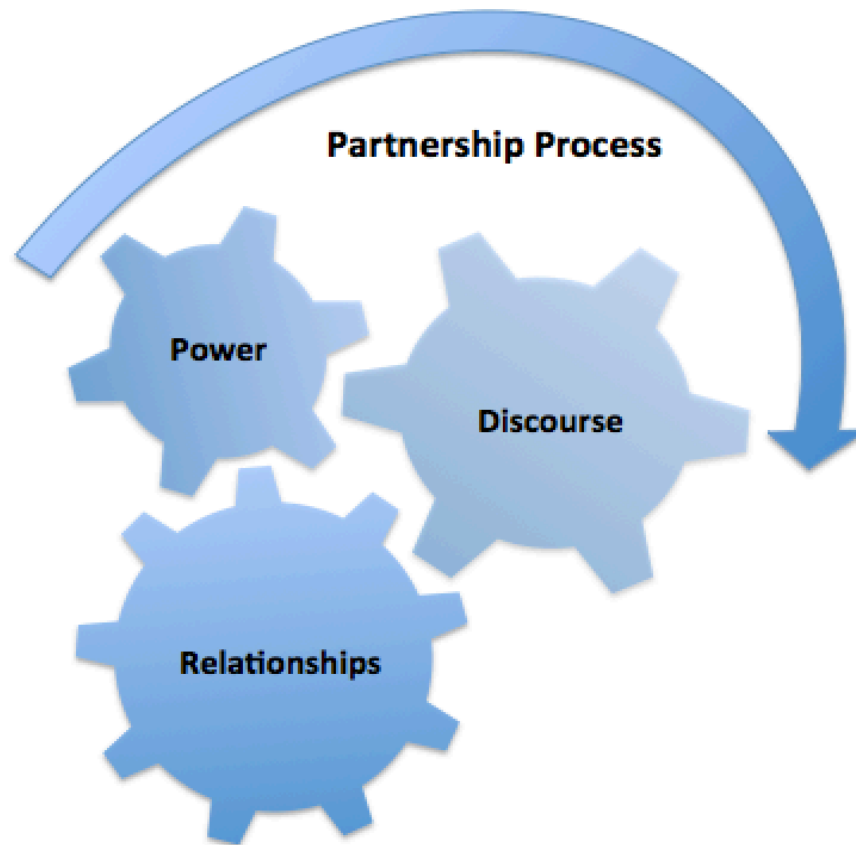


Figure 4: The Process of Negotiating Partnerships: A relational diagram illustrating the analytical cogs in understanding partnership through the forces of discourse (cog #1) and power (cog #3) acting on, and in-turn, informing relationships (cog #2).

The first cog in Figure 4 represents this discourse piece, and is explored in section 4.1.1. With an understanding of these various narratives, we can then scrutinize in section 4.1.2 the relationships forged among partners, which composes the second analytical frame, or the ‘relationships’ cog in Figure 4. How do the ingredients of partnership, such as transparency, trust, or communication as outlined by Brinkeroff (2002) and others unfold in the Mara conservancies’ case? Here we explore the relationships among actors themselves, attempting to characterize the main drivers of conflict and compatibility within the conservancy partners. Finally, in section 4.1.3

power is explored as a third lens, or cog #3 in Figure 4, to better illustrate the forces of influence often explicitly or implicitly shaping discourse and partner relationships. Only through an evaluation of power sharing can we identify some of the inherent and potentially unexposed trade-offs among differentiated actors, thus characterizing the true nature of the collaborative governance ideal. It is argued that partnerships in the Mara case can be de-constructed by examining the cogs of discourse, relationship building, and power that ultimately drive how conservancies govern resources, people, and conflict.

4.1.1 Cog #1: Recognizing and interpreting a diverse discourse

The conservancy operates in a space filled with multiple players who approach their roles and involvement from different positions and perspectives. How these actors orient themselves around the conservancy socially (e.g. as a herder or as a manager), physically (e.g. proximity to the conservancy boundary), and ideologically (e.g. pro-conservancy or against) are both informed by current and past interactions, which in turn shapes today's relationships. By analyzing the major discourses employed by conservancy stakeholders, we approach the negotiating table with a better understanding of the underlying assumptions foreshadowing relationships. By discourse I refer to the "specific ensemble of ideas, concepts, and categorizations that are produced, reproduced and transformed in a particular set of practices and through which meaning is given to physical and social realities" (Hajer 1995, 44). The discourse can be particular ideas; storylines or narratives interpreted by different coalitions of actors, or stakeholder groups who share some cohesive position or practice (Arts and Leroy 2006). In other words, how do actors frame ideas in words and discussion, and how do practices themselves reinforce this embedded understanding?

There is a marked difference between individual and collective discourse; we as individuals have our own understandings of the world as we are equally inclined to associate with a network of other positions, whether through kinship, language or other institutional commonalities that may define a collective identity (Hardy et al. 2005). For the purposes of this research, attempts are made to characterize elements of a shared, or dominant, discourse within and between actor groups, separating these from the personal stories that vary by individual. It is typical that particular policies have a dominant

discourse, albeit variable according to different actor coalitions (Van der Duim et al. 2012). Turning to the two strongest narratives in the Mara (column 1 in Table 4), I first digest the various perspectives and positions on the meaning of pastoralism, as a way of life, as a threat, and as a system undergoing change (Part 1). Part 1 contrasts two strains of discourse, one which characterizes pastoralism as an aging system in need of transformation (I.), the second emphasizing the retention of traditional pastoralism as an efficient system (II.). In Part 2, I then turn to the claims and disclaims of community-based partnerships for conservation (see Table 4). This second line of discourse is broken up according to three broad perspectives, the first exploring the narratives of the Tourism Partners (1.), followed by the conservancy managers (2.), and closing with the diverse perspectives from community members themselves (3.).

Part 1. Discourse analysis: the narratives around pastoralism as a way of life

I. A poor system of land and livestock management

The conflict is often about cows. “*Whose cows are those on my land...who is night grazing in the conservancy...why are there cattle in my camp?*” This is unsurprising considering the importance livestock have to the majority of Mara residents who depend to at least some degree on cattle, sheep, and goats for their livelihoods.¹⁹ While most stakeholders generally understand this, there are many different perspectives about how livestock interface with the land, with the conservancy, and with the future of the Mara, leaving the question of whether cattle symbolize the problem or the solution.

One school of thought fairly prominent among western educated stakeholders, Maasai and non-Maasai alike, hold that the Mara has a grazing ‘free for all’ mentality. There are no rules, no pattern, no methodology, and no structure to the way grass is utilized, rested and managed. This is partly informed by the lingering legacy of the tragedy of the commons idea (Hardin 1968), where lands are poorly managed in communal systems and people take advantage with no perceived consequence. The answer, according to such a perspective, can largely be found in shifting to a model of

¹⁹ A 2011 survey by African Conservation Centre found that over 70 % of Koiyaki residents identify pastoralism as their primary livelihood. (Gohil and Bhanderi 2011)

livestock production that is controlled, managed ‘properly’ under the guidance of scientific and professional animal production techniques, and rigorously organized under a private land model. This perspective was apparent in interviews with some conservancy managers, TPs, and local, often educated, members of the *Maa* community.

Table 4: Common discourses among stakeholder groups pertaining to conservation and pastoralism

Topic	Position Spectrum		
	Extreme	Middle ground	Extreme
Pastoralism	Pastoralism is dying <i>“Pastoralism is dead. We now have settled cattle keepers. The shoats are skyrocketing, people hire their herders now- its all gone.”</i> Conservancy Manager	Pastoralism needs to change to adapt to the current age <i>“All Maasai are sedentary- we need ‘improved’ pastoralism- the cattle will travel alone. Send us [the conservancy] the cattle, and return back home. Will this be called livestock keeping or pastoralism?”</i> Conservancy Liaison	Pastoralism should stay, but is too constrained to be effective <i>“We have no where to graze, we have adapted by grazing in manyatas, sneaking inside the conservancy, but mostly we rely on the reserve. I will go to my land, sell my cows and keep a small number.”</i> Member, MNC
Conservancy	A win-win for conservation and people <i>“In the beginning 15,000 acres were being managed. But in the last 12 months, we have doubled that to 30,000 acres. Its win-win in a way, done without fighting or aggression.”</i> Conservancy Manager	The idea is sound, the implementation poor <i>“When conservancies get good management that will consider us Maasai community it [the conservancy] will be very nice, but if other people who are not interested with the community manage the conservancies that will be the time we suffer completely.”</i> Member, OMC	The conservancy is destroying us <i>“If people sign lease, then cattle will decrease in the future.”</i> Nonmember

While some argue there are too many livestock- that the ‘carrying capacity’ of the land has been met and surpassed, others argue it is not an issue of numbers as much as proper land management. The commonality, however, is that the herder, and more broadly the herd management strategy of the Maasai, is a prime culprit. The reliance on large herds as a sign of cumulated wealth, the inability, or unwillingness, to de-stock at appropriate times of the year, the poor quality of animals, these emblemize a pastoral system which is if not inferior, at least outdated according to this perspective. In the views of many, controlled grazing, or proper management, is and will save the Mara. As a conservancy manager summarized, *“If we clear or control cattle, wildlife come back, this is the general observation anywhere in the conservancy.”*

Many outside viewers of the Maasai cow see a ‘walking hat rack’, referencing the poor quality of health the animals appear to be in. As one manager suggested, *“the cattle are treated poorly, someone should call the animal rights groups.”* Is this a reflection of a cultural ‘laziness’ by herdsman to properly care for livestock (a claim that has been levied not only at Maasai, but in other Kenyan contexts)²⁰, or rather a reflection of inability (such as the lack of capitals), or simply a different cultural ideal? If it is inability, is it lack of financial capital, which would inhibit sufficient inputs (forage, medicines), or limitations of skills, or perhaps lack of markets? Confronting these constraints is a consistent position made by conservancy leadership, Kenyan government officials, some researchers, and the development complex as a whole (Catley et al. 2013). As the Narok County agriculture and livestock officer explained to me: *“Our mandate is this, educating these people to equip them with the knowledge of stocking rates and carrying capacities...”* The introduction of ‘improved breeds’ and ‘advanced’ veterinary services fed on the perceptions of ineptitude of local herdsman with poor breeds and diseased livestock. The interventionist’s aim has evolved first to replace a ‘dysfunctional’ and inefficient nomadic system of production (Lengoiboni and Molen 2010), next to improve market access and availability, and later looking at policy reforms encouraging livestock as a significant contributor to regional and international economies (McPeak and Little 2006). The resulting efforts since the 1960’s in East Africa’s drylands is an

²⁰ Refer to work in Tanzania and Kenya on the subject here, <http://www.justconservation.org/racism-and-conservation>

increasingly sendentized people (Warren 1995), and with it a hybridized subsistence and market system with qualities of dysfunction.

Is it that there exists a different objective for cattle beyond commodity? More as a tool for subsistence and household needs, a cultural measure of wealth, as an investment strategy for future instability, and as a tool keenly adapted to the conditions of the land without additional, and often expensive, inputs (Ayantunde et al. 2011). Is it a cow that is part of the Maasai system of maintenance and investment, versus a cow engineered for beef production? We might ask is it time to consider traditional systems inept? Are people going to be better off, will their wellbeing improve, if they adopt a system of livestock production? This is a question that needs careful consideration, and will be explored in chapter five. This discourse is convinced of this transition, having already outlined a solutions-oriented approach with the following key ingredients. Table 5 outlines the recipe that informs much of the conservancy agenda and future vision of its leaders.

Table 5: Ingredients for a 'reformed' livestock system

Ingredient 1: Increase the carrying capacity of the land:
The carrying capacity concept remains a strong piece in the argument, despite findings that it is not a useful concept in variable environments such as the Mara (Nelson 2012, Scoones 1999, Ellis and Swift 1988). A holistic rangeland management model has been adopted to pursue the increased productivity of land, justified by perspectives of rangeland degradation, poor animal husbandry, and lack of land management planning by local communities. While some argue the first step is reducing the number of livestock, something pastoral advocates argue adds to the real concern that livestock/per capita are reaching unsustainable thresholds (Devereux and Scoones 2008), others argue land management changes are more important. <i>“The issue is drought, its a good thing because it leaves hardy cattle, but there is no drought planning- they [herd owners] say “I will make it through, no matter”. It’s a shock, and then they will realize the [conservancy] system is great! We need a drought to come through to prove that our system is working the best. I can’t wait for a drought.”</i> Conservancy Manager <i>“Outside the conservancies, the land is destroyed. Degraded rangelands are the future. That’s why the sheep numbers have gone through the roof- my experience in northern Kenya, that what happens with pastoralists when they overgraze their land, the cattle carrying capacity comes right down, so your immediate response</i>

<i>is to push your sheep/goats numbers up- quadrupling of shoats to compensate for the loss.” Conservancy Manager</i>
Ingredient 2: Strengthen the perceptions of private land boundaries
<i>“The community needs to realize it’s not communal land anymore”. If you’re a pastoralist, it’s a business. If you have 700 cows, go pay grazing fees and graze 50 km away. Pay a rent per head; you can’t create your wealth on other peoples lands.”- Tourism Partner</i> While land subdivision has been going on since the mid 1990’s, most have not observed property boundaries, preferring instead to continue sharing lands. While grazing has remained largely communal, landowners are increasingly settling on their parcels, spreading the settlement patterns across the landscape. The argument for stronger private-land institutions is well established in Maasailand (Kimani and Pickard 1998), this pattern increasing in the Mara. <i>“If they don’t pay them [those living on the outside of the conservancy] everybody will have to fence and chase others away. I have three brothers in Olesere, two of them will have to leave. I don’t have enough land for them, I am suffering, my parcel is enough for my cattle only. In my parcel, it was occupied before I moved there after conservancy developed; the boma was 6 men together, I removed them, now they live in 4 separate bomas in other areas. The Maasai didn’t mind for people to combine to live on each other’s lands. Then demarcation came, but it didn’t cause people to move off the lands, we just live on anyone’s land and travel to [our] parcels. But since the conservancy, it removed places to graze, so people stopped driving cows. So now people are starting to manage their lands, the conservancy made them start considering the land as individual. My neighbor fenced, he chased my sheep away, but I can’t go into conservancy. I am thinking of fencing all my parcel too.” Conservancy member, Olesere</i>
Ingredient 3: Re-enlighten livestock production
The intensive vs. extensive mode of livestock production debate is fueled by the turn among many in the Mara towards a capitalistic oriented way of thinking. <i>“We value the knowledge of livestock, but we need education.... now you call your kid to write an application for a camp [tourist lodge].” Conservancy Member</i> The justification is that while ‘<i>cattle herding is good, cattle management is poor</i>’. Herders are as young as five years old, vaccinations are neglected, and diseases and treatment are poorly understood. “We [the conservancy] would get bulk prices on medications, we would know which disease is which, which vaccine for what, where to inject, all those details the Maasai don’t know” says one manager. Through a breeding project demonstration, the conservancy can show that better practices lead to better prices at the market. The challenge is to bring western ideas to locals, we “need to

show that cattle is a business.” Its quality not quantity. To illustrate, if you have 100 cows, you sell 50 animals, banking two million KSH. You then push through the drought with 50 cows, a much easier task with fewer animals, and in the wet season, you withdraw the money and buy more calves. This is a continuation of the policies when governments aimed to sedentarize pastoralists, reduce the size of their herds, and enlighten pastoralists on better, more efficient systems. (Fratkin and Mearns, 2003).

Ingredient 4: Diversify

From this position, change is viewed as inevitable, as a tourism partner proclaimed, *“their lives are going to change anyways.”* Therefore providing pastoral households with alternative livelihoods, and lifestyles, will be beneficial. This also takes dependence away from livestock, which will translate into fewer cattle on the landscape and healthier lands for wildlife and people. Employment in camps is the immediate opportunity for diversification, but other suggestions included *“Intensify production for the small people”*, including: dairy production for growing town centers, buying subsidized hay from the conservancy to feed high quality bulls, marrying fish and poultry units, investing in energy (western technology firms), revamping beef production and exportation, increasing entrepreneurship such as 4x4 garages.

II. Holding on to tradition: constraints of space inhibiting our pastoral system

“They are spelling the death of pastoralism- they didn’t understand the major problem- where will we graze?” Mzee, from Kolong

There is an alternative narrative that posits a different frame concerning pastoral issues. Congestion and constraint are two adjectives that characterize such an alternative position, surmising that with demarcation, the expansion of protected areas and tourism enterprise, increasing population of people, wildlife and livestock, the ability of pastoralist themselves to maintain their traditional livelihood is diminishing. While the major assumption in the discourse described above is that the pastoral strategy itself is problematic, instead space and access rights take center stage. While some argue to reduce the number of cattle, others argue to provide more ensured space to graze. The frustration is often palpable when discussing issue with herders: *“we have no places to go! “We have nothing to do, there is no way we can stop people grazing our lands, yet the grass is already finished” The land is overgrazed, but there are no options for improving it, because where do our cows go?”* This is an assemblage of different voices

emphasizing the same reality- the sense of increasingly limited space to live as pastoralists.

Many Mara pastoralists take a position from the receiving end of western development policy where strengthened private property boundaries, expanded protected areas, growing investment in tourism and livelihood diversification, and the turn towards capital accumulation through livestock production are resulting in a landscape unusable for traditional pastoral operations. Table 6 outlines the position's primary tenets.

Table 6: Calling on the maintenance of a traditional pastoral system

Privatization brought our problems
With extensive pastoralism's inherent need for movement, a switch from communal lands to individual, private parcels is a complex paradox (Fernandez-Gimenez 2002). However, over the course of this transition, many preserved the general nature of sharing individual lands, resisting the newfound freedom to resurrect private boundaries (interviews and personal observation). Typically a household will protect a portion of their land, called <i>olokeri</i> (or calf pasture) to provide healthy fodder for young or sick animals, while leaving his remaining parcel free for the use of his neighbors. This has been observed by others as well (Seno and Shaw 2002). The pressures have come, instead, from a growing elite who sees advantages with private tenure (Lesorogo 2004), as well as land prospectors and developers from outside the Mara. This has resulted in many wealthier households fencing their entire parcels. The pastoralist argument therefore embodies a defense of the land from neighbors livestock; a use it or lose it mentality. The protectionist strategy sheds the communal nature of Maasai kinship for a more individualistic approach applauded by development indicators. While herders themselves still debate the pros and cons, most agree demarcation has resulted in the congestion of people and animals. A common concern shared by local and non-local participants is the population growth of the Mara. One conservancy liaison asks, "<i>You have 500 kijani [young men] like yourself in Talek, they all want cows, they all want families, a boma. Where will they have land to graze? Where will they go?</i>" Populations in the Mara have increased more than two and half times their levels in 1979 (Serneels et al. 2001) with significant settlement expansion over the same period (Lamprey and Reid 2004). Homewood (2004) suggests this is not a significant factor in the observed decline of wildlife species and/or habitats, but local informants complain significantly about 'too many people' leading to conflict and competition of a limited resource.
A system honed over time
<i>"Cows are our bank, we have no other business apart from cows."</i> Defending the traditional system is itself defending a livelihood strategy developed according to the social and environmental constraints of living in the Mara. From a herder's perspective, cattle are a system of banking built around the seasonality

and constant inconsistency of resource abundance in the dynamic semi-arid ecosystems of Kenya. As described by McPeak (2005), the system relies on building up large herds to insulate from drought as part of both the production <i>and</i> maintenance of cattle. When drought inevitably arrives, having 200 cattle versus 20 cattle makes a considerable difference if your herd is reduced by 50% (a relatively common occurrence in periodic droughts). The ability to rebuild the herd from 100 animals, as opposed to ten is significant. With climate change, drought becomes even less predictable; some arguing the intervals between droughts are shortening (ODI 2009). Herders associate drought with struggle- and so commonly say drought is less of an issue anymore. <i>“We don’t starve when drought comes, like in the past”</i>. The intensity, they offer, is lessening, regardless of the interval. More recently, small stock (sheep and goats) have been intermixed more extensively than herders recall in the past, so as to provide a sort of checking account with the increasing necessity of ready cash for market goods and services. Cattle, alternatively, are viewed more equivalent to a savings account (Ayantunde et al. 2011). In interviews, herders suggested cattle are used for larger investments and expenses, such as buying land or housing materials, paying for secondary/university school fees, or paying medical bills. Relative to cattle, sheep and goats gain maturity and reproduce more quickly (having one or two offspring/annum), are easy to pasture, simpler to transport, slaughter, and are worth less in the market, providing a manageable exchange to purchase basic needs such as cornmeal, livestock medications or primary school fees. In essence, livestock are assets, which offer quick liquidity, where finances are mobilized rapidly for day-to-day needs and adaptable to an economy situated outside and within markets (Turner 2000, Ayantunde et al. 2011).
Culture of the cow
Independent of money, or household financial welfare, cattle define the prideful strength of Maasai culture where pastoralism is a way of life (Hesse and MacGregor 2006). While a conservancy manager scratches his head in wonderment as to why these herd owners will not de-stock before the drought, my spirited assistant explains; <i>“let them die, I can’t sell them...its just too beautiful in color, I can’t sell it.”</i> Whether one considers this irrational or fortified, the point being there is a greater meaning to cattle than money, a truth often forsaken in development agendas. Cattle are often perceived by conservancy leadership (within management and investors) as tools useful in both ecological monitoring and management, as a pacifying agent, and as a cultural selling point for enhanced tourism potential. If herders can become part of the attraction of the conservancy, as part of the pictorial landscape, then tourist experience is enhanced and conflict is diminished. The commodification of the Maasai image, although far from a new phenomenon, is rarely if ever discussed by the Maasai themselves, nor conservancy managers or TPs, making it appear to be a nonissue. However, it is not an unworthy concern and will be discussed more in the final chapter.
A different cosmology
<i>“The meaning of a reserve [rather than a park] is that wildlife and livestock mix together. You can graze in day and night.”</i> Mzee from Kolong, conservancy

nonmember

At times there is a fundamental rift that exceeds the concerns for space or encroachment by protected areas, or defending a traditional system and culture. Maasai pastoralists repeatedly expressed contrasted ideas of, among others, the long tradition of being with wildlife, the importance of climate and weather rather than human factors, and different definitions of good and poor range quality. Perhaps rooted in a different knowledge space, these ideas are not in defense of a perspective more than simply a different reality. Consider the relationship between cattle and wildlife: *“We need to be with cattle and wildlife. Since I was born, wildlife graze together with livestock, buffalo with the cows, donkeys with the zebra, shoats with the gazelles, they all graze together! Now this is not the case. Domestics have always been with wildlife, now they are separated.”* And to suggest that controlling the number of cattle will improve wildlife numbers as western managers advocate: *“There is no way that cattle reduce and wildlife increase. Wildlife will decrease if cattle decrease”* pointing to the link between cattle as a facilitator of grazing herbivores (Gordon 1988, as cited in Butt and Turner 2012). Consider also the importance of climate in a Maasai worldview: while many charge that pastoralists are driving up the small stock numbers, one Mzee explains: *“We don’t [as Maasai] make the shoats to increase, the rainy and dry seasons balance the number of cattle and shoats; it depends on the water. Some years the cattle die in the wet seasons, sometimes the shoats die. They balance.”* While often negatively attributed as anecdotal observations, traditional ecological knowledge offers a nuanced process for monitoring change, one that involves continuous observation and refined abilities for reading signs, seasonality, animal movement and demographics (Berkes et al. 2007). Qualitative indicators communicate the health of socio-ecological relationships as much as they help to guide off-take and use patterns (Berkes et al. 2007). The landscape is viewed differently, it is up to decision-makers whether they take the time to consider and reflect on positions that simply differ from their own.

In summary, this narrative can be found more prominent in Maasai eldership, the women respondents, and those reluctant to adopt, or without much interaction with western modes of education and influence. Many stakeholders agree in the past, pastoralism was an effective land-use. This is strengthened by the realization that almost every substantial protected area overlaps with pastoral lands in Kenya (Hughes 2013). As one TP admitted when discussing why grazing has since been introduced into conservancy policy: *“We had to deal with this! This land wouldn’t be like it is today without the Maasai culture.”* But with land adjudication, the introduction of alternative livelihood strategies, and growing protected area development, momentum is shifting and pastoralism is clearly not the same. Chapter 5 treats the ramifications of a changing discourse in further detail.

