Conservancies, Conflict and Dispossession: The Winners and Losers of Oil Exploration in Turkana, Kenya

Kennedy Mkutu, Anna Mdee

Abstract: Formerly marginal areas are increasingly the focus of extractive mega-projects, which are framed as necessary for economic growth and a modern industrial economy. Yet there are concerns that such projects are unjustly displacing local populations, facilitated through the alliances of local elites with foreign investors. This article asks, who are the winners and losers from oil exploration in the Turkana region of Kenya? Using longitudinal ethnographic research on the dynamics of local government, oil exploration, and pastoralist livelihoods in Turkana, Mkutu and Mdee highlight how current processes may exacerbate inequality and marginalization, with the potential for increasingly violent consequences.

Résumé: Des zones considérées comme marginales par le passé font de plus en plus l'objet de mégaprojets d'extraction minière qui sont présentés comme nécessaires à la croissance économique et à l'économie industrielle moderne. Pourtant, il est à craindre que de tels projets, facilités par les alliances des élites locales avec des investisseurs étrangers, ne déplacent injustement les populations locales. Cet article pose la question, à savoir qui sont les gagnants et les perdants de l'exploration

African Studies Review, Volume 63, Number 4 (December 2020), pp. 831–857
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doi:10.1017/asr.2020.2

pétrolière dans la région de Turkana au Kenya? A l'aide de recherches ethnographiques longitudinales sur la dynamique du gouvernement local, l'exploration pétrolière et les moyens de subsistance des pasteurs à Turkana, Mkutu et Mdee mettent en évidence la façon dont les processus actuels peuvent exacerber les inégalités et la marginalisation, avec la possibilité d'une augmentation des conséquences violentes.

Resumo: Territórios outrora desvalorizados estão cada vez mais na mira de megaprojetos da indústria extrativa, os quais são considerados essenciais para o crescimento económico e para desenvolver uma economia industrial moderna. No entanto, há quem considere que esses projetos são responsáveis pela deslocação indiscriminada de populações, a qual é agilizada através de alianças entre elites locais e investidores estrangeiros. Neste artigo questiona-se quem sai beneficiado e quem sai prejudicado da exploração do petróleo na região queniana do lago Turkana? Com recurso a métodos longitudinais de investigação etnográfica acerca das dinâmicas de governação local, da exploração de petróleo e dos modos de vida agropastoris na Turkana, Mkutu e Mdee destacam o modo como os processos em curso podem exacerbar a desigualdade e a marginalização, com potenciais consequências cada vez mais violentas.

Keywords: Kenya; conflict; land; pastoralism; oil; resource extraction

Introduction

In October of 2013 in Turkana county, Kenya, the Tullow Oil company was forced to suspend all of its operations for three weeks, following demonstrations by pastoralists backed by local politicians. They invaded the workers' camp and destroyed and looted property, protesting the inadequate employment opportunities offered by the company (Mkutu 2017). In the neighboring county of Marsabit, July 2019 saw the launch of the Lake Turkana Wind Power project (*The East African* 2019), with 365 wind turbines supplying 15 percent of the country's electricity needs, although some local indigenous peoples have questioned the process whereby the 150,000-acre parcel of community-owned land was acquired. Residents from the Laisamis Constituency and Karare Ward filed a lawsuit alleging illegal land acquisition by the investor, county and national governments and the National Land Commission, and citing the lack of open consultation preceding the leasing of the land (Voller et al. 2016).

Many countries in Africa are experiencing a boom in resource extraction and infrastructure development. Resource extraction creates a direct demand for new infrastructure to enable the extraction, which then also drives economic growth that creates further investment in infrastructure; this is often characterized as part of Africa's new rise (Coulibaly 2017). Yet some argue that this rising may just be a continuation of past resource dependency and increased inequality (Taylor 2016). In Kenya, previously marginal areas that were once seen as a drain on the state are now becoming sites of rapid development (Mkutu 2015). The reasons for this are threefold: first, security in marginal and borderlands areas such as Northern Kenya requires addressing; second, these areas need more overt and planned inclusion in achieving the national vision of middle income status; and, third, such areas offer untapped resources which are essential to maintain economic growth and nation building (Moseley & Watson 2016).

The revived high-modernist state building project in Africa requires the construction of new infrastructure and technology to enable transformation, such as mining activities, oil and gas extraction, construction of pipelines, roads, energy generation infrastructure, internet infrastructure, railways, ports and airports, and dams, among other things. The scale of these new projects has generated the term *mega-projects*, which have the ability to "…transform landscapes rapidly, intentionally and profoundly in very visible ways" (Gellert & Lynch 2003). These mega-projects not only transform African landscapes, but also transform social relations, livelihoods, and institutions in profound ways. Such projects are central to visions of the modernized developmental state that also seeks to eliminate backward practices associated with "traditional" livelihoods (Harrison & Mdee 2018) and have deep roots in colonial visions for the continent (Enns & Bersaglio 2019). The loss of such livelihoods is often framed as a sacrifice for the greater good, or even as offering benefits to those affected. There are always winners and losers from such projects in this process of "creative destruction" (Abbink 2012; Vanclay 2017). In response to this broader framework, we ask who are the winners and losers in Turkana in the race to find and possess oil resources?

The dispossessive tendencies of "new" development visions (Wily 2012), such as the new green economy, including solar energy and wind power projects (Yenneti et al. 2016), highlight how new narratives may reinforce and extend existing processes of accumulation and dispossession. Without specific attention to these processes, infrastructure development can have violent consequences for those least positioned to benefit from it (Rodgers & O'Neill 2012). And without specific and intentional consideration, formal consultation, compensation, and resettlement plans that accompany mega-projects rarely hear the hidden discourses of local and marginalized populations (Vanclay 2017).

Transformation projects are not driven by states alone, and foreign capital is entwined with the interests of local, national, and international elites (Ferguson 2005; Zoomers 2010). David Harvey (2003) notes that the involvement of domestic capital means that local elites are also acquiring land with the assistance of state support for various reasons. This is what Pauline Peters (2013:237) calls the "accelerating process of appropriation by national agents." We first draw on the concept of dispossession by accumulation and use it to frame the dynamics and consequences of oil exploration in Turkana. Our main focus then turns toward tracing the multiple dimensions and scales of dispossession revealed through longitudinal ethnographic fieldwork conducted by the first author. Using this material, we outline a range of potential security consequences that result from the current trajectories. Research for this article is the result of a long history of qualitative research on pastoralism, small arms, and conflict in Turkana from 1999 through the oil discovery in 2012 to March 2019. Over 200 in-depth interviews or focus-group discussions have been carried out with pastoralist community members, including women, elders, and younger men in the South Lokichar area and key informants from government, oil companies, and civil society (see Mkutu & Wandera 2013, 2015; Mkutu et al. 2014; Mkutu 2015, 2017; Agade 2015). This article sheds new light on these findings and focuses in particular on a case of dispossession which has not been previously examined.

Rural Transformation in Africa; Dispossession Through Elite Accumulation, Past and Present

The concept of accumulation by dispossession (Harvey 2003) refers to the idea that control over and accumulation of capital by elites takes place through the dispossession of those who are more easily dispossessed of their capital than others. This concept has been deployed across a range of disciplinary perspectives to understand the contemporary dynamics of rural transformation in Africa (see Doss et al. 2014; Tsikata & Yaro 2014). It is instructive to view land dispossession in Turkana through the lens of accumulation by dispossession, given the relative powerlessness of the Turkana pastoralists to prevent their dispossession and their marginalization from the economic and political life of the country, since Kenya itself remains subject to both neo-colonialist forces and new forms of imperialism (Harvey 2003). Colin Leys (1996) foresaw neo-colonialism as reproducing and extending under-development, giving rise to new forms of class struggle. Indeed, the dynamics of resources, capital, and class compound themselves unless deliberate attempts are made to address structural inequality. In a situation in which resource wealth is present in the context of weak institutions, "rentier state" type arrangements may result, whereby resource rents negate the need for taxes and hence accountability (Hicks 2015).

Land and class are closely related issues as Leys (1996) and Gavin Kitching (1982) observe, and powerlessness often manifests in land dispossession, as was the case throughout much of colonial Africa. In the Kenyan Protectorate, vast tracts of land allocated to white colonial settlers deprived once wealthy and powerful Maasai pastoralists as well as other ethnic groups of their communally-owned land (Peters 2012). With the expiration of ninety-nine-year leases, this issue is coming back to haunt Kenya in a number of ways. Linda Tuhiwai Smith (1999), argues that for indigenous peoples, the colonial strategies that threaten indigenous ways of life, lands, resources, and knowledge have not ended (see also Caouette & Kapoor 2015). Sam Moyo (2007:62), writing about southern Africa, reflects on the variation between different countries in the region in terms of class inequalities and land reform since liberation; in the main settler territories of Zimbabwe, Namibia, and

South Africa, racially inequitable structures of wealth, income, and land distribution remain intact and are protected by liberal democratic constitutions and market principles. After independence in Kenya, there was further massive acquisition of public lands by elites, as referenced in the Ndung'u Report 2004 (World Bank Group 2016). Pastoralists continue to find themselves curtailed by the establishment of conservation areas and other developments (Markakis 2011; Galaty 2013); they have little recourse to prevent this due to their political and economic marginalization. John Letai argues that this is a result of

> a long-term process of expropriation stretching back from more than 100 years. . . these processes have led to dispossession of pastoralists' land and its consolidation among domestic elites, and international investors. The result is growing pressure on existing resources resulting in vulnerability and poverty. (2015:97)

Saturnino Borras and Jenifer Franco (2010) observe that rural people in Africa are now in danger of being displaced in the face of profitable deals brought to governments by foreign investors. Writing on the large appropriation of land by foreign investors for agriculture and biofuels, Oliver De Schutter (2011) and Tania Li (2011) argue that the benefactors of megaprojects are the investors and elites, rather than those who depend upon the land. Klaus Deininger (2011) observes the challenges posed by the new wave of "farmland investment," pointing to the "weak" recognition by states of customary land rights, poor or absent consultation and compensation, and "low capacity to process and manage large-scale… and risky… land investments." He concludes that "land acquisition often deprived local people… of their rights without providing appropriate compensation."

