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Research Note

Understanding Self-Government:
Varieties of Territorial Autonomy
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Article

Contested Conservation Frontiers: Resource
Wars, Power Plays, and Violence in
Samburu and Isiolo Counties
Clifford Collins Omondi Okwany
and Evelyne Atieno Owino
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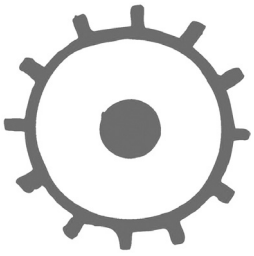

Foreword

The role of institutional mechanisms for maintaining good governance has been highlighted in politics globally during 2024 – through examples in states at different points on scale of democratic governance – on national as well as local, intra-state levels.

Institutions, such as formal autonomies, carry not only a measure of independence, but also an ethos of governance based on the reason for having an autonomy in the first place. When institutions are challenged by political leaders, as noted also in democratic countries, it is a de facto proof of the relevance of these institutions – they represent a feature of the state not fully possible to control.

This is of course one of the ideas of an autonomy. It should not be possible to be controlled externally in the same way as other parts of a state. Its primary defence for such illegitimate control is its institutions, anchored inside and outside the autonomy.

In this Issue of Journal of Autonomy and Security Studies we find two texts: first, a text is presented that is highlighting five distinct types and reasons for shaping a system of protection against illegitimate interference into the interests within a given territory. Secondly, an article that illustrates the risks that are coming with a blending of levels, informal and formal agreements and external interests for the management of resources in a given domain.

While the two texts seem to deal with separate things – and they do! – a closer reflection highlights the need for, and the experiences that are there, from, building institutional mechanisms in defence of rights, and therefore of democracy as a whole.

Hopefully these texts invite further reflection on the challenges towards institutional protections of rights through for instance autonomy or comparable arrangements. The pages of JASS are open for a discussion of these and other issues in 2025.

Welcome to join the readers of Volume 8, of JASS, 2024!

Kjell-Åke Nordquist
Editor-in-Chief

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Understanding Self-Government: Varieties of Territorial Autonomy

Shane Joshua Barter

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Abstract

Increasingly the go-to option for managing separatism, territorial autonomy provides special self-government for territorially concentrated minorities. Rather than an institution in its own right, autonomy is often studied as a form of decentralization and federalism or an endpoint in peace processes. To aid in conceptual development and demonstrate varied applications, this paper analyzes the varied forms and uses of territorial autonomy. The best-known forms are democratic and post-conflict. Less understood are indigenous, authoritarian, and 'nested' autonomies. These types of territorial autonomy are approached by distinct scholarly subfields and feature varied causes, institutions, effects, and defects.

Keywords

Autonomy; self-government; separatism; minorities; independence; sub-national politics

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1. Introduction

Mirroring and then eclipsing the third wave of democracy, the world has seen a sustained shift towards decentralization. Arguments for shedding responsibilities and powers to subnational governments are numerous, including subnational governments being responsive to local needs, more democratic and closer to the people, sensitive to local ecological and social conditions, and national governments wishing to jettison responsibilities. Another reason for empowering subnational governments is to better represent minority groups, with subnational governments serving those with limited voices in national politics.

For some groups, decentralization is not enough. Many distinctive minorities seek special forms of self-rule and recognition, or even independence. The result has been a growth of territorial autonomy – special asymmetrical powers granted to governments representing minority regions. A rejection of uniform, one-size-fits-all models of governance, territorial autonomy has grown across world regions and regime types. This said, it has inspired limited dedicated research, mired by overlapping terms and siloed literatures. This paper seeks greater clarity, charting the varied purposes and forms of territorial autonomy, but also their limitations. What are some different varieties of territorial autonomy? What do they have in common, how do they vary? What can different forms of minority self-government realistically accomplish, and what are some potential pitfalls?

This paper identifies five forms of territorial autonomy. Democratic autonomy, as found in Québec and Scotland, sees regional parties empowered through the ballot box to rule their homeland and engage with national governments, gradually evolving new competencies. Post-conflict autonomy is different, typically created by peace agreements, with regional leaders linked to armed groups providing often illiberal rule amidst ongoing threats of violence. Examples include Northern Ireland and Aceh. A third, emerging form is indigenous autonomy, minority self-government for autochthonous communities. Powers may entail cultural protection, powers over land and resources, migration controls, and internally decentralized authority, evident in Nunavut, Greenland, Panama, and Nicaragua. A fourth form is authoritarian autonomy, as in Chechnya and Tibet. Considered illegitimate and a tool of central control, authoritarian autonomy is too often written off as meaningless, its provisions seen as having no effect. Finally, nested autonomy is found in smaller, third-tier governments, including those within larger autonomous regions. These varieties of territorial autonomy are approached by distinctive scholarly subfields, namely comparative federalism and peace studies, as well as Indigenous Studies and comparative authoritarian research. Rather than representing a complete, watertight typology, these are simply some of the many forms of territorial autonomy.

The first section of this paper provides some conceptual foundations. Here, I define territorial autonomy, examine the tremendous range and potential scope of powers, and address how autonomy is approached in scholarly literatures. Then I introduce five major forms of territorial autonomy, analyzing their logics, literatures, and examples, as well as key concerns related to independence and minorities. The paper concludes by summarizing key findings, identifying other potential types and noting cases that straddle categories. That some cases can exist in multiple categories shows how these types are imperfect, but also helps us to understand such cases, demonstrating the many varieties of autonomy.

2. Understanding Territorial Autonomy

A middle ground between independence and incorporation, as well as a form of decentralization, territorial autonomy provides self-governance for territorially concentrated minorities. For Yash Ghai (2013, 5), autonomy refers to "the ability of a region or community to organise its affairs without interference from the central government." Technically, any federal or decentralized political system involves territorial autonomy. Here, territorial autonomy refers to asymmetrical, 'special' powers to governments representing distinctive minorities.

Territorial autonomy aims to protect and empower minorities, especially ethnic minority nations. For some, the idea of minority nations may be confusing or threatening. Scholars still refer to nation-states as haughty synonyms for countries or states, reifying the idea that all nations should have their own state, and overlooking countries identifying as multinational (Basta 2021). A nation is not a country, but rather a people united through common descent, culture, or beliefs, typically inhabiting a territory with its own government (or aspiring to it) (Smith 2002). Host states may balk at referring to minority groups as nations for fear of eventual independence, preferring to see them as minorities. For an ethnic minority to be seen as a minority nation, it requires a political 'edge' – recognized territory, perhaps a history of sovereign statehood or distinctive laws, and an existing or aspirational government. That a group identifies as a nation does not mean that all members agree on the nation's contours or aspire to sovereign statehood. Territorial autonomy entails self-government, defined territory, borders, symbols, and policies. Almost by definition, ethnic minorities with widespread, sustained demands for self-government through independence or territorial autonomy can be seen as nations.

In essence, territorial autonomy is intended to help distinctive groups see themselves not just as national minorities, but as regional majorities able to manage their own affairs. In debates regarding how to best manage diversity, where integrationists demand aggregative, cross-cutting institutions while accommodationists build around identity, territorial

autonomy is squarely within the latter, best suited to cases where identity is already highly salient (Anderson and Choudhry 2019). Autonomy provides self-governance without independence, stopping short of sovereignty. Minorities may thus self-govern and imagine themselves as majorities within existing borders.

Territorial autonomy exists across world regions and regime types. History is replete with similar arrangements in multinational empires and associated principalities. The first modern example is Åland, formed in 1921 under the League of Nations for ethnic Swedish islands within Finland (Suksi 2011). This was followed in 1946, when Italy agreed to special rights to German speakers in South Tyrol. Territorial autonomy has since spread globally (Benedikter 2009). Autonomous regions are often relatively poor, but some are not especially disadvantaged (Scotland, Québec) and others (South Tyrol, Catalonia, Flanders, Hong Kong) are richer than their host countries. Autonomy may also be stated but be in reality limited (de jure) or may exist without a formal pronouncement (de facto). Autonomy may be constitutionally entrenched, or it may exist in myriad laws and norms. In these and other ways, territorial autonomy is a highly varied, flexible institution.

Autonomous governments tend to be highly active in their societies, developing interventionist states aimed at elevating their nations (Béland and Lecours 2008). Autonomous regions typically enjoy economic powers such as budget transfers, resource revenue, the ability to collect and set taxes, and separate budgets. Some autonomous regions can borrow money and manage debts, set interest rates, and feature special currencies – a regional mintage of a national currency (Scotland, Northern Ireland) or a currency of their own (Macau, Hong Kong). Politically, autonomous regions may feature distinct parties, electoral systems, and migration policies. Internationally, they may join or participate in international organizations, or establish consular offices abroad (Lecours 2002). Most autonomous regions take up broad cultural powers, overseeing language laws and education, religious affairs, cultural traditions and values, and symbols such as flags and anthems. In addition to powers of self-government, autonomy may involve special powers at the national level, with features of shared governance including vetoes, influence over national education, and special representation. The powers of autonomous governments also depend on the level of government being empowered. Autonomous governments are typically second-order (provinces, states), but may also be third-tier, within a province or state. This more precise language is essential, gaining precision lost with terms such as ‘local’ governments, a residual that varies across contexts. This distinction then allows us to differentiate between national minorities in an autonomous region and second-order minorities within an autonomous region.

The powers enjoyed by autonomous governments clearly matter. A region with a history of self-government and decades of struggle may not settle for merely symbolic powers.

However, scholars also recognize the importance of process, namely whether autonomy is simply pronounced and implemented by central government authorities or instead negotiated with regional minority leaders (Barter and Wangge 2022). Much depends on who governs, whether the reins of self-government are held by those loyal to the central government or popular in the region. Along with powers and process, relative power is also important – how 'special' autonomy is. Minority nations are likely to understand their power in comparison to other subnational units. For example, Québec enjoys substantial self-government, but Ontario enjoys similar competencies. Meanwhile, in Nicaragua, the Moskito coast enjoys limited formal power, but in an otherwise centralized country, making autonomy more 'special' (Sánchez 2007). Autonomy also varies temporally, as it may be seen as a fixed, one-off agreement, or else a dynamic, ongoing dialogue adapting to new challenges. Observing sustained unrest in Scotland and Catalonia compared to Flanders and South Tyrol, Lecours (2022, 730) argues that "the key to autonomy regimes weakening secessionism is their capacity to adjust and expand over time."

Territorial autonomy thus varies considerably, with different definitions, names, and powers making it difficult to study. The scholarly literature on autonomy is similarly divided. Most concretely, autonomy is approached as a form of decentralization, delivering power to subnational governments. Autonomous regions thus make their way into datasets measuring decentralization, existing as asymmetrical outliers (Shair-Rosenfield et al. 2021). Autonomous regions are also discussed as cases of federalism and ethnofederalism. Most dedicated books on autonomy are collections of case studies, with dozens of titles providing conceptual overviews and then rich case analyses, mostly on Western examples (Keating and McGarry 2001; Máiz and Safran 2000). Territorial autonomy is studied by scholars with a wide array of interests, including studies of decentralization and federalism, ethnic politics, multiculturalism, conflict resolution and peace studies, indigenous studies, and authoritarianism. This suggests the topic's importance, but also its fragmentation, as autonomy is pulled in different directions and lacks dedicated scholarly discussion.

Despite fears from host states, no country has ever gained independence through meaningful special territorial autonomy. Although ethnic regions delineated the borders of new countries from the former Soviet Union, Yugoslavia, and Czechoslovakia (Roeder 2007), these cases involved national government collapse in ethnofederalism, not special regional autonomy. The world has never seen a region enjoy meaningful special autonomy en route to independence. Independence for East Timor, South Sudan, Bangladesh, and Eritrea were consequences of a refusal to recognize autonomy. Although referenda in Scotland and Québec came close, and polls in Catalonia and Bougainville suggest a desire for independence, territorial autonomy has yet to lead to secession. However, demands for more powers and independence rarely go away. Autonomy thus manages rather than

resolves separatism and intergroup tensions. It works, though, as allowing autonomy may put the host state in a positive light, reduce perceived threats to minorities, force separatists to take on the responsibilities of governing, and expose divisions among minority groups.

Another perennial danger of territorial autonomy relates to the status of local minorities. Most groups attain autonomy through protracted struggle. Once in power, autonomous governments embark on something resembling nation-building, developing their identities after years of suppression (Keating 1996). This may then threaten regional 'second-order' minorities, including indigenous and migrant groups, especially those with national co-ethnic communities (Barter 2018). Although protecting minorities at one level, autonomy may threaten minorities at another, in effect transferring assimilationist politics, exclusion, and ethnic tensions downwards.

Territorial autonomy is an important tool for accommodating ethnic, linguistic, religious, and other territorially concentrated minorities. This is a global, growing institution involving varied powers. However, our knowledge of territorial autonomy remains limited, largely because it is approached in various scholarly literatures and focuses on a handful of Western cases. There is a real need to better understand the many forms, benefits, and dangers of territorial autonomy.