Part 2. Discourse analysis: Is this a business or a community-driven partnership?

While we are doing business with them, we are paying the leases; this is more than a business relationship...Its a lot bigger than that, we have a social responsibility to develop the community.” Conservancy liaison, MNC

“If you give out your shamba [farm], please move, so we can do this business.” Conservancy warden

“They [conservancy members] are putting the issue of money aside. They say if my land can help wildlife, they want to be a part of that effort to conserve for future generations.” Conservancy ranger, OMC

The ideological gaps apparent in understanding pastoralism from different perspectives also surfaces in contrasting views on the overall motives and goals of the conservancy itself. While the conservancies operate as formal businesses, they are equally advertised under the discourse of ‘community conservation partnership’. Is this a partnership of shared objectives, goals, and power, or is this a business relationship; a land-leasing scheme with corporate social responsibility attached? This distinction, perhaps subtle, may be the difference between a sustainable model of conservation and development or another failed conservancy to join the rank of others, which collapsed in their first few years of establishment (Henry Mwaka Komu, MSc thesis in progress). The ways actors frame their role in the partnership may help tease out this subtlety. Here I focus on three broad discourses surfacing from the perspectives shared by (1.) Tourism Partners, (2.) conservancy management, and (3.) community narratives, offering emerging crosscurrents and compliments within.

1. Perspectives from a Tourism Partner (TP)

The investors are diverse, and it should be noted that a singular perspective does not represent the spectrum of ideologies (Table 7). For one, there is a range of involvement in conservancy matters- those who are engaged and attentive to all meetings, policies, and concerns, while others who pay their portion of the landowner rent checks, generally

followed conservancy rules, but otherwise stay clear of conservancy agendas.²¹ Or as one particularly active TP suggested: *“In X conservancy there are 10 partners, 2-3 are active and engaged, 2-3 are moderately involved, 4 are freeloaders- they pay their fees, follow the rules and run their businesses, that’s it”* Tourism Partner, MNC. They vary not only in degrees of involvement, but also in the size of their operations, their histories in the Mara among other factors.

As the following excerpts suggest, there is a marked spectrum in dialogue from TPs, ranging from a more typical tourism archetype, to one embracing an evolving set of interests:



“Why the hell are we paying this money and we have cows all over. Look at my list of complaints from guests- its ruining my business. The community needs to decide conservancy or livestock.” Conservancy Consultant

No human settlement and no cows in the conservancy, the safari experience is the key. There needs to be big cats out in the day, not harassed. No bomas inside- human and cattle free zones are key! We are flexible, however, on control grazing, the extra grass needs mowing.” Tourism Partner, Naboisho

The grazing plan can be integrated into the guest experience. Now they [tourists] can speak to a herder. The more time I spend in the conservancy, the more I realize conservancies and grazing are inseparable- its easy to think its only for wildlife. I’m excited about the grazing model, the community has shown understanding and responded well. It doesn’t have to be negative, but it can’t [the cattle herds] be heard from camp.” Tourism Partner, Naboisho

There are opportunity costs, livestock gives far greater return for Maasai. I don’t know why they are running a conservancy honestly. When TPs take over, wildlife are important, so cattle are not always working together. But wildlife are not a worry now- we must keep the landlords happy! We had to deal with this! This land would not be like it is today without the Maasai culture.” Tourism Partner

Variations withstanding, there are common threads among the TPs interviewed. For instance, there is a point at which some rendition of the phrase *“at the end of the day, I’m*

²¹ This was a complaint levied during an interview with a TP positioned on the Board of MNC, who viewed other TPs participation in conservancy matters as sometimes passive and absent.

a businessmen” was spoken. The ubiquitous nature of this simple phrase suggests while the conservancy may be ‘community oriented’, driven by a responsibility for empowerment, it is in the end a business venture with the corresponding interests of profit and sustainability. This does *not* mean solely self-interest; the sustainability of the conservancy, and its perceived benefits to the Maasai communities, are both dependent on the continued success of the business. For the most part, the win-win rhetoric where conservation and people come together in a harmonious partnership is a genuine, morally defensible position taken by many TPs. That said, the dialogue from these actors concentrates on product image and quality (1), conservation (2), regulatory assurances (3), costs (4), and community relations (5).

1. Product image

“They [conservancies] can’t be 60% cattle and 20% tourism. There still needs to be a fair arrangement. If you have 6000 cattle, you don’t have a product, and this is a problem.”

Product image is about the eco-, social, and exclusivity labels attached to the particular model of tourism embraced by conservancy partners. Camps inside conservancies charge a premium relative to lodges within and surrounding the Maasai Mara Game Reserve.²² They advertise almost exclusively to high-end, international tourism markets, which are looking for an experience away from the mass tourism of the reserve. Initial research suggests the conservancies embody a close approximation of what eco-tourism is supposed to be (Courtney 2009). Product image is harmed by a polluted wilderness and game-drive experience. Light and sound pollution are of some concern, largely centered around motorcycles and motor vehicles, the glow of town centers and other camps, flashlights, shouting and bells from shepherds herding at night, and balloon safari operators. Visual pollution is the greatest concern from the TP perspectives, including the trash-laden town centers, expansion of sheet-metal roofing on bomas, road networks, vehicles (especially minivans), livestock and cattle trails, shepherds themselves, dogs, and other tourists, among others. If there is no observable

²² For instance, one night at Mara Intrepids camp in MMNR is USD 298, while Mara Plains in OOC is USD 1228, both in high seasons, both tented camps: www.Maasaimara.com/accommodation/

wildlife, there is no tourism. Cattle displace wildlife it is argued, especially, and most notably the docile predators essential for daytime safaris and close up ‘Big-Cat’ and ‘Big Five’ encounters. There is room for cattle in the conservancy, but not at the cost of docile wildlife encounters.

2. Conservation

“In OOC we have the best wildlife numbers and conservancy, and the fastest growing lion population in the world. To bring cattle in for a free-for-all will bring us back 10 years... We are conservationists who think about the community.”- Camp Manager, OOC

Concerns for the environment populate much of the discourse of TPs, who see the conservancy as a way to retain the dispersal areas of the National Reserve. This is reflective of the persistent notion that conservation is about arresting land-uses incompatible with wildlife.

“If these are not conservancies for conservation [but for cattle only] there is no need for lions. Eventually you would see lions and elephants disappear, conservancies are a safe-haven for the wildlife.” Tourism Partner, Naboisho

3. Regulatory assistance/support

As the conservancy becomes a prominent land use in the Mara, and across Kenya, the government has taken notice and has begun the process of establishing taxation mechanisms for conservancies. This is disconcerting to many TPs, who wonder where the money for taxes will come from (as mentioned in several Annual General Meetings, the money will be subtracted from the monthly lease payments). Their argument is therefore to reach out for assistance and support from the government, in part in the form of tax breaks, as a way to compensate conservancies for their role in rural community development. The management of roads, infrastructure and development of schools, payment of bursaries and other community oriented benefits is viewed as government responsibility, and yet the TPs argue they, private businesses, are playing this role. These concerns have partly resulted in several umbrella bodies being established such as the Maasai Mara Conservancies Association and the Kenya Wildlife Conservancies Association acting as spokesmen for

conservancy interests, but the uncertainty remains.

4. Costs

“At the end of the day, I am a businessman, if you agree with the rent, 18,000, and you get five guests this month –it’s tough!” Tourism Partner, Naboisho Conservancy

Costs are at the forefront of decision-making, as the TPs make up the financial backbone of the conservancy model. Rent payments, back payments for late signatories, costs of registering leases, camp investments and maintenance, salaries, marketing, and community outreach are part of the financial burden carried by TPs.

5. Community relations

Our camp allows them [Maasai employees] to maintain their culture rather than be ashamed. Instead, you can be proud of your culture. It’s a job where your culture becomes really important.” TP

The TPs have cultivated relationships with particular faces in the Mara, and rely heavily on these contacts to liaise with broader community interests. In general, these consist of the Maasai landowners who own the parcels on which camps are located (and who often hold positions on the Conservancy Board), as well as camp employees, including the safari guides, cooks, and camp attendants.

While there is growing consensus that the payments are too small, the TPs have stressed the added benefits of the conservancy to locals. These include employment, community projects and grazing, benefits that the landowners and surrounding community reap. *“The Mara is not the best place for a tourism operation, it’s too expensive to pay rent.”* The view is that if we were really interested in business, we would move to another area, but the conservancy is more, providing employment to hundreds of individuals, rent payments to over a thousand households, and quality land management. In other words, spreading the wealth at the expense of profit margins.

“The conservancies are providing employment and in the Mara unemployment is very high. Here it is 100% disposable income in the Mara, not like in Nairobi with high costs of living. You don’t have expenses like water, rent, etc. The added benefits make up for the small rent payment. We are offering controlled grazing, also seen as a benefit.”

Table 7: Tourism Partners' common assumptions in their discourse concerning the conservancy arrangement and their fellow partners.

Common assumptions underlying many TP positions	Quote	Effect on partnership
Landowners are happy		Blindness to some of the trade-offs being negotiated by households
Maasai cattle are problematic with tourism		A position pitting herders against tourism interests
Conservancies essential for predators/large wildlife	<i>"If these are not conservancies for conservation (but for cattle only) there is no need for lions, eventually you would see lions and elephants disappear. The conservancies are a safe-haven for the wildlife." Tourism Partner</i>	Perception that TPs are more interested in saving the elephants than improving the lives of the community.
The model (private tourism) is the best option- local ownership fails	<i>"Structure and political affiliation makes it nearly impossible for local leadership of conservancies"</i> <i>Conservancy advisor</i>	Precedence for outside management and perpetuation of limited capacity within the community.
Maasai looking for monetary benefits and forgetting all the rest.		Inappropriate weight on the importance of some benefits over others, such as the feeling of ownership and involvement
Employment a huge selling point		Employment only reaches a small percentage of people, typically young, educated males, and only seasonally
The few are ruining it for the many	<i>"This is not clanship- It's individuals wanting self gain."</i>	Places the focus on the large cattle barrens, making it difficult to know how the small herd owners really feel.
People cannot live within conservation areas.	<i>"We have pushed the boundary [in MNC] back to Olare Orok community on our side. Once we kick out one boma, we are securing section by section, piece by piece with baby steps until we have cleared it [of people]."</i>	Immediately brings people back to the fortress model of conservation
They are going to change anyway	<i>"I'm not sure how long this system of reciprocity has legs anyway. There are less and less areas to graze"</i>	This gives a certain validation that what the conservancy doing is right, and better

2. Management perspective: Look both ways before crossing the street

“This can be win-win, if TPs would give a little and Maasai a little.”-
Conservancy Manager

The managers and their ranger squads are, to a large degree, the face of the conservancy to many in the surrounding communities, and as such are positioned as the mediator between landowner and TP interests (Table 8). Their dialogue is often reflective of this conjunctive role:

“The Maasai have to give a little, to graze in designated zones with guards following them. [And] tourism has to give a little, accept that there are cows in the conservancy.” Conservancy Manager

The managers' view the partnership as a negotiated balance of compromises, *“You have to pay for your lunch if you want to eat, its give and take”*. The compromise has three legs (consider the stool analogy in sustainability): the first is ecological, the second is economical, the third social. However, different managers weight each leg differently:

“What is the difference between plan A which is best for cows, plan B for wildlife, or plan C for all factors. When we are comparing different grazing polices we must incorporate other factors; for example when the tourism product is good and when the tourism product is bad. It might cost for cows, but its good for cats [lions and cheetahs]. Conservation is a business- so we must look at all the factors. Most importantly, you must look at the product and the health of wildlife.” Conservancy Manager

1. Healthy ecosystem-

“Our strength is equal decision-making between TP and community. Its a challenge- TPs are not good for community, the community not good for TPs, But management serves both equally. The third interest we consider is the ecological demands” Assistant conservancy manager

Management discourse is weighted on ecological sustainability, arguing it is the pillar that other parties are not required to consider. This builds a perspective of independence: the TP is concerned for his business, the landowner his rent and livestock, it is management who can be the neutral player in building the partnership. Where management sits in this balance is significant to the overall acceptance by both partner

groups and the broader communities of interest. While one manager might focus on predator conservation, another is more concerned with grazing intervals; however, both justify their approach by way of land health.

2. Economic sustainability-

Much like the TPs, managers share the vision of the conservancy as an operational, self-sustaining business, with *“tourism as your big earner with half a million USD last year.”* However, they more readily agree the leasing terms are not sufficient to ensure long-term participation by community members, and therefore see cattle as the intermediary. They often argue the money paid to landowners will not support livelihoods in the long term, and efforts need to be made now to invest in a dual conservancy model of tourism and cattle. This position is elaborated in the final chapter.

3. Social inclusion-

“This is a pastoralist community. Why the community went to conservation means they figure this wouldn’t be a threat to cattle. Agriculture is not a good alternative.” Community Liaison Officer

“The conservancy depends on the [land]owners, if they see benefits. But this needs to be higher, and not just kidogo kidogo [little by little]!” Conservancy Warden

While TPs often stress expanding benefits, and employment as making up for modest rent payments, managers are more quick to suggest a remodel of the business, that which focuses on building a more formalized livestock operation within the conservancy format. They argue this will provide the greatest future benefit to landowners, thus appeasing conflict, while retaining a functional conservancy they argue. As one pragmatic manager suggests:

“The conservancy has two paths: the first is to increase the opportunity cost to the herder so they just can’t risk it anymore [increase the strictness and the penalties]. Or grass is used so that wildlife and cattle are together. Grazing livestock is good for management, and there are political and economic reasons for doing it as well.” Conservancy Manager

Table 8: Conservancy Management's common assumptions in their discourse concerning the conservancy and partnership arrangement

Assumptions made by Management	Quote	How this positions actors in the partnership
The Maasai do not know proper cattle management	<i>"[Maasai] cattle herding is good, but management is poor. We would get bulk prices on medications. We would know which disease is which, which vaccine for what, where to inject, all those details the Maasai don't know."</i> Conservancy Manager	Pastoralists need to be shown and taught how to raise cattle for market-oriented production.
The Maasai have forgotten how to manage their lands	<i>"Sitting under a tree the elders would negotiate a zone in the traditional system. The guys (herder owners) today have forgotten this, so our method is reintroducing the concept."</i> - Conservancy Manager	As the conservancy grazing system is seen as a replacement of poor land management, the managers are in the position to teach Maasai how to manage land.
Rules need to be hard to ensure sustainability	<i>"If we entrust the community, we risk destroying everything. It must be policed by someone else outside the local. If we don't police the outside, it will be trashed like it is now!"</i> Conservancy Manager	Fines are considered peanuts by management. The rules are the give; the grass is the take.
Conflict measures success or failure		The partnership is gauged by the relative levels of conflict, which may not reflect actual buy-in, as it may equate silence for support

3. Community narratives: the verdict remains unclear

It is rather impossible to reduce the myriad of perspectives shared by the landowners, let alone nonmembers and other community groups, into a coherent discourse. They compliment and contradict one another, and although membership, region, age, sex, and history are a few factors that differentiate perspectives, clean-cut lines of discourse

among such factors are few and far between. Communities are complicated, as many scholars have stressed (Oldekop et al. 2010, Agrawal and Gibson 1999, Brown 2002). However, several indicators can be used to gauge viewpoints and consolidate dominant discourses. In interviews, conservancy support seemed to filter out into three broad categories: supporters, opponents, and those left undecided (Figure 5). In Table 9, perceptions are organized by various stakeholder groupings, showing the percentages of individuals interviewed in each group who fall into one of the three categories.

Table 9: Maasai stakeholder perceptions of the conservancy:

Ranging from positive, undecided, or negative attitudes. Table organized by sex, membership and conservancy affiliation.

Stakeholder Group	Negative perceptions > Positive	Positive perceptions > Negative	Mixed or undecided
Members	16 of 61 (26%)	28 of 61 (46%)	17 of 61 (28%)
Nonmembers	8 of 24 (33%)	8 of 24 (33%)	8 of 24 (33%)
Nonlandowners	0 of 8 (0%)	5 of 8 (63%)	3 of 8 (37%)
Women	8 of 17 (47%)	5 of 17 (29%)	4 of 17 (24%)
Men	16 of 76 (21%)	36 of 76 (48%)	24 of 76 (31%)
Naboisho members	8 of 33 (24%)	18 of 33 (55%)	7 of 33 (21%)
MNC members	5 of 12 (42%)	1 of 12 (8%)	6 of 12 (50%)
OMC members	4 of 16 (25%)	8 of 16 (50%)	4 of 16 (25%)
Total	24 of 93 (26%)	41 of 93 (44%)	28 of 93 (30%)

*Table excludes individuals who sit on conservancy committees

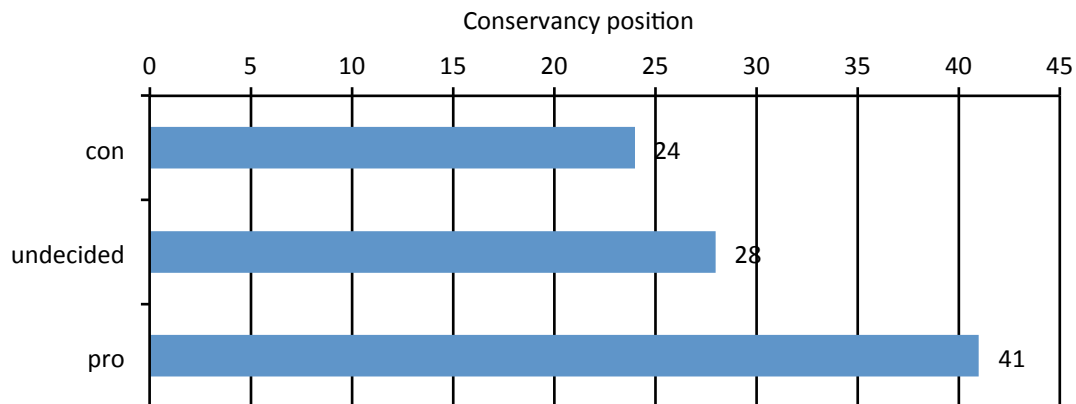


Figure 5: Maasai interviewee's perceptions of the conservancy: ranging from positive, undecided, or negative attitudes. Figure excludes individuals who sit on conservancy committees.

The conservancy supporters

The conservancy supporters do not necessarily express total contentment with the conservancy as is, but rather the acceptance that the conservancy is valuable and suggests buy-in from individuals who see positive attributes outweighing negative ones (Table 9). These proponents *generally* fall into two categories: the eco-rational subjects, a term borrowed from Goldman (2001), and another we might term pastoral preservationists.

Many in the Mara fit what others have called the eco-rational, in that they have been integrated into the ideology of conservation and see the value of conservancies for wildlife, tourism, and nature (Goldman 2001). They possess the capacity to understand the value of the environment and the skills to capitalize on nature as a commodity and as an ethic (Igoe and Brockington 2007). This group is typically younger (<40), educated, often to secondary school or more, and partaking in the tourism business or as research associates. The conservancy offers a way to curb poaching, protect lands from development and overgrazing, ensure wildlife mobility, and all the while contribute to community development. These are the conservation success stories, those who have bought the discourse, often through financial incentives such as employment. They become community messengers for conservation, and therefore the conservancy. This could be compared to Schelhas and Pfeffers' (2009) concept of the 'social carriers' played by external actors, who can often override the predominant, local, environmental discourses (Brosius 1999). Institutions like the Koiyaki Guiding School facilitate such apostolic roles, where young Maasai are trained in professional guiding, conservation and tourism, and their corresponding discourses. Employment facilitates a conservation discourse: *"I have a job, my son has a job, we are getting money from wildlife."* Conservancy member and safari guide.

Other supporters might be more appropriately identified as pastoral preservationists, or those who view the conservancy as a path to retain and improve the future of livestock as a way of life. These individuals have reaped the benefits of conservancy grass, and money, and see the value of land amalgamated rather than divided by parcel. The growing threat of fencing and families moving to their lands sit prominently in their conceptualizations of the future. The perceived costs, although

recognized, are less than the benefits.

- *"The money is good, we can buy cattle, invest in town, we pay for school fees, other expenses, and we have good grass now."*- Conservancy member

- *"Our cattle have increased in number, we are becoming rich due to the conservancy."* Conservancy member

- *"Without the conservancy, there would be no space to graze. The conservancy is a good thing."* Conservancy nonmember

- *"I don't know why people don't like it: we get money and graze inside!"* Conservancy member

Supporters, though diverse, do share a few qualities. First, they are often part of the ecotourism enterprise, either working for camps, for the conservancy itself, or as part of research teams. They typically live near the conservancy edge *and* near to a commonly opened zone, or near Naboisho specifically. As participants mentioned, a line that can be drawn perhaps explaining the variation in conservancy support is the location one lives relative to the conservancy. *"Conservancy brought problems and benefit, because whoever lives in the boundaries, they can easily graze in the conservancies. That is why they can say we are satisfied, because they are getting money and grass. And those who are far, what can they say? They can say we are dead! So those are the things we are talking about because someone can say I have a problem here and there and the other one can say me I am okay."* Mpwai Focus Group

It is also important to note that most nonlandowner participants in the study were generally supportive of the conservancy, and this included nonmembers who lived in areas without access to the conservancy, such as Endoiyno-erinka. For those with no options to join the conservancy, they view it favorable, and for those who have the option, there is demand for a better arrangement, something perhaps akin to 'the grass is always greener'.

A view from the opponents

Opponents share a dominantly negative view of the conservancy, ranging from a frustration with management and policy to outright aversion (Figure 5). At the time of

fieldwork, opponents suggested that they would likely not renew (or have yet to sign) the lease if given a choice. The core features of this discourse often center on the initial process of conservancy establishment, the lease agreement itself, and problems with particular individual leaders. Some of these concerns are introduced here but elaborated upon in the following section (refer to Table 8), for undecided informants commonly mentioned many of the same concerns.

In the early efforts to garner support for the conservancy, it was suggested, from many participants, that certain items promised were not actually on the lease nor immediately operationalized, such as cattle grazing, which only came after strong conflict. Furthermore, many complained that they never received a copy of the lease agreement, which the conservancies only began handing out with earnest in 2013 (in some cases 7 years after initial signing). This single issue spawned severe distrust from a core group of opponents; we might refer to them as the ‘no-copy’ group. The leases are written entirely in English, leaving many speculative and, some argued, confused by the real intentions of the conservancy. Despite many policies changing from the initial conservancy establishment, including rent increases, grazing allowances, and modifications to community representation, the initial feelings have set the tone and continue to perpetuate debate within the Maa community, speaking to the power and importance of the *first encounter*.

The lack of trust is also intricately tied with a lack of transparency in the Maasai representation, according to opponents (Table 10). They argue the leaders have not been elected, but have rather appointed themselves with the support of the TPs. The LOC dominates the space of negotiation, they argue, leaving landowners with little collective power, let alone nonmembers and nonlandowners. Whether these complaints are a product of power hunger or jealousy, as current land committees would suggest, or a true concern for community voices, is challenging to tease out; but the sentiments were agreed upon by a large contingent of interviewees across the social strata, and will populate our discussions of power in the subsequent section.

The most common critique, indicated by the pro and con groups alike, argues the payments are simply not enough for the value of the land. More specifically, the payments are too small in relation to rents paid by agriculturalists, and the yearly

increment insufficient, spawning threats to cultivate or move back to individual parcels.

The opponents are more unified in their position than others, in large part due to the organization of the Monaco Group, who attempted to establish an independent conservancy during the early sign-up process of Olare Orok Conservancy.²³ Many of the core opponents of the conservancy tend to be wealthier, often educated, members of the Maasai community. They might have well-established positions in the tourism sector as guides, camp managers, or MMNR rangers, or are successful cattle brokers and other business owners. Do these positions thus provide for better leverage to negotiate and demand a better arrangement, or is there simply a correlation between education, wealth, and skepticism? This group also often has one particular grievance they harbor against the conservancy: for some it is the signing, for others it is particular representatives in power. This by no means diminishes their position, but it does indicate that the strong opposition to the conservancy typically perceives some historical slight to their person, household, or group, rather than an entire discrediting of the conservancy. They have been burned before (Table 10).