Peters (2012) points to the internal and external forces at work, stating that land grabbing, particularly of communally-owned land, is "foreign driven but national state-facilitated" and that "customary rights…are being set aside by representatives of African states in the name of development and public interest," usually to the benefit of elites. She points to large-scale acquisitions in a number of countries (Sudan, Ethiopia, Kenya, Tanzania, Mozambique, Ghana, Mali, and Madagascar) for energy, agriculture, and biofuels, as well as increasing concessions for mining and timber. Jack Woddis noted in 1967 that neo-colonialism represents "an alliance between external imperialism and sections of the local bourgeoisie and petty bourgeoisie." Thus, there are insider and outsider dynamics which work together to dispossess the lower social classes; this dynamic is explored in this article with regard to the accumulation of benefits through the dispossession of pastoralists in Kenya.

For pastoralists, such as those in Turkana, who subsist upon land in a fragile but resilient system of land management, wealth is accumulated and measured in livestock, not land. Yet their very existence depends upon the land, and in particular, on mobility across large expanses which, if restricted, can be crippling (Galaty 2016). Furthermore, pastoralists find it difficult to safeguard their interests in the land and to engage with legal and political processes, amid the growing attractiveness of their customary land to outsiders, because of their political, economic, and social marginalization (Government of Kenya 2012). On a global level—an important consideration given the so-called "new scramble for Africa" (Carmody 2012)—international law is not well suited to protecting pastoral peoples, because it is insensitive to both seasonal mobility and collective ownership, tending to take an individualized approach and to only recognize permanent settled use. Echoing colonial era appropriation, "empty" land is seen as free for the taking (Gilbert 2012).

Dispossession and Accumulation in Turkana

Arid and semi-arid lands account for 89 percent of Kenya's land mass, most of it in the north of the country; these sparsely populated areas are inhabited and exploited mainly by pastoralists, with 70 percent of all livestock concentrated in these areas (Government of Kenya 2012). In the vast Turkana County in northwest Kenya, most inhabitants (75 percent) are pastoralist herders of livestock, and the population is only around 1.5 million (Turkana County Government 2015). Developmental indicators are very low in Turkana (the Human Development Index is 0.33, compared to the Kenya average of 0.55), and services are scant. Most land falls under the designation of "community land," owned on a communal basis, a concept that will be further discussed (Turkana County Government 2018). On the one hand, this protects to a greater extent against private sale; on the other, the land is vulnerable to illegal or unjust expropriation because of a lack of legal provisioning for the exercising of land rights and the socio-economic and political marginalization of the rightsholders themselves (Government of Kenya 2012).

The Turkana are divided into twenty-nine clans, and then further into families, of which some reside in close proximity and move together (Gulliver 1951; McCabe 2004). Settled areas exist; one of these is known as an *ere,* which forms the family home, and the area where childbearing women, children, and the less able remain while men may move long distances to find pasture, living in temporary camps with cattle enclosures known as *kraals*.[1] Severe cyclical droughts often render the Turkana dependent upon food aid, while conversely, flash floods can make roads impassable, causing massive displacement and destruction of property (Etyang 2019). P.J. Blackwell (2010) predicts a dismal picture for Turkana pastoralists in the face of climate change, including extreme drought and flooding, together with new livestock diseases and resource conflict. Important also are the Gibe III dam on the Omo River, constructed for the purpose of providing hydroelectric power, and massive irrigation projects in southern Ethiopia. These threaten the livelihoods of the Dassenech pastoralists, who frequently conflict with the Turkana. The dam and irrigation projects are together anticipated to stop the seasonal inflow of fresh water into Lake Turkana, to reduce its water level by around 40 percent and double its salinity, leading to massive ecological change and having devastating impacts on the livelihoods of Turkana and Marsabit residents. Notably, there is no international treaty between Kenya and Ethiopia on the use of Omo water (International Rivers 2013). Rather, Kenya signed a deal to buy electricity from Ethiopia once the dam is complete (Andae 2018). In the north of the county is the Kakuma refugee camp, established by UNHCR in 1992 and home to around 190,000 refugees, mostly from southern parts of Sudan (as it was then called) and South Sudan.

In 2013, Kenya adopted a new and transformative constitution, updating the one inherited from the British in 1963. It delegated some political functions and budgetary allocations to forty-seven counties and enshrined minority rights. However, the legal and policy frameworks and institutional capacity offer limited protections. The constitution and the Land Act of 2012 (Laws of Kenya 2012) recognize the property rights of the inhabitants of communally-owned land (known as community land) and provide for "prompt payment of full and just compensation" in the event of compulsory acquisition in the public interest. However, these provisions are vague and open to abuse. The 2016 Community Land Act was intended to formalize community land tenure and provided for the registration of community land by groups of land users (Laws of Kenya 2016). However, slow progress has enabled speculative land grabbing. Furthermore, although the latter Act is supposed to protect community interests, its implementation is increasingly dominated by the community elites. Conflicts also arise from the formalization of previously fluid resource-sharing arrangements. In the absence of adjudication and registration of the Act, the provision for group compensation for community land owners is open to abuse, because this money is supposed to be negotiated by and paid to the county government, to be held in an account for the community (Laws of Kenya 2016). A further concern is that in the wake of large-scale development the government enacted the Land Value (Amendment) Act of 2019 (Laws of Kenya 2019), which provides for more speedy compulsory land acquisition by removing the requirement for compensation to have been settled before the land is taken, leading to the concern that many compensation settlements, particularly on community land, may be postponed indefinitely, to the detriment of the landowners.

In the discussion about elite accumulation, devolution has created new elites, new majorities and minorities, and new power struggles (Mkutu et al. 2014). A multitude of new opportunities for corruption, nepotism, and accumulation by county officials and politicians have arisen. By July 2019, three sitting governors and one former governor were charged with corruption by the Ethics and Anti-Corruption Commission, while fourteen other counties were being investigated (*The Star* 2019; Kamau 2019). By November of 2019, none had yet been convicted, though they had been banned from

https://doi.org/10.1017/asr.2020.2 Published online by Cambridge University Press

public office for the duration of the investigations (Ethics and Anti-Corruption Commission n.d.; Ng'etich 2019).

Land Dispossession and the Extractive Industry

Existing and potential oil reserves are largely located across the northern, eastern, and coastal areas of Kenya. The UK-based Tullow PLC (referenced in the opening vignette), in partnership with the Canadian Africa Oil Corporation and the French multinational Total, was the first company to explore and discover oil, mainly in Lokichar in the south of Turkana (see Map 1). Other oil investors also operate in Turkana, but Tullow and its partners have been the most advanced. The company has been extracting oil since 2018 and transporting it to Mombasa by road, the first shipment having been sold in August 2019 and the second planned for February 2020 (Senelwa 2019). However, in January 2020 Tullow Oil PLC and Total, which own 50 percent and 25 percent of shares in the project respectively, made a surprise announcement of plans to sell their interests in Kenya (Wachira 2020). This means that current plans have been frozen and most workers laid off as new investors are sought.[2] The long-term plan envisioned transporting oil via a pipeline, part of the Lamu Port South Sudan Ethiopia Transport (LAPSSET) corridor. This is an oil pipeline, road, and rail complex within a 50km-wide special development zone (LAPSSET Corridor Development Authority 2017). In light of these plans, LAPSSET counties are already suffering from problems of speculative illegal acquisition of community land (Kibugi et al. 2016).

Almost all of the 69,000 square kilometers of land in Turkana is community land—that is, communally owned and held in trust for communities by the county government. As noted, while the law in Kenya provides for the rights of the inhabitants of such land, these provisions are frequently overridden as a result of the ignorance of communities and the lack of policy in the face of rapid development (Government of Kenya 2012). The production-sharing contract signed by Tullow with the national government prior to the new constitution excluded the Turkana County Council (TCC), the representative body which held the land in trust for the community at that time.