3. Types of Territorial Autonomy

To demonstrate the value and diversity of territorial autonomy, as well as to make sense of its varied goals and scholarly literatures, this paper delineates five major varieties. Democratic autonomy is the most extensively researched, but is often lumped in with post-conflict autonomy, which sees different powers, governments, problems, and prospects. Studied separately from these cases, indigenous autonomy entails self-government for diverse autochthonous peoples. Fourth, authoritarian autonomy features well known, but undertheorized cases. Here, autonomy is too often dismissed as meaningless because it serves the central government. Finally, nested autonomy involves lower administrative tiers of self-government, and sometimes autonomy for minorities within autonomous regions. These types of autonomy vary in their origins, scope of powers, leadership, governance, and the extent to which they threaten eventual independence and their own minorities.

Establishing typologies is an essential task in social science research, helping to better understand complex institutions and phenomena. The nominal, descriptive typology presented in this paper is based on observations of real-world cases, noting constellations of traits in a way that may usefully distinguish between core forms. This is what Collier, LaPorte, and Seawright (2012, 218) refer to as a "partial order" category, one where there exists exclusive ordering in some but not all categories, an effort to develop "an overarching

concept that brings together previously established concepts and traditions of analysis". Some of the below categories are based on types of governance, while others are based on administrative tiers or the nature of the minority group. Far from being a limitation, cases straddling multiple categories are all the more interesting, discussed towards the end of the paper. These varieties are not intended to represent an exhaustive, complete typology. Instead, they draw together different forms of territorial autonomy siloed into separate scholarly literatures.

3.1 Democratic Autonomy

When we think of special autonomy, the cases that come to mind, and those most thoroughly researched, tend to be in Western, developed, democratic countries. This includes the two early examples of Åland (Finland) and South Tyrol (Italy), which both recognize a minority group speaking the dominant language of a neighboring country. Among the most prominent examples of democratic autonomy are Québec (Canada), Catalonia (Spain), and Scotland (United Kingdom), as well as Flanders (Belgium), Wales (United Kingdom), the Faroe Islands (Denmark), and Galicia (Spain).

Democratic autonomy emerges when ethnic minorities with histories of self-rule mobilize to demand recognition and political power. Often against the backdrop of centralized and assimilationist states, minorities may confront the host government and demand independence. In a democratic context, radicalism and violence may be less attractive, and institutional channels may exist to expand political power and organize referenda. Fears of independence may lead reluctant host governments to grant new powers to appease minority groups, but they rarely do so immediately, with several rounds of mobilization, concessions, and counter-mobilization (Basta 2021). Democratic autonomy tends to feature regional parties whose platforms include cultural protection and regional nationalism. Examples include the Parti Québécois; Scottish National Party; Catalonia's Convergence and Union (CiU); Plaid Cymru (Wales), and the New Flemish Alliance (N-VA) and People's Union (VU) in Flanders. Such parties typically articulate missions to protect and enhance national identity, doing so through the provision of social services and highly interventionist states. Béland and Lecours (2008, 5) argue that social policy "has become a central focus" for nationalist parties, used as "an identity building tool".

Most books on territorial autonomy are edited volumes, with chapters focusing on Western cases (Ghai 2000; Keating and McGarry 2001; Máiz and Safran 2000). Other studies are explicitly comparative (Keating 1996; Greer 2007). Thematically, cases of democratic autonomy are included in studies of decentralization, as with most forms of autonomy, but are especially likely to be approached in studies of comparative federalism

as instances of asymmetry or ethnofederalism (Burgess 2006). Democratic autonomy is also analyzed in studies of minority rights and multiculturalism. For Kymlicka (1995, 52), autonomy helps a minority group "sustain a life of its own", developing competencies to engage with majorities on a more equal footing.

To date, territorial autonomy has successfully managed separatist sentiment in democratic, industrialized countries. This said, in no case has autonomy extinguished regional nationalism or demands for independence. Scotland continues to pressure for independence, especially post-Brexit, while Catalonian voters show continued support for independence. There is always a possibility that an autonomous region will gain independence at some point, but if so, this will be carried out through a referendum, followed by drawn-out legal battles. Dion (1996) observes that secession has been avoided because democratic autonomy allows/forces opposition groups to govern, protects minority rights, results in more reasonable national governments, and independence requires majority support alongside due process. While democratic rule makes independence easier in some ways, "it also decreases the sense that secession is likely" by reducing minority insecurity (Dion 1996, 281).

Even if the threat of independence is somewhat overstated, even democratic autonomy sees tensions between regional majorities and their minorities, especially as regional governments promote regional identity. That regional governments empowered with autonomy embark on nation-building is perhaps understandable, especially given their distinctive status and legacies of assimilationist host states. In democratic contexts, second-order minorities may have recourse to national courts and rights mechanisms, but nonetheless face assimilationist pressures in autonomous regions. Keating (1996) suggests that nationalism in democratic autonomous regions need not be exclusionary and ethnic, but may instead be civic, tolerating local minorities and encouraging integration, although not recognizing minority identities (see also Breton 1988). Barter (2018) finds that Scotland has rejected ethnic nationalism, embracing multiculturalism, partly in contrast to conservative British governments. This said, regional parties in democratic autonomy are nationalists, struggling to find support among regional minorities. Some regionalist ethnic parties, such as Vlaams Belang in Flanders, are far right, anti-minority groups (van Haute, Pauwels, and Sinardet 2018).

3.2 Post-Conflict Autonomy

Autonomy has emerged as a go-to option for overcoming violent separatist conflict, providing a compromise between state unity and independence. Post-conflict autonomy may resemble democratic autonomy, especially when post-conflict contexts feature

elections and regional parties. Many democratic cases have featured some violence or originated in international disputes, blurring the lines between the two types. There are, though, important distinctions. Post-conflict autonomy is typically created as part of a peace agreement, sometimes designed by external mediators, rather than evolving more slowly. Post-conflict autonomy tends to be illiberal, as leaders may be former combatants or have spoilers looking over their shoulders and may be especially opposed to national governments. Governance may be complicated by post-war demobilization and reconstruction. While democratic autonomy is found mostly in the West, post-conflict autonomy is global, with examples including Northern Ireland (United Kingdom), Aceh (Indonesia), Mindanao (Philippines), and Bougainville (Papua New Guinea), and potentially the Basque region (Spain), Kashmir (India), and the Kurdish region (Iraq), as well as various ethnic states in Myanmar.

Scholarship on post-conflict autonomy overlaps with democratic autonomy. Many case-driven edited volumes feature both types, although others focus on conflict cases (Weller and Wolff 2005). Post-conflict autonomy is approached mostly through conflict and peace studies. Conflict scholars may see the creation and implementation of autonomy as an extension of longer conflict processes. Peace studies scholars may approach autonomy as an outcome, the endpoint of negotiations (Rothchild and Hartzell 1999; Shaykhutdinov 2010). For Schulte (2020), successful conflict resolution through territorial autonomy is a result of international mediation and a recognition of minority groups as part of the host country. A limitation in the peace studies approach is that autonomy may represent an endpoint or dependent variable rather than a long-term political system. This said, scholars also look beyond autonomy as an agreement to end war and toward how it may sustain peace. Jarstad and Nilsson (2008) show that peace accords detailing territorial autonomy are more likely to endure than other forms, as autonomy represents a serious commitment and can be difficult to rescind. Cederman et al. (2015) show that power-sharing indeed reduces conflict, finding that territorial autonomy diminishes long-term violence.

Post-conflict autonomy is typically established through peace agreements, negotiated by state and rebel representatives, often with third-party mediators. Autonomy is thus designed rather than evolved. Negotiations for the autonomous region may involve unelected rebel forces, who might design self-government for their own benefit. One example of autonomy as a peace agreement is the Memorandum of Understanding, signed between Acehnese separatists and the Indonesian government, overseen by former Finnish President Martti Ahtisaari, which contained the provisions for a new autonomous government (Aspinall 2005). Others include the 2014 Comprehensive Agreement on the Bangsamoro (Philippines, involving Malaysia), the 1998 Good Friday Agreement (United Kingdom, involving the United States), the Oslo Accords (Israel-Palestine, involving Norway and other countries),

and the Bougainville Peace Agreement (Papua New Guinea, involving Australia and New Zealand). As violence declines and conflicts end, autonomous governance begins, typically with former fighters at the helm. We might see parties linked to armed groups, as with Sinn Féin in Northern Ireland, or parties battling extremists, such as the Basque Nationalist Party (Irvin 1999). We should expect post-conflict autonomy to be illiberal, as former combatants may be unaccustomed to democratic competition and govern with a strong hand, seeing autonomy as their reward for years of war. Post-conflict autonomy may see limited political turnover, with rulers creating one-party systems. They may use budgets as a peace dividend, rewarding former fighters through demobilization programs and former commanders with state contracts (Lyons 2016).

In democratic autonomous regions, there remains the potential for independence through referenda, something less likely in post-conflict autonomy. Paths to independence may exist when peace agreements include provisions for a referendum. For instance, the 2000 Bougainville peace agreement promised a referendum within 10–15 years. When it was finally held in 2019, the result was nearly unanimous support for independence. This has not, however, birthed a new state, as the Papua New Guinea government has always regarded the referendum as non-binding (Ghai and Regan 2006, 600). It is possible that, with time, post-conflict autonomy may develop into democratic autonomy, where liberal host governments may allow an independence referendum. It is at least as likely that autonomy will fail, shattering fragile peace agreements and returning to violence. This may occur if states claw back provisions of self-government, as occurred previously in Aceh and Mindanao, or else when regional crises or violence spark national intervention. For post-conflict autonomy, collapse and a return to war are very real threats, and as a result, illiberal but stable rule is often tolerated.

The illiberal nature of post-conflict autonomy brings real dangers for second-order minorities. During separatist conflicts, regional minorities are often afforded limited attention; when they are discussed, it is as militias, seen as proxies for national governments rather than mobilizing for local reasons (Barter 2022). Regional minorities are typically excluded from peace talks and the creation of autonomous zones, and the centralized, illiberal nature of post-conflict autonomy may afford little role for them. The political economies, electoral competition, and nation-building efforts of post-conflict governments typically serve regional majorities, pressuring and excluding second-order minorities. Examples include Lumad in Mindanao (Paredes 2015; Perez 2021), Javanese and Gayo in Aceh (Barter 2015), Buka Islanders in Bougainville, Christians in Palestine, and Assyrian Christians in Kurdistan (Kruczek 2021). Ill treatment of minorities by regional governments may trigger violence, perhaps justifying intervention by national governments and jeopardizing peace as well as autonomy.

3.3 Indigenous Autonomy

A third type of territorial autonomy, indigenous autonomy has grown through the ongoing mobilization of indigenous peoples and revived treaty processes. Only sometimes approached as a form of territorial autonomy, indigenous autonomy seeks to restore native sovereignty, wrestling with histories of betrayal, rural poverty, and piecemeal self-government afforded by settler governments. While most autonomous regions involve nativist sentiment, indigenous autonomy sees a stronger emphasis on precolonial traditions, typically among smaller communities.

Like democratic autonomy, indigenous autonomy evolves through dynamic processes of mobilization and negotiation. Its core elements include an emphasis on land and resource rights, truth and justice mechanisms, cultural preservation, restrictions on in-migration and settler property ownership, community-owned businesses, and social programs (i.e., community policing and justice) (González 2015, 16). Indigenous autonomous regions often work with national governments, which may provide significant budgets. Although a form of decentralization, most varieties of territorial autonomy tend to be internally centralized, with power concentrated in the regional capital.[1] Indigenous autonomy is different. Because indigenous nations tend to be diverse and settler colonialism has fragmented their territories, indigenous autonomy involves either large decentralized units or else a patchwork of smaller ones. Among many challenges faced by indigenous peoples, political borders often bisect communities, meaning that efforts to restore self-government demand negotiations with several governments.

Greenland is the largest and most powerful indigenous autonomous region. After gaining 'Home Rule' within Denmark in 1979, enabling the territory to exit the European Community in 1985, the 2009 Self-Governing Act provided Greenland with powers related to currency, language, symbols, mining, and the right to an independence referendum. For Kuokkanen (2017, 191), "Greenlanders have achieved one of the most far-reaching self-determination arrangements of all Indigenous peoples worldwide." To its immediate west, Canada's Nunavut territory was separated from the Northwest Territories in 1999 to represent Inuit peoples. Nunavut saw new powers provided to various agencies, with governance shared between the territorial government and Nunavut Tunngavik Incorporated serving Inuit people (Rodon 2014).[2] Consistent with indigenous autonomy, Nunavut is decentralized, reflecting local identities and geographic distance (Henderson 2007, 108). In Central America, Nicaragua is weighted towards the mestizo Pacific,

1 A rare exception is the Basque region, comprised of the three Basque provinces and Navarre (Lecours 2007).

2 This brings up an interesting issue in indigenous autonomy, and for autonomy more generally, as there may be special agencies serving titular ethnic groups parallel to territorial governments serving all residents. Indigenous autonomy thus may mix forms of territorial and non-territorial autonomy.

neglecting the isolated Afro-indigenous Atlantic 'Moskito' coast. After years of struggle, two coastal autonomous regions were created to recognize indigenous rights and languages, collective land ownership, local education, and resource management (Sánchez 2007).