Table 10: Common assumptions among conservancy landowners and other community members in their discourse concerning the conservancy arrangement and fellow partners

Assumptions made by Landowners	Quotation	Impact to the partnership
TPs are making tons of money	<i>"Its a big piece of land [the conservancy], they use it for tourism and we know they are making way more than they are paying."</i> Nonmember, from Talek	Lack of transparency, leading to a lack of trust and overall disgruntled view from the community.
TPs hate cattle	<i>"Mzungu needs our cattle to decrease, but we don't need them to decrease- they are saying wild animals are decreasing due to cattle but we don't have money beyond cows."</i> Conservancy Member	Fear that conservation will trump livestock needs: therefore that the conservancies are neglecting the community
Big 5 are wildlife		There is a tendency by pastoralists to overlook the importance of key wildlife

²³ The Monaco Group was a cohort of landowners who disliked several aspects of the emerging agreements between Tourism Partners and the landowners in Olare Orok Conservancy in 2006. They attempted to establish an independent conservancy, largely in the heart of the newly minted OOC, but struggled to retain membership and fizzled out. While there are a few holdouts left, the majority of the original group members have disbanded and joined OOC.

		species such as the Big 5, the key signatory of the tourism product. This can lead to conflict of understanding about what is important to the tourist, and by association, the conservancy.
Local leaders cannot be trusted to govern conservancies.	<i>We can't follow instructions of each other [Maasai] so it is good for mzungu to manage. Right now people don't understand the methods of mzungu, they still go beyond boundaries set by them. Can you imagine if another Maasai set the boundaries? People would never listen, they would graze all over!"</i> Mzee, from Talek	Reliance on outsiders to govern, greater respect for white than for locals.

Undecided: the devils in the details

"They are saying wildlife are more lucrative than livestock. So if you want us to reduce cows, pay us more!" Conservancy member, MaraRianta

To many, the conservancy comes as a mixed bag of positives and negatives prohibiting a clear position. While in principle, there is often agreement that the conservancy is a good idea, a fair arrangement has of yet not been achieved, and often stipulating significant changes to the conservancy if they were to continue its support. Box 1 consolidates some of the main points of contention among conservancy members and nonmembers alike, foreshadowing issues of power and relationship building that surface in further sections of this chapter.

Box 1: The 'Sticking Points': discourse of disgruntlement among community voices

Lease payments are insufficient

A fact generally conceded by all actors, the leasing payments are seen as insufficient. Many questioned the conservancy leaderships understanding of the 'Maasai budget', pointing to the growing costs of living, including costs added by the conservancy itself. The conservancy alone does not offer an alternative to livestock, placing importance therefore on the degree of engagement with livestock grazing inside the conservancy. Because sheep are entirely excluded, this leaves few areas of significance for sheep grazing- a growing concern for many household heads.

Salaries are not viable at camps and conservancy positions

Employment is welcomed by most community members, and features high on their list of perceived benefits. As argued by community informants, most positions granted to locals suffer from unviable wages; especially considering the seasonal nature of tourist jobs only offered a few months of the year. Higher paid positions are generally outsourced due to a lack of local capacity.

Grazing restrictions remain too harsh

The time we are having drought is the time the visitors are around, that is why we have that problem because where we have camps around they start to refuse to be used for grazing. The owners of the camps are also the businessmen they don't want cows because they have a big business. That is life."-Mpwai Focus Group Participant. In MNC the surrounding communities graze inside, legally, for two to three months. While OOC promised 12 months of grazing in 2013, observations indicated the grazing zones were opened in the end of February and closed the first of June. In Naboisho, grazing occurred for 12 months, but not all surrounding communities have the same, or any, access.

The development of broader community and conservancy resources are insufficient

The conservancies have taken watering holes and salt licks and they have promised community development. We need the replacement of water sources if you are going to threaten to remove our access.

Fines are not peanuts; we are receiving losses in this arrangement

"We used to drive cows in conservancy, its a loss if you get charged, but in drought, they keep enough grass so everybody gets grass and prevents cows from dying in drought"-Conservancy Member.

This speaks of a problem with the conservancy, the costs can be high during much of the year, but in times of real need, such as a drought, there is real rejoice (whether they are allowed in or not they force themselves in to save their cattle), functioning as a safety-net. In Naboisho, fines amount to, in some months, over 100,000 KSH (1,180 USD), as many as 20 households paying up (although often less, as there are repeat offenders). If you live adjacent to multiple conservancies, such as Isiketa, your risk of fines are heightened, and those living between conservancies and the reserve, such as Mpwai community, must be vigilant for fear of the 10,000 reserve fine as well. The 10,000 fine may be periodically acceptable to large cattle owners, but small herd owners cannot afford the financial risk.

The conservancy may be our only option, we have no where else to go

There is a sentiment among some participants of the conservancy, or those who remain reluctant to join that there were few ways for an alternative; that the conservancy as a growing force socially and physically becomes impossible to resist. The conservancy becomes the only option for grazing and when it is closed, the reserve often becomes the fallback. However, rangers are increasingly strict and a stronger ban has just been enacted as of July 2014 (we will see if enforcement is carried out).

4.1.2 Cog #2: Building relationships, from actor discourse to participating actor

The orientation of players' perspectives, in addition to the structural bounds of the conservancy model itself, both help to shape the space for relationships and interactions among groups of people who share conservancy resources. There is mounting literature on the necessity of strong, personal, and continually engaged relationships in the success of partnerships and particularly, conservation and development success stories. Some have pointed to bridging actors/organizations (Berkes 2009), boundary spanning networks (Reid et al. 2009), or charismatic leaders (Baland and Platteau 1996, Ostrom 1990), or even critical methodologies for enabling strong relationships (Fernandez-Gimenez et al. 2007) as key elements for a sound multi-stakeholder format. This section explores how relationships are fashioned, strengthened, and eroded within the conservancy context. The aim is to highlight key instances, rather than interpersonal details, that capture the important space of negotiating multiple interests. Through the analysis of meeting minutes, focus groups, interviews, and importantly, participant observation, four of the more common features enhancing and inhibiting better relationships among actors are identified and referenced to the ingredients in the literature found to define strong partnerships (Table 11). The four features, (1) open communication, (2) learning, (3) balance and flexibility, and (4) follow-through and transparency, are elaborated below.

Table 11: Conflict and Resolution: elements found to be important in shaping the partnership negotiations among conservancy actors

Notes composing relationships	Description	Adversarial	Mutualistic
1. Open communication and language	Actors exhibit patience with one another, respect of local customs, an eagerness for dialogue and solving conflicts amicably.	<i>"We have words in our Kenya constitution that allows my access to water and land. At the end of this lease, I aim to disturb these people the way they have disturbed me." Grazing Committee, MNC</i>	<i>"I don't have time to politicize, I do have time to listen for hours to Maasai talk about issues" and often they lay out the solution in front of me."</i> Conservancy Manager

2. Learning	Acceptance of other knowledge claims while embracing learning and sharing with humility (Reid et al. 2009).	<i>"It's a challenge to bring western ideas to locals. Its hard to reconcile these two perspectives- Maasai don't get it!" Ranger, OMC</i>	<i>"We have to think to the future here. We have to go back to the cultural aspects, the emotional aspects, the attachments to cattle. We are trying to learn through trial and success; right now we are being successful. We make mistakes and we become successful."</i> Conservancy Manager
3. Balance and flexibility	Willingness to strike a bargain and negotiate, showing empathy for other concerns. This includes illustrating flexibility between formal (paper lease) and informal (in spirit) rules	<i>"We are not yet going into the conservancy, just the boundaries. Its a battlefield!" Grazing Committee, MNC</i>	<i>"I'm lucky, I have a structure that creates dialogue all the time between TP and Maasai. We are winning- we are grazing the core areas where all the heavy tourism pressure will be in 1 month's time. Slowly over 2 years, we got the buy-in from the TPs, and now we are getting the Maasai buy in. Both have had to take what were entrenched positions and meet in the middle."</i> Conservancy Manager
4. Follow-through and transparency	Promises are kept, the gap between rhetoric and reality is minimized, and trust is valued and actively pursued.	<i>"Mzungu intended to take the land- but its a lease so the land remains with the landowner."</i> Conservancy Member, MNC	<i>"The white men are always very frank and straight forward, if you tell them to do something definitely he will say yes or no."</i> Women's Focus Group participant

1. Language and communication

If relationships are developed through communication and opportunities to socialize (Reed 2008), a natural starting point in any attempt to understand the collaborative nature of a partnership is to question how actors interact with each other verbally. Here I consider two parts to communication; the first is the actual verbage used among people when negotiating issues of conservancy policy. Language that is confrontational,

impatient, condescending or disrespectful is used as fodder for further fires. The second is the how communication is operationalized; in other words the opportunities, invitations, and considerations taken to allow thorough dialogue to take place (Table 11). Are spaces retained for questions, for input and disagreement in meetings?

Lets explore how language shapes conservancy relationships. As an example, Box 2 revisits an evening patrol with MNC rangers, where we intercepted numerous cattle herds grazing illegally; the excerpt below provides some language for context:

Box 2: Herder and ranger dialogue during an MNC arrest

Ranger (R)- remove your spear, it is the rule to hand over the spear (shepherd is handcuffed after a short struggle)

Landowner (L)- The reasons those cows are driving themselves to grazing zone, is because they are very hungry and there is grass in the conservancy. I think someone has cursed the Maasai with cows. Go and have conservancies in a place without cows and you never have conflicts. But here you have to be ready, because we have cows.

R- no we are going to stop everything else and station all rangers posted here, so you have to move [to the reserve to graze].

L- please no, don't shout this, lets just solve this and keep going, if you get someone arrest him, pay the fine, then tomorrow forgive him- lets go like that!

R- this might be understandable if I get your hired shepherd or your kids, but I have caught you, the grazing committee, you who are benefiting from this conservancy!

L- Only the dry season brings this. Don't get angry with us, we have to sneak inside to find grass!

R- You will not step one more time over this stream, the rangers will be here day and night to keep you from grazing here. You don't have respect, I was going to negotiate with him (conservancy manager) to get a zone, but now we can't because you didn't listen to me! How much will you pay?

L- 2,000 (KSH) each. We gave our lands. The TPs have daytime, and us grazing at night. The tourists are here, they give us money, and we give our lands, allow us to graze a little bit, in the edges as the Wageni (tourists) head back to camp. Please balance this! This is only one side, its just tourism!

R- No I will make sure you go up to your nyumbani (home).

L- It seems all you care is tourism what about our cattle. We can't survive without cows, but our lands are in the conservancy and we know there is grass.

R- No problem even if people throw bombs and spears, no problem!

L- Its good for conflict to take place, because after conflict, we solve it, and the conservancy has to listen to what we say!

R- Don't think you're the only one who's going to beat someone, you will get beaten too.

L- Things are not going smoothly, it seems you want us to reduce and sell our cows, even the money is too small, something like 15000. We aren't grazing at day, not at night, it's just like telling us to let our cows starve and die.

R- Where is the money?

L- We will just go get the brokers to buy a few shoats tomorrow.

R- Instead of causing conflict here, go graze at night in the reserve. If you are going to have respect, to us and our rules, then the grazing zone will be reality. But if you force, then no way, you signed your lands, so let the conservancy do its business.

In these interactions, stress and anger create quick reactions from both parties. The language is strong, and at times physical, leaving behind a sense of frustration that influences the next interaction(s). There is desperation in the voice of the herders, while the rangers are doing their job as prescribed by conservancy policies. The rangers are put into an awkward place when they have to negotiate with their fellow family and friends, especially when it is preventing grazing during a pending dry season. This desperation, in MNC, in part resulted in a change in the grazing policies. As the herder suggests above, conflict can be a catalyst for change, but a more proactive approach, one that takes the time to gauge faculties of individuals, may save sour blood in the future. One of the simplest changes the conservancy can make in this direction is to reconsider, and learn, what respect is to both factions of the partnership. By respect I simply mean admiration of, *and*, due regard for the feelings, traditions, wishes and rights of others:

“[Conservancy] management is reading the rules, but they aren’t being administered well. The management is the problem so far. Rules are necessary, but the way one approaches and shows respect is the only way this will work. A council of elders could be established to provide a mechanism for reading rules. We just need to clarify the disrespect. We [community leaders] are feeling sometimes that something is going on that isn’t right, even as local leaders, so we need to have some changes happen.” Community liaison officer, Motorogi

Apart from the verbal content, communication among conservancy stakeholders is facilitated within several spaces of interaction (Figure 5), albeit the opportunities for communication still remain infrequent. The Annual General Meeting, for example, provides one day, assuming it occurs at all, in which the LOC dominates the majority of the speaking time (even while the AGMs are typically an all day affair). The meeting does not invite TPs, so there is no direct contact with the primary financial partners other than through Conservancy board meetings. Conservancy management themselves offer few opportunities to engage with conservancy members other than through grazing or LOC representatives. Rangers have fairly consistent interaction with shepherds, but they are often hired hands and do not necessarily represent the herd owners. The conservancy lacks a forum for community members in general to approach the investors and while to a lesser extent, the managers as well. The liaison officer provides some of this facilitation,

but he is not always trusted, and is sometimes viewed as a political operative of the conservancy. Managers need to be approachable and in-tuned to community conversations, but this is not always the case. When asked why he tends to avoid meetings with grazing committees and other community gatherings, one conservancy manager said he prefers a contingent of his Maasai employees go to represent management, so as to avoid the ‘colonial thing.’ But in fact, his absence may actually entrench such sentiments, for everyone knows his position of power and authority. It appears instead, his absence is part of disrespect to the community. They want to engage with the decision-makers, not necessarily with their representatives.

The dialogue, and lack thereof, is also informed by fear; the fear of conceding ground gained through previous hard-fought negotiation. This appears to act as a deterrent for further negotiation for all parties. For conservancy landowners, the fear of losing access to grass drives hesitation to negotiate, while for TPs it is the fear of opening a cattle floodgate that has largely been maintained through most of the life of protected areas in Kenya. These hesitations perpetuate into lines being drawn, and a reluctance to cross them. In MNC, TPs prevent the expansion of dugouts for livestock watering holes which would open a greater area for cattle to graze, or in OOC there is a refusal to zone the area for grazing as Naboisho has done out of fear of losing the flexibility to close the conservancy in areas with lions or other wildlife. By the same token, when dialogue does occur, there is a chance partners learn from each other and move towards better understanding (Figure 5).

“The space for that dialogue has been missing between the LOC, TP, and the community. The misunderstandings come from a lack of information, and misinformation, and the politics involved. They are working together to create conflict.” Conservancy Consultant

Spaces of Interaction

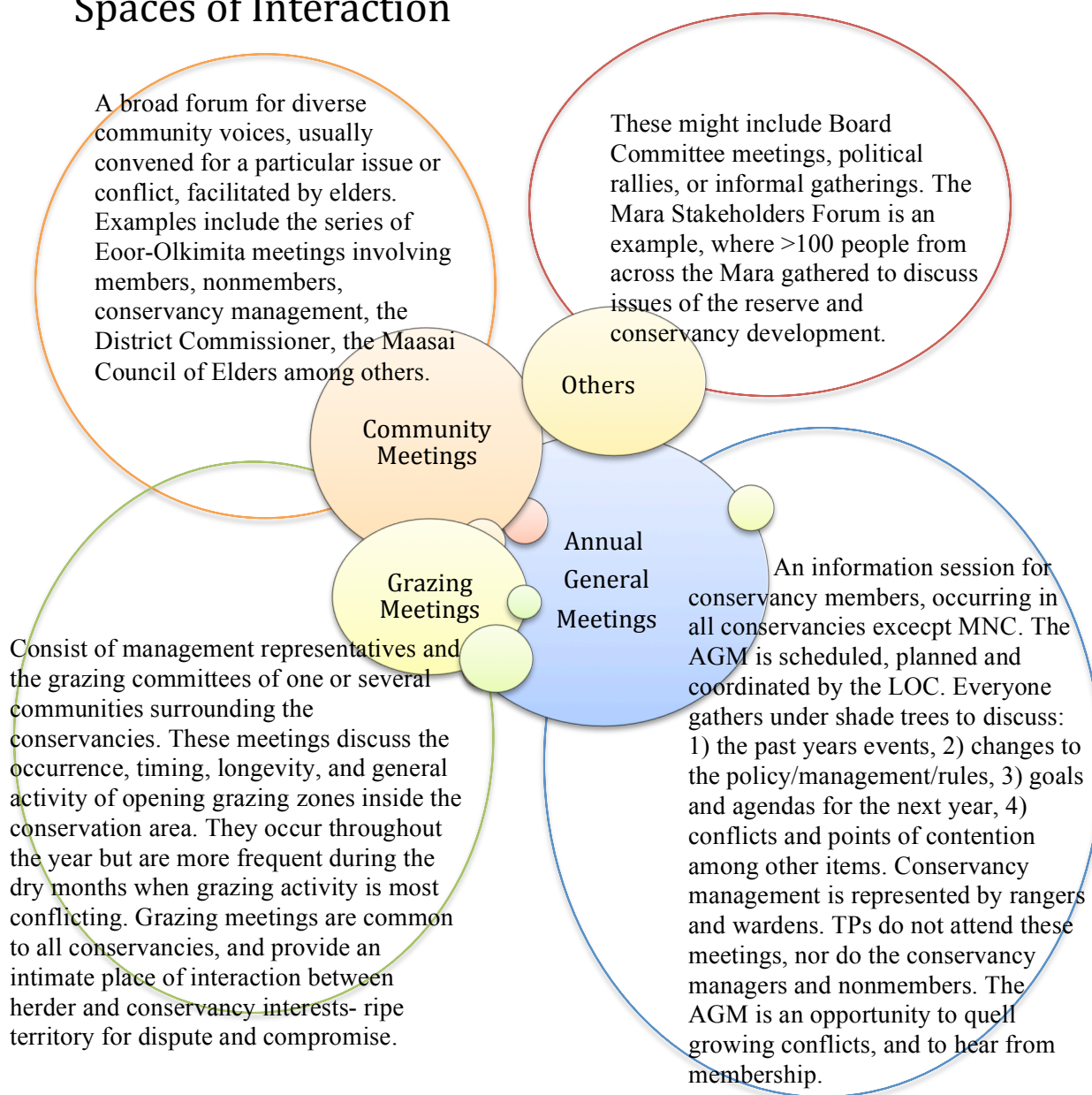


Figure 5: Spaces of interaction among conservancy actors, capturing some of the places stakeholders can communicate issues regarding policy

2. Expressions of learning

Learning, by itself, may not signify partnership, but if through a process of sharing knowledge and identifying partner needs, motivations, and expectations, learning takes

place, it may just exemplify collaboration (Agrawal and Gibson 1999, Berkes 2009). Learning is a mechanism for adapting to change within socio-ecological systems, and becomes important when considering collaborative governance (Cundill and Fabricius 2009). Learning adds to the memory of social systems, allowing complexity in human response to change. In adaptive systems, communities are able to respond to ecosystem feedback because of past experiences catalogued within social and ecological memory (Berkes and Folke 1998). Effective management iterations link information collected from the environment to policy response, or a change in practice (i.e. learning). Although learning is a product of an individual's reflection on his/her or a group's actions, behaviors and outcomes, scaling up to group learning can result from group interaction and dialogue. The social context determines how individual learning occurs. People and learning institutions record, perceive and reflect upon new information in different ways, lending themselves to differing ways of learning (Davidson-Hunt 2006). The linkages between people involved in a learning process is important in the scaling-up of individual to collective or social learning (Cundill and Fabricius 2009).

While the conservancies continuously adapt and change (Box 3), let us focus on the instances where change was rooted in the interest of understanding needs and knowledge of other partners. Naboisho conservancy offers a good representation of how learning can be rooted in this understanding, having taken lessons from already established conservancies. A few lessons include:

1. Take the time to organize in a slow, consulted process with elders, herders and researchers.

- From an elder (nonmember): *"A year before Naboisho came, I was visited. They came to me. They came talking one-by-one to the elders, and on all these conversations Naboisho was created. In Naboisho, my words are there."* Mzee S.

- From a neighboring conservancy representative: *"We don't have time, we don't have 4 years for researchers' nitty-gritty. To go through all the pathways like Naboisho did. We have to do this now, or else we will miss the boat. This is why Naboisho is so screwed. They talked with everyone, consulting all stakeholders via Basecamp, instead of getting leases signed and going for it!"*

- From a Naboisho representative: *All of this really developed grass roots. We sit*

with the cattle owners, sitting all the time discussing where you used to graze, where would you like your zone, how much land would you like?

2. Embrace policies that reconcile emotive differences, such as ‘edges’, rent sharing, and shepherd interactions. Through the process of engaging with stakeholders, Naboisho gained insights into the needs of their partners. The edge policy, for example, provides a transitory space where communities surrounding Naboisho have access without the threat of policing, while the conservancy integrates a working system of grazing. Rather than instituting a hard boundary, as in other conservancies, the edges gave some assurances for grazing space, a move viewed favorably by research participants who suggested it reduced the immediate burden of signing out your lands.

3. Establish community-specific grazing committees. In another example of policy change, OMC had initially established a single grazing committee to liaise with communities on issues of livestock grazing. Only recently, the emphasis has since shifted to subcommittees denoted by individual communities bordering the conservancy. Rather than a single grazing committee, today the communities of Mpwai, Isiketa, Olare Orok, Enkeju Enkorian, Enor Ronkon, and others are represented by their own committees in negotiating grazing zones. In Naboisho, the rangers do not fine people: that task is now administered by elected grazing committees.

4. Accept that traditional knowledge has merit. The first thing a herder will tell you about wildlife is their dependence on livestock. Mara researchers have since lent some evidence to this observation (Reid et al. 2003). The commensalism of wildlife and livestock quickly became apparent to conservancy managers when grazers began disappearing from the conservancy during the first few years of cattle exclusion, which builds up decadent grass harboring predators and tick-borne diseases. While we will give the conservancy the benefit of the doubt in this particular case, learning to listen to pastoral knowledge holders may be a solution to more problems than conservancies would care to admit.

Learning is still largely a product of conflict mitigation, a reactive process to cool the simmering pot (Box 3). Until learning becomes proactive, conservancies will

continue to battle perceptions of business-before-community.

“We had lots of fighting [in the beginning]- this let the conservancy know that they must cooperate with community- they must stay with us, not against us. They realized it's the only way to work in future, they learned through this conflict.” Conservancy Member, Olare Orok

Erashe is a great example. As the Naboisho management contemplated an appropriate indicator(s) to help determine when to move livestock out of a zone, a visiting range ecologist suggested leaving a measure of stubble to encourage rapid growth in the next rains. The Maasai know this as *Erashe*, and practiced this in traditional grazing management. When the grazing committee and management found a common language, in this case word, it quickly became easier to discuss when cattle need to move to the next zone. If there was a proactive effort to engage with these knowledge holders, perhaps questions about rangeland management, among other issues, may be resolved more rapidly, and where elders sense ownership in decision-making. Some lessons are learned only by making mistakes; many institutions and their donors that want quick results can find such a learning process hard to accept (Redford and Taber 2000). However, horizontal linkages, such as the informal platforms occasionally found between grazing committees and managers, allow for capacity-building as information is shared and projects collaborate to achieve similar objectives (Rechlin and Taylor 2008). This facilitates peer-to-peer learning, trusted relationships, and ultimately the stability of power and evasion of elite capture. Multi-stakeholder groups often emphasize horizontal linkages over vertical linkages, as stakeholders often share organizational levels and the role of the state is less defined (Berkes 2009). “Successful enterprises, including those in the conservation-development area, are those that can build on their experience, engage in mutual learning with their partners, and further develop their linkages” (Seixas and Berkes 2010, 209).