Tullow Oil PLC established thirty well pads in Turkana between 2012 and 2015 (Tullow n.d.). Fencing of these sites has at times happened completely unexpectedly for communities, causing livelihood insecurity and fear. Currently four well pads are productive, but the company had planned to ultimately establish 321 wells at thirty-three well pads (Tullow 2019). Each well pad occupies around ten acres. A central processing facility and an oil pipeline were part of these plans, and in February 2019 the national government gazetted plans for compulsory acquisition of around 15,500 acres for the activities of Tullow Oil PLC and 51,000 acres for the LAPSSET corridor. The Turkana county government has taken the matter to court, citing their lack of involvement, as trust-holders of the land, in a secretive deal which was contrary to constitutional provisions (Wasuna 2019).

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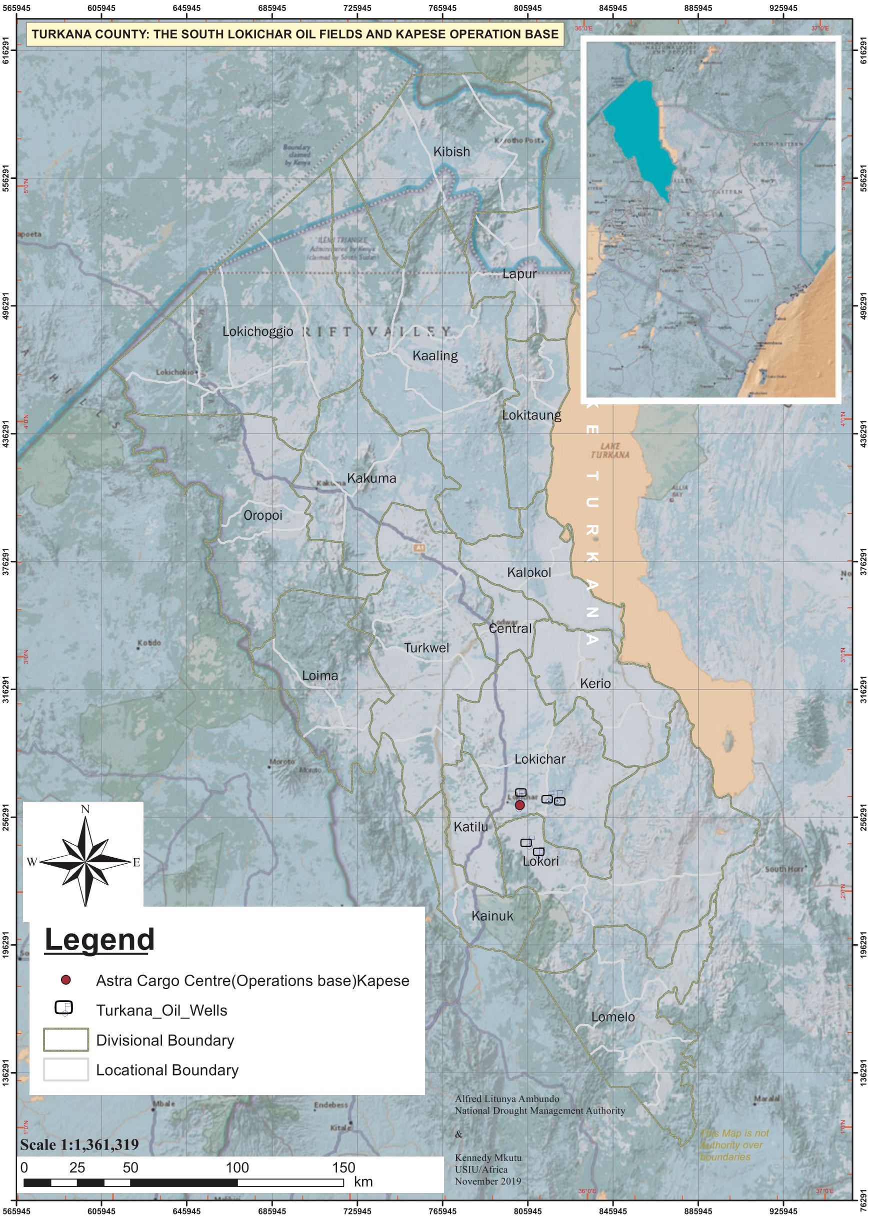
Map 1. Turkana county showing South Lokichar oil facilities and the Kapese Operations Base.



One clan had to move twice from their *ere*, and the oil company later compensated them KES2.5 million (USD25,000) and one hundred sheep and goats. This has now caused some unrest among other clans. Three classrooms

https://doi.org/10.1017/asr.2020.2 Published online by Cambridge University Press

have also been constructed in a local school. CORDAID (2015) found that during the seismic surveys in South Turkana, communities were compensated in cash for the disturbance caused by trucks and vehicles driving through their land. Each household received around KES1,200 (USD12) for three to six months of this disturbance. Although certain clans in Turkana do have customary rights to certain areas, deciding who should be compensated is by no means simple, given the nomadic nature of pastoralist livelihoods, and sociological changes such as urban migration and settlement.

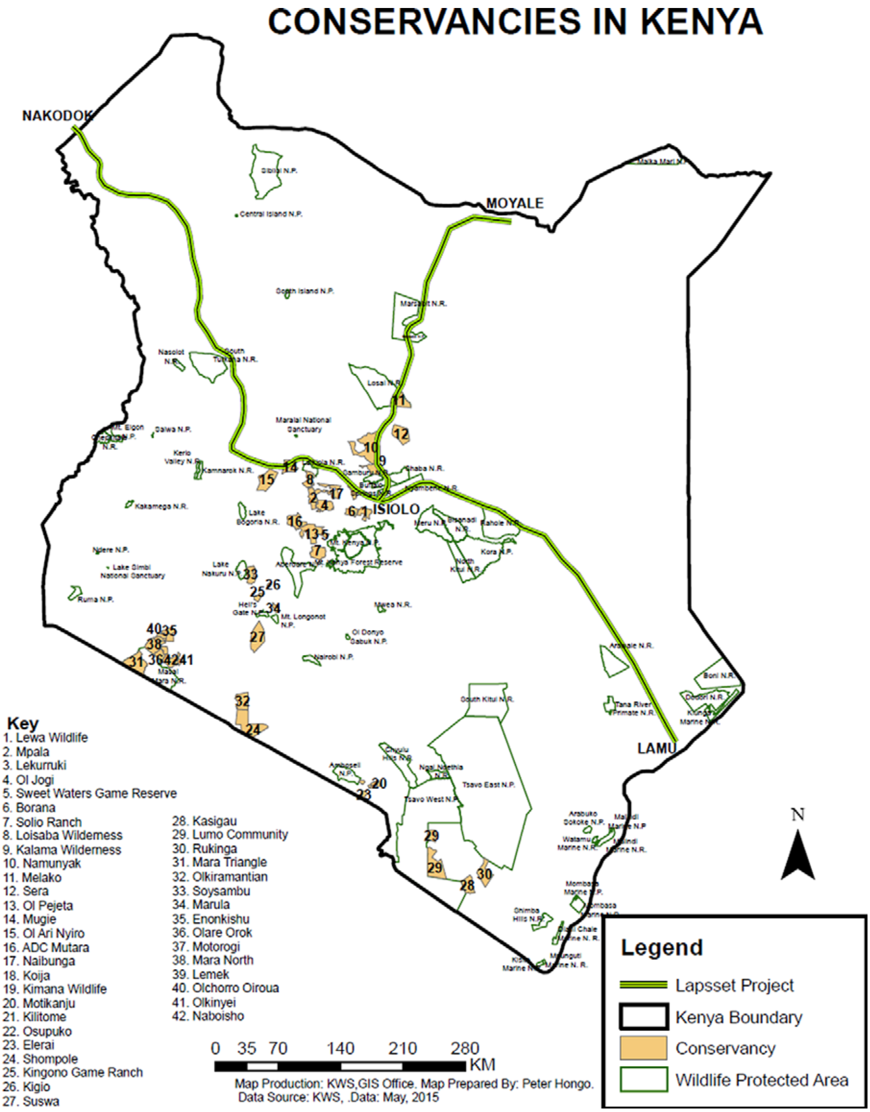
Displacement from water sources is as important as displacement from land. Twenty-nine boreholes have been drilled by the oil company, and several of these are available for use by the surrounding community. The community is also free to use some of the water from bowsers brought from the Turkwel river. However, the oil industry is likely to need much larger quantities of water in the future, and how competing claims over water resources will be resolved is unclear. A huge aquifer, part of a system of underground lakes containing an estimated 250 billion cubic meters, was discovered in 2013 beneath Lotikipi, in the north of the county. However, this is currently not considered a viable option due to its salinity, technological challenges, and other unknowns (Migoro & Arsenault 2015), and the most favored option currently under consideration is extraction of water from the Turkwel dam (Project Oil Kenya 2019).

Dispossession by Stealth? The Kapese Conservancy Experience

A closer examination of the case of the Kapese Conservancy offers an illustration of the complex dynamics of dispossession at play in Turkana, based on documentary evidence provided by insiders and interviews with individuals from the various entities (administration, elders, oil industry staff, and a conservancy manager) involved.