Excepting the above examples, indigenous autonomy often unfolds through smaller administrative units. The reality for many indigenous peoples is in-migration and fragmented territories. Third-tier autonomy represents one potential, imperfect response. Scholars have noted that indigenous autonomy claims have grown despite indigenous communities being small and spread out, rarely controlling a state or province (Papillon 2011, 290). In Canada, several dozen indigenous nations have negotiated renewed powers, including the Nisga'a in British Columbia, Ojibway in Manitoba, Nipissing in Ontario, and many others. In the United States, indigenous communities have negotiated new competencies, including those related to gambling, taxation, courts, culture, and land. The US is home to over 300 indigenous reservations; among the most powerful indigenous government is the Navajo/Diné, known for its distinctive legal system (Austin 2009). Latin America has also seen autonomy granted to small indigenous communities, evident in Bolivia, Colombia, Ecuador, Venezuela, and Mexico (González 2015). Panama features six *comarca indigenas* – four second-order and two third-order units (Postero and Tockman 2020). Some Latin American autonomy laws allow the possibility of smaller indigenous regions to confederate into larger units, balancing a concern for community self-rule with economies of scale. Although more localized autonomy may involve limited government powers and capacities, this nonetheless represents a novel arrangement for smaller minority groups, discussed further below in terms of nested autonomy.

Beyond the Americas, indigenous peoples around the world have struggled for autonomy. Australia has limited indigenous self-government, with the partial exception of the Torres Strait Regional Authority. In 'old world' countries of Europe, Africa, and Asia, indigeneity unfolds in different contexts. Where ethnic majorities are also autochthonous, many remote or highland communities have embraced being 'indigenous', especially following the United Nations Declaration on the Rights of Indigenous Peoples (Baird 2019). Small autonomous governments exist in Finland (the Sámi Domicile), Russia (the Sakha Republic and four autonomous okrugs), and various communities in northeast India. The Philippines, one of few Asian countries to recognize indigenous peoples, has seen efforts to establish an autonomous highland Cordillera region (Bertrand 2011). In Malaysia, Sabah and Sarawak feature unique state-level powers related to migration and citizenship, resource management, cultural institutions, political parties, and development policies (Salleh, Puyok, and Bagang 2019).

Research focusing on territorial autonomy, especially through comparative federalism and peace studies, rarely examines indigenous autonomy. The exceptions may be

Greenland or Nunavut, two larger indigenous autonomous regions, which when studied alongside other forms of autonomy, tend not to have their indigenous elements emphasized. Indigenous autonomous regions are typically approached through case studies, in terms of multilevel governance and Indigenous Studies (Papillon 2011; Rodon 2014). Many Indigenous Studies scholars are, perhaps justifiably, skeptical of autonomy. Informed by critical theory and legacies of broken promises, many scholars reject reconciliation and self-government. For Coulthard (2014, 3), self-government "promises to reproduce the very configurations of colonialist, racist, patriarchal state power that Indigenous peoples' demands for recognition have historically sought to transcend." Clearly, indigenous communities feature diverse attitudes towards self-government. Autonomy will not undo centuries of colonial expansion and disregard for indigenous cultures, but may allow space and power to begin to do so.

For host states, independence is not a major concern for indigenous autonomy, especially smaller, third-order units. Indigenous autonomy, however, may threaten second-order minorities. Critics may cite the presence of settlers within indigenous regions, generating a settler-rights backlash to scuttle autonomy (Spitzer 2022). Concern has been expressed for gender minorities, as indigenous governments are often ruled by elder male leaders with conservative church affiliations (Eisenberg and Spinner-Halev, 2005). Potential responses include recourse to national rights mechanisms and social change within empowered indigenous communities.

3.4 Authoritarian Autonomy

Another form of autonomy features well known examples, but has escaped much attention as a form of autonomy. Authoritarian autonomy consists of non-democratic states granting special status to minority regions whose politics are similarly undemocratic. Because it does not allow for meaningful self-government, authoritarian autonomy is rarely considered a form of autonomy at all. Authoritarian autonomy is instead intended to tether the minority region to the center, a centripetal force rather than a centrifugal one. However, just because it is not genuine does not mean it lacks political consequences.

Authoritarian autonomy has many examples in the early Soviet Union, which was recognizing minority nations and ruling through local allies in authoritarian, top-down systems (Brubaker 1994). Martin (2001) refers to the early Soviet Union as an Affirmative Action Empire, elevating titular leaders of minority regions and protecting local languages. Contemporary examples of authoritarian autonomy include Tibet, Xinjiang, and Macau (China); Chechnya, Dagestan, and other ethnic republics (Russia); Karakalpakstan (Uzbekistan); Gorno-Badakhshan (Tajikistan); Zanzibar (Tanzania); Puntland (Somalia);

and various states in Myanmar. Some examples discussed in previous sections were, at one time, examples of authoritarian autonomy, i.e., Aceh and Mindanao. This shows the fluidity of these types, and that authoritarian autonomy may evolve, especially amidst regime change in the national government.

Because authoritarian autonomy is regarded as illegitimate, it is rarely studied as a form of autonomy. Authoritarian cases almost never make it into studies of autonomy, seen as "sham federacy" (Rezvani 2014, 192), with autonomy only possible in democratic settings (Benedikter 2009, 62). One exception is Henders' comparison of Catalonia, Corsica, Hong Kong, and Tibet. Henders observes that authoritarian autonomous regions are rarely studied in terms of power-sharing or self-government, seen as "formalities, offering minority communities no meaningful self-rule" (2010, 3). She agrees that we should be skeptical of authoritarian autonomy, but cautions against dismissing it. This echoes the growing literature on comparative authoritarianism, where scholars have opened the black box of non-democratic rule and the effect of autocratic institutions (Gandhi 2008). Pepinsky (2014) observes that authoritarian governance represents an important area of research, but these arrangements may at any time be bypassed by central authorities unhampered by the rule of law. This is a useful reminder for approaching authoritarian autonomy, as formal rules may be undercut by personalist, perhaps random interventions by ruling regimes.

Authoritarian autonomy does not typically feature direct rule by the center, but instead indirect rule through loyal minority elites. Authoritarian rulers cultivate classes of regional elites invested with considerable resources to lead cultural revivals. Examples are found in New Order Indonesia and Marcos-era Mindanao. In Aceh, the New Order did not rule through Javanese elites or seek to assimilate the rebellious province. Instead, it developed networks of ethnic Acehnese leaders and elevated Acehnese culture (Aspinall 2009, 35). Similarly, Philippine rule in Mindanao has been strengthened by loyal Moro political elites. For example, Ali Dimaporo was a long-time friend of President Marcos, supporting the dictator and even naming a son after him. When Marcos declared Martial Law, Dimaporo was rewarded for supporting the President. Dimaporo amassed a personal army and looted state budgets, ensconcing his warlordism in local culture, promoting himself as Sultan, with pageantry and historiography serving as a "vivid illustration to his remarkable accumulation of power" (Bentley 2002, 58).

Contemporary Chechnya also exemplifies authoritarian autonomy. After years of conflict, Putin pursued a strategy of Chechenization in the 2000s, empowering local allies. Central here is Ramzan Kadyrov, whose personal loyalty to Putin is rewarded with considerable power. Kadyrov and his circle have used this power to lead "somewhat of a reassertion of national and cultural identity" (Russell 2011, 1073), mixing brutal oppression with local nationalist revivals. Another key example is Tibet. Here, it is not that Han

administrators rule the autonomous province, but instead ethnic Tibetan administrators educated by and loyal to Beijing. Yang (2017) details how China's Minzu universities cultivate ethnic leaders, teaching them official versions of their cultures and needs. Instead of simply suppressing Tibetan Buddhism, China has cultivated its own brand and leaders, with central and provincial authorities investing in temples (Powers 2017). China seeks to control rather than eliminate Tibetan Buddhism, evident in the communist government recognizing its own Panchen Lama.

Authoritarian autonomy may provide some space for cultural expression, and leaders can wield considerable power, but in the service of the central government. There is a pressing need for more research focusing on such cases, informed by the comparative authoritarian literature. It is not genuine self-rule, but has important political, economic, and cultural consequences. In terms of independence, it seems that authoritarian autonomy can place regions in a sort of holding pattern, as resistance is rarely extinguished, but may be contained. In its efforts to compensate for a lack of legitimacy, authoritarian autonomy may even indulge minority identities through state cultural celebrations. There is always a danger that, in the event of a national crisis, minority groups will demand independence, perhaps led by regional elites previously loyal to the central government. An especially important aspect of authoritarian autonomy relates to the position of second-order minorities. As pro-state regional elites promote local identity, and rebellious or exiled counter-elites are also nationalists, neither have much space for smaller groups outside of these visions. Sometimes, smaller minorities make for easy targets for rebels or scapegoats for autonomous governments. Examples include disproportionate violence against ethnic Chinese Muslims (Hui) in Xinjiang (Côté 2015), Jews and Christians in Dagestan, and LGBTQ+ communities in Chechnya (Katsuba 2023). Second-order minorities face persecution from multiple sides in authoritarian autonomy, as national and regional governments seek to elevate regional identity in a bid for legitimacy.

3.5 Nested Autonomy

To possess sufficient scale for meaningful self-government, autonomous regions are typically found among second-tier administrative units, i.e., states and provinces. With indigenous autonomy, we began to discuss devolving power to smaller administrative units, which while lacking some formal power, can nonetheless play important substantive and symbolic roles in minority governance. This paper has emphasized the tendency of regional majorities to use self-government to protect and enhance their national identities, in doing so threatening regional second-order minorities. A final form of territorial autonomy provides one way to manage these tensions, with smaller forms of autonomy nested within states and provinces.

The idea of nested autonomy borrows from work on federalism. Wilson (2001) refers to 'Matryoshka federalism' in Russia, where autonomous okrugs are federal units that also exist in regions, akin to nesting dolls. However, unlike other varieties of autonomy discussed thus far, this different scale of autonomous regions sees cases with limited scholarly attention. Nested autonomy may refer to third-tier self-government within ordinary second-tier administrative units. China, India, Russia, and Myanmar feature several third-tier autonomous regions, such as Sipsongpanna, an autonomous prefecture for ethnic Thais in Yunnan, China. Especially interesting are cases of autonomy nested within autonomous regions. In such cases, much depends on whether third-order autonomy is granted by the regional or national government; if the latter, nested autonomy may be used to undermine autonomous regions.

Because the universe of cases is limited to regions already enjoying special autonomy, there are only a handful of examples of autonomous regions nested within autonomous regions. In Catalonia, Val d'Aran is a remote mountainous region with its own Occitan language. In 1990, Val d'Aran was recognized as an autonomous entity with a distinct language within Catalonia by a regional government led by Catalonian nationalists (Villarroya 2012). Meanwhile, in South Tyrol, the Ladin minority enjoys special status, with powers related to language, education, and political representation. In Scotland, we see growing autonomy for the Hebrides, Orkneys, and Shetlands, islands with different economies (offshore oil and fishing) as well as Gaelic and Norse cultural traits. In 2013, the Lerwick Declaration initiated limited autonomy, creating councils, veto powers, and cultural rights for outlying islands. Another example is in Yogyakarta (Indonesia), where Paku Alam maintains special status within the Sultanate, its prince standing as a hereditary Vice Governor alongside the region's hereditary Sultan / Governor (Dwiyansany and Wardhani 2019). China has several autonomous prefectures, counties, and townships, including several within designated autonomous provinces, such as the Ili Kazakh autonomous prefecture within Xinjiang.

Canada is also home to nested autonomy, here overlapping with indigenous autonomy. There are numerous examples of third-tier indigenous autonomy, such as Nunatsiavut in Newfoundland and Labrador, and the Inuvialuit Settlement Region in Yukon and Northwest Territories. In terms of autonomy within autonomy, the Nunavik region continues to move towards self-government within Québec. Sovereigntists have long had tense relations with provincial minorities, with Anglophones and migrants perceived as tools for assimilation. This has led Québec's leaders to criticize Canadian multiculturalism and to create their own 'interculturalism', where minorities are encouraged to integrate and accept 'Québec National Values' (Bouchard 2015). Indigenous peoples represent a different challenge, possessing prior claims to land and cultural protection. After all, any claim for special status

for Québec can be made simultaneously for its indigenous minorities. In 1978, the Cree and Inuit gained some autonomy with the James Bay and Northern Quebec Agreement, which created the Kativik Regional Government along with the Makivik Corporation to serve Inuit communities. Aided by funding from federal and provincial authorities, as well as resource revenue, Nunavik gained control over education in indigenous languages, hunting grounds, and local resource rights, but limited political authority. A 2011 Nunavik referendum to create an autonomous regional government failed, as locals felt the proposal lacked sufficient powers (Rogers 2011). In December 2020, the provincial government announced plans to create a new autonomous region of Nunavik, which will represent a case of nested indigenous autonomy.