Box 3: Learning through conflict: marking boundaries and using community resentment

Learning can also be a tool for expanding conservancy goals. In the community of Eoor Olkimaite, there is a cluster of bomas situated several kilometers inside the western edge of Naboisho Conservancy. This is problematic for conservancy operators and management:

... "They [Eoor community] can't abuse others, when Eoor moves the majority of the area becomes usable for the conservancy." Tourism Partner, Naboisho

"My approach is I want to put in a big grass bank all the way to Talek, but I'm totally defeated by these guys [Eoor community] who live 3 to 4 kilometers inside. I can't do my grazing plan." Conservancy Manager

The conservancy is learning to use the community to pressure their cohorts, to threaten a kind of exile, in addition to ramping up patrol of the borders by painting white markers, similar to OOC who digs a small trench around the parcel with a tractor when they want someone to move. The Naboisho Land Committee has begun pressuring Eoor to move, by pressuring Eoor's neighbors through threats of freezing their rent payments if they continue to let Eoor graze their lands.

"This conservancy is a business with many heads. You stay in your land, I stay in my land and so there is no conflict, but the sheep and goats don't really understand borders through. Conservancy has no power to force them to move, but they have power to prevent them grazing on other lands, no right to interfere in the business! Stay in your land- we are not forcing you to go, but go to your land only. This is the path." - Land Committee Representative, Naboisho

The pressure seems to be working; several households have finally signed the agreement. But the following paraphrase of one Eoor resident said after a meetings conclusion *"Its not like we have a choice, we are getting pressure from all sides."*

3. Balance and flexibility

"It is difficult to balance what tourism wants; a Hemingway picture of rolling plains, and what Maasai want which is the exact opposite, fat cattle everywhere." Conservancy Manager

Successful land use in semi-arid rangelands reflects the dynamism of an ecosystem in flux; the same might be said for the approach taken to build diverse relationships in these

regions. Conservancies that embrace flexibility tended to alleviate, rather than facilitate conflict. MNC has been a story of rigidity, for example. In their grazing plan they have relied for several years on a fixed grazing season where conservancy boundaries open from April to June. Not only had this policy remained unchanged over numerous seasons, but also it failed to learn from the inevitable conflict that arose every year when the boundaries closed. This policy alone may explain much of the animosity perceived in MaraRianta and other communities around MNC:

“My lease ends this year, I’m trying to end the lease, to stay on my land, to cultivate, to increase breeds, but no more fighting with these people. No need to fight. If the lease creates this conflict we will wait for the end.” Conservancy Member, MNC

Without adaptive policies, relationships are strained in tough times, as in the dry season. In a second scenario, one of Naboisho’s tourism camps had a short window without guests. The management, having met with several grazing committees, invited herds to graze the camp to take quick advantage of the opportunity. The herds concentrated on the tall grass around the lodge for 4 days and then shifted to another zone when clients arrived. Rather than working at an immovable scale, the management of Naboisho reflects at least in part the nature of resource flush and decline.

Planning for flexibility is planning for stronger relationships, but in so doing, balance becomes a critical additive. When Naboisho’s peripheral communities graze the central pastures of the conservancy, the TPs express concern, but as the manager explains:

“That is how this will work. Right now we sacrifice the core area for cattle, so that later the communities have grass on the outside so that tourism can have the core. “We can make this work for everyone, but people need to be adaptive, the TP and the Community. Every step is a struggle, to get the TPs to realize the use of grazing in the conservancy...to get the community to see benefits of zoning their land.”

Balancing interests means first knowing what those interests are. A community advisor to Naboisho said of this: *“I remind them that if communities stop with livestock, they will demand 4 to 5 times what you’re paying now. They will add pressure and they might adapt agriculture, they need food! What does that leave [directed at TPs] you, farms or livestock?”*

4. Follow-through and transparency

Some scholars point to the true potential of trust in collaborative enterprises. “Building relationships based on transparency, trust, and participation could in many cases be more important for gaining the support of neighboring communities than the flow of material benefits” (Magome et al. 2000, 17). Trust is frail in the Mara. Residents do not always trust their neighbors or kin, conservancy managers are skeptical of landowners, landowners of managers, and few trust the Land Committees (see Box 4). The institution of trust has been eroded over a half century of poor relations, and failed promises, between government (both colonial and Kenyan) and local people. Widespread and open complaint among Mara residents suggests leaders have taken considerable advantage of their fellow clan-members. And today, the wealth disparities are obvious; it does not take long to trace a wealthy MMNR ranger to some opaque seepage of revenue from the reserve gate. There has been a long history of promises with little follow-through.

The largest cohort of opponents to the conservancy, although allied perhaps for different reasons, have little trust either in the leaders of the conservancy, or in their own ability to gain something meaningful from signing. From the inside of the conservancy, these ‘detractors’ are seen as self-serving, with questionable motives for failing to participate. Lands managed by government or local councils are viewed as poorly administered by an array of research participants. These bodies are viewed as untrustworthy and sometimes corrupt, placing more confidence instead in private, professional management companies like Seiya Ltd. However, a strong contradiction surfaces, the preference and skepticism of outside management. While these management companies are often trusted intermediaries, equally powerful are the sentiments of perceived or actuated events of outside ‘takeover’ of resources and lands by such professional bodies, such as the perception by many locals in the case of the Mara Conservancy.²⁴ The problem is that Mara residents may not be familiar with the

²⁴ The Mara Conservancy is a private conservancy, also known as the Triangle, or simply the Transmara side of the Maasai Mara National Reserve. While Narok County governs the MMNR, the then Transmara County Council elected to contract the management to a private company, Seiya Ltd (also now managing MNC and Naboisho Conservancies). The controversy is largely about the ownership of the triangle itself, much of it private land owned by the newly elected Governor of Narok, Samuel Tunai. Many locals are

bureaucracy of land law, but they do remember what they were promised (Magome et al. 2000).

Box 4: Broken promises...or unfair demands?

Enkikwei is a small community of four households and a large Cultural *Manyata* composed of tens of families. The *Manyata* was established prior to the conservancy to take advantage of the cultural tourism product, catering to large camps primarily in the nearby reserve. Enkikwei is a hotspot for conflict, as the community is well inside MNC, has not signed the lease, and sits in one of the more productive savannahs for livestock and grazing wildlife, as it is a primary migration corridor between the reserve and the conservancies. Enkikwei has traditionally been a dry season grazing area, where herders would construct temporary bomas and bring their herds from the wet season pastures of Orkuroto and others. It is prime grazing land, and with the *Manyata*, also provides a means to capture revenue from the reserve. Families have contributed to buying one or two acres each as part of their membership for the *Manyata*, which means leasing the land to the conservancy has little appeal, but the conservancy wants to move the community and has attempted to stop tourist lodges from visiting them, largely killing their business. A ranger post is stationed above the community to monitor and enforce the grazing boundaries. According to Enkikwei residents, a deal as negotiated by the District Commissioner was to allow the continuation of the business, but in exchange prevent Enkikwei from hosting herds from Transmara and other areas. As from the time of the research, tourists had not visited the *manyata*, and so residents have not sent cattle home, the conflict remains at an impasse.

"We are negative towards MNC. Your business is going well, ours is not, because of you. All we want from the conservancy is to allow clients to Manyata, then we will move our cattle out and abide by livestock rules." Enkikwei Resident

"We moved the livestock, expecting the tourists to come but of the first 5 months, they allowed tourists for only 1 month. 6 times we moved our cows when they promised. You make your business [the conservancy] but don't allow us to? So we will hurt your business!" Enkikwei Resident

"Now, when we open the zone for people, we don't open it for the people in Enkikwei. There is heavy trampling in Enkikwei, it is the black sheep of the conservancy, the soft spot of MNC. All the members move their cows there to graze- its not an attractive situation, they chased us away." Conservancy Management

concerned his usurpation of the Triangle may happen in the MMNR side as well, now that he governs the now-united Narok County.

All three conservancies fail to present themselves with sufficient transparency, despite alternative claims (Box 4). Questions regarding the allocation of grazing fines, annual revenues, salaries for conservancy leadership, delayed payments, bursary selection processes, funding sources, bed night and conservancy fees were all brought up in interviews and focus groups. Perhaps disclosure is not an option from a business perspective, but its failure leaves space for questions and hypotheses, breeding mistrust in relationships and therefore the partnership, whether merited or not. And when trust is breached outright, the consequences linger beyond what might have been an isolated incident. The cattle project in MNC, as discussed in greater detail in Chapter Five, shows how trust becomes the agent determining the success or failure of such an initiative.

If authentic partnership truly remains a goal, partners would have equal knowledge of the arrangement (Osborne 2002). As this is not the case, and one partner is less informed than another, any sense of trust between partner groups will be strained. Many members, let alone nonmembers, find it difficult to know what is happening inside the conservancy, as a not-so-infrequent concern asks, “*Are white people taking over our lands*”? Promises are questioned, motives are interpreted, and past grievances recalled (Magome et al. 2000).

4.1.3 Cog #3: Interactions mediated by power

By accepting that win-win is difficult, largely subjective, and with inherent trade-offs, power becomes an essential influence shaping this process of give and take. Power should not be thought of in a normative frame, it is an essential part of any social context (Bavinck 2005). However, how players use their positions of power to shape others is part of a more critical understanding of conservation and development’s win-win narrative (Hirsch and Brosius 2013, Naimir-Fuller et al. 2012). In the following section I expose how power shapes the distribution of benefits (1.), the hierarchies and formal power imbalances (2.), some of the mechanisms that lead to coercive or implicit forms of

power (3.), concerns for voice and the voiceless (4.), and finally, I attempt to expand on the idea of knowledge as power in direct relation to conservancy participation (5.).

1. An imbalance of benefits, at whose cost?

The costs of conservation at the local level can be considerable, including damages to property, livestock, and occasionally human life (Mugisha 2002). In examples such as protected areas, there are opportunity costs in addition to direct costs. These costs must be met with greater benefit for participation to meet expectation (Murphree 2009). Compensation for human-wildlife conflict resolution, payments for local landowners who consider ecosystem services, eco-tourism operations, trophy hunting, and other market ventures comprise what many conservationists argue as the foundations of a “sustainable use approach” (Child and Barnes 2010). Yet these also have an assortment of costs and benefits that need to be considered, especially if one group bears greater costs than another. In the model of partnership, where costs and benefits are to be shared equally, the balance deserves some measurement (Table 12).

As a land-based scheme, the rent you receive is proportional to the land you own and as others have pointed out, this is not equal, but rather equitable (Bedelian 2012). Unfortunately, this reasoning fails to consider the historical root of such ‘equity’ and the conservancy’s reinforcement of an unequal condition. This is rendered unequal as individual parcels are not the same size, and some have multiple parcels. The demarcation process and the corruption noted previously in this process is partly magnified by the conservancy; the land inequalities become very apparent when money is attached to acreage. Perhaps not a fault of the conservancy, but a fact nonetheless causing particular problems among community members, a problem made more obvious by the conservancy model. In addition to renting lands to the conservancy, several larger landowners also rent lands to the camp owners themselves, under an independent lease agreement, often in excess of 20 years or more. These individuals receive two rent checks per month. Many of these individuals, importantly, happen to sit on the Land Committee as representatives and board members, and are further relics of the group ranch demarcation committee. This places community elite in the position of greatest financial gain, while positioned politically in a way that retains such arrangements.

Table 12: Costs and benefits of the conservancies as identified in interviews and focus groups

BENEFITS	COSTS
Preserving and securing lands for the future	Leaving a limited space to graze
Educating our children	Increasing harassment with fines, arrests, and beatings of shepherds
Enabling the purchase of livestock	Members-only grazing
Reducing the need to sell livestock	Concentrating residents on surrounding lands
Arresting settlement expansion	Bordering homesteads fined and caught more frequently
Providing a grazing resource	Separating wildlife and livestock
Establishing a high quality tourism standard	Leading to poor range quality outside (loss of forests, water quality and quantity)
Preventing stone collecting	Lease payment not enough compensation
Preventing deforestation/ firewood collecting	Wildlife numbers increasing, leading to greater competition
Benefiting wildlife populations- especially the 'Big 5'	Outsiders calling the shots, community not involved with conservancy decision-making
Providing community benefits (water, school bursaries, school construction, infrastructure, solar panels and more)	Increasing social inequalities
Providing employment opportunities	Restricting access to water points
Creating an alternative to migration during drought periods	Restricting access to salt licks
Providing capital for health care provisioning	Forcing people to move from their land
Arresting land degradation	Original promises during signing not being met
Affording expendable income for food, clothes, dowries and other needs	Increasing reliance on night grazing
Enhancing financial stability	Contributing to poverty (landowners inside are fewer than outside so can not afford to pay everyone) (class differentiation)
Conserving water quality/quantity	Adding pressure to the reserve

Adding security (unarmed) for poachers and other activities	Greater conflict with predators
Enabling a departure from livestock	Grazing zones too small and too short, and only in wet season
Arresting the sale/brokering of lands	Enabling poor financial planning
Offering loans for investment and access to credit	Poor livestock health
Allowing households to live inside the conservation area	Increasing infrastructure development (airstrips, cow trails) hurting the land
Providing a passive salary for the old	Temporary employment (for a few short months) mostly for outsiders
Improving wildlife/people relationships	Opaque financial dealings leading to conflict
Making households less reliant on the reserve for grazing	Restricting transportation (both mode and routes)
Improving cattle condition and health	Continuing the ‘ballooning’ of camps taking over important grazing areas
Supporting our women’s groups	Driving neighbor, member, clan, and household conflict
Provides an alternative to cultivation	Governing the cultural <i>manyata</i> tourism, encouraging camps to use some over others
Preventing the growth of fencing	Restricting firewood gathering
Reducing the necessity of night grazing	Increasing degradation of land in the wet season
Providing compensation for livestock depredations (MNC)	Preventing the investment and development of our properties (housing etc.)
Sponsorships provided with KGS	Preventing temporary <i>boma</i> movement
Forcing the Maasai to adapt to good lifestyle like everyone else	Solidifying demarcation outside and inside
Land value appreciating with improved landuse	Inadequately addressing increasing alcoholism
Increasing general tourism activities in the ecosystem	Lease agreement poorly communicated and too great of a time commitment
	Preventing the grazing and proper space for sheep and small stock
	Placing pressure on conservancy borders to host outsiders

* Bold indicates an item weighed higher by respondents

With such representatives owning many parcels, in some cases in excess of 1,000 acres with double rents, and administrative authority over portions of the conservancy fee, it is no wonder many in the community question the power imbalance held by their ‘elected’ representatives, who are accustomed to these same individuals seeking advantages in the past. As one informant explained to me;

[The] *“treasurer of the land committee during demarcation has 4 plots together [in OOC], and 300 acres in Naboisho. He was told by conservancy to live inside to have access to conservancy, [now he is saying] “ I can’t suffer from drought, I have the only boma inside the conservancy!”*

It comes down to the fact that wealthy Maasai individuals garnered camps, land, board positions, important TP relationships, and the capital to develop other means of making a living as diversification is encouraged on people. Osano et al. (2013) and Bedelian (2014) both found wealth inequalities between members and nonmembers of conservancies in the Mara partly attributable to conservancy payments, furthering the divide between those benefitting and those not.

This introduces some of the ways inequality influences the negotiations among various interests. I trust the inequality surfacing from the process of demarcation has been belabored at this point; but hear how local elites perceive of this legacy: *“Everyone has equal parcels now from demarcation, its not like before where big wealthy people take land from the poor. Everything we do must realize what impacts are on the poor- we must consider these people” Talek Resident.* This particular elite has multiple parcels, double rent, one of the largest cattle herds, and also happens to be a significant figure in conservancy leadership. The conservancy enables figures who have multiple parcels and large herds; they are the largest contributors to acreage and often hold a powerful community voice. In another instance, a land committee has signed 3 of his 4 parcels, lives in the remaining unsigned land, which happens to be inside the conservancy, and can be seen grazing his herds daily within conservancy boundaries. People know ‘his cattle won’t starve’. As one conservancy leader expressed: *“The loudest community members own waste land with little value.”* While such a comment was in reference to the unmerited complaining by a few figures, it also speaks to a larger assumption made

by many elite in the Mara about land equity. Who do you think administered the lands, why did some get good lands, while others poor lands? Would you not also be wary if your lands were of poor quality?

Households with a large cattle herd can hire shepherds, which means they can routinely drive herds into the conservancy for long distances. Those with small herds rely on a family member, often elders, women, or young children, who have a smaller grazing radius and therefore less capacity to take advantage of conservancy grass, which typically requires a significant distance. They are also less willing to risk fines, which can be a sizeable burden considering a sheep or cow must be sold to pay the fine. I watched my assistant contribute twice to fines by gathering money from his savings, some family members, and selling his sheep.²⁵ He has ten cows between himself, his brother, and his sister. There is a considerable tradeoff presented here, one that sees a poor family sacrifice. What necessitates such a tradeoff? Why can you not have your cake and eat it too?

2. Hierarchies amid actors: the explicit exertions of power

“We move cattle where we want them, when we want them so that you can have tourists where you want them, when you want them.”
Conservancy manager

Centralized management, a relic of the ‘fines and fences’ approach associated with Africa’s colonial conservation model, appreciated a long reign throughout the early nineteenth and twentieth centuries (Brown and Lassoie 2010). By the 1970s, however, the top-down and blueprint approaches to management came into question as social and environmental welfare continued to decline (Turner and Hulme 1997). The devolution of power, authority, and user rights is at the core of community-based principles (Trotman 2008). As Barrow and Murphree (1998) suggest community-based conservation initiatives should

- Empower local people to manage their resources sustainably
- Provide the legal and political instruments to facilitate empowerment
- Create the mechanisms for local ownership and responsibility

²⁵ I contributed money for the first fine, and advanced part of his salary for the second. Both times his younger brothers were caught with the cattle in the reserve rather than conservancies.

All three principles rely on distributing power across stakeholder levels. Historically, managers have hesitated in devolving adequate authority and responsibility, prompting local failures (Suick et al. 2009). In Kenya, devolution often occurs only as far as the concentrated elite, resulting in co-optation of resource benefits (Kellert et al. 2000). Berkes (2004) uses the subsidiary principle in clarifying the aims of bottom-up administrating: “the goal should be as much local solution as possible and only so much government regulation as necessary.” However, as Ribot (2003) warns, the lack of both strong oversight and bottom-up responsibility results in corruption and misappropriation of funds, allowing marginalized benefit for the resource or community members and signaling at least some degree of necessary authority. As neoliberal conservation begins to reshape community-based approaches, the spotlight shifts from state-community power sharing, as in co-management, to the relationships between communities and the private sector (MacDonald 2010). As they are commonly composed of technical experts and policy makers, multi-stakeholder bodies, perhaps including partnership formats, often exhibit minimal power sharing efforts (Berkes 2009).

Conservancy governance structures partly suffer from this fate. The conservancy hierarchy as illustrated in Figure 6 is primarily a result of the financial core provided by a small group of investors, whose position affords certain leverage over others. While the Land Committee technically shares equal board representation with TPs in Naboisho, and less in OMC and MNC, it is hard to confront TPs about an issue without considering who ultimately finances everything. The LOC holds one significant card, and that is the actual leases, but without a proper system of representation, landowners are held to the LOCs’ bidding. Although elections are to be held annually, or once every two years, as interviewees suggested, leadership positions and representatives remain unchanged.

Management is accountable to the conservancy board, shared by both TPs and the LOC, but as part of their responsibility to enforce conservancy policy they exude a clear position of authority. And with language of my grass, my conservancy, my landowners, the position of power is embraced. Rangers expand the reach of management and although advise the manager, have little authority over him. As a member of MNC notes:

“He [speaking about the warden] said, “I am a warden!” It’s a senior position; it’s the person who is looking after the conservancy. But he is saying he has no authority. Why doesn’t he have any authority, you don’t

have authority to open a zone? We are on duty, so lets fight.”

Grazing committees are an interesting player in the hierarchy, with more or less power depending on the conservancy in which they liaise with. In OOC there is very little the committee can do other than plead for grass, while also informing their communities on grazing schedules and protocol. In MNC, the grazing committee is largely a messenger body as well, but has recently evolved to reflect more of Naboisho’s approach. Their new committees helped map fresh grazing zones, select watering points, and negotiate grazing rules in a highly participatory format. In Naboisho the grazing committee has negotiating power, and can often steer management on particular changes to the grazing zone, schedule, and routes. Although these negotiations are imbalanced, by which the committees are at first dictated the management prescription, there is room for maneuvering and committees generally take this space. Interestingly, the grazing committees are beginning to exert power themselves. In Naboisho they police the boundaries, facilitate fine payments, and as in OOC, determine who is allowed to graze in the zones provided by the conservancy.

Landowners are part of the hierarchy only in how much they can steer their committee representatives (Figure 6). Elections are not guaranteed for every conservancy, and when they occur, are not impartial. They have very few opportunities to communicate directly with conservancy leadership save through liaison officers. The AGM is an important space for landowners, but there is a visible hierarchy even here; for instance, in OOC’s AGM the committee and board were seated behind a barrier of tables, the landowners seated on the ground. The physical arrangement helped facilitate the superiority of LOC members, which was further instituted through the quelling of questions and issues brought up by landowners. Lowest on the hierarchy are nonmembers, including nonlandowners. They may be able to approach members and the conservancy liaison officer, but there is no formal method for nonmembers to engage with conservancy operatives. This may seem fair according to the parameters of a business partnership they are not part of. However, the nonmembers are directly and indirectly impacted by conservancy decisions and matters, making their absence at the table a concern going forward (this is further discussed in the ‘voices’ section below). With the rhetoric by TP, management and LOC of ‘*our*’ landowners, there is a clear

preference made. The exception to the rule may be found in Naboisho, where there are nonmembers on the grazing committee in at least one of the periphery communities, pointing to a growing potential for dialogue between nonmembers and their representative grazing committees at the very least. Social goals including social justice, training, capacity building, outreach, development of land-ethics, trust, conflict mitigation, and job creation will all entail some degree of power sharing (Ballard et al. 2008).

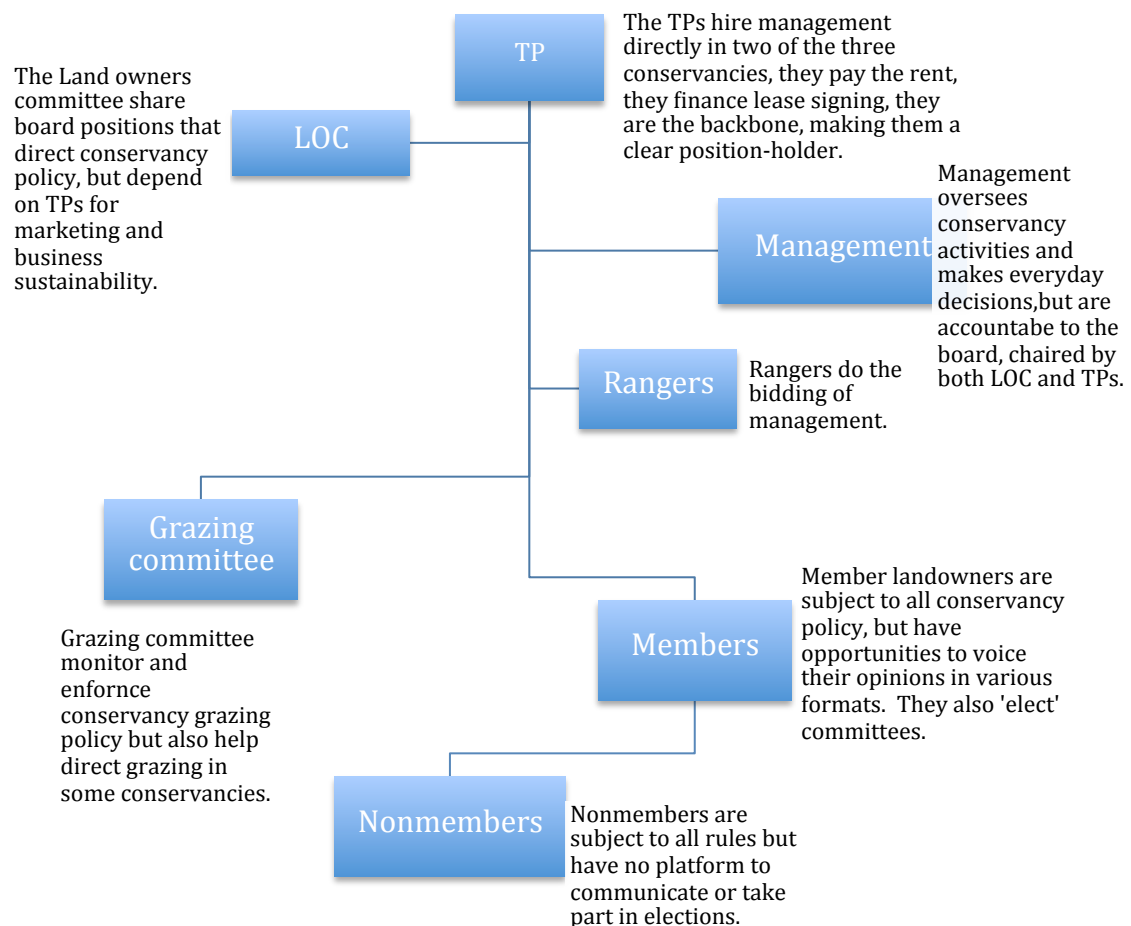


Figure 6: Hierarchical map of actors according to their relative position in the decision-making process (read top to bottom)

3. Gathering supporters through persuasion (or coercion)

While hierarchies may be more visible, conservancies also embody several implicit power dynamics at their core. Ways one group influences another, as stated by Meyer (2001) act as forms of hidden power, and by exploring such means in our analysis of power some of the underlying influences placed on the decision-making process can surface (Van der Duim et al. 2012). Table 13 highlights several methods employed, whether consciously or unconsciously, to win over conservancy buy-in. Stakeholders may see these methods as part of the process of building a win-win strategy; however, such a narrative may obscure some of the pressures faced by particular individuals and groups within the broader stakeholder body who may still debate their role in the conservancy movement (Table 13).