Conservancies are portions of land designated for conservation; in the case of community conservancies, they occur together with collective rangeland management. There are other ancillary activities such as ecotourism and small business ventures, and supportive infrastructure such as health and education facilities. Conservancies, which are on the increase over the past two decades, now number 110 and occupy approximately 10 percent of Kenya's land mass (see Kenya Wildlife Conservancies Association website kwcakenya.com); they may be formed on private land, government land, or increasingly, on community land (see Map 2). They may be viewed in part as a strategy for protection against land dispossession; some were created as the ninety-nine-year colonial leases on private ranches came to a close, and those being formed more recently by communities are to some extent driven by the desire to secure land from development activities relating to the coming LAPSSET project (Mkutu in press). The Northern Rangelands Trust (NRT) is an influential organization in Kenya which grew out of one of the first conservancies; it provides oversight and guidance to many other community

Map 2. Conservancies in Kenya showing position of LAPSSET corridor. Source: Peter Hongo and Kenya Wildlife Service, 2015.



conservancies, enjoying a high level of support from the international donor community with whom the concept is popular.

In Turkana, the conservancy model was proposed for a rather different purpose, given that there was no wildlife to speak of in the area. It was intended to provide a way to benefit the community while using a portion of rangeland for an investment project which would later service the oil industry. Plans for this began to be laid down in 2012 (the year that the discovery of oil in Turkana was announced), and by 2015 there was a proposal for the formation of six community conservancies in Turkana and Pokot counties. A notable feature of this story was the constellation of backgrounds and interests among the actors; the British/Kenyan Kapese investor was closely linked to the first conservancy where NRT began.

The 500 acres of land in the Kapese sub-division, Lokichar division, Turkana, was leased for KES4.35 million (around USD43,500) per annum in 2012 by a prominent Kenyan investor, in what a former councilor alleged to be an irregular agreement with the then-county council without community participation; this was later replaced by an agreement with the county government, as current officials noted. The official agreement called for the creation of a tourist hotel and conservancy, as an immediate compensation for the local communities that were denied access to the grazing area. A benefit-sharing formula identified the manner in which monetary and non-monetary benefits would be shared with the local community. This formula included a micro-finance scheme to allow local community members and community groups to take small loans to establish their own businesses; an academic and vocational training bursary fund for the benefit of the local community; and a capacity development and advisory drop-in community center in Lokichar.[3] Five boreholes were also planned. An integrated operations base envisioned an eco-lodge, warehouses, and an airstrip to service Tullow Oil's operations.[4] As security was a problem in the surrounding area, with conflict between Turkana and Pokot pastoralists on the nearby county border and banditry on the roads, the conservancy concept offered a security solution. In an interview, one of the masterminds of the conservancy plan in Turkana noted,

> I went to Isiolo to study conservancies to understand. I wanted conservancies because of insecurity in Turkana. I thought, in Isiolo they have guns and are armed, they arrest people [found poaching] and deal with bandits on roads. I thought it will work in Turkana.[5]

Armed National Police Reservists (NPRs) could be recruited as guards or scouts in an arrangement which had already been used in other conservancies, since private security companies in Kenya cannot carry arms.

NRT came on board in 2014 to establish the new conservancy, following the organization's experience in establishing 27 conservancies in other counties. Tullow and Africa Oil PLC would agree in 2015 to provide the funding for this to the tune of USD11.7 million over five years, as part of their corporate social responsibility efforts.[6] The partnership noted its intention to "help communities manage their land and benefit from the economic opportunities in the area." The expanded plan for six conservancies was also expected to create around 180 jobs, through the local recruitment of conservancy management staff and rangers. Political leaders came on board, while local elders visited the best of other functioning conservancies in Isiolo

https://doi.org/10.1017/asr.2020.2 Published online by Cambridge University Press

and Laikipia counties and agreed to the proposal in 2015. During the development of the partnership, in 2014 the base was leased to the oil company for a considerable profit of around USD1.9 million p.a. for the first three years and USD950,000 per annum thereafter.[7]

Pastoralists, an association of Turkana professionals, academia, and civil society raised a number of objections to the announcement, culminating in a stakeholders' meeting chaired by the governor and attended by MPs in Lokichar in March of 2016. Key concerns raised prior to and within the meeting included the lack of consultation and participation, in that the elders who had agreed to the arrangement were not fully representative of the community and that they had a low level of education and were unable to fully understand the implications of what they were consenting to. Pastoralists expressed the view that they had not benefited from the project and mentioned that there had been an unsigned agreement that they would receive USD5 per bed per night. They noted that the area they had lost had previously been a prime grazing site (Turkana County Government 2015). Stakeholders such as the National Environment Management Authority (NEMA) and Kenya Wildlife Service (KWS) had not been included in the more widespread plan for six community conservancies.[8] Moreover, the plan to manage security in the area using armed NPRs had also raised questions about security governance, given that these security teams were largely managed by NRT rather than by the police, and that they could potentially use their arms in resource conflicts. Following the stakeholder meeting and the concerns raised, the county government decided to suspend the wider conservancy plan.[9]

The Kapese experience raises concerns about representation and class interests, in what seems to have been an irregular "solution" to dispossession in Turkana. A civil society officer expressed the view that "The elites have access firstly to information, to hold it and use it to their advantage; secondly they then have access to communication, so there is a power play." By the time of this writing, the investor had passed away and a board was still leasing the conservancy and managing a trust fund formed from five percent of guest revenues. Although the lease was to last until 2021, most Tullow Oil workers who were using the camp had left following the downscaling of oil operations in early 2020.[10]

The Implications of Dispossession by Conservancy

Several scholars point to the problems of conservation efforts for residents in ASAL areas (Dressler et al. 2010; West & Brockington 2006; West et al. 2006; Duffy 2006), and it is well understood that conservation policies can have adverse social effects, such as creating conflict over land rights and land use, which are not intended or expected by the planners. Conservancies are part of a widespread trend away from older conservation models in which people (with the exception of tourists) were excluded from land demarcated for conservation, toward community-based conservation, in which communities

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hosting wildlife continue to live among them and are expected to gain from their conservation efforts (Roe et al. 2013). However, even under this "win-win" formula, scholars point to a number of concerns. These include the formalization of boundaries which can influence access and control (Peluso & Watts 2001; West et al. 2006) the increasing of inequalities and inequities, and the lack of significant benefit to pastoralist livelihoods (Little 2014).

Paul Baxter (1994) notes that attempts to improve upon pastoralist practices have generally failed. Similar observations have been made about pastoralist group ranches which, though lacking any overt conservation dimension, are similar to conservancies in formalizing ownership and group management of pastoralist rangelands. These were established with World Bank assistance, on the basis of a report entitled "Land Consolidation and Registration in Kenya, 1965–1966." Known as the Lawrence Report, it argued for group tenure of rangeland, such as that used by the Maasai, since private titling was increasing. Thus, a group ranch is a system of production or enterprise where a group of people jointly hold freehold title to land (theoretically on an equal basis), maintain agreed stocking levels, and herd their individually-owned livestock collectively (Government of Kenya 1968). The idea was supposed to assist commercialized production, improve environmental management and pastoral wellbeing, and allow pastoralists to acquire loans for development.

A number of difficulties led to the demise of group ranches, including the loss of access to land previously shared; impractical restrictions on livestock numbers; management problems; and disagreements about benefit-sharing, among others. Locally legitimate structures for decision-making and conflict management by elders were replaced by "modern" systems expected to work more effectively and efficiently, but this was not the case. Formal titling also had the unanticipated effect of dispossessing youths who had attained the age of eighteen, because their fathers denied them any formal share (Ng'ethe n.d.; Ole Pasha 1985). John Galaty (1992) notes that the Maasai accepted these arrangements because of security of tenure and wanting to prevent land from going to elites or other groups, although they did not fully understand the concept (Government of Kenya 1985, 1990). Out of the fifty-one group ranches started in the Kajiado (then) district in 1968 there are only seven remaining, and these are faced with subdivision problems (Mboya 2016).

It has been noted that the subdivision of formerly communally-used land leads to severe constraints in seasonal herd mobility and contributes to increasingly settled lifestyles. While eroding coping strategies, it furthers livelihood diversification and intensification (Burnsilver et al. 2008). Further, as the Maji Moto group ranch in Narok County demonstrates, subdivision allowed local elites to accumulate previously communal land. From 1977, when adjudication began, ranch officials tasked with dividing the land equitably allocated themselves large parcels. This breached a member agreement which held that each member would receive fifty acres, with some land remaining common. Around twenty-five legitimate and registered ranch members were said to have been excluded from the allocation and rendered landless, while the top three officials had allocated themselves a total of about 1,500 acres, with one having twenty times the original rightful share reserved for members. In addition, 1000 acres were allocated to non-members, including fake companies. The matter remains in court to the time of writing (Indigenous Livelihoods Enhancement Partners n.d.).

The story of the Kimana Group Ranch, close to Amboseli National Park, illustrates how the powerful conservation agenda together with private interests served to further dispossess pastoralists. The ranch members were persuaded in 1997 by the Kenya Wildlife Service to become part of a community-based conservation project and rent some of their land for a tented camp and core wildlife conservation area. However, as John Mburu and associates (2003), quoted by Peter Little (2014) note, "Having given some of their best grazing lands to wildlife, they still earn more revenues per hectare from pastoralism and agro-pastoralism than they do from wildlife conservation/eco-tourism, which is volatile and depends on outside funding." Moreover, most of the community members have little say in the management of the group ranch, and the revenues are not equally distributed; rather, certain community elites tend to benefit disproportionately. In Laikipia, speaking on participation by conservancy members on matters relating to their own land, Little notes,

> While local partnerships may be a worthy goal, they usually reflect very unequal power relations, with the local community often having little clout to negotiate the terms of the partnership. Hence rather than partnership many of these become patron-client arrangements with the powerful patron company or INGO dictating the terms for the arrangement and monopolizing most of the critical information. (2014:66)

Sometimes conservancies make exorbitant profits for private business while communities benefit little. Peter Franks' (2008) study on conservancies in developing countries found that at the local level, direct financial benefits were minimal and the resulting livelihood restrictions were higher.