There exist few studies on nested autonomy, in part because the regions are small, but also because it can be difficult to envision minorities of minorities. There are few cases of autonomous regions within autonomous regions, partly because few regional autonomous groups recognize their minorities, even though doing so aligns with the principles that their own autonomy is based upon. Those ruling autonomous regions fought hard to attain power, and smaller minority groups may represent an ideational threat to their claims. Several second-order minorities that have opposed separatism and regional nationalism would benefit from self-rule, including Pemba islanders in Zanzibar, Gayo in Aceh, and Lumad in Mindanao. Nested autonomy may also benefit autonomous majorities, since the treatment of minorities represents an occasion for national governments to interfere in regional affairs (i.e., India using violence against Pandits as a pretext for incorporating Kashmir). Nested autonomy has the potential to help special regions manage internal diversity and sustain autonomy.

4. Analysis and Implications

This paper has analyzed territorial autonomy as a widespread and varied institution, a tool to manage the demands of distinctive minority nations. Along with democratic and post-conflict autonomy, it has illuminated some less researched forms such as indigenous, authoritarian, and nested autonomies. While all are examples of special territorial governance for distinctive regions, it is useful to disaggregate different types of autonomy. Below, Table 1 summarizes these types, providing key features, relevant scholarly literatures, and examples.

These varieties of autonomy differ and overlap in unexpected ways. For example, while post-conflict autonomy is often discussed alongside democratic autonomy, the former is typically more top-down, with autonomy created as part of a peace agreement, looking more like authoritarian autonomy. All forms of territorial autonomy may threaten second-

order minorities, with nested autonomy alone safeguarding the rights of smaller, internal groups.

Table 1. Five Types of Territorial Autonomy

Types	Features	Examples and Scholarship
Democratic	Origins: Evolves slowly, negotiated, bottom-up Leadership: Regional political parties Governance: Cultural protection, nationalism Independence: Potential through referenda Minorities: Threatened by assimilation, exclusion	Québec; Catalonia; Scotland; Åland; South Tyrol; Wales; Flanders Comparative Federalism
Post-Conflict	Origins: Peace agreements, external actors, top-down Leadership: Former combatants, regional parties Governance: Illiberal, nationalist, corruption Independence: Possible or return to violence Minorities: Threatened by violence, exclusion	Northern Ireland; Aceh; Mindanao; Bougainville Peace and Conflict Studies
Indigenous	Origins: Evolves slowly, court rulings, mixed Leadership: Elder males, councils Governance: Culture, resources, decentralized, third-tier Independence: Limited threat Minorities: Excludes settler, gender minorities	Nunavut; Greenland; Moscito Coast (Nicaragua); Panama; Gran Chaco; Sabah and Sarawak Indigenous Studies; Multi-Level Governance
Authoritarian	Origins: National governments, top-down Leadership: Loyal regional elites Governance: Promote culture, development Independence: Controlled, potentially in crises Minorities: Threatened by government and opposition	Chechnya and Dagestan; Xinjiang and Tibet; Zanzibar Comparative Authoritarianism
Nested	Origins: Regional or national governments, varies Leadership: Varied Governance: Limited powers, mostly cultural Independence: Limited threat Minorities: Provides protection	Val d'Aran (Catalonia); Nunavik (Québec); Scottish Islands N/A

Again, this exercise is not intended to develop a cohesive typology, leaving potential alternative types and mixed cases. Another potential form could be administrative autonomy, in which special government powers are provided to capital cities and special economic zones for the sake of efficiency. Examples of capital cities with special powers are numerous, including the Greater London Authority, the Seoul Capital Area, Tokyo Metropolis, Buenos Aires Autonomous City, and many others, while special economic zones include Cheju in Korea, Hainan and Shenzhen in China, Labuan in Malaysia, and more. This type was excluded on the grounds that it is not related to ethnic minorities and does not threaten separatism, although there may be pressures against minority migrant workers. Other potential types might include de facto autonomy in occupied regions, i.e., Crimea, South Ossetia, Abkhazia, Transnistria, the Spanish Sahara, and Turkish

Cyprus. One could refer to marginal autonomies, places with limited formal powers such as Rotuma (Fiji); Nakhichevan (Azerbaijan); the Canary Islands (Spain); Svalbard (Norway); Corsica (France); Norfolk or Christmas Island (Australia); the Cook Islands and Niue (New Zealand); and the Isle of Man, Jersey, and Guernsey (Britain). One distinctive case is Mount Athos in Greece, an autonomous region that stands as the monastic center of the Greek Orthodox Church (and completely bars females from its territory). A large set of cases may be colonial autonomy, where non-contiguous colonies possess special governance powers, such as Bermuda, the Cayman Islands, Gibraltar, and the Falkland Islands (United Kingdom); Guam, American Samoa, and the US Virgin Islands (United States); French Polynesia, Réunion, Martinique, Guiana, and New Caledonia (France), and others. Although the varieties of autonomy identified in this paper cover considerable ground and the categorization has analytic value, one could and should identify other types, so as to gain a broader understanding of asymmetrical special forms of self-government for distinctive minority regions.

Many important and interesting cases do not fit neatly into the five varieties outlined in this paper. As with any social science typology, it is essential to be explicit regarding overlapping traits and cases; even classic typologies, from regime types to exit, voice, and loyalty may not be entirely mutually exclusive (Collier, LaPorte, and Seawright 2012, 224). One complex case is Papua. Although Indonesia has enjoyed over two decades of democratic rule and has overcome many conflicts, Papua remains unstable. Papua has elections and autonomy, but the nature of its autonomy is top-down, cultivating a class of Papuan politicians amidst ongoing conflict and large-scale protests (Barter and Wangge 2022). It seems that Papua mixes post-conflict and democratic autonomy, but with elements of authoritarian and indigenous autonomy forms. Taiwan is also hard to place, as it is a self-governing de facto state seen by China as a breakaway province. The Hong Kong autonomous region struggles to uphold democratic self-government within an authoritarian state. The former British colony features own currency, passports, migration restrictions, language policies, and political system. However, its autonomy has an expiration date (2047) and China has already restricted self-government, controlling dissent and elections while cultivating loyalists (Fong 2017). It thus contains elements of both democratic and authoritarian autonomy. Another uncertain case is Puerto Rico. Although the term ‘autonomy’ is rarely used, the island has its own language policies, weights and measures, political parties, political system, taxation, and more, possessing many trappings of autonomy. Commentators typically focus on what the island lacks, namely representation in federal politics, framing Puerto Rico as a US colony (Lluch 2014). Of course, all American states are products of colonialism, and many autonomous regions can be understood as colonial artefacts. Puerto Rico thus stands as a case of democratic

autonomy, although it is not consciously labeled as such and has authoritarian legacies of colonialism.

All told, territorial autonomy represents a valuable tool to overcome conflict and empower distinctive, territorially concentrated minorities. This paper has provided glimpses into dozens of cases, but the world features many regions that could benefit from self-government: Tuareg (Mali), Okinawa (Japan), Patani (Thailand), Donbas (Ukraine), Khalistan (India), Rojava (Syria), Kurdistan, indigenous regions in Hawaii and Alaska, and many more. This is not to mention the numerous existing autonomous regions where self-government has been stunted. Hopefully, a better understanding of the many faces of territorial autonomy can be useful in tailoring different forms to specific contexts. Autonomy represents a varied, complex institutional response to difference, one that can be better refined and has the promise to empower minority nations.

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Contested Conservation Frontiers: Resource Wars, Power Play, and Violence in Samburu and Isiolo Counties

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Abstract

This study examines the impact of informal arrangements between the Northern Rangeland Trust (NRT), a non-governmental organization, pastoral communities, and state actors in northern Kenya, focusing on Isiolo and Samburu counties. The cases in these counties highlight the contrasting impacts of NRT-led conservation interventions on natural resource management (NRM). The work draws on 56 in-depth interviews, 41 focus group discussions, repeated field observation, and transect walks conducted between 2018 and 2024 with key informants, including NRT representatives, government officials, civil society actors, and pastoral community members, triangulating findings with conservation literature and government documents. The analysis reveals that public-private partnerships (PPPs) involving NRT and government actors are characterized by secrecy, and their influence is primarily evident through their impacts. Conservation efforts, often justified under the guise of environmental protection, have increasingly relied on the privatization and legitimization of coercive force. This militarized approach exacerbates resource conflicts and perpetuates cycles of violence. The study, thus, underscores the need for greater transparency and accountability in conservation initiatives to balance resource management and community livelihoods effectively.

Keywords

Organized Violence, Natural Resource Management, Northern Rangeland Trust, Community Land Act, Pastoral Communities.

Credit authorship contribution statement

Clifford Collins Omondi Okwany: Conception or design of the work, data collection, data analysis and interpretation, critical revision of the article, and final approval of the version to be published.

Evelyne Atieno Owino: Conception or design of the work, data collection, data analysis and interpretation, critical revision of the article, and final approval of the version to be published.

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1. Introduction

Militarization and organized violence have become prominent features of African conservation practices, particularly in natural resource management (NRM). This study examines how militarization in conservation practices affects NRM and pastoral land tenure systems in Kenya, particularly under the Community Land Act (hereafter CLA 2016). Our paper complements the literature by Lunstrum, Bocarejo and Ojeda[1] and Duffy et al.,[2] which argues that the use of force by state and private entities to enforce conservation policies in Kenya often leads to significant tensions between conservationists and local pastoral communities. While ostensibly aimed at protecting and governing natural resources, this approach frequently exacerbates socio-political conflicts and marginalizes vulnerable communities. Weak land tenure systems, particularly under the CLA 2016, exacerbate these challenges by creating ambiguous legal frameworks that can be manipulated and exploited by private companies and organizations, undermining community rights and fueling disputes over NRM.

Under Kenya's 2010 Constitution, the CLA 2016 protects community land rights and promotes equitable, community-driven land management frameworks. However, delays in registering community lands and resolving boundary disputes have hampered its implementation. Such delays provide opportunities for private entities to manipulate land governance structures, often leading to land dispossession and "green grabbing," i.e. the appropriation of land under the pretext of environmental protection.[3] In response, the Community Land (Amendment) Bill of 2023 seeks to address these issues, but the broader structural weaknesses in NRM governance remain unresolved. Public-private partnerships (PPPs) may be a mechanism to bridge the gap between conservation and community interests. These partnerships bring together public institutions such as the Kenya Wildlife Service (KWS), devolved governments, and private organizations such as the Northern Rangelands Trust (NRT). However, as it shall be clear below, our findings suggest that such PPP initiatives have opaque processes and a tendency to privilege private and state actors over local communities.

The monopolization of decision-making, combined with organized violence as an enforcement tool, often undermines the potential of PPPs to achieve equitable and sustainable NRM outcomes. Thus, we aim to examine the intersection of militarization, land tenure, and PPPs in NRM in Kenya's northern counties, particularly Isiolo and Samburu, highlighting how weaknesses in statutory frameworks and conservation policies enable private entities to dominate resource governance, creating cycles of conflict over

1 Bocarejo and Ojeda (2016).
2 Duffy et al. (2019).
3 Fairhead et al. (2012).

critical resources such as land, water, and pasture. The writing is divided into different sections. First, we discuss the NRM framework with a focus on conservation in Kenya. Secondly, we show the powerplay that encompasses the management of natural resources. The analysis shows how private interests exploit loopholes in legal frameworks and conservation regulations and take advantage of weak community land systems. We also demonstrate how organized violence is used as a policing strategy for NRM in Northern Kenya.

2. Methodology

This study takes a qualitative approach, integrating primary data obtained through interviews with secondary analysis of the relevant literature and government documents. We conducted fieldwork in two critical counties (Samburu and Isiolo) between February 2018 and March 2024. Samburu County included conservancies such as *Namunyak*, *Kalepo*, *Westgate*, *Sera*, *Kalama*, and *Ngilai* central community, while Isiolo County included *Nakuprat-Gotu*, *Leparua*, *Buliqo Bulesa*, and *Nasulu* community conservancies. The study was conducted in three distinct phases: the initial phase (2018–2021), a follow-up phase (October 2022–March 2023), and the final phase (January–March 2024). Fifty-six semi-structured interviews were carried out primarily with key informants, including representatives from the Northern Rangelands Trust (NRT), local, county, and national government officials, community-based organizations, faith-based organizations, and civil society organizations working in the two counties.