The demands for compromise are part and parcel to negotiating multiple interests, but what constitutes a balanced compromise? As one manager sees it:

“The community needs to get together, and they need to decide how to de-stock, they need to decide how to send relatives home, they need to contribute money and cows to buy more moveable bomas. If they come up with this plan, they would open the conservancy; they would pay for transport of cattle to Nairobi [for sale], and pay for 50 moveable bomas. And that would mean they would set up the bomas inside the conservancy in peak season- even now- and everyone would be grazing throughout the open season.”

Such a compromise would see pastoralists throwing out their long standing maintenance system, letting go of a network of kinship ties, and selling assets to purchase materials they will not own in exchange for the promise of grazing during the tourism season and export markets in Nairobi. If this were community-driven would we need reconciliatory policies? As was discussed in the learning section, Naboisho gained insights into its partners through observing other conservancies and talking with stakeholders. To make the community happier, they developed edges, rent sharing, and subsidized leasing. Is this actually a partnership move, or a coercive tactic to calm the muddied water? *“Let them forget about their concerns if we allow them a little more grazing”* says one informant.

“Suppose this land was not used for conservancy. It would have been

sold. Out of desperation, they sell land not knowing where they are doing, and take beer for 3 months” Conservancy Liaison Officer.

Table 13: Methods used to secure greater conservancy support

Communal obligations

- There are social pressures to sign the leases. Using the Maasai's cultural disposition of decision-making via consensus, the strong proponents, who often hold positions in the conservancy, tend to push others to sign- for without everyone's commitment the conservancy would not exist. While these instigators may have conservancy salaries, alternative lands, and larger monthly payments, those pressured to sign receive less from the deal- they have to move (costly), they have to find shepherds to take their livestock into the conservancy (costly), they risk fines (costly), and they get paid less-- *"I followed the majority, I signed the lease because everyone else did."* - Member, Olare Orok Conservancy

Targeting vulnerabilities

- It is reported, and so far unrefuted, during the early signing process cash was presented (piled on the tables, as interviewees suggested) as an additional incentive to sign the lease at that moment. This preys on a particular vulnerability to money.
- The conservancy tends to choke out people who do not sign the lease by leaving very little in the way of alternatives. If you live in Eor, for instance, you are prevented from grazing outside the unsigned parcels, effectively forcing households to move their livestock, sign the lease, or pay the fines. *"Working with impoverished shareholders is difficult when doing profit-sharing though. It's natural that they want more and more."* Conservancy Manager

Consider it a favor

- Conservancy proponents are quick to remind people that grazing is not a right inscribed in the lease, that in fact it was an emergent property after leaders learned it could be used as a tool for mowing grass and befriending community interests. If you consider the conservancy as a business venture only, the added 'benefits' become acts of goodwill. *"If you look at the cattle near the conservancy- they are so healthy- others' cows far away are not healthy right now. How much is control grazing helping people boost their numbers? How many people understand this? They are getting paid, but they forget that grazing is actually not in the lease!"* Assistant Conservancy Manager

Dissolving opponents

- The conservancies have so far been successful at quelling any efforts to disrupt their operations, but not without a few trials. On paper OMC is one conservancy, and management sees it as such. However, from the landowners perspective, they are adamantly opposed to merging Olare Orok and Motorogi Conservancies. The policy has gone ahead, even while those in Motorogi are told they have an independent conservancy. In another example, the dissolution of the Monaco group mentioned early, as claimed by its members, was done one-by-one, offering conservancy positions, and other 'extra benefits' to sign the lease. Only three of about 70 original members remain, having not been tempted by greater promises.

The justification is that joining the conservancy is better for you in the long run rather than managing the land yourself, when you might make poor decisions such as selling. While we could assume such a position reflects a true concern for household welfare, the outcome also protects tourism interests. Private property ownership is a relatively new household responsibility, and the consequences of selling land more or less understood.

4. Voices heard, traded or made invisible

The conservancies provide for some community representation, but the question remains to what degree is this arrangement consultative or empowering (Berkes 2009), and for whose community? Voice in decision-making has been a long-standing parameter in gauging participatory approaches to governance (Hirsh and Brosius 2013, Reed 2008). Empowerment, as a process, relies on respecting the validity of stakeholder voices and the inclusion of their knowledge in final decision-making frames (Brown 2002). While most participants agreed they possess valuable input, whether their voice was heard, and acted upon, was of a different matter. We begin with those who are making their voices heard: members of the board, who generally meet at least quarterly, and landowners who attend annual meetings or sit on grazing committees. Voices left largely invisible include women (they might occasionally ‘bring their ear’ to an AGM in representation of their husband, but with a few exceptions, rarely ever took comfort in communicating their thoughts), nonmembers (who are not invited to attend conservancy functions), and the youth (who do not own land and therefore are nonmembers). Additionally, pastoralists living outside the immediate Koiyaki communities, who migrate to these areas in drought, are garnered little space.

“They [nonmembers] demand more transparency, and I agree- but he needs to sign the lease, then he can get the support from the landowners.” As this quote from a conservancy manager suggests, only through a signature can you share your voice, without which your voice will enjoy little standing. Nonmembers who contributed to focus discussions often expressed excitement for a participating in a forum they can finally speak from. Yet, nonmembers are directly impacted by conservancy policy, often hosting members, grazing within conservancy boundaries, and competing with growing resource scarcity. Conversely, as several participating members remarked, *“as soon as*

you sign the contract, you have no voice.” This speaks to the nature of communication between committee representatives and landowners. Once you have signed the lease, you have committed for fifteen years and your room for bargaining is now diminished along with the lease copy you have most likely not received.

TPs talk with committee representatives, rarely with community members themselves. These representatives do not necessarily share the day-to-day concerns of the greater majority of families in the Mara, who among other differences, are considerably less wealthy. The TPs receive confirmation of positivity from their community voices that may fail to gauge the vast majority. With a history of self-interest among these same representatives, it is not hard to imagine a case where leaders are not capturing the needs of their communities, especially having been self-appointed. In effect, the window to the community, from a TP perspective, is often a rose-filtered group of individuals who are reaping significantly greater benefit from this arrangement. They are comfortable, trusted, representatives that ‘manage’ the community well:

“Our leaders are so selfish, they did know everything about this but they don’t want to tell their people or take the reports from the people to the tourism partners. Our land is good and the conservancy is also good, this land had been admired by the TPs but they are putting our leaders in their pockets so that they stand on their side. So the bigger problem that we have is about our leaders, not unless we as members stand together and say what we need, that is the time this corruption will end up.” Women’s Focus Group participant

5. Knowledge as power

“Everything on this earth is changing, bad changes. In the future cattle will reduce, bringing poverty. 10% of the people will be rich, 90% will be very poor. People who grab big lands and who are learned will take from the others, and force people to depend on something else.” Mzee from Kolang

Hierarchy of knowledge is an important component of power (Jentoft 2008). The complexity of natural resource management requires knowledge drawn from scientific and local sources if fully informed decision-making is desired (Ballard et al. 2008, Berkes et al. 2007, Pinkerton 1994), and particularly when involved in the partnering of indigenous and non-indigenous groups who do not necessarily share cultural worldviews. By systematically involving local knowledge holders into a collaborative design

framework, community-based conservation initiatives stay closer to their tenets (Ballard et al. 2008, Gadgil et al. 1993). Sources of indigenous knowledge tap a wealth of historical awareness concerning complex ecological phenomenon (Brush and Stabinsky 1996) that are relevant to the local resource user (Oba 1994, Fernandez-Gimenez 2000). Furthermore, this approach re-appropriates ‘knowledge as power’ to people often sharing the brunt of management decisions.

The conservancy as an increasingly formalized land use may present certain forms of knowledge more advantageous, and therefore more valued, than others. Those who are literate, for example, have the ability to read the lease and inform themselves, rather than relying on conservancy representatives who have a financial interest in persuading new signees. They may be able to pursue advice from lawyers, and they have an advantage with a better understanding of their rights.

[Regarding] *“the 5 year lease, I’ve been talking with the lawyer. The lease automatically renews if they [5 year lease holders] don’t terminate the lease by the 31 of December [2013]. If they start the paperwork by then, there is no more lease, but if the next payment on the 1st goes through and they have not requested or began the paperwork, the lease is reinstated. I haven’t told this to the 5-year holders, but I have told these elders [the LOC]. This is what our lawyer told me, the lease automatically renews.”* Conservancy Manager

As a tourism enterprise, conservancies encourage the well-documented issues of selective access that often plagues the tourism industry worldwide (Manyara and Jones 2007). Positions in tourism require different skill sets; the trend towards tourism means some, primarily those educated from better-off families, have emerging skill-sets such as fluent English, driving skills, and multi-cultural orientations, while others have few opportunities to tap into this sector and are instead dependent primarily on livestock. Elements of western knowledge, such as financial planning and banking, scientific methods, and market ‘knowhow’ are increasingly favored over knowledge of grassland composition, salt lick classification, and other environmental queues, as noted in several focus group discussions. While bodies of knowledge change, and notions of traditional knowledge as static are expiring, the new institutions of learning are inherently selective, leaving some out of reach in a re-envisioned economic landscape. Therefore, while wage labor increases in the Mara, it is out of necessity that livestock-based livelihood options,

and the know-how to operate within them, remain. As Ballard et al. (2008, 37) note, “genuine knowledge integration, in contrast to co-optation, leads to an emergent whole that is greater than the sum of its parts”. Ultimately, decision-making is improved and better landscape scale understanding is achieved (Fernandez-Gimenez 2000, Oba et al. 2000). Methods of integrating knowledge have been scrutinized in the past, often involving issues with power, co-optation (knowledge reduced to information), and western domination (Kofinas 2002). The challenge remains whether knowledge spaces can meet for common goals, without desensitizing the people who share it.

4.2 Summary

“This is our land, its their business, they should make us happy, but they are only interested in business. If we are paid and treated well, then we will leave your business alone.” Conservancy member

“The conservancy needs to be aware that as a business, we [landowners] need to be a partner rather than an employee-employer relationship...an us-them relationship.” Conservancy community liaison officer

The sentiments above, while offering but a glimpse of the varied positions conveyed in this chapter, make the envisioned partnership sound like a difficult sell. This chapter has examined how discourse orients potential partners; it has endeavored to showcase several features of relationship building and erosion evident in the ongoing partnership, and it attempted to summarize some of the influential mediators of power directly or indirectly shaping the collaborative nature of the conservancy governance model. It can be summarized that conservancies operate as a partnership only in that two parties are reliant on each other to make something in which, if separate, would likely not exist. Investors require the land to conduct their business; the Maasai require the skills, marketing, and financing in order to attract tourism revenue. Otherwise, as one manager asks, *“are they going to make as much money if we aren’t a partnership?”* In other words, to create value from tourism, the Mara communities need investors; there is dependency upon one another. This, of course, comes with the assumption that the diverse communities of the Mara see tourism revenue as important enough to partner with investors, and that the costs of such a partnership are not pushed onto others outside the arrangement and who

do not take part in the benefits, as been shown here and elsewhere (Bedelian 2014). In short, all parties do not mutually agree upon the objectives of the partnership, as they should (Berkinoff 2002).

Furthermore, to use the term partnership, especially in the context of private enterprise, is to consider equal contributions in time, capital, and effort, and the subsequent sharing of assets, revenues and expenses. To employ Butler and Fennell's (2003) classification of predation, competition, neutrality and symbiosis when describing interactions among tourism stakeholders, the Mara conservancies fail to sit comfortably in one tagline. Rather, there is a predatory orientation as we saw in the implicit and explicit ways in which power is exerted. There are competitive elements, especially during the high tourism season and drought periods when water and grass resources become a limited commodity and interests conflict. This was especially true in the early stages of conservancy formation. There is a neutral space, for instance the many herders who rely almost entirely on the reserve for their grazing needs, and rarely deal with the conservancy at all. Furthermore, there are symbiotic functions such as those highlighted in Box 5, where conservancies offer a timely grazing zone corresponding to both partners' needs. Overall, conservancies need to be careful when they consider themselves partnered with Maasai landowners, because their rhetoric tends to fall short as this chapter shows, and other analyses in Kenya have pointed out (Mburu and Birner 2007).

Box 5: 'It's me, Maasai, cows, wildlife and wazungu...You can't call it Naboisho when people are not together'

There is growing agreement among a diversity of stakeholders who argue Naboisho is leading a successful strategy to bridge livestock and wildlife needs.

Inputs

- Heavy time and resource (petrol) investment
- Patience and slow changes, done in the times of least concern (low tourism and wet season)
- Guidance from researchers, community advisors, and elders
- Spreading the message, visually by taking members of other communities to explore the model in operation.

Fruits

- 12 months of grazing for peripheral communities, who generally regard this with contentment
- Physical confrontations reduced
- Expanding the model: implementing the model in MNC, possibly putting a grazing conservancy in Endoinyo-erinka (refer to Appendix 1)

Going forward

- Several satellite communities remain resistant
- Growing concern for sharing resources with other communities,
- What happens during a drought or when large factions of non-Koiyaki Maasai come in search of grass?
- Significant monthly fine collection, and while many are willing to pay fines, this is not necessarily reflective of a successful strategy
- Causing conflicts in other conservancies whose policies differ from Naboisho's
- Sheep, water, and camp conflicts remain a day-to-day affair

"With this grazing stuff; is what we are doing right? Maybe 60% of it. It's like a prototype, your constantly adjusting, tinkering, according to variables; tourism, culture, politics. But we are on the right track. I now have communities outside of the conservancy asking to duplicate it elsewhere, so surely a measure of success is replication. I know MNC will move to this system, they are organizing a lot of landowners to come look around with us in Naboisho. We have a lot of support from Maasai. It's so labor intensive in the beginning, but Naboisho can remain a tourism product, the grass bank is the corner stone of this model." Conservancy manager

CHAPTER FIVE

Remodeling the house to fits its dwellers

Going forward in the growing debate on pastoralism as adapting or dying, there remains ample room for nuance between the two poles, particularly concerning how active pastoral communities themselves see this transition. With novel land use models such as the conservancies, are new spaces being created that escape the simple notion of change or perish? As the conservancy experiment continues to unfold, it is helpful to ponder some of the long-term impacts this movement may have on pastoralism as a lifestyle and land-use. How do the conservancy operatives view themselves as agents of change, and what consequences do these agents have on the future of pastoralism? Can we bring together the critical scholarship exploring social change with the merited interests in retaining ecosystem functionality in East Africa's widely productive savannas in a way that acknowledges trade-offs, embraces complexity and uncertainty, and builds broader perspective?

5.1 Conservancies and the future of pastoralism

"Our options today are an open conservancy zone or the reserve. This is a product of land demarcation! Before subdivision, there were vast open lands and Maasai clustered with areas left open for grazing. Before, there were strict rules [governed by Maasai elders], people set areas aside for grazing, no living here in endorenkishu, or the head of the cow [the areas not yet grazed]. After demarcation, everyone has one land, and no one is telling them to move. [Our] traditional rules don't work. With conservancies the idea comes again...don't graze here, don't graze there. Who is behind specific conservancies depends whether it is community conservation." Conservancy nonmember

The conservancies impact pastoralism in many ways, some beneficial, others not. As we have explored, it is unwise to disregard the potential of the conservancies, and equally to think the conservancy an unproblematic win-win. Scholars have theorized the main tenets of pastoralism, suggesting that the ways in which current pressures in pastoral areas engage with these tenets will ultimately shape the sustainability of pastoralism as a land use (Ayantunde et al. 2011). One pressure, the conservancy, is

reshaping pastoral operations in the Mara, and if continued will be a considerable agent of change in the way Mara society functions. For instance, if we consider just three tenets of pastoralism; mobility, flexibility, and social networks, we see the potential for such influential change.

5.1.1 Mobility

“Going from place to place will just end in the future. Demarcation is almost everywhere, this brings everybody to stay on his land and find a plan to manage his land.” Naboisho Warden

The drought of 2009 saw drastic and far-reaching movements by pastoralists in and out of the Mara and across Kenya, a sign that mobility still plays a strong role in pastoral strategies. However, many argue the conservancies are putting mobility to rest. For one, drought refugia are now covered by maize plantations and the Mara residents are more often hosting herds from these areas than they are being hosted by Transmara residents. For another, *“migration doesn’t occur in drought, we now use the reserve and the conservancies.”* And by no means is this an unwelcome fact. Many pastoralists agree that dry season movement is disappearing, as households grow less and less inclined to move as in the past. They argue the large-scale movement of 2009 was the last of its kind; that from now on herds will not need to leave the Mara.²⁶ The conservancy offers a dry season refuge, something akin to the high elevation zones of Siria Escarpment or the Pardamat Mountains (Appendix 1). Most households have, or are beginning to invest in, permanent housing with metal, brick and mortar, cedar post kraals, and fencing. The temporary bomas constructed in dry and drought seasons are fast disappearing. They still occur at the edges of the reserve where Transmara visitors and herders from other far reaches cluster to access the reserve and conservancies at night. With renewed vigor to ban night grazing from reserve officials, these temporary bomas may also soon disappear.

The conservancies are beginning to reintroduce the temporary *boma*, which they term moveable bomas. These are predator proof kraals made of chain-link fence that can

²⁶ Most livestock moved out of the Mara during the drought of 2014 in favor of high elevation refugia along the Siria Escarpment. Several conservancies maintained open grazing zones during the drought, but the grass resources had largely been finished by Wildebeest and cattle. The importance of movement between *olpurkel* (lowlands) and *osupoko* (highlands) has not diminished yet.

be moved by a tractor, and include an aluminum metal ‘house’ for shepherds. They reintroduce the flexibility of temporary bomas used in the past to access flushes of green grass. While a potentially encouraging direction, determining who controls the access, patterns of movement, and investment costs in purchasing the bomas will define whether this builds upon or alleviates the potential for equity gaps.

The conservancy maintains daily movement patterns; however, the season of movement has inverted. The long movement patterns, which typically occurred in the dry season, are now occurring during the rains. A conservancy grazing committee member asks of the rangers: “*Why do you open a grazing zone in the wet season, why not in the dry season. Tell management to change this system?*” This poses two complications; the first is the impacts to land, which are more acute during the wet season when repetitive trampling can quickly cause damaging cattle trails and soil erosion. According to herders and some researchers (Bilal Butt, personal communication), soil disturbance can be much higher in the wet season than dry season, when soil is saturated and more compactable. Secondly, the wet season is the time of *linka* (Maa word) when cattle are taken to graze in the early morning hours, returning home to graze near the *boma* during the daytime hours when the grass is more easily accessible. The conservancies do not recognize *linka* as a traditional form of land management.

With the persistence of wildebeest, there will always be a need to move. Malignant Catarrhal Fever (MCF) forces cattle to relocate during the birthing season (Appendix 1), and unless fencing advances to the point of severing wildebeest migration routes, herders will be depending on disease free pastures during the calving periods (Niamir-Fuller et al. 2012).

5.1.2 Flexibility

“We are facing problems. There is no place to go without worry of fines. We’ve already adapted, we are at a tipping point. We will just sell our cattle and take up cultivation.” Mzee from Kolang

Flexibility is an essential feature of pastoralism-- the flexibility to move, to diversify breeds, to split herds, to access different watering points, or to avoid disease (Burnsilver 2007). A rigid land use in a dynamic, resource spotty landscape is risky. This helps explain the general failure of early crop experiments in the Mara; you simply ‘*can’t bring*

the maize to water' as one elder reminds us. The move to private land tenure is a potentially damaging experiment, as other areas of Maasailand have experienced (Western et al. 2009, Hobbs et al. 2008). Conservancies may magnify or minimize this risk, depending on the rigidity it introduces. In an increasingly unpredictable landscape, considering climate change, the urgency to maintain options only increases in importance. Sharing the land with tourism brings added interests that are not necessarily in accordance with the undulation of resource abundance and scarcity. The conservancy is at its most rigid period when tourism demands peak, while at the same time forage scarcity is maximized. And with the conservancy edges under consistent pressure from incursions by small stock, grazing options become limiting.

"There are always sheep and goats here, always continuous grazing. The area is not big anymore, if grass finishes, cows move, but bomas stay. In droughts, we graze by force in the reserve. We just want to graze our livestock, we don't have any other choice." Conservancy Member from Talek.

As participants noted, the concern for intensified land uses outside conservancy boundaries is magnified by a growing preference for sheep as part of a mixed livestock herding strategy adapted to changing environmental and economic conditions. As both an effort to eradicate the large herds of sheep in the Mara, and informed by the perceptions of sheep as agents of land degradation, conservancy policy excludes sheep entirely from the conservation area. The grazing of small stock has thus been concentrated in several pockets within the former group ranch, largely the Orkuroto, Oloosokon, MaraRianta, and Talek plains, along with intensifying conflicts among neighbors sharing these plains. These areas are under the greatest threat of fencing, and both conservancy leaders and individual households will soon be forced to reconsider how sheep and goats are managed on smaller parcels of land if current conditions are maintained. Naboisho Conservancy has begun considering a tiered system of grazing where cattle, preferential to tall grass, graze ahead of small stock, which generally prefer shorter stubble. This may be part of a solution to bridging the real constraints conservancies place on small stock.

5.1.3 Strong economic and social support networks

"We have meetings with the landowners committee- the majors- and they are with us. We can't accommodate everyone's cows. We have to look out for our members first, then control the numbers and where

they can access. It can't come from every corner." Conservancy manager

An important question to consider is the short and long-term effects conservancies pose to kinship and reciprocity, both cornerstones of pastoralism and Maasai culture in general. As the conservancies now cover most of former Koiyaki Group Ranch, and expand into surrounding ranches, there are few who are not at least indirectly affected by their policies. The conservancies, for instance, are inching their way towards a members-only policy, meaning only those who have signed their parcels have grazing access. Conservancies are considering a grazing fee that would be levied at large herd owners whose cattle exceed a given allotment. Conservancies are discouraging hosting of others outside the region, whom often do not know the system and fail to follow rules in addition to occasionally adding hundreds or even thousands of cattle to the ecosystem. The conservancy discourages hosting of visitors, threatening to close the zones if an influx of hosted cattle is perceived. These policies, not all fully enacted, are just a few of the pressures placed on a long-standing social fabric woven over decades of shared resource use. These networks, as an essential part of navigating scarce and spotty resources, manifest themselves through marriage, clanship, and friendship alliances. The exchange of resources, the hosting of family and friends are part of maintaining a flexible system.