Michael Bollig and Matthias Österle (2008) discuss the "reconfiguration and reimagining of land" through the conservancy model. They note that the implementation of community conservancy classification of land brings about "rangeland fragmentation" and "another level of aggregation: village-based control over a given territory and exclusive, group-based use of its resources." This is in contrast to existing systems of communal ownership of land, whereby the use of neighborhood pastures was regulated by elders, and resource management was exercised in a manner probably best described as "flexible informality." They note that although the conservation concept allows grazing by outsiders on demarcated pastures to some extent, bylaws restrict animal movements within the area, which raises suspicion, tension, and frustration among former users. Perhaps surprisingly, poaching has been one means of fighting back.

Establishment of conservancies in Isiolo county has resulted in mixed feelings among community members. On the one hand, communities are receiving some services through NRT not previously provided by government, namely security personnel and vehicles, together with some health and education infrastructure and business opportunities. On the other hand, many allege exclusion from certain areas of grazing land, and moreover, that some conservancies have been allocated more armed rangers than others and that these arms are on occasion used in resource-based conflict such as cattle raids (Mkutu in press). In Laikipia, some pastoralists felt that the conservancies privilege wildlife over humans and even over their livestock (Bond & Mkutu 2017).

Economic Exclusion: Another Kind of Dispossession

The South Lokichar area of Turkana has changed dramatically as a result of the oil industry and accompanying developments, such as the influx of various workers from other parts of Kenya and beyond. A camp for oil workers, with mobile phone towers and supporting industries, has been accompanied by a rise in alcohol-brewing, alcoholism, and sex work. Leases in Lokichar town increased tenfold after the arrival of the extractive industry, but local administrators and a civil society officer pointed out that Turkana residents can no longer afford the cost.

Much of the Turkana unrest relates to the perception that local communities have been excluded from oil industry benefits. CORDAID (2015) surveyed 1500 rural residents, and many felt opportunities were short-term and insufficient. One community representative put it this way: "Our camel is being milked while we are watching." Urban-based Turkana in Lodwar, Lokichar, and nearby Lokori (of which some were politicians, administrators, and business people) were more positive about the opportunities brought by the oil industry and were also often likely to be among the beneficiaries of the social investment projects.

Turkana people provide almost all of the unskilled labor for the oil project. But as a result of the county's underdevelopment, few are sufficiently qualified for semi-skilled or skilled jobs. Local elites have dominated the hiring and tendering processes relating to the industry; some community members criticized the prevalence of bribes and nepotism. A lease-to-purchase scheme for Turkana drivers has been another cause of frustration. A local community-based organization, the Turkana Drivers' Association, complained that "the scheme only benefitted the big fish," that is, companies formed by a local politician and his kin. Those who lost out in their bids for tenders are among those aggrieved. At the same time, a county official and a local Catholic priest both commented that expectations are sometimes unrealistically high. Major unrest surrounds failure of tendering payments. In July 2019, Tullow Oil was again facing questions over an exclusive deal wherein their trucks were filled at National Oil Cooperation of Kenya filling stations (a conflict of interest because the bosses of the two companies are husband and wife) (Okoth 2019).

The 2019 Petroleum Act (Githae 2017) provides a revenue-sharing formula which specifies that 20 percent of oil revenues belong to the county and 5 percent to local communities, managed by a community board. Depending on how the resources are managed, this has the potential for local transformation. Yet it raises dilemmas similar to the compensation issue previously noted. As a civil society officer of Turkana origin asked, "How will 'local' be defined?" especially where communities are mobile, and the impacts of the project could potentially be far reaching (especially in terms of extraction of water from the Turkwel river). What form will compensation take? Given their lack of trust in Turkana elites to act justly on their behalf, one county official noted that many community members are now asking for the "ATM option" that is, cash transfers, while others feel that community development projects would be more sustainable. He went on to ask, "What will happen when people migrate into the area to benefit both from oil-related developments and the 5 percent revenue?" His concern was that the issue could potentially cause conflict between clans and result in many grievances.

In a similar vein, while in Kakuma, as Itaru Ohta highlighted in 2005, the Turkana people are pragmatic and adaptable in their reaction to the camps; many have mingled with refugee camp residents and some have benefited from employment and trade (Mkutu 2015). On the other hand, one chief in Kakuma noted that there is encroachment upon pasture land and competition for water, and the Kakuma camp is better supplied with boreholes. From the security angle, the camp is also better supplied with security vehicles and personnel, while it may be observed in Oropoi (68 km away) that there is a scantily resourced police post, and the communities are highly vulnerable to inter-communal raids. Near the Lake Turkana Wind Power project site in Marsabit County described at the start of this article, Zoe Cormack and Abdikadir Kurewa (2017) note that the value of land has taken on new meaning. While locals seek to benefit, they also experience new forms of exclusion from previously unknown "benefits" such as employment and corporate social responsibility projects.

Dynamic Dispossession and the New Dynamics of Conflict

While oil, gas, and mineral extraction can potentially bring service and infrastructure benefits, communities in extraction sites also suffer disruption and displacement. Furthermore, they may be excluded from economic benefits and compensation or be further displaced by rising costs of living associated with increased economic activity and an influx of outside labor.

Turkana pastoralists, perceiving their real and threatened dispossession and their exclusion from the economic opportunities, have used their own means to ensure participation. Some have been able to use political channels or to form their own representative bodies, and they have protested through largely non-violent roadblocks and demonstrations. One forceful demonstration against Tullow (referenced at the beginning of this article) closed operations for three weeks, while another against the Kapese Conservancy destroyed property worth USD60,000. Following the county government's halting of conservancies, rangers protested by blocking the Lodwar-Kitale highway. Inter-clan and political conflicts over jobs and other benefits have also involved some violence. In 2010, when facing the threat of the Omo River Dam and its implications for their livelihoods on Lake Turkana, fishing communities staged protests in small urban centers. One protester stated, "They want to sacrifice us for other people's benefit" (Obare & Ng'asike 2010). Protests continued at the national and international level (Bosshard 2011).

Another community protest, from 2017 to 2019, intermittently blocked oil trucks from leaving the county for Mombasa port (Bakari 2018). From June to August of 2017, community members blocked access to three of Tullow Oil's sites, including one with the 40,000 barrels of stored oil for early export (Okoth 2017). The community made several demands, including increased opportunities for employment and tenders. And in June 2018 they employed similar methods to demand better security against homicides and livestock raids (Lutta 2018). Led by local politicians, their demands have resulted in dialogue, but there has been little palpable change. In July 2019, the Turkana Drivers Association blocked a road in protest over driving contracts (see also *Upesi News* 2019).

Rachel Davis and Daniel Franks (2014) note that conflicts between investors and the community tend to escalate from campaigns and procedure-based actions through to physical protest if issues are not addressed. History also shows the capacity of the Turkana to forcefully resist (Lamphear 1992). The inequality of access to benefits from speculative investment projects, along with potential dispossession experienced by autochthons such as pastoralists, can trigger violence (Gurr 1970). Gudrun Østby et al. (2009) note that relative deprivation mixed with extractible commodities make a region significantly more prone to armed conflict. Moisés Arce and Rebecca Miller (2016) conclude that in Kenya the extractive industry is leading to protests over benefits sharing, livelihoods, and environmental issues, and that "participation deficits" can result, disengaging citizens from the state. This, they say, will continue to increase as the state fails to act to ensure a fair distribution of the benefits of increased developmental activity in marginal areas.

Clemens Greiner's case studies (2013a; 2013b) found that two of three Rift Valley conservancies had been created in areas with contested administrative borders, and these have experienced conflicts. Vague access rights correlate strongly with conflict, and borderlands conservancies overlap with the highly politicized struggle for ethnic territories. Even inter-communal cattle raids are now politicized and linked to the expansion of land and the fight for ethnically exclusive areas (Schlee 2010). The Lekurruki and Sera conservancies (founded in 1999 and 2001 respectively) both saw a rise in ethnic conflict between former neighbors after their establishment

(Campbell et al. 2009). In late 2016 to early 2017, as Kenya faced severe drought, conflicts involving conservancies and private ranches increased in Laikipia. Upwards of 10,000 pastoralists and over 135,000 cattle entered a private ranch; large numbers of wildlife were shot, and a game lodge was burned. A British co-owner of the Sosian conservancy was murdered, and an officer commanding the Laikipia West Police was also shot and critically wounded (Business Daily 2017). The conflict seems to have had a number of triggers, including drought, land grievances, governance failures, political machinations leading up to the 2017 election, and speculative land acquisition along the route of the LAPSSET corridor.