In addition, interviews were held with community leaders, pastoralists, and conservation practitioners to capture diverse perspectives. The interviews were complemented by 41 Focus Group Discussions (FGDs), which enabled us to gather opinions and insights from local communities with a common interest in NRM, taking place in selected pastoral communities with the objective of understanding grassroots experiences with conservation initiatives and the impact of militarized enforcement. These sessions provided insights into the communities' perceptions of land tenure, security, and resource access. Furthermore, we conducted a secondary data analysis that included a comprehensive review of conservation-related academic literature and provided the theoretical context for analyzing the implications of militarization on NRM. We analyzed key statutory documents, including the Community Land (Amendment) Bill of 2023 and relevant policy briefs, to gain insight into Kenya's legal and institutional frameworks governing land tenure and conservation.

Data from interviews, FGDs, and secondary sources were triangulated to ensure validity and reliability. We used thematic analysis to identify recurring patterns and relationships among key variables, including organized violence's role, PPPs' effectiveness, and

community responses to conservation practices. We employed qualitative research as a methodological approach to ensure a comprehensive understanding of the dynamics of NRM in northern Kenya, with particular attention paid to the intersection of militarization, land tenure, and public-private partnerships. The study provides actionable insights for policymakers, conservation practitioners, and community stakeholders seeking to address these complex challenges.

3. Natural resource management: A conservation framework in Kenya

Natural resource management is an interdisciplinary field of study that encompasses the sustainable utilization of available resources, such as water, land, air, minerals, forests, wild flora, and fauna. These resources provide biodiversity through a multitude of ecosystems that support the life of other species of variant genes, enabling them to adapt to different environments and climates through an interactive process.[4] In this discussion, it is crucial to acknowledge that natural resource systems are inherently complex and interlinked with social, economic, and political systems. NRM adopts an integrated methodological approach acknowledging the interconnectedness of social and natural systems. It addresses the socioeconomic and political pressures on institutions and fosters human-nature relationships, as the public good necessitates collective management of shared resources.[5]

Muralikrishna and Manickam[6] highlight the role of NRM in supporting human livelihoods in terms of consumption and public good services. Riddiford[7] underscores the necessity for an integrated catchment management approach to NRM that incorporates the interests of the affected communities and employs flexible strategies for integrated policy programs based on appropriate planning processes. Such an approach considers the powers involved in NRM and the interests of the affected communities. To ensure this, it is essential to consider the following key interests: First, the enhancement, maintenance, and sustainability of the resources; second, the protection, recovery, and conservation of planning and effective action; and third, to enhance the capacities, skills, and engagement of the communities affected.[8] While community-based NRM models focus on local-scale management, such as group ranches and village-level initiatives,[9] the complexity of resource use in northern Kenya requires a broader approach. Pastoral communities depend on vast rangelands for water and grazing, requiring mobility during seasonal changes.

4 Jhariya et al. (2022); Muralikrishna & Manickam (2017).
5 Hughes et al. (2021).
6 Muralikrishna and Manickam (2017).
7 Riddiford (2021).
8 For further public participation processes, see also Webler (1999).
9 Moiko (2015).

Collaborative initiatives involving government, private entities, and communities are essential to effectively manage these expansive and dynamic landscapes. This is why a public-private partnership (PPP) model is often selected. In this framework, the government establishes laws and policies, private entities contribute resources and expertise, and communities provide indigenous knowledge. However, northern Kenya's NRM framework is constrained by gaps in legislation, weak land tenure systems, and competing interests among stakeholders. Despite the existence of statutory laws such as the Wildlife Conservation and Management Act (2013), the CLA (2016), the Forest Conservation and Management Act (2022), and the Climate Change Act (2016), the absence of unified national land policy has impeded the integration of these frameworks. This has resulted in fragmented governance, whereby private entities and political actors have exploited the ambiguities inherent in the statutory laws. The interplay between conservation and economic interests introduces further complexity to the situation.

The concept of sustainable development, as postulated by ecological economics, strives to achieve a balance between the pursuit of business profits and the preservation of ecosystems.[10] While there is a growing recognition of the link between corporate performance and environmental responsibility,[11] many private entities prioritize economic returns over environmental sustainability.[12] This tension is evident in the NRT operations, which demonstrate a profit-driven approach in their partnerships with county and national governments, with a tendency to disregard community needs.

Conservation is frequently portrayed as a means of resolving conflicts and fostering cooperation regarding shared resources.[13] However, conservation initiatives can also be drivers of conflict.[14] As Greiner[15] observes that conservancies' dual nature serves as an instrument for land-use transformation and resource formalization. The intention to add value to natural resources, the lack of clarity surrounding land rights and the intersection of ethnic territorial disputes with conservation policies frequently results in violence. In Kenya, conservation practices are often associated with state enforcement, which can result in human rights violations when security agencies use force.

Northern Kenya's NRM challenges underscore the importance of hybrid governance models that blend top-down and bottom-up approaches. Hardin's[16] "*Tragedy of the Commons*" proposes the establishment of rational institutions to govern shared resources,

10 Daly & Growth (1996); Müller et al. (2022).
11 Whiteman et al., (2013); Winn & Pogutz (2013).
12 Browning et al. (2020); Figge & Hahn (2021).
13 Ali, (2005), (2007).
14 Duffy, (2014); Duffy et al. (2019).
15 Greiner (2012).
16 Hardin (1968).

whereas Ostrom[17] and Olson[18] advocate for a balance between institutional and community-led management. Article 63 of Kenya's Constitution and CLA, 2016, provides a framework for the community to manage their resources, while Article 67 emphasizes the importance of top-down institutional oversight. Combining these approaches could create a governance structure integrating conservation expertise, traditional pastoralist knowledge, and policy-driven county government leadership. However, governance in northern Kenya often fails to reflect this balance. Private entities and political actors exploit the weakness of institutions and limited government presence, imposing a top-down approach and using organized violence to enforce conservation agendas. These practices prioritize economic profits over the equitable distribution of resources, exacerbating tensions in communities that rely on natural resources for survival.

4. Powerplay and the development of natural resource management in northern Kenya

The rise of private interests can be analyzed in the context of global changes, particularly the liberalization of the world economy that established institutions such as the International Monetary Fund and the World Bank. This, in turn, contributed to the privatization of properties and land,[19] commonly referred to as neoliberal conservational strategies,[20] which have resulted in "the privatization and commodification of natural resources".[21] Hann[22] gives an account of the Chinese economy's transformation in the absence of liberalization and property privatization. Our analysis focuses on how the interplay between privatization and communally registered land transforms pastoral land. This analysis shows how the status of pastoral land is changing from community land, group, and trust lands to a more liberal form of domination through private corporate ownership or individuals. This shift encourages the privatization of land and promotes conservation efforts in northern Kenya. This is despite the fact that most African land is communally owned.[23] As a result, the drive for development is accelerating the privatization of land, increasing corruption over land, and land-grabbing.[24]

In 1995, NRT established *Namunyak* and *Il Ngwesi* conservancies in Samburu and Laikipia counties. Lekurruki, which is also situated in the Laikipia district, was established

17 Ostrom (1990).
18 Olson (2007).
19 Havnevik et al. (2007).
20 Pitas & Mowen, (2023).
21 Müller et al. (2022, p. 307).
22 Hann (1998).
23 Alden Wily, (2018); Wily & Wily (2015).
24 Wolford et al. (2012).

in 1999, expanded, and by 2015, NRT was assisting pastoral communities in the management of 33 community conservancies in 10 counties, most of which are located in northern Kenya.[25] In 2021, five conservancies in Samburu West and four in Isiolo were added.[26] As a result, the number of conservancies is increasing, which aligns with the idea of natural resource management (NRM), a sustainable utilization of wildlife and indigenous trees. However, this has led to contestations between the indigenous pastoralist livelihood, the conservationists, and development agents representing local and external interests. These ideas of NRM are implemented through the use of organized violence, the legitimization and monopolization of the use of force, which results in the compulsory acquisition of land, the eviction of local populations, and the enforcement of property rights.[27] Such cases are common in pastoral areas in Kenya and elsewhere in the Global South.[28]

From 2000 to 2015, the NRT conservation agenda impacted 480,000 people, transformed approximately 43,900 km^2 of land in Kenya's arid and semi-arid regions, and resulted in the training of about 708 conservancy rangers, 37 of whom were part of mobile security teams.[29] The organization is engaged in land deals that affect the natural resources, including land, pasture, and water, which are essential for pastoralists' livelihoods.[30] Nevertheless, conservation efforts have also proved beneficial to pastoral communities supported by NRT activities, which have transformed Samburu and Isiolo's pastoral land by promoting community conservancies and improving security and the livelihoods of the pastoral communities. However, some scholars, such as Bersaglio,[31] contend that such advancement is achieved through domination, as powers from the county and NRT engage through hybrid institutions – a collaboration between the government and the private sector aiming to manage pastoral natural resources. This has resulted in unintended and undesired outcomes of NRM. Therefore, opinions differ on whether conservation has positively or negatively impacted pastoralist livelihoods.

Most of the existing literature addresses the question of how to achieve a balance between the economic survival of communities affected and the conservation of wildlife.[32] For example, some of the earlier academic works on NRT stipulate the neoliberal aspect of a market-based approach.[33] Bersaglio[34] also points to the power dynamics at play in the conservation agenda, providing examples of NRT's focus on conservation and its impact on

25 NRT (2015).
26 NRT (2021).
27 Büscher & Ramutsindela (2016); Duffy (2014); Witter & Satterfield, (2019).
28 Mavenjina, (2017); Mittal & Fraser (2018).
29 NRT (2015).
30 Enns (2019).
31 Bersaglio (2018).
32 Wolmer & Ashley (2003).
33 See, for example, Dressler & Büscher (2008); and Fletcher, (2010).
34 Bersaglio (2018).

the pastoral communities in Laikipia, with a particular focus on *Il Ngwesi, Lekurruki*, and *Naibunga* conservancies. Bersaglio and Cleaver posit that "[g]reen grabs occur through the process of bricolage".[35] This market-based approach illustrates the inherent tension between the conservancy idea and community livelihoods.[36] However, such ideas promote green grabbing – i.e. strategically exploiting conservancy ideas to grab land and benefit private individuals and not the communities.[37]

The economic aspects mentioned above fail to consider the power dynamic within society. Furthermore, they do not adequately address the environmental risks associated with the NRT's wildlife protection strategy, which aims to attract tourists for the economic benefit of external actors. This strategy significantly threatens pastoral communal land rights, cultural heritage, and access to and control over natural resources. The pastoralist livelihood and land have been undergoing dramatic political and economic changes,[38] encompassing shifts in the land tenure system,[39] the construction of large-scale infrastructures,[40] the expansion of conservation areas and shifting pastoral land from communal to private land and changing to agricultural use,[41] in the context of mining,[42] interethnic conflict and violence.[43] The weak land tenure system facilitates the changes, which we will analyze below. Our research shows how PPP initiatives in Kenya exploit and take advantage of the weakness inherent in the system of communally owned land for private gain.

5. Results: Natural resource management complexities in the pastoral rangeland

Northern Kenya has historically been a region of relative neglect, both during the colonial era and since Kenya's independence. This neglect has manifested in various forms, including implementing isolation policies that have affected the region's economic transformation. The neglect has fostered a culture of skepticism and distrust from pastoral communities in Northern Kenya regarding the government's development initiatives. The northern region also experiences conflicts historically rooted in competition over scarce natural resources and the cultural practice of cattle rustling, driven by the accumulation of wealth and the restocking of herds.

35 Bersaglio and Cleaver (2018) p. 477.
36 Roth & Dressler (2012).
37 Green & Adams (2015).
38 Korf et al. (2015).
39 Greiner (2017).
40 Okwany (2020); Okwany et al. (2024); Owino & Okwany (2025).
41 Greiner et al. (2013); Greiner & Mwaka (2018); Greiner et al. (2021).
42 Abuya (2018).
43 Greiner (2013); Okwany et al. (2023).