However, as is happening in some communities, hosted herds will be charged to stay, or not allowed at all. This not only threatens the viability of pastoralism for people in Koiyaki who do not have lands within the conservancy, but also for many people in Transmara, Siana, Ol Kinyei, and Maji Moto who in times of need can not rely on the Mara for grazing. Demarcation has started this trend; will the conservancy spell its end? If you seek a place to live after leasing your land to the conservancy, will your kinship alliances provide the accommodation you need? Can you trade your pass to the conservancy for a secure place to kraal your livestock? What happens when kinship ties break down, especially between those of Transmara families, who historically provide relief grazing in the times of greatest need, but today struggle to find someone to host

their livestock?²⁷

If the networks kindled overtime are less important with the advent of the conservancy, how does society at large change when kinship, clanism, and reciprocal tendencies become dismantled or lost? This disruption of communal relations is no better exemplified than the unwritten rule concerning the fencing of water sources. When one of the wealthiest men in the Mara fenced his stretch of land along a stream running through Talek town, neighbors reacted with anger and frustration, some even noted that the land boundary was the stream itself and therefore should not be fenced on the opposite side. The fence stayed. As pointed out in the women's focus group, individualism increases flexibility by some measures, such as granting decision-making powers outside the dominion of a council of elders (like the instance of the fence being built), but can also restrict future scenarios such as when one calls upon community support and finds only the ears of frustrated neighbors (Figure 9).

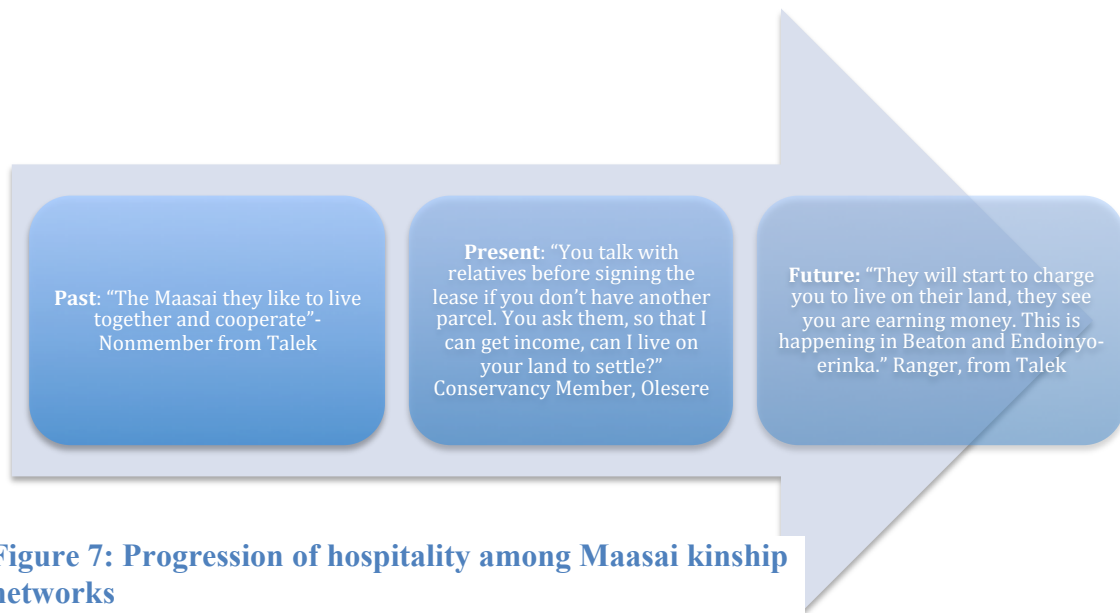


Figure 7: Progression of hospitality among Maasai kinship networks

²⁷ As of July 2014, many Mara households have moved their livestock to Transmara in wake of a strong drought and an increasingly strict Maasai Mara National Reserve. In former dry seasons, herds could move to the perimeter of the reserve and find refuge in the tall grasses at night. Now with the enforcement to support their rhetoric, government officials are forcing Maasai households to reconsider their plan B in times of drought, once again Transmara.

Pastoralism and the conservancy are two land uses with overlapping interests at some points, yet under direct competition at others. Three positions are often offered in the pastoralism debate: 1) adapt and adopt an agrarian model of fixed animal and livestock production and the associated urbanization, integration into the markets, and benefits of social inclusion; 2) Revitalize traditional pastoral operations, securing land rights and access corridors for mobile herds, and protecting cultural values, norms, and traditional herder knowledge; and 3) a win-win middle ground with the formulation of both pastoral elements and cereal cultivation including veterinary and credit services among others. A fourth value is, and should be, less easily defined, for it involves the direction pastoralists themselves favor. While there is no one direction advocated by pastoralists in the Mara, what is for certain is the outright refusal to give up livestock. To the Mara's Maasai, pastoralism means being with cows. To be Maasai is to be with cows. If just one prescription could be made, it is identifying the motivations of agents setting the parameters of change; asking the question of who is doing the engineering, do they understand their position, and what can be expected from such motivations? What is clear from participant voices is the conservancies do not compensate for the value economically and socially placed on livestock.

5.2 Chief engineers of change

“The question is not how are people going to reduce the number of cows, but how are we going to tell them how to reduce their cows?”
Conservancy manager

“The investors are driving these changes, we are going with the times. Even Maasai people need money, which is a symbiotic relationship. The Maasai culture will be gone in 20 years, I need a good wife, a house, a car, and education.” Conservancy ranger

Development interventions often have the goal of reorganizing a society in an effort to make it more rational, more legible, more compatible, and more marketable to prevailing ‘norms’ (Wangui 2008, Igoe and Brockington 2013). There is a possibility that, depending on who is reshaping the lives of Mara residents, the course of the

conservancies can be a continuation of a long-standing attempt to restructure Maasai society in ways that fit into a more discernible landscape for other state actors (Galaty and Bonte 1992). This began during the colonial era, and some language from at least one conservancy leader reminds us a neocolonial approach persists: *“the Maasai should look at it as remodeling culture with a stronger, managed system, because the last 30 years it has been abused by the wealthy individuals.”* As we have seen in the discourse of various actors, change can only improve the lives of people in the Mara, for as one TP put it, *“they are going to change anyway.”* This way of thinking needs to be monitored very carefully for fear of eclipsing the values, wants, and needs of the very people living with this change. For instance, the conservancy has refurbished the potential of a new safari image: healthy rangelands, abundant wildlife, and charismatic Maasai ‘warriors’ driving cattle in the rich grasslands. Guests are invited to walk with the shepherds and their cattle, experiencing the harmony of this ecosystem. As for the shepherd, he should come dressed traditionally, and shall not disturb tourists for money when their photograph is taken. Embody the picturesque Maasai image, and receive conservancy grass, that is the bargain.

This commodification of the image of a *murran* [warrior], as in other examples, perpetuates a symbol of exotic tribalism critiqued in so many fashions (Anderson 1993, Galaty and Bonte 1992). Furthermore, it trades an idealized image to be consumed with a basic need, that being grazing. Access to grass is dependent upon wearing the appropriate dress according to tourism needs- *“They need proper clothing, so tourists enjoy the experience, if they don’t wear a shuka, they are fined and chucked back out”*, as one manager explains. This is ironic in some ways, for as one Maasai safari guide offers: *“We (tour operators) market Kenya using the Maasai! Why do investors hate cows if they use the Maasai as a symbol of tourism?”* The presence of Maasai is partly magnetizing, and partly degrading the product; the terms are set by tourism needs.

The commodification of Maasai culture is something long since established in the Mara and elsewhere, having been treated by others (May and Ole Ikayo, 2007; Spear and Waller 1993); a more novel attempt at engineering a new Mara is the establishment of conservancy herds. These are improved breeds managed within and by conservancies, producing high quality meat for export markets, were *“landowners will be encouraged to*

adopt improved beef producing technologies, creating a more profitable model of their pastoral activities while keeping the Maasai close to their cattle.”(Enonkishu Conservancy website).²⁸ People do not want to give up their cattle, as every participant exclaimed, but have they been asked if they want to grant conservancies’ management power over their herds as well as their grass?

“We work side by side with them, and then teach them how to look after cattle, to know the science behind it. It is not rocket science, but there are some good things to know- let’s weigh the calves, let’s buy milk. If you want proper cattle you can’t add stress to the animal. That means no stealing milk from the calf!” Conservancy manager.

Stealing milk from the calf, also termed subsistence dairy, is an important source of daily nutrition for most Maasai in the Mara. To suggest switching to ‘proper’ cattle management by forgoing milk collection is a stark engineering project, one that is going to struggle to buy support from a circle wider than the wealthy elite.

“A properly run conservancy would charge a grazing fee. Then management would limit the number of cows, if you have 150 acres, you have 15 mature cows, they would be tagged, and you pay 50 KSH/day, 40 if your an outsider. The money is put into a pot then divided into landowner’s accounts at end of year- straight capitalism. In 20 years the conservancy will run as a [cattle] business. No cattle from July to November during [wildebeest] migration, then in November, you buy mature steers, fatten them in the conservancy and sell before the next migration. The profit goes into a pot distributed among landowners. However, commercial viability requires that there are NO traditional cows here!” Tourism Partner, OOC

It is a project in the early stages of development, but with conservancy sponsored field trips to established operations in north-central Kenya, the local elites are jumping on board and conservancy managers are beginning to write grants seeking funding for the up-front capital. The conservancy vision sees a world-class cattle operation:

“Every man can have 100 cows for milking, for his culture as a token herd, then he has 300 cows for money on the conservancy to get cash. We create the role model with an Mzee like that. You don’t need 500

²⁸ Enonkishu, meaning *healthy cattle* in Maasai, Conservancy remains in the development stages and is looking at formalizing the linkage between cattle and conservation. See their website http://www.enonkishu.com/Enonkishu_Conservancy/Welcome.html

cows at home! We hopefully will be number 1 in seven years.”
Conservancy Manager

The allies of this plan just might be the generation now beginning to make household decisions, who view wealth and entrepreneurship in a different light than that of their fathers. *“The young won’t follow Maasai culture, they follow mzungu culture. The old generation is being forced by the younger to create plots and use money differently”* (Conservancy member, Talek). It is not that people in the Mara are not ready for change, or that they themselves do not already embody change. Elders and youth are often living two entirely different realities in the same household, as a young man from Talek explains: *“They differ a lot, the old generation. They have that pain when you sell a large bull going to the market. We [youth] challenge them. The old generation they want to watch the big bull, I want to sell it and get others.”* Some are ready and convinced of a new reality: *“We can survive with 10 cows, with another job and increasing money from the conservancy. I predict this will happen.”* (Kijana (youth), Talek).

The point therefore is not to suggest the old ways are necessarily better, that tradition should be preserved, that the Maasai should not change. It is precisely the opposite. People in powerful positions should be providing the means for individuals, and collective voices, to retain their options in this time of transition. Will tourism be the way forward? There are many risks, as recent destabilizing attacks in Nairobi and the Coastal region shows.²⁹ The conservancy has placed a bet on tourism, and asked Mara’s residents to do the same. Is tourism really the direction we want to invest in? It is a gamble that some will win and others may lose. Currently the agents of change are crowding out what little comparative advantage the majority of Mara families have, that being their land and resources (Berkes and Adhikari 2006). When self-determination is recognized as a core element of development interventions, a realization will be made that conservancies lack the ownership required by its member base to be sustainable.

While education may provide a way to diversify options for people looking to leave pastoralism or pair it with other livelihoods, the position that “schools are so important to

²⁹ I refer to the Westgate siege in Nairobi on September 2013 in which at least 67 people were killed, and more recent attacks on the coast, including in Mombasa and communities near to Lamu, which have spawned travel warnings by UK and US authorities. Coastal tourism has been hit hard, with larger hoteliers closing in typically peak tourism season.

keep people out of livestock keeping,” as stated by some conservancy leaders is not necessarily aimed at retaining options. Rather, it suggests dictating development directives that equates to fewer cattle on the land.

5.3 Taking stock: What have we learned?

The conservancies are providing a degree of participation for many households in the lucrative tourism sector never before seen in the Mara. What was once a lost promise of revenue sharing has become a significant monthly income for particular households. And while the early experimentations with the model brought severe conflict and tough compromises, new policy directions such as the integration of livestock in Naboisho, for example, give much promise for the future. It is not time to congratulate ourselves on a win-win situation, however. In Table 14, some areas of progress made by conservancies are highlighted. These improvements are paired equally with areas left for continued progress, which surfaced both from key informant suggestions and my own conclusions from the analysis. For one, the exclusion of livestock remains a problem for conservancy prospects. Bedelian (2014) argues that only with increased integration of livestock into the conservancy format will true conservation solutions be found. While integration may be the right direction, concerns over how this occurs, particularly who writes the rules, who owns the cattle, and how tourist interests are positioned, will require thoughtful attention before a triumphal call can be made. While many Maasai landowners now enjoy a new wealth experience, participation in the deliberative, problem-solving descriptors of collaborative governance has yet to be institutionalized. The proxies of interest-group representation, i.e. land committee representatives, are insufficiently representative, and the decision-making table, while happy to propose win-win solutions, have not even invited representatives of all the stakeholders, regardless of the quality and fairness of representation (Karkkainen 2002).

Table 14: The evolution of the conservancy model at the time of data collection, and some of the challenges moving forward.

Changes made	Remaining challenges
A transparent revenue collection system that prevents the former elite capture of wildlife associations.	Embrace and reconsider that although equitable, conservancies are founded upon preexisting inequalities, especially concerning double-renting.
Designed for an accountable leadership structure instituting elections of positions.	Elections remain unexamined and unquestioned, and leadership does not change. Calls for a different system are not always recognized.
More formalized arrangements, or a partnership, with the community beginning with a loose MOU, to a joint body, to now one body such as Naboisho's model.	Most feel unconvinced this is a shared partnership other than those constituting leadership. When a new generation of literate landowners review the lease, there are items that will need adjustment.
Evolution of benefit sharing recognizing the right beneficiaries.	Clear recognition that without broader benefits outside conservancies, a sea of discontent is forming. Will those without lands in conservancies start to demand a share?
Legal mechanisms for solidifying the conservancy as a land-use, including licenses and leasing agreements.	New mechanisms for legal support (MMWCA) and the issue of taxation, as well as the increasingly volatile nature of tourism in Kenya along with growing insecurity for the future.
Rigorous planning, including distinct boundaries, referenced mapping, and strict payment system.	The planning structure hardens boundaries and reduces flexibility in both social and ecological contexts. Rules cannot be imposed as has happened previously.
Committee construction and organization: introducing meeting minutes, regular meetings, AGMs, agendas.	AGMs are not guaranteed in all conservancies, representatives need greater facilitation skills and a more rigorous method for communication.
Area representation more thorough, with committee members from all sublocations representing, proportional to the number of landowners in the area.	This is not the case in all conservancies, and there remains little to no representation outside conservancy membership?
A longer lease, offering an indication of longevity in the return from tourism and a commitment to the future.	Sincere consultations with those who do not want to continue the lease, (termination), for those who are not ready for a 15 year commitment, and for those who cannot afford lawyer fees. Also much greater transparent and attention to the lease renewal process is needed.
Management learning to share ideas on grazing policy, conflict resolution, etc.	A conversation about unifying conservancy policies means some management policies will have to change and broader dialogue would be required.

The process of collaborative governance demands a period of information generating, pooling, negotiating and sharing that can only surface from a partnership of mutual respect. Or else, as Bedelian (2014) warns, the powerful become more powerful and the marginalized further marginalized.

A summary of the general conclusions made in this analysis of conservancies:

- While conservancies have been propped up based on social and biodiversity benefits in the Mara (ILRI 2011), they are not a win-win for everyone, there are costs born on some and not on others, and trade-offs made when deciding to join the conservancy. Not every household gains, and the conservancy indirectly or directly decides which ones do and do not.
- Conservancies are variable in their methods, approaches and relationships that in part translate to variations of success. However, all conservancies are moving progressively towards an analogous model through cross-conservancy learning.
- Mara residents are generally divided and undecided on the issue of conservancies, a product of different positions, histories, and perceived costs and benefits among other factors. It is clear, however, that the conservancies are not a championed product of community engineering, but a byproduct of investor and key community leaders' facilitation and persuasion. Communities do not own the conservancy idea.
- The conservancies are a business first, a conservation easement second, and a grazing refuge third.
- The historical legacy of conservation plays a significant role in today's palpable aura of mistrust that continues to plague conservation efforts.
- The conservancies are playing an agent of change, the direction and ramifications of which is still being decided.

If, as many in the Mara and elsewhere suggest, the conservancies are the only way to retain a resemblance of the pastoral system, investing in ways to improve this model becomes paramount. For the conservancy to continue into the future, study participants from all positions suggested the following considerations, in some cases demands, be made reality:

- a- Re-evaluate the marketing discourse of wilderness and the Maasai tribal

‘image’ to fit with the reality of a human-dominated ecosystem in flux. This also means cattle are treated more than mere management tools used to bolster social and ecological indicators.

- b- Break down the barriers of competition between conservancies and embrace an ecosystem scale that engulfs cooperation and compatibility in policy. This may mean eroding the boundaries of the conservancies themselves to include the broader matrix of those currently outside conservancies, so as to prevent the “island of content in a seas of discontent”. Those individuals who do not have land in the conservancies may not be willing to continue hosting the spillover effects.
- c- Open windows of transparency and accountability within both the TP and LOC bodies. Forge stronger avenues of communication, with members *and* nonmembers. This may include billboards or other information outlet depots, a public comment space or monthly forums hosted by conservancies during market days in town centers. This might even include a cell phone application that would link members to a notification text service for important updates and conservancy messages.³⁰
- d- Blaze a path of greater community ownership by engaging in a participatory structure irrespective of membership. Rather than touting benefits, build a representative committee that enjoys a wide spectrum of support. Share ownership of decisions with your partners.
- e- Develop a sustainable revenue stream that 1) recognizes the true value of land 2) increases with inflation, 3) predicts and incorporates the upcoming tax burden, 4) measures and reflects the growing costs of living, more closely approximating local needs, 5) understands the future process of land splintering among sons.
- f- Investigate leaseholders degree of understanding concerning the agreement, and facilitate those who need further clarifications or who are reconsidering partially informed decisions.
- g- Recognize and source the issues of mistrust, and respond appropriately.
- h- Develop a coordinated effort and, partnership, with the Maasai Mara National Reserve.
- i- Develop technical assistance and training mechanisms (including capacity building in marketing and management) in existing camps in an effort to facilitate the future establishment of/ conversion to community or conservancy owned camps.

³⁰ This idea was brought up in MNC, but the Land Committee has currently refused to institute this communicative tool, for reasons not specified.

- j- Re-evaluate the donor-funding aspect of conservancy finances, which supports most of the community development projects on insecure financial terms.

“The bottom line, pastoralism has changed. Its not what it used to be, but what happens when herds are finished? If we incorporate grazing communities and conservancies in a unified model, then we widen the space and we can help retain that pastoralist model.” Conservancy manager

5.4 Further research

One could argue if the Mara conservancies were simply a conservation and development project, the potential for a smoother collaboration would be great. But with the multiple interests of conservation, tourism, and development, the balancing act is a harder sell. Other conservancies in Kenya, lacking a highly developed tourism market, instead derive success from alternative purposes including grazing refugia and security from cattle raiders. The Northern Rangelands Trust and Laikipia’s community-run conservancies, while diverse in their degrees of success (Galvin and Reid 2014), offer examples of conservancies that sustain themselves without the trump of tourism interests. In Ol Kiramatian Group Ranch in the Southern Rangelands, a success story appears to be emerging with a different type of conservancy arrangement (Hughes 2013). While my personal inquiries consist of a few interviews with chief conservancy architects and informal conversations with group ranch members, and the academic literature remains largely absent in this region, initial observations suggest the group ranch has found a different balance that retains pastoral interests at its heart. Tourism is not the primary aim of the conservancy, rather an added benefit from time to time. While tourism partners see the southern rangelands as a golden goose strangled by greedy group ranch members, the communities, and their leaders deliberately caution tourism as “the way forward”.

Instead, the conservancy has retained the flexible nature of dry and wet season movements, creating a grazing refuge for group ranch members. The conservancy has not placed significant burdens on pastoralism as the primary livelihood; by asking for small commitments, conservation may be more cost-effective. In Ol Kiramatian, conservation targets, particularly the lion population, are being achieved without full-scale removal of people or the trade-off of tourism for livestock. Scholars working in Tanzanian

Maasailand have found payments for ecosystem service schemes working for voluntary landuse modifications have garnered similar success (Nelson 2012).

This begs the question, if the Mara conservancies were to reduce their focus on tourism and construct a model based on conservation and pastoralism, would lessons from Ol Kiramatian Conservancy and the northern rangelands indicate the possibility for a better arrangement? Further research could explore the nature of this question through a cross-conservancy comparison investigating different regional hubs in Kenya where conservancies have emerged; a meta-analysis looking at various indicators of conservancy functioning, including stakeholder perceptions but also development indicators, conservation criteria, and governance structures. Conservancies are only growing in popularity as conservation spreads its reach outside state protected area boundaries;³¹ to explore different arrangements can help inform umbrella bodies such as the Kenya Wildlife Conservancies Association. It can also remind conservancy developers of a necessary element in forging partnerships with local landowners or community groups, that being a sincere attention to the joint nature of a partnership between two equally informed bodies who, together, identify the objectives to be achieved. As Galvin and Reid (2014) note, the conservancies that “last do so largely because they have strong local involvement and formed the right partnerships, where people are able to build their knowledge as well as trust and innovate together.” While these elements may have been achieved in other conservancy contexts in Kenya, in the Mara case they are still being fostered. Perhaps in the next trial-period, whether a drought, a tourism slump, or something unprecedented, the social capital will be sufficiently present to prove resilient. Until then, there remain a few items to improve upon.