The security governance issues of conservancies are significant. Since private security companies cannot carry arms (Diphoorn 2016; Dobson 2019), there is a provision that allows National Police Reservists (NPRs) to act as rangers and scouts to guard conservancies against poaching and other incursions and to receive wages for their services. NRT provides NPRs with training and equipment, meaning they are better resourced than the police (Lorogoi 2013). This has implications for state sovereignty and arms proliferation, and raises the possibility that these empowered community members could revert to ethnic conflict and other illicit activities. On the Isiolo-Samburu county border, in the Biliqo Bulesa conservancy, it was alleged that from the point of view of security, conservancies have resulted in the disproportionate empowerment of Samburu pastoralists as compared to their Isiolo-based Borana neighbors The latter state that since the creation of the conservancy in 2007, insecurity on the border has increased; sixty-three people have died, and furthermore, armed conservancy scouts and NRT vehicles have been used against them (Waso Professional Forum 2019). While not all of these allegations can be proven, it appears that there is some blurring of roles of conservancy rangers who are in fact mandated to carry out cattle recovery operations, which may lead to other kinds of armed engagement (Mkutu in press).

Conclusion

The Kapese Conservancy experience highlights how infrastructure development associated with oil speculation in rural areas does not readily result in the benefits that business and government officials claim. Furthermore, it highlights how elite capture and corruption can thrive under these types of investments. The dynamics of who gains and who loses is complex, however, and involves opportunities for local elites and perhaps new processes of class formation as a result.

Even before plans for large-scale oil extraction have materialized, the impact of extraction is becoming clear; as Jędrzej Frynas et al. (2017) observe, anticipated gains can fuel a resource curse even before the resources emerge. The flurry of investment, speculation, and positioning preceding the expectation of resource flows drives the process of dispossession and marginalization. Turkana pastoralists' experiences reveal that rather than benefiting from development opportunities, their claim on future opportunities and resources remains weak, and becomes weaker as a result of elite resource capture. Some entrepreneurial elites prioritize their financial interests to the detriment of public welfare, a dynamic which has now been "devolved" to the county level, whereby political power and economic gain have become more achievable goals. Elites are the main benefactors, because they decide who receives oil industry contracts and tenders. Elites benefit by acquiring political capital through providing short-lived and inadequate solutions.

Supposedly protected land conservancies appear to play a role enabling the dispossession and further marginalization of already-marginalized pastoralist populations. The experiences documented in Turkana provide the conditions for increased future conflict in the region, which only explicit attention to the current and future inequality of resource distribution in the region may mitigate.

Acknowledgments

The first author wishes to acknowledge the support of the Collaborative Research Centre for the BICC Research Cluster "Future Rural Africa: Future-Making and Social-Ecological Transformation" for the opportunity to update some of the information in this paper. We are also extremely grateful to the reviewers of the article and the editor for the helpful comments. Thanks to Tessa Mkutu for her editing work.

References

Abbink, Jon. 2012. "Dam Controversies: Contested Governance and Developmental Discourse on the Ethiopian Omo River Dam." *Social Anthropology* 20 (2): 125–44.

Agade, Kennedy. 2015."Ungoverned Space and the Oil Find in Turkana, Kenya." *The Round Table, Commonwealth Journal of International Affairs* 103 (5): 497–515.

Andae, Gerald. 2018. "Ethiopia Dams Will Destroy Our Livelihood, Say Residents of Turkana." *Daily Nation* 1 May. https://www.nation.co.ke/lifestyle/smartcompany/ethiopia-dams-of-doom–says-residents-of-turkana-/1226-4538832-7fbnjs/index.html. Accessed August 10, 2019.

Arce, Moisés, and Rebecca Miller. 2016. "Mineral Wealth and Protest in Sub-Saharan Africa." *African Studies Review* 59 (3): 83–105.

Bakari, Angela. 2018. "Turkana to Mombasa Begins After Stand-Off." *Daily Nation* 23 August. https://www.standardmedia.co.ke/article/2001293122/crude-oil-transportation-from-turkana-begins-after-stand-off. Accessed August 8, 2019.

Baxter, Paul T.W. 1994. "Pastoralists Are People: Why Development for Pastoralists, Not the Development of Pastoralism?" *The Rural Extension Bulletin* (University of Sussex) 4: 3–8.

Blackwell, P.J. 2010. "East Africa's Pastoralist Emergency: Is Climate Change the Straw that Breaks the Camel's Back?" *Third World Quarterly* 31 (8): 1321–38.

Bollig, Michael, and Matthias Österle. 2008. "Changing Communal Land Tenure in an East African Pastoral System: Institutions and Socio-Economic Transformations among the Pokot of NW Kenya." *Zeitschrift Für Ethnologie* 133 (2): 301–22.

Bond, Jennifer, and Kennedy Mkutu. 2018. "Exploring the Hidden Costs of Human-Wildlife Conflict in Northern Kenya." *African Studies Review* 61 (1): 33–54.

Borras, Saturnino, and Jennifer Franco. 2010. "Contemporary Discourses and Contestations Around Pro-Poor Land Policies and Land Governance." *Journal of Agrarian Change* 10 (1): 1–32.

Bosshard, Peter. 2011. "Grassroots Protests Against Chinese Dams in Africa" International Rivers, February 23. https://www.internationalrivers.org/blogs/227/grassroots-protests-against-chinese-dams-in-africa. Accessed September 18, 2019.

Burnsilver, Shauna, Jeffrey Worden, and Randall Boone. 2008. "Processes of Fragmentation in the Amboseli Ecosystem, Southern Kajiado District, Kenya." In *Fragmentation in Semi-Arid and Arid Landscapes: Consequences for Human and Natural Systems*, edited by Kathleen A. Galvin, Robin S. Reid, R. H. Behnke, and N. Thompson Hobbs, 225–53. Dordrecht, Netherlands: Springer.

Business Daily. 2017. "Resolve Laikipia Conflict." Editorial, 2 February. http://www.the-star.co.ke/news/2017/02/08/behind-the-conflict-in-laikipia-thats-costing-lives-hitting-tourism_c1502726. Accessed September 16, 2019.

Campbell, Ivan, Sarah Dalrymple, Rob Craig, and Alec Crawford. 2009. *Climate Change and Conflict: Lessons from Community Conservancies in Northern Kenya*. London: Saferworld.

Caouette, D., and D. Kapoor, eds. 2015. *Beyond Colonialism, Development and Globalization: Social Movements and Critical Perspectives*. London: Zed Books.

Carmody, Padraig, 2012. *The New Scramble for Africa*. Cambridge: Polity Press.

CORDAID. 2015. "Oil Exploration in Kenya: Success Requires Consultation: Assessment of Community Perceptions of Oil Exploration in Turkana County, Kenya." The Hague: Cordaid.

Cormack, Zoe, and Abdikadir Kurewa. 2017. "The Changing Value of Land in Northern Kenya: The Case of Lake Turkana Wind Power." *Critical African Studies* 10 (1): 89–107.

Coulibaly, Brahima S. 2017. "In Defense of the 'Africa Rising' Narrative." *Africa in Focus*. https://www.brookings.edu/blog/africa-in-focus/2017/06/27/in-defense-of-the-africa-rising-narrative/. Accessed August 7, 2019.

Davis, Rachel, and Daniel Franks. 2014. "Costs of Company-Community Conflict in the Extractive Sector." *Corporate Social Responsibility Initiative Report No. 66*. Cambridge, Mass.: Harvard Kennedy School.

De Schutter, Oliver. 2011. "How Not to Think About Land-Grabbing: Three Critiques of Large-Scale Investments in Farming." *Journal of Peasant Studies* 38 (2): 249–79.

Deininger, Klaus. 2011. "Challenges Posed by the New Wave of Farmland Investment." *Journal of Peasant Studies* 38 (2): 217–47.

Diphoorn, Tessa. 2016. "'Surveillance of the Surveillers': Regulation of the Private Security Industry in South Africa and Kenya." *African Studies Review* 59 (2) 161–82.

Dobson, Nathan. 2019. "Private Security in Nairobi, Kenya: Securitized Landscapes, Crosscurrents, and New Forms of Sociality." *African Studies Review* 62 (2) 30–48.

Doss, Cheryl, Gale Summerfield, and Dzodzi Tsikata. 2014. "Land, Gender, and Food Security." *Feminist Economics* 20 (1): 1–23.

Dressler, Wofram, Bram Büscher, Michael Schoon, Dan Brockington, Tanya Hayes, Christian A. Kull, James Mccarthy, and Krishna Shrestha. 2010. "From Hope to Crisis and Back Again? A Critical History of the Global CBNRM Narrative." *Environmental Conservation* 37 (1): 5–15.

Duffy, Rosaleen. 2006. "The Potential and Pitfalls of Global Environmental Governance: The Politics of Trans-Frontier Conservation Areas in Southern Africa." *Political Geography* 25 (1): 89–112.

The East African. 2019. "Kenya Launches Africa's Biggest Wind Farm." July 19. https://www.theeastafrican.co.ke/business/Kenya-launch-africa-biggest-wind-farm/2560-5202472-vc9tb6/index.html. Accessed August 6, 2019.