The prolonged drought between 2018 and 2023 exacerbated the resource conflicts in the region. The lack of effective NRM institutions and increased population and permanent settlements have contributed to the degradation of pastoral rangelands. Higher levels of poverty resulting from economic marginalization have also contributed to a high number of uneducated, unemployed, and disenfranchised population who, when exploited by external actors seeking to commercialize or politicize inter-ethnic boundary conflicts and livestock raiding, are prone to resorting to violence.[44]

Cattle raiding has become more destructive and lethal due to the ready availability and proliferation of illicit firearms. However, global changes are attracting movements and projects into pastoral areas, and Isiolo and Samburu, because of their vast territory, have attracted most of these developments that threaten pastoralist livelihoods.[45] These pastoral communities feel marginalized even with the emergence of projects brought by Vision 2030 – a 22-year development project that started in 2008 and resulted in rapid development, yet Isiolo land is unregistered[46] – land with no record for community ownership but is under County leadership. On the other hand, Samburu has been going through land registration since the enactment of the CLA 2016.[47] However, such registrations were stopped because of unclear registration framework and manipulation, leading to corruption and double registration of individuals within the same communal land.[48] As such, the Community Land (Amendment) Bill of 2023 is currently in parliament. The amendment process tries to fix the confusion and corruption issues surrounding communal land. As we shall show below, Isiolo and Samburu land have different and weak land systems. Without title deeds, unregistered land leads to manipulation and land grabbing.[49]

Northern Kenya has a lower level of development than the other regions in the country, and at the time of writing, the evolving nature of development is attracting experts and foreign investment to the region. Current policies continue to marginalize the pastoral communities and diminish their grazing lands. The NRT has emerged as a prominent actor in natural resource management. However, its interventions have generated both praise and criticism. This analysis assesses the duality of NRT's contributions, focusing on its impact on conservation and pastoral livelihoods in Samburu and Isiolo counties, using evidence drawn from both primary and secondary data.

44 FGDs with pastoral communities in Namunyak, Kalepo, Westgate, Sera, Kalama, and Ngilai central community conservancies in Samburu, and Nakuprat-Gotu, Leparua, Buliqo Bulesa and Nasulu in Isiolo between October 2022 to March 2023, with a follow up in January to May 2024. See, NRT, 2021.

45 FGD with Borana Council of Elders, October 19, 2018.

46 FGD with Borana Council of Elders, October 19, 2018.

47 Interviews with Samburu Land Office, November 2022, with follow-ups in February 2024.

48 Our FGDs from October 2022 to March 2023 in Wamba, Archers Post, Maralal, Marti, Baragoi, Parkati, and Nachola, with a follow-up in January to May 2024, demonstrate double registration of Land and powerful individuals who are not part of the Samburu community acquiring land through corrupt deals.

49 Interview with a key informant with information on NRT in Namunyak Conservancy, March 13, 2020.

5.1 'Green Grabbing', legal loopholes, land contestation, and wildlife enterprise

The conservancy trend developed in response to the explosion of interest in experiencing wildlife in Africa's vast, unspoiled areas. The extensive land occupied by colonial settlers was transformed into conservancies to generate funds for the settlers and local elites – influential community leaders who worked with the settlers. Consequently, a formalized bureaucratic system has been developed to target trust land (Isiolo) and group ranches (Samburu), which are communally owned, have a weak tenure system, and are easy to manipulate, leading to corrupt land deals.[50] Furthermore, the incursion of pastoral communities into private farms and ranches owned by colonial settlers, driven by the need for pastureland in the face of climate change and evolving environmental policies, has led to these settlers' establishment of private and fenced wildlife conservancies. This has, in turn, attracted an influx of conservancy businesses, followed by the formation of NRT and the continuous policing of the conservancies since the 1990s.[51]

Pastoral land is communally owned under the Group Representative Act of 1968 and the Trust Land Act of 1968. The first Act was applied in districts cooperating with the national government and were more organized as groups. The later Act was applied to districts that were in opposition to the post-colonial government, which came into power in 1963. With the exception of a few educated leaders, group ranch members were largely unaware of the intricacies of legal land issues and the limitations of communal land ownership. The situation of trust land was even worse due to the trusteeship invested in the district leadership. One of the key distinctions between the group ranch and the trust land established under the Group Representative Land Act of 1968 and the Trust Land Act of 1968 is that the former emphasized the strength of community ownership of land, whereas the land under the latter was subject to the authority of the district leadership.

During the administration of Jomo Kenyatta, the first president of Kenya, from 1963 to 1978, the Borana in Isiolo supported the Shifta Wars – separatist wars between the Kenyan government and Somali militias backed by the Said Barre administration in Somalia. These Shifta Wars compelled the Kenyatta regime to subject the Isiolo leadership to the district command. Accordingly, the Trust Land Act of 1968 was enacted to enforce land leadership under the purview of the national government in northeastern Kenya, including Isiolo and Marsabit, under the district trusteeship.[52] This meant that the land was under the purview of the district leadership, representing the national government. In contrast, land under the governance of a group representative (a Samburu district case) was registered under and entrusted to the community's traditional leadership.[53] Both land tenures were

50 Ibid.
51 Ibid.
52 FGD with Borana Council of Elders, October 19, 2018.
53 Interview with land experts in Samburu County office, February 15, 2023.

susceptible to corruption because the district leadership changed with each new president's administration, while the group ranches were subject to manipulation by elders and clan leadership. Consequently, private entities exploited the land tenure system, manipulating the national administration and the community leadership to acquire land in northern Kenya.

Isiolo and Samburu districts (now counties) were neglected until the 1990s, when the area experienced a surge in interest in prospective energy development, such as oil, wind, and geothermal potential, which led to a surge in interest. However, these areas are governed by a communally owned land tenure system. Isiolo was adjudicated under the trusteeship of the former district leadership, while Samburu was under the community group ranches – community leadership and families registered their names as owners of pastoral rangeland. Such trusteeship and group ranch leadership were transferred to the county governments pending the CLA 2016, which stipulates the registration of communal lands to empower pastoral/indigenous communities with authority over land adjudication. As early as 1995, the NRT's conservation agenda began exploiting the weaknesses of the communal land tenure system by establishing a conservancy when the community land in question was supposed to be under the trusteeship of the district leadership and group ranches. As a consequence of the postponement of land registration in Isiolo and Samburu, NRT continues to benefit from a weak land tenure system.[54] Such a system subjects pastoral communities to vulnerabilities over land use change due to marginalization and insecurity.[55] The changes can also potentially result in the scandalous acquisition of pastoral land.[56]

Different acts constitute the new land tenure system. For instance, community land is registered under the CLA 2016, conferring rights over the land to the community. Furthermore, the Wildlife Conservation and Management Act (WCMA) of 2013 offers interested parties, individuals, communities, government, or private entities to participate in NRM. Also, forest and wetland lands are safeguarded under the Climate Change Act of 2016 and the Forest Conservation and Management Act of 2022; these forest lands are part of the community resources but are protected areas. Nevertheless, these Acts of parliament often overlap, resulting in gaps and inconsistencies due to the absence of an integrated land policy.

Section 29 of the CLA 2016 designates the land rights to the community, while Section 28(1) protects pastoral customs and practices provided the land is registered under the community. Section 28(2) permits communal grazing but restricts these rights to registered

54 NRT (2020a).
55 FGDs with community members in Wamba, Nasulu, Sera, Kalama and Ngilai, Samburu, February 2024; FGDs in Nakuprat-Gotu in Isiolo, March 2024.
56 Krätli, S. & Swift, J. (2003); Gabbert et al. (2021); Lind et al. (2020).

communities to follow a grazing plan. However, implementation has been delayed due to ongoing amendments to the CLA 2016 in parliament since February 2023. In addition, legal loopholes, double registration, and the manipulation of old registers in group ranches have contributed to the continued exploitation of community lands.[57] These deficiencies permit entities like the NRT to partner with county governments in PPPs for conservation initiatives, which often result in forced evictions and organized violence. The extant national land policy enacted in 2009 and integrated into the 2010 Constitution requires updating to reflect new land regulations and address these overlaps.[58]

For instance, while the WCMA of 2013 emphasizes NRM, the slow registration of community land under CLA 2016 has hampered community decision-making processes and has left pastoral communities vulnerable.[59] Statutory laws such as the Forest Conservation and Management Act 2022 and the Government Lands Act (Chapter 280 of 2010) further complicate matters, with the latter giving the executive authority to declare land as state property. This fragmentation allows private entities to take advantage of these ambiguities. NRT, in particular, has faced legal challenges to its conservation activities, with petitioners arguing that its actions violate Section 117 of the 2013 WCMA, which recognizes traditional mechanisms for resolving land disputes, and Sections 28 and 29 of the CLA 2016, which safeguard pastoralist rights.

In Isiolo, for instance, seven years after the CLA 2016 was enacted, the land registration process has not commenced, resulting in legal disputes over NRT's management of community land under communal tenure systems.[6061] However, disparate interests advocate for NRT's involvement in NRM. With the advent of the CLA (Amendment) Bill of 2023, pastoral communities engage in public-private partnership initiatives on conservation and NRM through political patronage but are limited in legal procedures.

Community-based conservancies are seen as a strategy for NRM and are proving to be better initiatives for including community leadership in the stewardship of trust lands or group ranches and safeguarding community land. Such is the case because these community-based conservancies entail traditional mechanisms, indigenous knowledge and community responsibility. Management which is community initiated, supported by policies/laws, and expertise and resources from private organizations, safeguards communally owned pastoral land. However, the weak tenure system leaves pastoral

57 Interviews with land experts in Samburu County office, February 15, 2023.
58 Discussions with land tenure experts at the land conference organized by the Kenyan Ministry of Land and Physical Planning (MoLPP, Food Agriculture Organization of the United Nations (FAO)), and French Institute For Research In Africa (IFRA), June 13th to 14th, 2022.
59 Interview with the land registrar of Laikipia and Samburu, June 14, 2022.
60 The Elephant (2022).
61 Environmental Land Court decision on petition no. 7 of 2020, John Ngimor & 554 others versus Northern Rangeland Trust & 3 others; decided against NRT at the Environmental and Land Court, Kitale, 2021.

lands vulnerable to large-scale land use changes through contentious conservation and infrastructure development projects.

Consequently, NRT's restrictive grazing policies have resulted in the dispossession of pastoralists from their land, while the militarized policing strategy used to control wildlife and pasture has contributed to shrinking pastoral land and intensified resource wars in a region prone to prolonged droughts.[62] NRT has also been seen as a contentious security provider in northern Kenya, effectively functioning as a state within a state. This is due to their initiative to mediate pastoral conflicts by employing rangers who oversee conservancies and the communities around them. NRT has been accused of involvement in inter-communal violence, as its security personnel have become a pivotal force fueling inter-communal conflicts involving cattle rustling. This raises the question of whether the NGO is an agent of peace, as it claims, or an agent of violence.[63]

The NGO, NRT was founded by Ian Craig, a British national whose ancestors were among the colonial settlers. Craig's family owned a 62,000-acre ranch that is now *Lewa* Conservancy in Laikipia County and is the headquarters of NRT.[64] Its conservation strategy is to help community leaders, mostly elites, manage the conservancies as tourist attractions and invest in expensive lodges.[65] Conservancies embrace the concept of eco-tourism – attracting tourists while also conserving wildlife and enhancing pastoralist livelihoods, with the additional objective of fostering peace.[66] Such investments are also designed to transform the lives of local communities by providing bursaries and employing community members as scouts/rangers who manage the conservancies.[67]

NRT's efforts have protected elephants and rhinos by bringing ivory poaching down to zero, rehabilitating rangelands, supporting forest conservation, protecting native trees such as acacias and mangroves in coastal Kenya, supporting community enterprises – buying and selling livestock and collecting about 20 tons of plastic waste from the beaches.[68] The challenge lies in achieving a balance between conservation and the protection of pastoralist livelihoods. There is evidence that NRT has incrementally created such difficulties,

62 FGDs with pastoral communities in Namunyak, Kalepo, Westgate, Sera, Kalama, and Ngilai central community conservancies in Samburu, and Nakuprat-Gotu, Leparua, Buliqo Bulesa and Nasulu in Isiolo between October 2022 to March 2023, with a follow up in January to May 2024. Also see, Mkutu, 2020.

63 FGDs with Borana council leaders October 19, 2018, Also see, Schetter et al., (2022).

64 Mittal & Moloo (2021).

65 Most of our interviews with Key Informants, FGDs with Rangers, and communities, including NRT officials, pointed to specific elites having privileges over community conservatism.

66 NRT (2022).

67 Most of our interviews from Nakuprat-Gotu, Leparwa, Biliqo-Bulesa in Isiolo, October 2019, and Westgate, Meibae, Namunyak, Sera, Kalepo in Samburu and Lewa in Laikipia November 2022, proved benefits from NRT, however, they also pointed a positive skewed benefit towards the dominating clans, and the beneficiaries are majority relatives of the leaders, and not reflecting the entire pastoral communities as hyped in NRT reports, and our interviews in NRT offices in Lewa conservancy and Wamba, November 2022.