³¹ Conservancies cover over 4% of Kenya’s land mass, almost half the area covered by national parks and reserves

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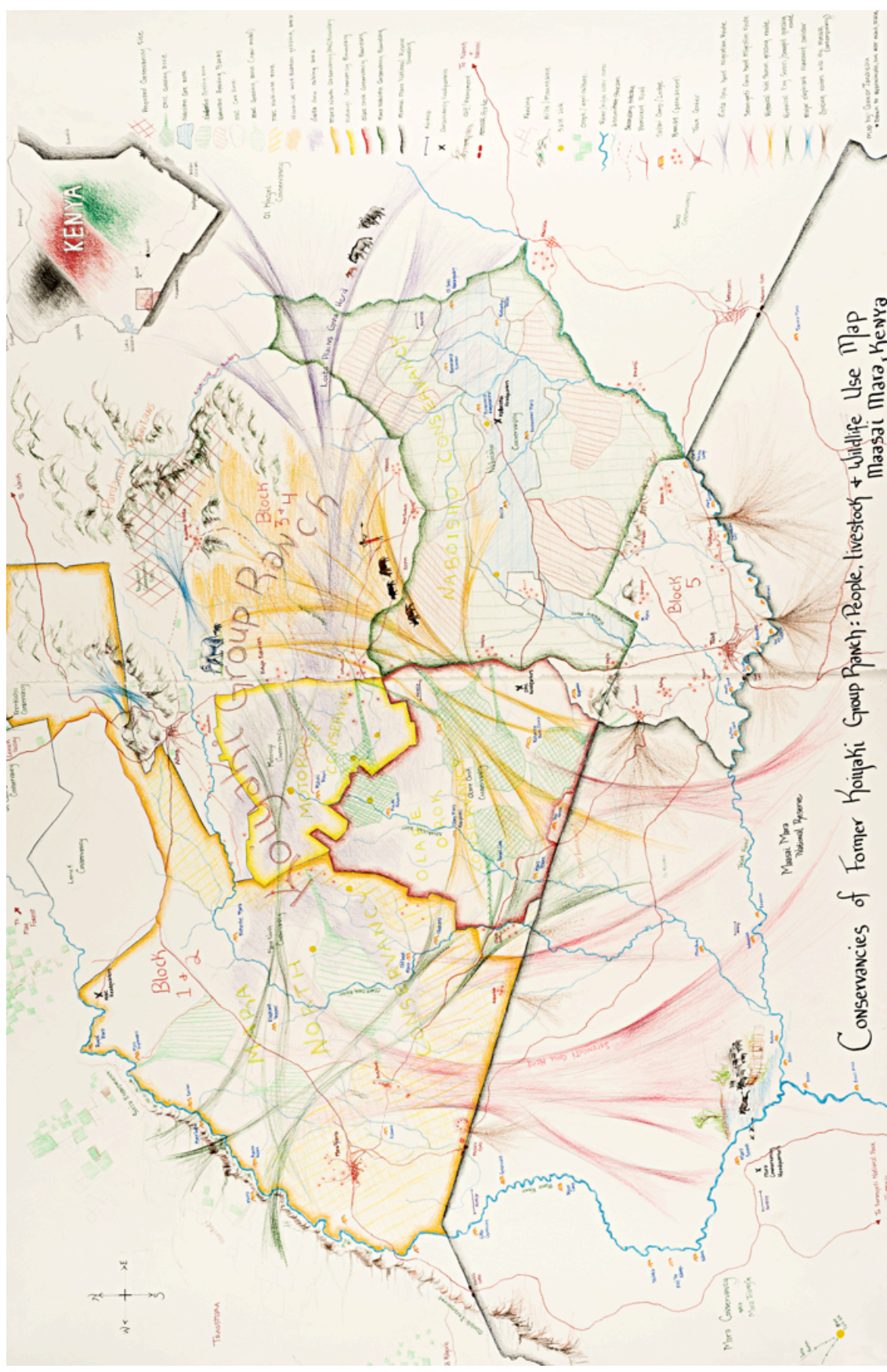
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Appendix 1: Multi-use map

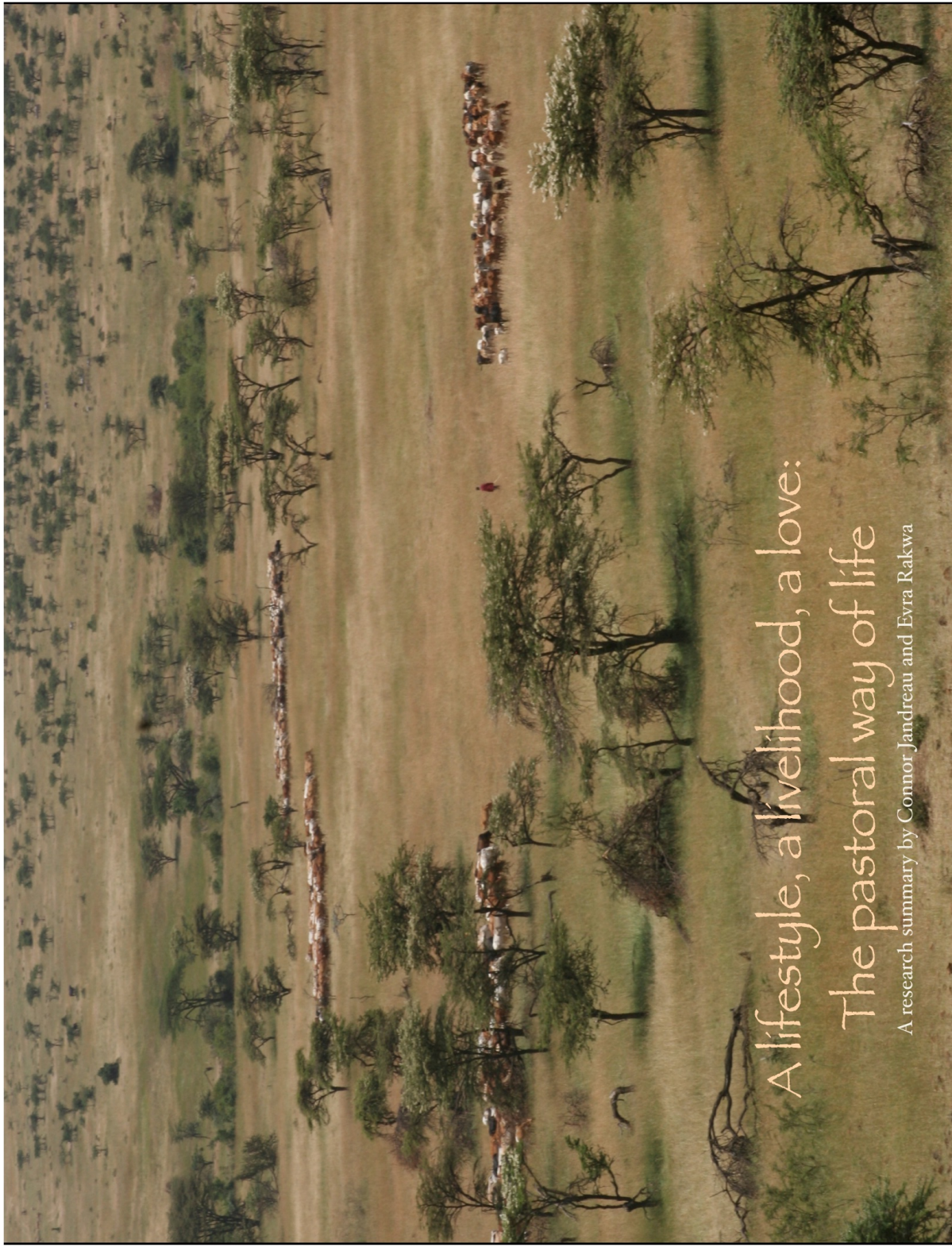
The map attempts to capture the multiplicity of interests overlapping and juxtaposed across the Mara landscape, including those of wildlife, herders, and tourism. The map is a product of: 1) participatory mapping exercises with Maasai elders and youth, exploring past and present wet and dry season grazing areas, movement corridors, and important resource areas such as salt licks; and 2) data and drawings collected during participatory observation; largely in the course of transect walks, and visits with herders, rangers and conservancy managers. In addition to the grazing regimes used by Maasai in the past (orange and green pathways), the map also attempts to highlight the various management schemes currently being applied within individual conservancies, such as grazing zones, conservation core areas, and livestock corridors (refer to the key). While the current and historic approaches to grazing are clearly different, they are not mutually exclusive, such as was seen in August of 2014 when most cattle were moved along historical drought-reserve routes to the Siria escarpment even while conservancies managed grazing zones. In addition to herd movements, tourism development is shown in the form of lodges, camps and airstrips, illustrating firstly the density of camps across both the MMNR and the conservancies, but also the overlap between camp site locations and critical resources for pastoralist needs. The town centers, major road networks and the various sublocations (clusters of homesteads) indicate the population centers and household distributions across the landscape. Fencing and agriculture are increasingly a feature in the Mara, and an important driver in landuse change as captured in the map. An important element unique to the Mara is the movement of wildebeest (purple and pink pathways). The arrival of the Serengeti herds from the south introduce a grazing pressure to the pastures, driving herd movement; while equally important is the arrival of the Loita herds from the East, which calve on much of the group ranch and drive livestock south towards the MMNR due to the presence of Malignant Catarrhal Fever (MCF), an infectious disease transmittable to cattle via wildebeest placenta. The timing of these migrations affect livestock mobility, in turn affecting grazing needs within conservancies. If there are a few messages to be gleaned from the map, they should include:

- The strong importance of landscape-scale mobility and connectivity, with temporal relevancy included, highlighting the need to manage the ecosystem holistically across political/ecological and socially constructed boundaries (as discussed in Chapter 5).
- The extensive occupancy of conservancies across Maasai grazing lands, necessitating involvement of livestock grazing and subsequent herder participation in land-use decision-making.
- The importance of maintaining and enhancing livestock-friendly policies in MMNR, especially when conservancies are closed for tourism use.
- Areas of particular vulnerability to intensifying landuses including fences, infrastructure, and crops are highlighted, particularly in the small pockets of conservancy-free lands, the town centers, and the growing periphery communities that encircle conservancy boundaries.



Appendix 2: Research booklet

A research booklet was prepared and distributed to research participants and interested parties, including conservancy members, nonmembers, managers, TPs, Universities, research assistants. 100 hard copies were printed and distributed, along with e-versions to additional interested parties. The booklet attempts to share research findings through a simple, photographic format. The booklet was translated into Swahili as well as English, depending on the intended audience.



A lifestyle, a livelihood, a love: The pastoral way of life

A research summary by Connor Jandreau and Evra Rakwa

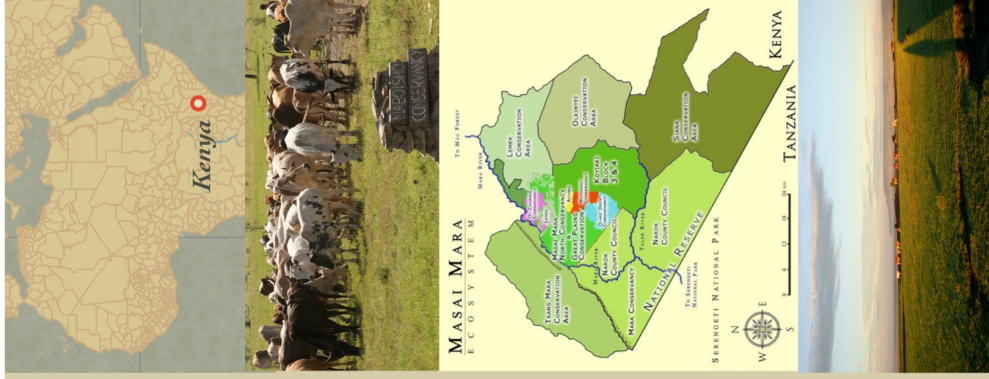


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This booklet is part of a research project carried out in the Maasai Mara region of Kenya by Connor Jandreau, a Masters student at the Natural Resource Institute, University of Manitoba, Winnipeg, Canada. The co-author Evra Rakwa is a student himself and member of the Mara community. The booklet is part of a sincere thank-you to Mara participants who contributed their time, energy and knowledge to the research. In the following pages, a short story of the pastoral experience is shared, reflecting on some of the results of our research, as well as how pastoralism as a land-use is changing around the world. The project was supported by the United States Fulbright Scholarship Program; the Canada Research Chair in Community-based Resource Management (Dr. Fikret Berkes); and Clayton H. Riddell Faculty of Environment, Earth, and Resources.

All photos by Evra Rakwa and Connor Jandreau, unless otherwise noted



Kenya is nestled in the great Rift Valley of East Africa. The Maasai occupied much of present day Kenya and northern Tanzania, but have since been condensed to small pockets in central and southern Kenya. One remaining stronghold is the Maasai Mara, part of the northern end of the Greater Serengeti-Mara ecosystem spanning Tanzania and Kenya. This ecosystem boasts the largest wildlife densities in Kenya, and is famous for the great wildebeest migration. The Maasai Mara National Reserve is now surrounded by privately owned conservancies to the north, a move that has sharpened the debate over the future of pastoral livelihoods in this human-dominated landscape.

A Place called Enkipai

To the world it is the Maasai Mara, to the locals living there, it is called Enkipai. Named after the river Enkipai, the story goes that when the Laikipiaks began pushing south, they displaced many from the highland regions of Nairobi. A few families traveled into the Mara with their livestock and rekindled the long history of pastoralists living in this ecosystem. Now the Mara is home to over 150 tourist lodges, nearly 10 conservancies, and the Maasai Mara National Reserve. It is a place of many stakeholders, many interests, and many riches.

The Maasai, numbering about 450,000 across Kenya and Tanzania, is a term grouping several tribes who practice pastoralism and agro-pastoralism. In the Mara the Maasai remain largely dependent on livestock, as crops have struggled to establish in the region. Cattle, sheep, goats and donkeys are the mainstay, although a wage economy is growing as an important part of the livelihoods of many in the Mara.

"The word mara means something good, because there are plains, streams, rivers, hills, bushes and forests. There are springs and also access to resources like livestock and wildlife. In general it is a rich word." – Elder, Talek, Maasai Mara, Kenya





The Mara is a place where wildlife live together with livestock. The Maasai have known for a long time how wildlife and cattle work together. There are conflicts, and traditional ways to cope with these, such as the lion hunts, but compatibility has always been present. It is the conservationists and tourism industry who are just waking up to this friendship.

" Since I was born, wildlife graze together with livestock. Buffalo with the cows, donkeys with the zebra, shoats [sheep and goats] with the gazelles, they all graze together." -Mzee from Talek



Living with Change

Change is the constant in the Mara. Ecologically this has always been the case as a semi-arid rangeland of patchy resources, but now cultural change is rapidly taking center stage. The land and people are undergoing change in many ways...

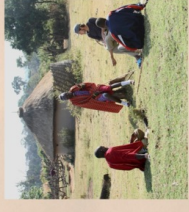
New influences: Tourism has brought new livelihoods, an influx of different groups, and with them a new set of norms and ideals.



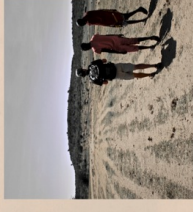
Population and demographics: The population in the Mara is growing rapidly, making it difficult to find lands open for grazing cattle. Here we see political supporters; the growing youth voting block in the Mara helped turn the tide in recent elections.



Expansion of cultivation: agro-pastoralism is expanding thanks to influences from Transmara and other regions. Photo showing an interview with a Maasai family from Transmara about how maize has become their new cow.



Demarcation: Elders are concerned about the health of the land, the cattle trails, and the new species of grasses. They often struggle, however, to source a solution now that the land has been demarcated into individual parcels.



Sedentary life: Temporary bomas used to be a part of life. Now, only a few remain, at the edge of the reserve typically to take advantage of night grazing. Photo showing temporary boma at Musiara Gate near MaraRianta.

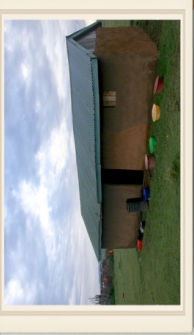




Cattle are becoming nocturnal animals. '*Linka*' used to be a method of bringing cattle to graze in the early morning hours, while still dark, when the water content in the grass was highest. Now, night grazing has become the norm for many herders who occupy the edges of protected areas as a way to take advantage of the grass under the cover of darkness. While there are risks of fires, predators and some say lower milk production, few alternatives remain.

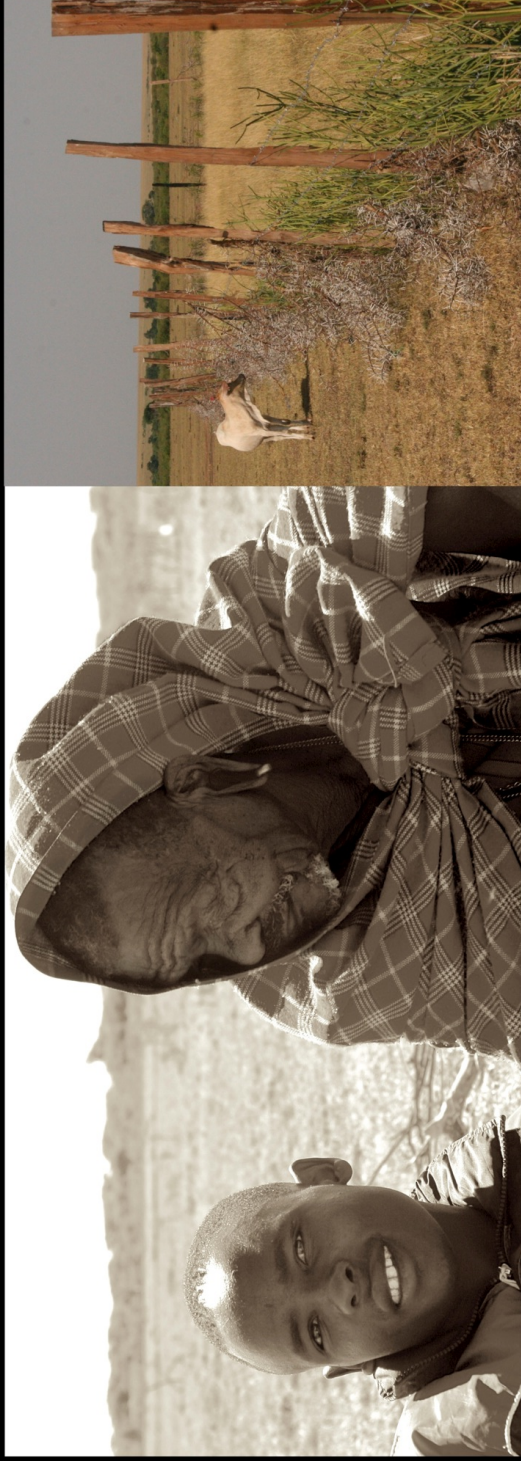


Learning is increasingly done in the classroom, rather than the bush. The *ol Manyata*, or "the university for Maasai" is disappearing, in favor of Koiyaki Guiding School and other institutions preparing youth for a different world of science, technology and English.



Houses are becoming a permanent feature on the land, made from stones and sheet metal, rather than traditional mud and cow manure. This reflects a change in the sedentary way of life, as well as in the material goods that a new generation of Maasai enjoy, such as electricity, telecommunications and other modern comforts.





Top left: Evra Rakwa pictured with an Mzee from Olesere. There is a growing division between elders and youth as new ideas begin to reshape the ideals and goals of younger Maasai.

Top right: A calf eyes his pasture, the *olokeri* set up for dry season refuge and sick or young livestock. Fences are becoming a common item of investment, and offers protection from neighbor's livestock as well as wildlife. It also means lands are increasingly cut up, with fewer options for both cattle and wildlife.

Bottom: An aerial view of Talek center, surrounded by the reserve and conservancies to the north. The conservation enterprise has encouraged settlements to develop and in-migration from non-Maasai. Large settlements are introducing a different kind of life; including brothels, bars, and mixing cultures.

7



Life in the Mara today is a mixture of new innovations and traditional ways of living. The needs are great, including better infrastructure (such as road and bridge construction, which are often impassable during the wet season, as shown above left), settlement planning (including water supply and waste management) and improved health services (snake anti-venom, emergency services, and preventative care).

While tourism is offering young, typically men, jobs in the service sector (such as safari guides shown in the top right) life largely remains centered on rearing livestock. Women have taken up more duties with animal care as men pursue other livelihoods (in the center photo, a woman pins down a sheep while her son yields the branding iron).



Life in the Mara Today



The conservancies are a private partnership between tourism investors and landowners.

Developers label the conservancy a win-win for conservation and development. During the early establishment, community members gathered together to consider and debate this claim, and this debate goes on today:

In the former Koiyaki Group Ranch, Olare Orok Conservancy was the first to arrive in 2006. Since then three more have developed, now occupying the vast majority of the former Group Ranch. While the reasons for their development are many, three common drivers leading to conservancies in the Mara were mentioned by participants:

- (1) An alternative to the historical failure of the Maasai Mara National Reserve to share revenues with surrounding communities.
- (2) To open a new type of tourism that is different from the mass experience of the reserve, but rather an exclusive, luxury safari.
- (3) A need to respond to the growing urgency to conserve un-fragmented landscapes for the conservation of charismatic wildlife from the threats of fencing and other land use changes.

New opportunity, new challenge: the conservancy

Research



Evra and I talked with many folks around the Mara: one-on-one, in groups, in meetings, going out with shepherds, mapping with the Wazee, and many observations along the way. Here are a collection of some of the ways we engaged with community members:

Top left: visiting Kicheche Valley grazing zone, top middle: A focus group with members of Enkikwei community, top right: Rangers gathering cattle grazing illegally in Mara North Conservancy (MNC), middle left: visiting the MNC herd and moveable bomas, center: shepherding with Ilbaan community herds, Center right: Wazee drawing a map of the region in Kolong community, bottom left: a group interview with women from the Kolong Women's Group, center bottom: Evra standing next to a border marking the edge of Eoor-Olkimaia where cattle are not allowed to step across, bottom right: a focus group with women from the Talek area.

The good, the bad, and the unknown

Remaining challenges and costs presented by the conservancy according to residents

- Fines, arrests and wildlife conflicts are not peanuts, but are real costs that the conservancy adds.
- We have lost areas for grass, water and salt for our livestock, adding challenges, especially in high tourism season.
- Not everyone feels this is a balanced partnership, rather a way for tourism interests to gain from Maasai.

Thoughts going ahead

- Conservancies may build upon or help erode the close kinship ties and reciprocity that are part of Maasai culture, depending on how they share resources.
- The balance of power will make or break the conservancy; how leaders see their roles as facilitators or as power brokers will greatly influence the future.
- The conservancy is proposing major changes to the way of life, including a new way to raise cattle better aligned for meat production. How this will affect the rich and the poor is yet unknown.

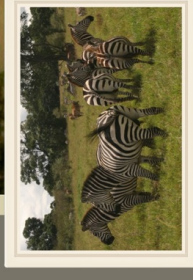
Some of the benefits conservancies provide

- The first substantial method to gain monetary benefit from a world tourism destination for Mara residents.
- The conservancy has rekindled some of the past grazing management ideas, providing new grazing resources.
- There are efforts to build better infrastructure, including schools, boreholes, and road maintenance.
- Some of our children are getting bursaries for attending school.

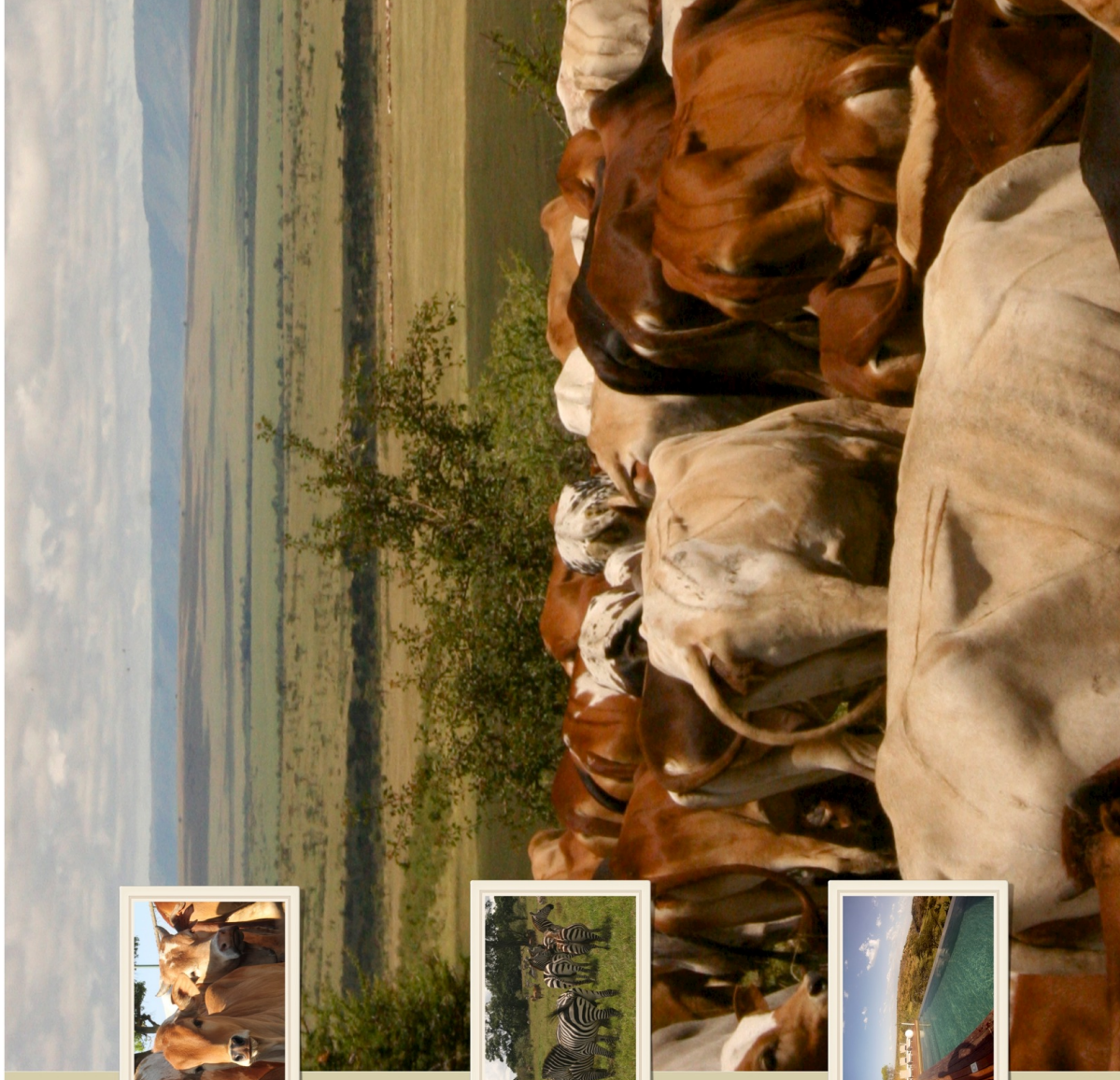
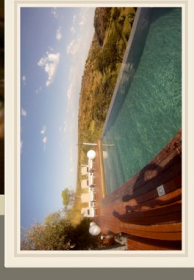
Investing in new breeds such as boran and sahiwal cattle are becoming a way to increase the value of your stock. The conservancy is leading this transformation with conservancy herds.