Enns, Charis, and Brock Bersaglio. 2019. "On the Coloniality of "New" Mega-Infrastructure Projects in East Africa." *Antipode*. https://research.birmingham.ac.uk/portal/files/81198208/2019_Enns_Bersaglio.pdf

Ethics and Anti-Corruption Commission (n.d.) Website http://www.eacc.go.ke/category/news/. Accessed November 20, 2019.

Etyang, Hesbon, 2019. "From drought, hunger to floods; no respite for Turkana residents." https://www.the-star.co.ke/news/big-read/2019-10-29-from-drought-hunger-to-floods-no-respite-for-turkana-residents/. Accessed March 5, 2020.

Ferguson, James. 2005. "Seeing Like an Oil Company: Space, Security, and Global Capital in Neoliberal Africa." *American Anthropologist* 107 (3): 377–82.

Franks, Peter. 2008. *Promoting Equity in The Management of Protected Areas: New Evidence of the Need for Action*. Nairobi: CARE International.

Frynas, Jędrzej, Geoffrey Wood, and Timothy Hinks. 2017. "The Resource Curse Without Natural Resources: Expectations of Resource Booms and Their Impact." *African Affairs* 116 (463): 233–60.

Galaty, John G. 1992. "'The Land is Yours': Social and Economic Factors in the Privatization, Sub-Division and Sale of Maasai Ranches." *Nomadic Peoples* 1: 26–40.

———. 2013. "Land Grabbing in the Eastern African Rangelands." In *Pastoralism and Development in Africa: Dynamic Change at the Margins*, edited by Andrew Catley, Jeremy Lind and Ian Scoones. 143–53. Oxfordshire: Routledge.

———. 2016. "Boundary Making and Pastoral Conflict along the Kenyan-Ethiopian Borderlands" *African Studies Review* 59 (1): 97–122.

Gellert, Paul K., and Barbara D. Lynch. 2003. "Mega-Projects as Displacements." *International Social Science Journal* 55 (175): 15–25.

Gilbert, Jeremie. 2012. "Land Rights and Nomadic Peoples: Using International Law at The Local Level." *Nomadic Peoples* 16 (2): 78–83. https://doi.org/10.3167/np.2012.160206.

Githae, Wanjohi. 2017. "Petroleum Bill Now at Centre of Turkana Politics." *Daily Nation* February 25. http://mobile.nation.co.ke/news/politics/petroleum-bill-now-at-centre-of-turkana-politics/3126390-3827672-agdiiez/index.html. Accessed August 9, 2019.

Government of Kenya. 1968. Annual Report, *Ministry of Agriculture*. Nairobi: Government Printers.

Government of Kenya. 1985. *Animal Production Division Annual Report*, Ministry of Livestock Development. Nairobi: Government Printers.

Government of Kenya. 1990. *Statistical Abstract, Central Bureau of Statistics*, Ministry of Planning and National Development. Nairobi: Government Printers.

Government of Kenya Ministry of State for the Development of Northern Kenya and Other Arid Lands. 2012. *Sessional Paper No. 8 of 2012, National Policy for the Sustainable Development of Northern Kenya and Other Arid Lands "Releasing Our Full Potential."*

Greiner, Clemens. 2013a. "Guns, Land and Votes: Cattle Rustling and the Politics of Boundary (Re)Making in Northern Kenya." *African Affairs* 112 (447): 216–237.

———. 2013b. "Unexpected Consequences: Wildlife Conservation and Territorial Conflict in Northern Kenya." *Human Ecology* 40 (3): 415–25.

Gurr, Ted R. 1970. *Why Men Rebel*. Princeton: Princeton University Press.

Gulliver, P.H. 1951. "A Preliminary Survey of the Turkana: *A Report Compiled for the Government of Kenya*." University of Cape Town.

Harrison, Elizabeth, and Anna Mdee. 2018. "Entrepreneurs, Investors and the State: The Public and the Private in Sub-Saharan African Irrigation Development." *Third World Quarterly* 39 (11): 2126–41.

Harvey, David. 2003. *The New Imperialism*. Oxford: Oxford University Press.

Hicks, Celeste. 2015. *Africa's New Oil*. London: Zed Books.

Indigenous Livelihoods Enhancement Partners. n.d. *Land Grabs and Natural Resources Rights Violations from Within and Below: The Experience of Maji Moto Group Ranch.* Nairobi: Indigenous Livelihoods Enhancement Partners (ILEPA).

International Rivers. 2013. "The Downstream Impacts of Ethiopia's Gibe III Dam East Africa's 'Aral Sea' in the Making?" Washington D.C.: International Rivers.

Kamau, Muthoni. 2019. "Fresh Trouble for Governors Facing Graft Charges." *The Standard*, July 29. https://www.standardmedia.co.ke/article/2001335794/fresh-trouble-for-governors-facing-graft-charges. Accessed November 20, 2019.

Kenya Wildlife Conservancies Association Website http://kwcakenya.com/.

Kibugi, Robert, Ibrahim Mwathane, and Mwenda Makathimo. 2016. *Large Scale Land Acquisitions for Investment in Kenya: Is the Participation, and Benefits of Affected Local Communities Meaningful, and Equitable? A Case Study of The Situation in Lamu, Isiolo and Siaya Counties*. Nairobi: Land Development and Governance Institute.

Kitching, Gavin. 1982. *Development and Underdevelopment in Historical Perspective*. London: Methuen.

Lamphear, John, 1992. *The Scattering Time: Turkana Responses to the Imposition of Colonial Rule*. Oxford: Oxford University Press.

Laws of Kenya. 2012. Land Act No. 6 of 2012.

Laws of Kenya. 2016. Community Land Act No. 27 of 2016.

Laws of Kenya. 2019. Land Value (Amendment) Act No.15 of 2019.

LAPSSET Corridor Development Authority. 2017. Strategic Environmental Assessment Study, LCDA, Nairobi

Letai, John. 2015. "Land Deals and Pastoralists Livelihoods in Laikipia County, Kenya." In *Africa's Land Rush: Rural Livelihoods and Agrarian Change.*, edited by Ruth Hall, Ian Scoones and Dzodzi Tsikata, 83–98. Oxford: James Currey.

Leys, Colin. 1996. "The Crisis in 'Development Theory.'" *New Political Economy* 1 (1): 41–48.

Li, Tania. 2011. "Centering Labour in the Land Grab Debate." *Journal of Peasant Studies* 38 (2): 281–98.

Little, Peter. 2014. *Economic and Political Reform in Africa: Anthropological Perspectives.* Indiana: Indiana University Press.

Lorogoi, Rashid. 2013. "Raiders Kill 3 People Including Police in Turkana." *The Standard* November 8. http://www.standardmedia.co.ke/article/2000097207/raiders-kill-3-people-including-police-in-turkana. Accessed September 16, 2019.

Lutta, Sammy. 2018. "Turkana Residents Break into Ngamia 8 Oil Site." *Daily Nation*, June 30. https://www.nation.co.ke/counties/turkana/turkana-oil–residents-break-into-ngamia-8-well/1183330-4639252-xsen8qz/index.html. Accessed August 9, 2019.

Markakis, John. 2011. *Ethiopia: The Last Two Frontiers.* Oxford: James Currey.

Mboya, T. Konyimbih. 2016. Speech by the Commissioner for Lands, held at the World Bank Office, Nairobi, November 10, 2016.

Mburu, J., R. Birner, and M. Zeller. 2003. "Relative Importance and Determinants of Land-Owners: Transaction Costs in Collaborative Wildlife Management in Kenya, An Empirical Analysis." *Journal of Ecological Economics* 45 (1): 59–63.

McCabe T. 2004. *Cattle Bring Us to our Enemies; Turkana Ecology, Politics and Raiding in a Disequilibrium System.* Ann Arbor: University of Michigan Press.

Mkutu, Kennedy. 2015. "Ateker Cluster Security and Human Rights Baseline and Risk Assessment." Netherlands: Pax for Peace.

———. 2017. "Oil and Emerging Conflict Dynamics in the Ateker Cluster: The Case of Turkana, Kenya" *Nomadic Peoples* 21 (1): 34-62.

———. In press. *Security Dynamics in Conservation Areas in Isiolo County.* Bonn: Bonn International Centre for Conversion.

Mkutu, Kennedy, and Gerard Wandera. 2013. *Policing the Periphery: Opportunities and Challenges for the Kenya Police Reserve.* Geneva: Small Arms Survey.

———. 2015. Conflict, Security and the Extractive Industry in Kenya, the case of Turkana. United States International University- Africa /Kenya School of Government: Nairobi.

Mkutu, M., M. Marani, and M. Ruteere. 2014. *Securing the Counties: Options for Kenya after Devolution.* Nairobi: Centre for Human Rights and Policy Studies.

Migoro, Katie, and Chris Arsenault. 2015. "First Test Shows Kenya's Huge Water Find Too Salty To Drink" *Reuters* February 27. https://www.reuters.com/article/us-kenya-water-aquifer-iduskbn0lv1w720150227", https://www.reuters.com/article/us-kenya-water-aquifer-iduskbn0lv1w720150227. Accessed August 9, 2019.

Mosley, Jane, and Elizabeth Watson. 2016. "Frontier Transformations: Development Visions, Spaces and Processes in Northern Kenya and Southern Ethiopia." *Journal of Eastern African Studies* 10 (3): 452–75.