68 NRT (2020b).

resulting in the forceful eviction of pastoralists from their land, including human rights violations in Isiolo.[69]

In addition to such forceful evictions, NRT engages in corrupt land negotiations, incentivizing those who agree with its agenda and subjugating those who reject such deals.[70] For example, establishing the *Ltungai* Community Conservancy in Samburu West was an agreement between Samburu politicians, leaders, community gatekeepers, and NRT. The objective was twofold: to attract eco-tourism, conserve the area's rich wildlife, and serve as a buffer zone between the Pokot and Samburu communities to prevent inter-ethnic conflicts between them. The neighboring Pokot community was not consulted on the matter even though Pokots depended on the traditional grazing lands within the conservancy, which they had shared for generations, particularly during prolonged drought.[71]

Following its establishment in 2002 and implementation in 2005, Samburu politicians began disseminating leaflets urging the Pokot to return to Baringo County, claiming that Pokot in Samburu County are occupiers who migrate from West Pokot and Baringo Counties to invade Samburu communities. This marginalization of the Pokot ethnic group resulted in a "full-scale guerrilla-type war."[72] Most Samburu villagers were forcibly displaced, numerous women and children were killed, and victims mutilated. The government ended the conflict by declaring a ceasefire in 2009.[73] In response, the conflict resulted in an unknown number of casualties,[74] with estimates ranging between 62 and 500 deaths, as reported by the Kenyan government,[75] *Ltungai* Community Conservancy thus illustrates how creating a conservancy can, in fact, fuel rather than prevent conflict.

Conservancies privately supported, promoted, and supervised by NRT encompass an area of 6.3 million hectares, about 11 percent of the land area of Kenya.[76] These conservancies have surpassed the total area managed by the national parks service, Kenya Wildlife Service (KWS), and are designated as community-based conservancies. NRT advocates for assisting the pastoral communities in managing the conservancies to transition their management to community members. In 2014, NRT initiated a peace program to resolve conflicts and follow up livestock raids. Peacebuilding activities predominantly involve the collaboration between local government officials, such as chiefs, national government peace cops, and the Council of Elders, which is made up of different ethnic groups. However, controversies surround the follow-up of livestock raids by the Joint Operations

69 Letiwa (2020).
70 FGD with Pokot Elders in Amaiya center, February 5, 2023; follow-up FGDs with Police and Rangers in Losuuk, March 2024.
71 Okumu, W. (2014).
72 See, for example, Greiner, 2017 referring to the Nation Media report 2006.
73 FGD with Pokot Elders in Amaiya center, February 5, 2023.
74 Ibid.
75 Greiner (2012).
76 See Corry (2021).

and Command Center (JOCC), a coordination center for NRT elite trained rangers. Within the JOCC, there is a special team named "nines," given the name depending on their training, and they are teamed in numbers, ranging from 'nine-ones or 9-1s,' 'nine-twos/9-2s,' to nine-nines/9-9s. The JOCC coordinates the activities of KWS and the Kenya police, as they were accused of extrajudicial killings of communities who were underrepresented in the 9-1s to 9-9 teams.[77]

There are reports of another conflict between the NRT leadership and *Namunyak* Conservancy in Samburu East, the first conservancy managed by NRT since 1995. The *Namunyak* leadership claimed they had severed ties with NRT, citing a lack of trust and transparency regarding financial matters, persistent attempts to sabotage operations, growth, and development, and an unfulfilled pursuit of sustainability. Consequently, they sought to become independent.[78] In contrast, NRT accused the leadership of *Namunyak* Conservancy of corruption and mismanagement of the conservancy funds designated for development.[79] A respondent corroborated this antagonistic relationship to us, stating:

> "…There is a lot of NGO dominance in the conservancy business…NRT preaches to the community that this is their thing…however, they are using the community for fundraising and to further their interests…as in terms of actual benefits, things have stagnated since 1995…"[80]

The focal point of the Memorandum of Understandings (MoU) between NRT and most community conservancies has been obtaining support from the NGO, which is advantageous in securing donor funding. Consequently, the group ranch leadership in Samburu and the trustees of the lands in Isiolo entered into an agreement with NRT that aims to secure funding and manage their land through conservancies. These MoUs stipulate that NRT will support the conservancy until the local leadership can resume responsibility for their management. The leadership of *Namunyak* Conservancy questioned the rationale behind NRT's continued involvement in the management of their conservancy, given their demonstrated capacity to manage it independently. The local leadership highlighted that they were the first conservancy since 1995, and it was time to assume responsibility for the management themselves, secure funding from the donors directly, and seek investment opportunities independently. These assertions substantiated the concerns our key informant raised.

> "…how come NRT has not allowed all these babies to grow in all these years of partnership…NRT conservation model lacks seriousness as they do not have community interests at heart because the peace NRT created is unsustainable. They want to take advantage of the uninformed community and the weak leadership of the communities…That is where corruption comes in…"[81]

77 FGDs with Borana council of elders, October 2018.
78 Interview with *Namunyak* leadership in Wamba, November 13, 2022.
79 Interview with NRT office at the sub-county office in Wamba, November 15, 2022.
80 Interview with a key informant about NRT in *Namunyak* Conservancy March 13, 2020.
81 Ibid.

The Isiolo community leadership, which had previously resisted NRT's initiatives on NRM, began cooperating with NRT leadership after the introduction of bursaries and development funds from the carbon credit projects introduced in 2021.[82] The concept of carbon credits, a transferable financial instrument used as compensation for carbon offset or reduction in carbon emissions, has emerged as a topic of great interest in Kenya, particularly in the context of conservancies. NRT has been providing and administering carbon credit funds to conservancies, with 14 conservancies, most of which are in Samburu county, receiving 36 million Kenyan shillings each in carbon credit funding.[83] These figures fluctuate depending on how soil carbon is measured, and given the lack of information from the pastoral communities carbon funds are likely to exacerbate resource conflicts among different entities and interests.[84] It has already attracted government attention, leading to introducing the transferable financial instrument in parliament, the Carbon Credit and Benefit Sharing Bill 2023. The bill estimates that Kenya will receive US $709 million or 100 billion Kenyan shillings annually from the carbon credit funds. The managing authorities will receive approximately five percent, while the communities living within a community forest will receive 55 percent.[85]

Even though information about these carbon credit funds had not reached most conservancies in Isiolo and Samburu, they received them without questioning where they came from and why. A point of contention among the local communities interviewed was that they could not afford to live in the lodges at some conservancies on their land. For instance, the average salary for a Kenyan working in a conservancy is about US $416 per month.[86] Staying at the lodges in conservancies that are overseen by the NRT is very expensive as prices are geared towards foreign tourists, mainly from the Global North. This renders it unaffordable for local pastoralists or Kenyan workers at the conservancies. For example, Sasab Lodge in Westgate Conservancy costs between US $700 and US $800 per night, Lewa Safari camp in Laikipia costs US $1,546 per night, and Borana Lodge in Laikipia costs between US $700 and US $1,000 per night. This is considerably higher than the rates charged by the neighboring conservancies managed by the county government of Samburu. For instance, Samburu Sopa Lodge and Samburu Elephant Lodge, both under the purview of the county government, charge about US $230 and US

82 Interviews with the Borana council leaders, January–February 2024.
83 Interviews with Westgate, Meibae, *Namunyak*, Sera, and Kalepo in Samburu in November 2022; interview at the NTR office in Lewa Conservancy in February 2024.
84 Interview with *Namunyak* community leadership questioned why everyone received this amount while other conservancies are larger in terms of natural resources such as forests and mountains, and in terms of economic needs, November 2022; A discussion with of the carbon credit expert pointed that there are private interests in the carbon credit business, leading to contestation and different entities politicising the carbon credit funds, February 2024.
85 Mutai (2023).
86 Corry (2021).

$250 per night respectively. A key informant and a community leader confirmed these social disparities:

> "…as a local community member, I cannot afford to go and stay in Lewa… why would I care about wildlife? $700 is a lot of money per night for locals… So what happens to the community…do they have community interest at heart…?"[87]

There have also been allegations and protests from local communities alleging human rights violations, including enforced disappearances, corruption, fueling of ethnic conflict, and extrajudicial killings perpetrated by NRT.[88] However, a nature conservancy report funded by NRT dismisses such claims.[89] These mixed reactions illustrate a different perception of NRT among ethnic communities. While the NGO has supported some communities of the Borana, it has violated the rights of other communities who do not agree with the NRT's actions. It has offered incentives to communities that support its operations, while those in opposition have been denied the incentives and are subjected to the strong use of force through organized violence,[90] which shall be explained further below. This creates a conflict of interest between ethnic communities in Samburu and Isiolo counties. Such claims indicate that the NRT's strategy of 'divide-and-rule' contributes to the exacerbation of ethnic conflict between different ethnic communities, including instances of intra-ethnic violence.[91] Ethnic communities that previously resisted NRT operations, such as the Borana in Isiolo, are now embracing other initiatives, particularly those focusing on carbon funds from bursaries and other financial incentives.[92] These actions illustrate the power play within the NRM agenda; they show blurred lines between community benefits in conservation work and manipulation through incentives while promoting nature-based solutions.

5.2 Organized violence: A policing strategy within the conservancies

In Kenya, policing is characterized by 'policing the community' rather than policing 'with' the community – a 'community-oriented policing' strategy. The former strategy has been applied despite the progressive police reforms since 2010.[93] However, it could

87 Interview with a key informant about NRT in *Namunyak* Conservancy March 13, 2020.
88 Mittal & Moloo (2021).
89 Sena, K. (2022).
90 Most of our interviews and observations confirmed the community division regarding conservancies. Some support the privatization of conservancies, while others want the county government to own them.
91 FGD with Borana Council of Elders, October 19, 2018.
92 Interviews with the Borana council leaders, and NRT headquarters, January–February, 2024.
93 Evidence from our fieldwork research under the ICT4COP 2015–2020, an EU Horizon 2020 project on community policing, demonstrates that policing in Kenya is still characterized by hard power or the police use of force rather than actively involving the community in policing work. Available at https://www.communitypolicing.eu/ehandbook/country-specific-information/africa/kenya/

be argued that community policing has progressed in Kenya since the colonial and post-colonial policing of 1963 to the 1990s. Kenyan community-policing strategies started in 2003 with the business communities in Nairobi engaging with the police to stop crime in the Central Business District (CBD).[94] Still, community involvement in policing is based on intelligence gathering and not actively involving the community through building trust and identifying and stopping crime. Policing in rural Kenya, particularly northern Kenya, where this study was conducted, is characterized by organized violence, that is, the legitimization and monopolization of the use of force by police institutions. This is despite Article 244 of the Kenyan constitution and Articles 41 and 96 of the 2011 National Police Act stipulating 'policing with the community'.

Policing with the community represents a philosophy of building trust and a strategy of reassuring, responsive, proactive, problem-oriented, problem-solving, and partnering with the community as key stakeholders in policing work.[95] Even though NRM theory calls for community involvement as a key stakeholder in policing the conservancies, conservation in Kenya is deeply rooted in the strategy of policing the community.[96] Pastoral communities coexisted openly with wildlife before the international liberalization and privatization of property and land in the 1990s. However, private entities such as companies and NGOs understood the conservation agenda as a business venture. This resulted in drawing boundaries between wildlife and communities through the fencing and policing conservancies and reducing pastoral land and grazing activities.[97] Nevertheless, this objective is underpinned by a robust business rationale. The Samburu and Isiolo County case illustrates the negative impact of economic factors on the community's social, cultural, and economic well-being, as our findings demonstrate. The current 39 conservancies funded by NRT have been militarized: There are cars and rangers with guns who claim to protect the conservancies but who are also engaged in illegal activities, preventing some communities from accessing the conservancy while allowing others to graze and live with the wildlife, according to a respondent.[98]

NRT is responsible for the security in the conservancies, providing rangers with equipment, patrol vehicles, and communication, and pays their salaries in collaboration

94 Ruteere, M. & Pommerolle, M. E. (2003).
95 This definition was developed under the community-oriented policing projects, ICT4COP, an EU-Horizon 2020 research and innovation project, available at https://www.communitypolicing.eu/about-the-project/, also see, Lid & Okwany, (2019) and (2020).
96 Most of our interviews with the rangers and police in Isiolo and Samburu, including observation, robustly proved organized violence with the conservancies between October 2022 and February, 2023.
97 Interview with Borana Council of Elders, October 19, 2018.
98 Interview with an official of an NGO and county official in Maralal, Samburu central, and police in Loosuk, January 5, 2023.

with the National Police Service (NPS). The rangers[99] are armed and have undergone training, enabling them to implement traditional policing strategies effectively. This approach has proven to be effective in the management of the conservancies; however, it also poses a risk to the already militarized pastoral region, which is characterized by the presence of illegal arms and light weapons due to the ongoing conflicts in South Sudan, Sudan, Ethiopia, and Somalia.[100]

In Samburu and Isiolo counties, the Kenyan Wildlife Service (KWS) polices a conservation zone[101] managed through the Kenya Wildlife Service Command, which was established in 1989[102] and enforced through the Wildlife Conservation and Management Act 2013 – an NRM legislation that outlines the policing of conservancies.[103] Furthermore, the Kenya Forest Service command, subject to the Forest Conservation and Management Act 2005 (amended in 2016, 2019, and 2022), also employs forest rangers. The devolution of power has enabled the county leadership to manage their conservancies and create a scouts/ranger unit, which is managed under the county security governance structure.[104] While these policing organizations are presumed to coordinate with the National Police Service command, they illustrate the phenomenon of green militarization/organized violence in Samburu and Isiolo. Nevertheless, such coordination remains purely theoretical.[105] It is important to note that the Samburu County government has shown greater support for the conservancies than the Isiolo County government of 2013–2022. The deployment of rangers in Isiolo resulted in conflict with local communities and conservancies. The former Isiolo County government did not have such a program for recruiting rangers as the Samburu County government did through the County Ministry of Tourism. This resulted in widespread protests from Isiolo, alleging that NRT was using a militarization

99 NRT and the County governments use the concept 'rangers,' to mean the police protecting the conservancies. The rangers are under the National Police Service Program as the National Police Reservists (NPRs). Such a program is coordinated through the National Police Service Act 2011, and these rangers coordinate and work through the national police structures.