Wildlife are the primary consideration defining much of conservancy policy, especially concerning the Big 5, which draws the tourists to visit the Mara. This causes some conflict when other interests are subverted.



Some camps are permanent, while others are tented camps that could move overnight. The community feels permanent camps are in it for the long haul, while temporary camps are less committed.





Cattle descend the escarpment into the plains of OOC where a grazing zone has been opened for Isiketa and surrounding communities.



Sharing resources



Top left: Herders negotiate with rangers in Olare Orok Conservancy as they drive their herds back to nyumbani (home).
 Top right: Cattle are driven across conservancy land towards a salt lick inside Olare Orok Conservancy. Salt licks are slowly fading out of use due to the difficulty of accessing them, and the availability of buying salt in town.
 Bottom: A woman carries firewood collected illegally in Mara North Conservancy. Firewood is a difficult issue as it is restricted in the conservancies, yet remains a critical resource for cooking and feeding the household.



The conservancies are learning from each other. For instance, Mara North Conservancy is now instituting a grazing system like the one developed in Naboisho. This has sparked some excitement from communities around MNC, because they see the positive things happening in Naboisho.

Photo shows the land committee, together with conservancy managers, rangers, and the grazing committee negotiating zones for community grazing inside MNC.

15

Learning



A quick Summary:

- Conservancies are not always win-win, some have more things to consider when signing the lease than others.
- Maasai residents are divided and undecided, but it is seems clear the broader community did not champion the model- individuals and tourism interests did.
- The conservancies are businesses with social goals and responsibilities.
- History has a huge role to play in the legacy of mistrust.
- Conservancies are a significant agent of change, whether good or bad.

For the Future, conservancies need to:

- Recognize and mitigate the real and perceived trade-offs.
- Revisit the marketing discourse of wilderness and the iconic Maasai 'image'.
- Open up greater modes of communication, outside of just members.
- Situate themselves in an ecosystem and a community, holistically.
- Improve transparency and accountability.
- Steer a path towards greater community ownership that places broad community voices as the engineers of change.

Herders in other parts of the world

Rangelands occupy 40% of the world's land cover, and 69% of its agricultural area (FAO stats 2009). This makes pastoralism one of the most important forms of land use for people around the world. Some estimate there are over 20 million households worldwide who are pastoralists representing hundreds of millions of individuals, of which nearly 50% live in Africa.

These families raise sheep, goats, cattle, horses, yaks, buffalo, elk, reindeer, camels, alpacas and many others. They produce meat, cheese and dairy products, wool, and other products.

Top: Alpaca herders of Cusco, Peru

Bottom: A Bedouin Arab shepherd milking his sheep near Palmyra, Syria in the Arabian Desert



Photo by Martin Hirta



Photo by James Gordin

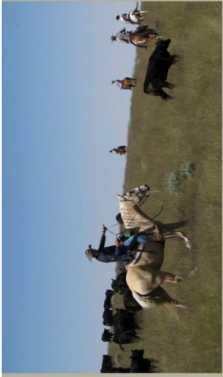


photo credit: <https://www.flickr.com/photos/whatleydude/3755112060/> for the wyoming shot



Photo ID 420682. 28/07/2009. Must, Mongolia.
UN Photo/Eskinder Debebe.

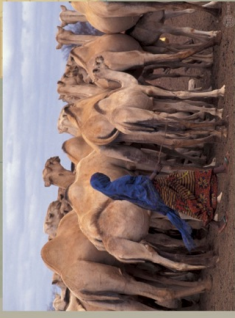


Photo credit: Curt Garnemark



photo credit: <http://prjaywordpress.com/shutterstock/#jp-carousel-126>

Left from top down: Ranchers gathering steers in Wyoming, United States; herders driving horses in Must, Khovd Province, Mongolia; camel herders in Northern Kenya; a sheep dog working in Ireland

Right from top down: Cowboys gathering cattle from a Montana rangeland, United States; Tsatan Reindeer herder's camp, northern Mongolia; Yak herders, Northern Tibet; a Tibetan nomadic herders camp, Damxung, Tibet, China

Center: Young Tsatan reindeer herders gather their favorite bulls, Eastern Tiaga, Northern Mongolia



photo credit: <http://prjaywordpress.com/shutterstock/#jp-carousel-126>

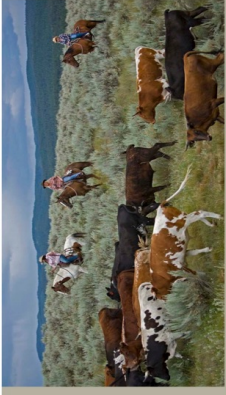


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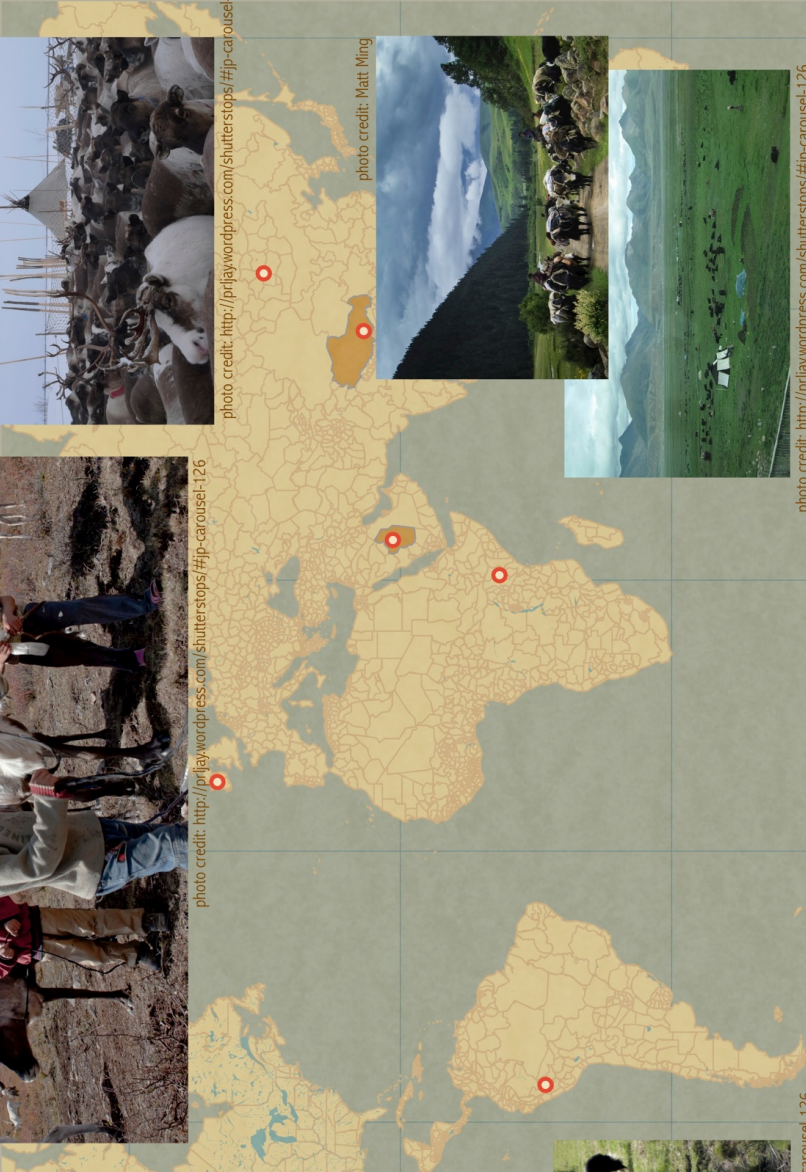
photo credit: <http://prjaywordpress.com/shutterstock/#jp-carousel-126>



photo credit: Matt Ming



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A young shepherd
embraces his favorite
cow while grazing in
Olare Orok
Conservancy, Kenya

Common Problems

- Pastoralists are finding more and more of their former grazing lands unusable due to barriers such as protected areas, state boundaries, and private tenure expansion.
- Crop encroachment, particularly in key dry season areas, is threatening the viability of pastoralism.
- The number of livestock per household is decreasing to levels which may become un-viable.
- Climate change threatens the viability of dryland activities as intervals between droughts grow shorter.

Commons Solutions

- Improve mobility of households physically (allow livestock to move according to resources), financially (reduce costs and grant access to markets and credit) and socially (provide options for diversification) so that flexibility is maintained.
- Recognize the value of pastoral operations, including local knowledge, the benefits of low-input methods, and the merits of a land use compatible with wildlife and open ecosystems.
- Support pastoral livelihoods by listening to pastoralists' own ideas for the future.



Grazing areas are getting smaller, and in a semiarid rangeland like the Mara, this can mean the options for dry season grazing become fewer, leading to overcrowding of pastures, stronger competition with wildlife, and ultimately a diminished ability to make a living from the land.



The conservancy offers one way to protect the scale of land necessary to operate as pastoralists in an extensive manner, a method tried and proven in semiarid ecosystems. If the conservancy considers livestock as more than a tool, but as a way of life, then there may still be a bright future for pastoralists in the Mara.

"If I deeply summarize it, the conservancy is overall a good thing. The conservancy is acting as traditional olokeri which we don't have anymore. We now only have personal olokeri." -Conservancy Member

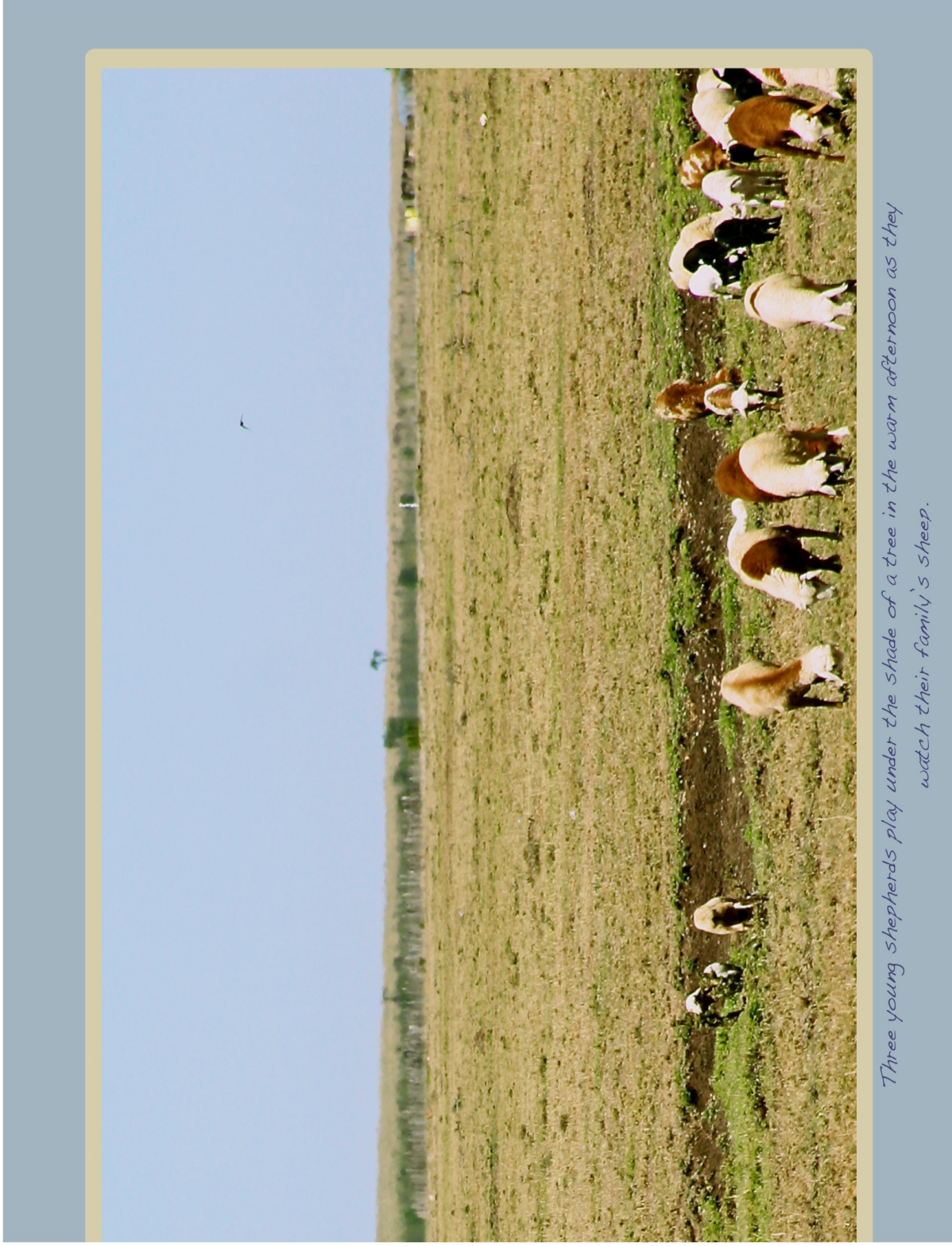


The Maasai will survive, maybe not the conservancy, but we will survive." - Elder, Talek

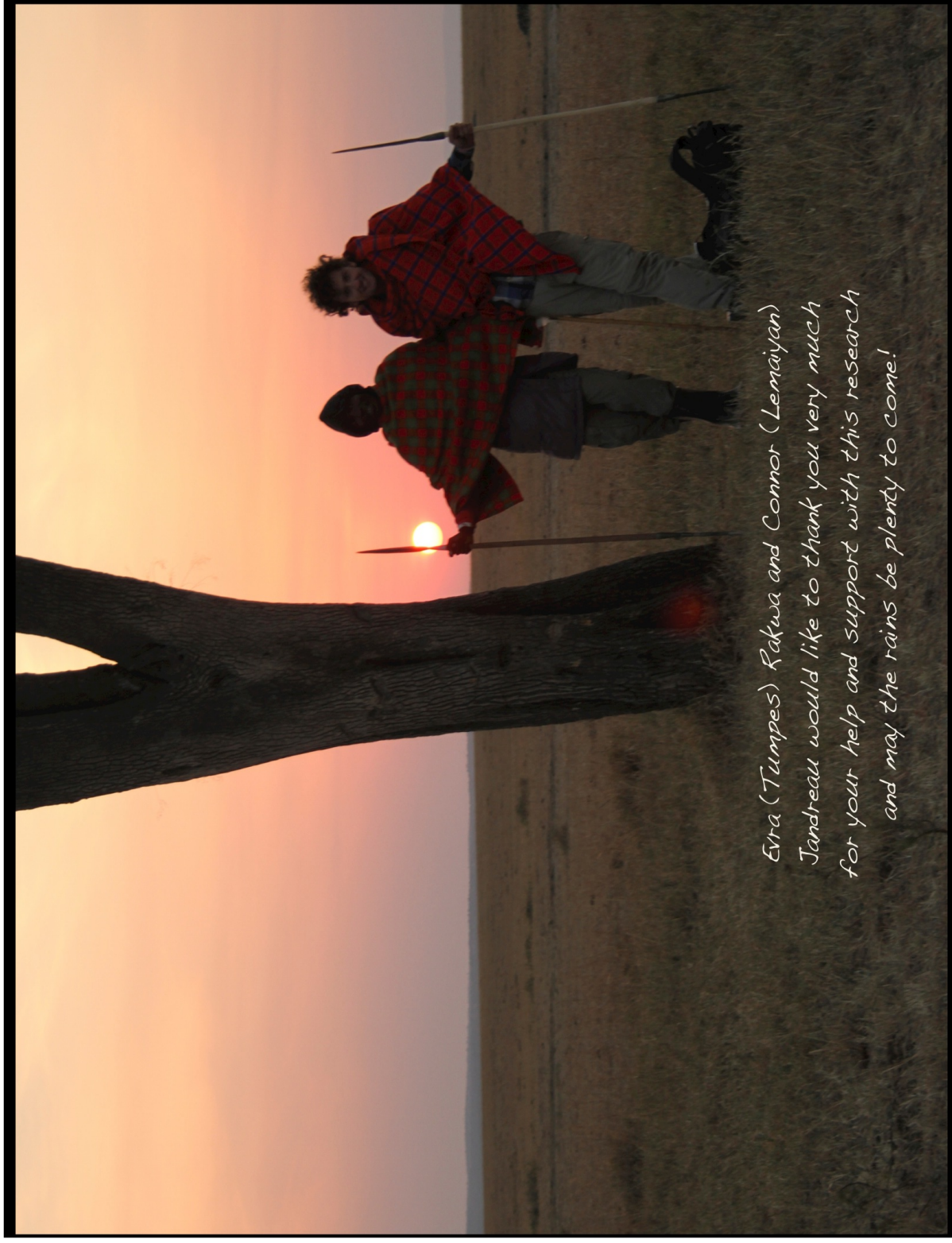
Cattle wait at the edge of the Maasai Mara National Reserve near Marakianta for the cover of darkness when herders will drive them to 'sneak' grass. While the conservancies offer grazing, many households rely on the reserve for their cattle, something that has drawn the attention of Kenya's president, who feels grazing is ruining Kenya's Crown Jewel, and has threatened to remove herders from the reserve.

"Yes! the Maasai are ready to change, but its scary. Children go to school with cows, everything is about cows. If we don't have enough, we will go hungry, conflict ensues. Maasai find it hard to stay without livestock, its a way of life and a tradition." - Mara Resident, Talek





Three young shepherds play under the shade of a tree in the warm afternoon as they watch their family's sheep.



*Evra (Tumpes) Rakwa and Connor (Lemaiyan)
Tandreau would like to thank you very much
for your help and support with this research
and may the rains be plenty to come!*

Appendix 3: Research consent form

Natural Resources Institute

70 Dysart Rd,
Winnipeg, Manitoba
Canada R3T 2N2
General Office (204) 474-7170
Fax: (204) 261-0038



UNIVERSITY
OF MANITOBA

http://www.umanitoba.ca/institutes/natural_resources

Research Project Title: Integrating knowledge systems for participatory monitoring of wildlife and rangeland health in the Maasai Mara ecosystem, Kenya

Researcher: Connor Jandreau

Sponsors: United States Student Fulbright Scholarship and The University of Manitoba, Canada

This consent form, a copy of which will be left with you for your records and reference, is only part of the process of informed consent. It should give you the basic idea of what the research is about and what your participation will involve. If you would like more detail about something mentioned here, or information not included here, please feel free to ask. Please take the time to read this carefully and to understand any accompanying information.

Project Description

The purpose of this research is to explore ways of bringing together different types of knowledge for participatory monitoring of wildlife and rangeland conditions in the Maasai Mara region of Kenya. This work aims to find space for Maasai knowledge, participation, and ownership of management decisions concerning their own lands. Specifically, my objectives are to (1) conduct a contextual analysis of a collaborative, participatory monitoring framework in the Mara; (2) explore the potential of stakeholder-driven agreement on objectives and methods for a community monitoring project (CMP); and (3) examine lessons and outcomes having surfaced through the CMP development for the purposes of scaling-up to a trans-Mara conservancy, or broader, monitoring network. The project aims to map social learning, co-production of knowledge and

empowerment while creating action on the ground that impacts management decision-making in the newly emergent Mara conservancies of Kenya.

Data from this study will be used to measure participant's perceptions of empowerment, learning outcomes, in addition to identifying the incentives that motivated community involvement. Ultimately it is hoped that the data can be used to establish a long-term monitoring system within the conservancy that brings community stakeholders to the decision-making table, and can be incorporated into a broader model that identifies important criteria for participatory monitoring.

Participant Involvement

{Note – Each of these activities will be separated into their own consent form when we have final ethics approval}

{Focus Group}

Please feel welcome to participate in a focus group which will explore your experiences participating with the community monitoring project (CMP). The meeting will not go beyond 90 minutes in length, and you will be asked to participate in group conversation with your colleagues in which I will present topic areas to discuss. The discussion will explore your involvement with the community-monitoring project, some of the outcomes of the project, and what you feel the future of the project will/should be. I will be audio recording (using a simple voice recorder) the meeting while also taking notes.

{Interviews}

Please feel welcome to participate in an interview which will explore your experiences participating with the community monitoring project (CMP). The interviews will take between 20-40 minutes, and you will be asked to answer questions about your relationship with the conservancy, what your impressions of wildlife and conservation are, and your involvement with the community-monitoring project, some of the outcomes of the project, and what you feel the future of the project will/should be. I will be taking notes and recording audio (using a simple voice recorder) with your permission.

Anticipated Risk

I don't foresee any risks for you in participating in this project outside of the typical concerns of everyday living in the Mara.

Confidentiality

For the purposes of protecting your identity, we ask that you choose a pseudonym. Unless you prefer to use your real name, pseudonyms will be used during presentations and on written documents. Only myself, my field assistant and my supervisor will ever have access to your identity in any form (raw data such as transcripts, audio recordings or field notes).

Feedback

Considerable time for evaluation and feedback is planned for this research. Through the focus group and interviews, your comments will be invited on any and all aspects of the research including the early conclusions I have made. I will provide you with interview transcripts so you can reflect on their accuracy as well. Because you will be involved throughout the project, having largely directed the process of the research and CMP development, you will have periodic opportunities to offer comments. During the evaluation stage, pictographic documents summarizing our findings will be given to you to allow feedback. After analysis, a more thorough pictorial documentation providing our results/recommendations will be distributed to you.

Your signature on this form indicates that you have understood to your satisfaction the information regarding participation in the research project and agree to participate as a subject. In no way does this waive your legal rights nor release the researchers, sponsors, or involved institutions from their legal and professional responsibilities. You are free to withdraw from the study at any time by simply communicating that would prefer not to participate, and/or refrain from answering any questions you prefer to omit, without prejudice or consequence. There is no withdrawal deadline. Your continued participation should be as informed as your initial consent, so you should feel free to ask for clarification or new information throughout your participation.

The University of Manitoba may look at your research records to see that the research is being done in a safe and proper way.

[If participants cannot read or are not comfortable with signing a form, the contents of the form will be read to them, and they will give oral consent that will be audio recorded.)

Questions or concerns can be directed to:

Connor Jandreau (principal researcher):

Fikret Berkes (thesis supervisor): 1-204-474-8374

Robin Reid (committee member, Center for Collaborative Conservation, International Livestock Research Institute Nairobi headquarters):

This research has been approved by the Joint-Faculty Research Ethics Board of the University of Manitoba. If you have any concerns or complaints about this project, you may contact any of the above-named persons or the Human Ethics Secretariat at 1-204-474-7122 or e-mail Margaret_Bowman@umanitoba.ca. A copy of this consent form will be given to you to keep for your records and reference.

By signing this form I am attesting that I have read and understand the information above and I freely give my consent to participate.

Participant's Name (printed)

Participant's Signature

Date

I consent to be audio recorded:

Participant's Signature

Date

Please check one of the following:

☐ I consent to the use of the following pseudonym in the thesis report, publications and presentations:

Pseudonym	Signature	Date
-----------	-----------	------

OR

☐ I consent to the use of my real name in the thesis report, publications and presentations:

Participant's Signature	Date
-------------------------	------

Witnessed by:

Researcher and/or Delegate's Signature	Date
--	------