Moyo, Sam. 2007. "The Land Question in Southern Africa: A Comparative Review." In *The Land Question in South Africa: The Challenge of Transformation and Redistribution*, edited by Lungisile Ntsebeza and Ruth Hall, 60–86. Cape Town: HSRC Press.

Ng'ethe, J.C. n.d. "Group Ranch Concept and Practice in Kenya With Special Emphasis on Kajiado District." www.fao.org/wairdocs/ilri/x5485e/x5485e0t.htm. Accessed 17.3.2017.

Ng'etich, Jacob. 2019. "Judge Ngugi's Ruling Raises Heated Debate Over Governors' Fate" *The Standard* 4 August. https://www.standardmedia.co.ke/article/2001336660/judge-ngugi-s-ruling-raises-heated-debate-over-governors-fate. Accessed November 20, 2019.

Obare, Osinde, and Lucas Ng'asike. 2010. "Why Residents want Ethiopian Dam on River Omo Stopped Urgently." *The Standard*, January 21. https://www.standardmedia.co.ke/article/2000001389/why-residents-want-ethiopian-dam-on-river-omo-stopped-urgently. Accessed September 18, 2019.

Ohta, Itaru. 2005. "Coexisting with Cultural 'Others': Social Relationships Between the Turkana and the Refugees at Kakuma, Northwest Kenya." *Pastoralists and Their Neighbours in Asia and Africa* 69: 227–39.

Okoth, Edwin. 2017. "Tullow Regains Sites After Seizure by Locals." *Business News* August 2. https://www.businessdailyafrica.com/economy/tullow-regains-sites-after-seizure-by-locals/3946234-4042666-3afscsz/index.html. Accessed August, 9 2019.

Okoth, Edwin. 2019. "Tullow Oil Keeps Under Wraps All Its Trading Deals." *Daily Nation*, August 4: 37.

Ole Pasha, I.K. 1985. Organization and Management of Group Ranches. Addis Ababa, International Livestock Centre for Africa Report.

Østby, Gudrun, Ragnhild Nordås, and Jan Ketil Rød. 2009. "Regional Inequalities and Civil Conflict in Sub-Saharan Africa." *International Studies Quarterly* 53: 301–24.

Peluso, Nancy, and Michael Watts, eds. 2001. *Violent Environments*. Ithaca, New York: Cornell University Press.

Peters, Pauline. 2012. "Conflicts over Land and Threats to Customary Tenure in Africa Today', *CID Working Paper*, No. 247, Centre for International Development, Harvard University.

———. 2013. "Land Appropriations, Surplus People and a Battle Over Visions of Agrarian Futures in Africa." *Journal of Peasant Studies* 38 (4): 66–81.

Project Oil Kenya. 2019. "Update on Water for Oil Development." Presentation Given in County Government Meeting, Lodwar, February 2019.

Rodgers, Dennis, and Bruce O'Neill. 2012. "Infrastructural Violence: Introduction to the Special Issue." *Ethnography* 13 (4): 401–12.

Roe, Dilys, Tom Blomley, Fred Nelson, and Fiona Flintan. 2013. *Proceedings of the Conservation and Land Grabbing Symposium, March 26–27, 2013*. London: International Institute for Environment and Development.

Schlee, Gunther. 2010. "A Comment on the 'Policy Framework for Pastoralism in Africa,' Adopted by the African Union in January 2011." *Nomadic Peoples* 14 (2): 158–63. https://doi.org/10.3167/np.2010.140211.

Senelwa, Kennedy. 2019. "Kenya Plans February Sale for Second Oil Shipment." *The East African*, November 2. https://www.theeastafrican.co.ke/business/Kenya-plans-february-sale-of-second-oil-shipment/2560-5334086-ghqe9tz/index.html. Accessed November 21, 2019.

The Star. 2019. "EACC To Arrest 3 Governors." February 21. https://www.the-star.co.ke/news/2019-02-21-eacc-to arrest-three-governors/. Accessed August 10, 2019.

Taylor, Ian. 2016. "Dependency Redux: Why Africa is Not Rising." *Review of African Political Economy* 43 (147): 8–25.

Tsikata, Dzodzi, and Joseph Yaro. 2014. "When a Good Business Model is Not Enough: Land Transactions and Gendered Livelihood Prospects in Rural Ghana." *Feminist Economics* 20 (1): 202–26.

Tuhiwai Smith, Linda. 1999. *Decolonizing Methodologies: Research and Indigenous peoples*. London: Zed Books.

Tullow Oil PLC. n.d. "About Tullow in Kenya." https://www.tullowoil.com/operations/east-africa/kenya. Accessed March 5, 2020.

Tullow Oil PLC. 2019. "Foundation Stage Development: ESIA Stakeholder Engagement Plan" https://www.tullowoil.com/Media/docs/default-source/operations/kenya-eia/esia-stakeholder-engagement-plan_september-2019.pdf?sfvrsn=2. Accessed March 5, 2020.

Turkana County Government. 2015. Report on Fact Finding Mission of Community Conservancy Project in Turkana South and East by Turkana County Conservancy Committee (TCCC) September.

Turkana County Government. 2018. County Integrated Development Plan.
Upesi News. 2019. "Tullow Oil Refutes Media Reports That There Has Been a Major Disruption of Oil Transporting Trucks from Turkana to Mombasa." July 9. https://upesinews.co.ke/2019/07/09/tullow-oil-refutes-media-reports-that-there-has-been-a-major-disruption-of-oil-transporting-trucks-from-turkana-to-mombasa/. Accessed August 8, 2019.
Vanclay, Frank. 2017. "Project- Induced Displacement and Resettlement: From Impoverishment Risks to an Opportunity for Development?" *Impact Assessment and Project Appraisal* 35 (1): 3–21.
Voller, Louise, Anders Brønd Christensen, Geoffrey Kamadi, Han van de Wiel, and Ole Kaunga. 2016. *A People in the Way of Progress*. Copenhagen: Danwatch.
Wachira, George. 2020. "What is in Store for Turkana Oil as Investors Depart?" *Business Daily* February 12. https://www.businessdailyafrica.com/analysis/ideas/What-is-in-store-for-Turkana-oil-as-investors-depart/4259414-5451894-3g17pyz/index.html. Accessed March 5, 2020.
Waso Professional Forum. 2019. "Factfinding Report on the Northern Rangelands Trust Operations in Biliqo Bulesa Community Conservancy."
Wasuna, Brian. 2019. "Fresh Row Emerges Over Turkana Oilfields." *Daily Nation*, March 18. Https://Www.Nation.Co.Ke/News/Fresh-Row-Emerges-Over-Turkana-Oilfields/1056-5029668-2yblsbz/Index.Html. Accessed August 6, 2019.
West, Paige, and Dan Brockington. 2006. "An Anthropological Perspective on Some Unexpected Consequences of Protected Areas." *Conservation Biology* 20 (3): 609–16.
West, Paige, James Igoe Walsh, and Dan Brockington. 2006. "Parks and Peoples: The Social Impact of Protected Areas." *Annual Review of Anthropology* 35: 251–77.
Wily, L.A. 2012. "The Law is to Blame: The Vulnerable Status of Common Property Rights in Sub-Saharan Africa." *Development and Change* 42:733–57.
Woddis, Jack. 1967. *An Introduction to Neo-Colonialism*. International Publishers: New York.
World Bank Group. 2016. 'Beyond Resilience' Kenya Economic Update Edition *No. 14*. Washington DC: World Bank Group.
Yenneti, Komali, Rosie Day, and Oleg Golubchikov. 2016. "Spatial Justice and the Land Politics of Renewables: Dispossessing Vulnerable Communities through Solar Energy Mega-Projects." *Geoforum* 76: 90–99.
Zoomers, Annelies. 2010. "Globalisation and the Foreignisation of Space: Seven Processes Driving the Current Global Land Grab." *Journal of Peasant Studies* 37 (2): 429–47.

Notes

1. This term is in fact borrowed from Afrikaans, being used to refer to a cattle pen enclosed by thorn branches; it is widely used in Turkana and the surrounding area.
2. Interview, staff of Ministry of Petroleum, Turkana, March 5, 2020.
3. Letter TCC/14/12/vol II of December 4, 2012 to Africa Camp Solutions (ACS) on "Consent to lease 2 square km land in Lokichar division in Turkana South"; Letter TCG /8/6/vol 1 (22) July 10, 2013 "Intention to formalize lease of land".
4. Letter TCG/8/6/vol 1 (22).
5. Interview, administrator, name withheld, Turkana, March 8 2019.

6. Grant Agreement between Tullow, Kenya B.V. and National Rangelands Trust Limited. November, 28 2014 and press release October 28, 2015.
7. Interviews, Turkana County officials, Nairobi, January 2017.
8. Interview, KWS employee, Lodwar, November 11, 2016.
9. Letter dated October 31, 2015 from Ministry of Energy, Environment and Natural Resources to ACS, NRT And Tullow. Suspension of NRT and Conservancies in Turkana South and East.
10. Letter from Turkana County Government Ref: TCG/LPPU/CEC/149/2019 Renewal of the Interim Land Lease Agreement: Kapese Area 2 km by 0.85 km of Lokichar Ward – Turkana South Subcounty-Turkana County.