100 Consultation from three NGOs working on peace initiatives in Samburu and Isiolo in October and November, 2022.

101 Interview with KWS in Kom, and Wamba, Samburu East, November 2022.

102 KWS (2021).

103 Follow-up interview with KWS in Wamba, Samburu East, February 2024; also see Wildlife (Conservation and management Act 2012) available at http://kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/WildlifeConservationandManagementActCap376_2_.pdf

104 Interview with Samburu Peace and Security Office, February 5, 2023.

105 Interviews with Rangers in Tuum, Nachola, Bendera in Baragoi, Samburu north, October–November 2022; and an experience from our abrupt interview that ended when the rangers in Ltungai conservancy, Samburu central were informed about the stolen Samburu goats by the Pokot in Manyattas – pastoral traditional huts, proves lack of coordination between the rangers and the National Police Service, February 6, 2023. The Rangers were informed through a phone call by some community members who also rushed to the conservancy and followed the rangers in chasing the stollen goats, without informing the police's Anti-Stock Theft Unit, and police posts in Longewan and Loosuk areas neighbouring Baringo county from Samburu East.

strategy that entailed the use of force, beatings, and torture as a strategy to enforce the law and maintain order, targeting the minority ethnic groups such as the Borana of Isiolo.[106] However, the current county government of Isiolo, elected in 2022, has adopted a policy of recruiting rangers and coordinating with NRT on conservation matters.[107]

The county scouts and NRT rangers are trained at the KWS training college in Manyani, Voi, Taita Taveta County, assisted by the National Police Service, which trains the rangers and provides them with weapons.[108] NRT rangers receive hybrid security training, including private technical training from 51 Degree, a security consulting organization run by Batian Craig, the son of NRT director Ian Craig.[109] The partnership with wildlife security and the police is due to the limited government presence in northern Kenya. As a result, some argue that NRT uses its donor funding support to its JOCC and strengthens organized violence within the conservancies.[110] The JOCC works with advanced, sophisticated, and intensive military technology, and their training is more rigorous than that of the average rangers whom the KWS trains. They have been responsible for the recovery of livestock from raiders and anti-poaching activities[111] but have also been accused of human rights violations and forced disappearance, which has reduced livestock recovery activities. Nevertheless, they continue to engage in anti-poaching activities and protect the conservancies.[112]

In addition to its role in anti-poaching and community conservancy, the Kenya Wildlife Services (KWS) have delegated their responsibility for the securitization program in northern Kenya to NRT due to a lack of resources. This shift reflects a historical pattern of neglect by colonial and post-colonial governments in this region. The NGO employs rangers who are responsible for highway security and responding to livestock theft. However, there have been cases where the rights of indigenous communities have been violated, as well as abductions and enforced disappearances.[113] These violations are attributed to the NRT's

106 Okwany & Owino (2022).
107 Interviews with Isiolo County offices and the Borana Council of Elders from January to March 2024, demonstrate a shift. Both County leadership and communities started embracing NRT conservation agendas, as opposed to the previous Isiolo County government, and communities who were hostile against the national government and NRT, now praise NRT work but with reservations. As such, the political shift demonstrates what some of our interviews confirm as economic incentives, the community leaders have received some funding and focus on the carbon credit funding that already is popular in Samburu conservancies, and with the popularity of carbon credit bill 2023 in Parliament, the political elites shift to embrace conservation agenda.
108 Interviews at the County Police headquarters in Maralal, Samburu Central, October 2022, and KWS in Wamba and Kom, Samburu East, November 2022.
109 Mittal & Moloo (2021).
110 Mbaria & Ogada (2017).
111 Mittal & Moloo (2021).
112 Interview by a former Nine One ranger, November 2022.
113 The Elephant (2022).

securitization claims, which the NGO justifies by providing conservancy security and maintaining law and order in the conservancies within the pastoral rangelands.[114]

By 2018, NRT had about 748 rangers, an increase of 435 from 2012. These rangers are well-armed and trained in accordance with NPS and KWS standard operating procedures.[115] In 2023, NRT employed more than 870 fully armed rangers, earning between US $100 and US $200 monthly. The exact amount depended on the conservancy's income.[116] Consequently, some of these rangers earn more than rangers paid by the county government, who earn between US $34 and US $48, or a police constable who earns a net salary of between US $83 and US $180 per month.[117]

As early as 1998, a few security personnel in Kenya's arid and semi-arid regions led the British colonial government to form the Kenya Police Reservists (KPRs, now National Police Reservists). The colonial government started the KPR program as home guards who provided security for the white settlers. Following independence, the initiative evolved into a voluntary police force whose members were community-based scouts who volunteered to help with security within their community and were commanded by the police officers in charge of the station. In the case of northern Kenya, they worked in anti-stock theft and anti-poaching operations due to the inherent challenges posed by pastoral communities' coexistence with wildlife. The voluntary nature of these KPRs meant they earned little money and sometimes even went without payment. They were poorly trained and had poor policing equipment. There was an ineffective oversight strategy and inadequate monitoring of the arms given to them.[118] Following accounts of cattle raiding, poaching, and organized violence for commercial purposes, the government rescinded the policy of recruiting KPRs.[119]

Some of these KPRs were then recruited by local raiders and militiamen and involved in ethnic and political rivalries, while politicians hired some to burn houses and attack their rivals.[120] Members of parliament used their constituency funds to buy guns for the KPRs, which resulted in some KPRs disobeying commands from the police officers in charge of the station.[121] The government banned the KPR program after the 2007–2008 electoral violence because of the escalation of ethnic conflict and the use of illegal arms

114 NRT (2013).
115 NRT (2018).
116 Interviews with NRT rangers in 5 conservancies in Isiolo and 6 conservancies in Samburu in November 2022, and a follow-up in February 2023.
117 Interviews with police officers in Samburu County, October and November 2022.
118 Interviews with police and county and NRT rangers, October and November 2022
119 Most interviews with the police, NRT, and county ranger proved that KPRs were involved in illegal businesses such as poaching and ethnic conflict engineered by politicians. October and November 2022.
120 Interviews with the assistant commissioner, October 16, 2022.
121 Most interviews with police, NRT, and county rangers affirmed that the KPRs were effective in stopping the cattle raids but were funded by politicians to fuel ethnic conflict, especially during electioneering years, October and November 2022.

in northern Kenya. However, the program was reinstated under the 2011 National Police Act with a different name: National Police Reservists (NPRs). These NPRs train with NRT and County Rangers to stop cattle theft and poaching, and they receive training through a hybrid security or joint effort of the National Police Service, Kenya Wildlife Service,[122] and the private security consultant 51 Degrees.[123] Thus, the continuation of legitimizing and monopolizing the use of force – organized violence in northern Kenya.

It has been established that organized violence occurred in Isiolo.[124] There are claims that about 76 Borana ethnic communities have been victims of killings that NRT supported during the inter-ethnic conflict in *Biliqo Bulesa* Conservancy.[125] In Samburu, too, there have been accounts of injuries from attacks by NRT security operations and conservation management,[126] with the NRT special forces having been accused of these attacks.[127] Moreover, NRT has promised many benefits to the communities that have yet to materialize.[128] The NGO acquired land in Isiolo and undermined the Borana Dedha grazing system – a traditional grazing system that ensures all communities have access to pasture throughout the year. The system embraces the equitable use of natural resources, and the elders are always available to mediate disputes over the competition. It also upholds traditional conservation ethics that respect wildlife. Those who undermine the grazing system or poach wildlife face grave consequences.

The withdrawal of the partnership between the German Agency for International Cooperation (GIZ) and the NRT peace MoU is a consequence of this. GIZ withdrew from their 2014–2015 peace partnership component due to concerns regarding the NRT leadership's lack of merit and choice of nepotism in recruiting peace leaders with no qualifications.[129] Therefore, it can be argued that conservation in northern Kenya is not solely characterized by NRM and the development aspect projected by NRT but also elements of forceful eviction of the pastoral communities in their grazing land, denying them their livelihood but projecting a modern way of community conservation and grazing. The NGO also exploits the PPP initiative, a partnership with county and national governments, through organized violence with the objective of NRM besides promoting conservation and improving the local livelihoods of pastoral communities.

122 Interviews with rangers in Ltungai Conservancy and police from Loosuk police station in Samburu Central, February 5, 2023.
123 Duffy (2022).
124 See, for example, Mittal & Moloo (2021).
125 Four FGDs in Merti in Isiolo in November 2022 with a follow-up in February 2024.
126 Kariuki, P. (2022).
127 Most of our interviews confirms such community grievances towards NRT violation of human rights and forceful disappearance in Isiolo and Samburu.
128 FGD with Borana council of elders, October 19, 2018.
129 Interview with a key informant with information on NRT in Namunyak Conservancy March 13, 2020.

6. Conclusion

Effective conservation activities in northern Kenya require a **public-private partnership** (PPP), in which private entities contribute expertise and funding, communities provide indigenous knowledge, and governments establish regulatory frameworks. However, the existing partnerships often marginalize pastoral communities they claim to benefit from. Initiatives such as the Northern Rangelands Trust (NRT) have prioritized economic goals over genuine community involvement, resulting in the widespread privatization of land, the construction of fences, and the establishment of private parks that exclude the communities from decision-making and the usage of their ancestral lands. This exclusion is particularly evident in Isiolo and Samburu, where communities are priced out of conserved spaces, leading to '**green grabbing**' – the appropriation of land for environmental conservation under questionable practices.

A weak land tenure system exacerbates these challenges, enabling NRT to exploit communal land through negotiations with community leaders incentivized by minimal benefits. For example, in Isiolo County, the absence of land registration under CLA 2016 facilitates corruption and land acquisitions. Although Samburu County has registered group ranches, concerns persist regarding the potential for manipulation and exclusion in conservancy management. This inequity is further illustrated by the marginalization of the Pokot community in the establishment of *Ltungai* Conservancy, a process that exacerbated ethnic conflict between the Pokot and Samburu communities. Similarly, the dispute between NRT and *Namunyak* Conservancy illustrates how NRT's dominance over conservancy operations can have a detrimental effect on community relations. The *Namunyak* leaders' demand for independence from NRT, alongside examples of corruption in other conservancies such as *Il Ngwesi* and *Lekurruki*, serves to highlight the necessity for community-driven, rather than externally imposed, conservation management.

In addition, Conservation efforts in northern Kenya are becoming increasingly characterized by **hybrid securitization** involving private rangers, government forces, community security personnel, and police resources. While this may be intended to safeguard wildlife, it has led to **organized violence**, including forcible evictions, extrajudicial killings, and ethnic conflicts. The paper demonstrates how the NRT, with the support of the Kenyan government, legitimizes the use of force, which leads to human rights violations perpetrated under the guise of conservation. The proliferation of security agencies, such as the Anti-Stock Theft Unit, National Police Reservists, and NRT rangers, has resulted in a lack of unified oversight, enabling some personnel to engage in illicit activities such as poaching and cattle rustling. This flawed securitization strategy prioritizes areas rich in wildlife while neglecting regions with fewer resources, deepening inequities and further marginalizing pastoral communities.

The NRT initiative exemplifies the potential and pitfalls of PPPs in natural resource management. While it has elevated conservation standards, its economic focus, weak governance structures, and reliance on force have perpetuated conflict and exclusion in northern Kenya. Conservation must adopt more inclusive, transparent, and rights-based approaches to achieve its dual goals of environmental sustainability and community empowerment. By addressing the structural weaknesses and prioritizing community agencies, conservation can transform from a source of conflict to an equitable development model. This paper identifies a significant discrepancy between the stated objectives of conservation initiatives and their actual ground implementation on the ground, particularly in northern Kenya. The findings challenge the prevailing narrative that PPPs are community-centered frameworks for managing natural resources. Instead, they reveal how weak governance, economic prioritization, and organized violence undermine conservation efforts and community well-being. This paper contributes to our understanding of how conservation initiatives in northern Kenya, exemplified by the NRT, highlight the tension between economic priorities, weak governance, and the marginalization of pastoral communities, thereby challenging the efficacy of current public-private partnership models.

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