Land Use Policy 65 (2017) 66–77

Contents lists available at ScienceDirect

Land Use Policy

journal homepage: www.elsevier.com/locate/landusepol

Exploring the 'layeredness' of recurring natural resource conflicts: The role of Loita Maasai leadership in the Naimina Enkiyio Forest conflicts in Kenya

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ARTICLE INFO

Article history:
Received 28 April 2016
Received in revised form
18 November 2016
Accepted 25 March 2017
Available online 6 April 2017

Keywords:
Loita Maasai
Forest conflict
Leadership
Natural resource conflict
Political ecology
Kenya

ABSTRACT

This article examines two successive conflicts over the same forest in Kenya, which, when analysed separately, have led to interpretations that do not hold when the conflicts are studied in relation to each other. Inspired by political ecology, it employs a processual view of natural resource conflict, which recognizes that such conflicts may be 'layered' and composed of various struggles – or layers – at once, and that some of these struggles may not be discernible at first sight or when resource conflicts are studied in isolation. The conflicts presented in this article occurred between 1993 and 2005 and revolved around the Naimina Enkiyio Forest in south Kenya. They were initially triggered when a local authority, Narok County Council, and later the International Union for the Conservation of Nature (IUCN), intended to implement plans and projects that would affect the way the forest was being used by the Loita Maasai. Rather than viewing the conflicts as being between a local community and powerful outsiders, I argue that they are best seen as different crystallizations of coalitions between local and outside actors running along a longstanding cleavage in the Loita's leadership. This article examines how opposing Loita leadership groups forged outside alliances and mobilized support and resistance in Loita and elsewhere. In doing so, it will demonstrate that a particular layer was overlooked or minimized in the various interpretations that have been posited for the separate conflicts, namely a longstanding struggle within the leadership of the Loita Maasai. In fact, this struggle has proved to be crucial for providing a valid and consistent explanation that holds for the two conflicts when they are considered together.

1. Introduction

Political ecology has a strong tradition of analysing natural resource conflicts as struggles for access and control, but resource conflicts are often composed of different struggles or 'layers', and this 'layeredness' has hitherto remained understudied. *Recurring* resource conflicts in particular offer an excellent opportunity to explore their layered character, because studying successive conflicts over the same resource compels the researcher to find an interpretation that is valid for all conflicts considered (see e.g. Fortmann, 1990), and in so doing, may reveal layers that go unnoticed when conflicts are studied on their own. This article considers two successive forest conflicts in Kenya that, separately, have already led to various interpretations that do not hold when the conflicts are studied in relation to each other.

The two conflicts examined in this article were structurally alike: they were both triggered by 'governmental interventions' (Li, 2007a,b) – one associated with the state and the other with an international environmental organization – and both targeted and proposed to change the way the Naimina Enkiyio Forest was being used and managed, particularly by the agropastoral Loita Maasai (Fig. 1).[1] The first forest conflict, which extended between 1993 and 2002 and that

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[1] The Loita Maasai are one of the many 'sections' (socio-territorial units) in which the Maasai of East Africa are organized. 'Loita' is the anglicized version of *Iloitai* (sing. *Oloitai*) in Maa and is used here to refer to both the people and the area where they live, depending on the context. The Loita occupy land on both sides of the Kenya-Tanzania border in the highlands west of the Rift Valley. This article is based on research carried out among the Loita Maasai of Kenya. In the east of their land, on the highest peaks of the escarpment, but still within Narok County (formerly Narok District), lies the Naimina Enkiyio Forest. The forest is named after a Maasai legend; its full name in Maa is *Entim e Naimina Enkiyio*, lit. 'The Forest of the Lost Child'.

http://dx.doi.org/10.1016/j.landusepol.2017.03.032
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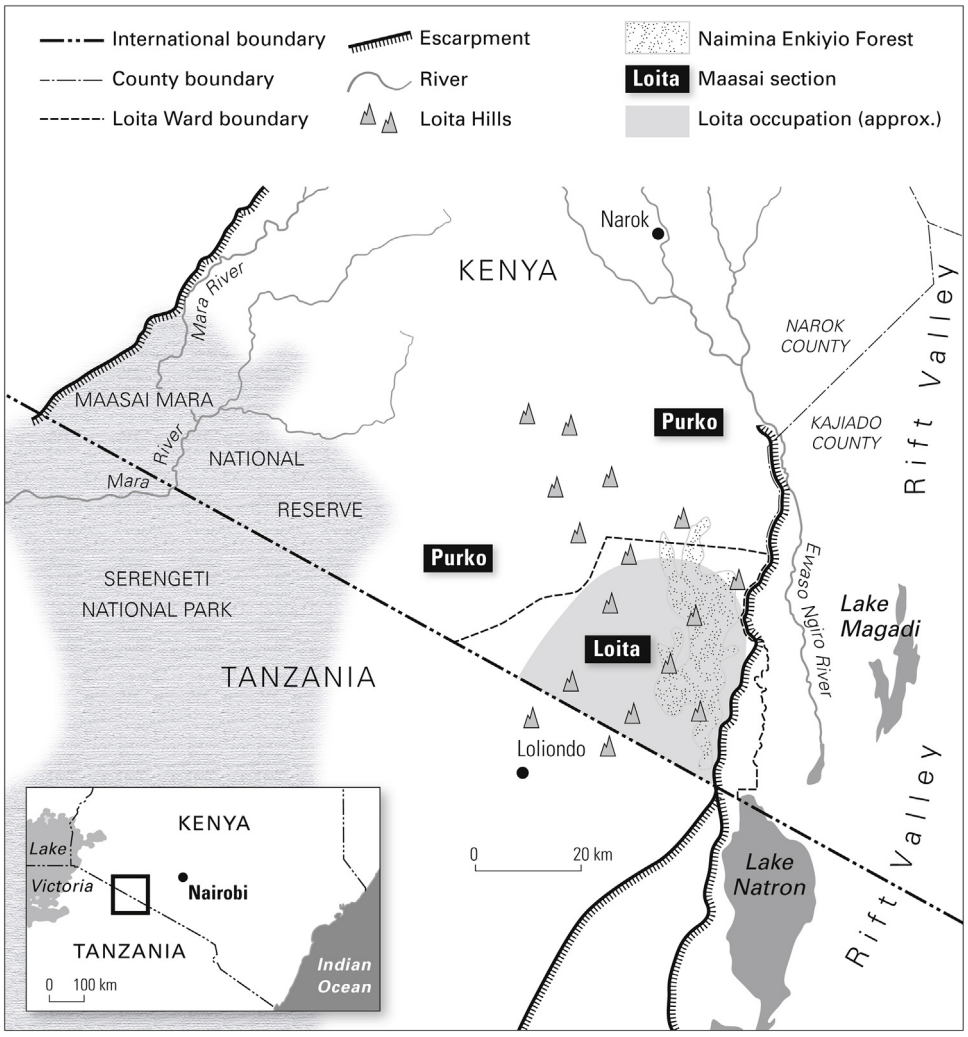

Fig. 1. Loita Maasailand in Kenya. Following the introduction of County Government in 2013, Narok District was renamed Narok County and Loita Division became Loita Ward.

I call the Narok County Council conflict, has received ample scholarly attention (Voshaar, 1998: pp. 113–114; Péron, 2000; Kantai, 2001; Karanja et al., 2002; Ole Siloma and Zaal, 2005; Zaal and ole Siloma, 2006; Ngece et al., 2007; Adano et al., 2012; Zaal and Adano, 2012; Kariuki et al., 2016). The concern with access and control is implicitly shared in these studies, even though they generally miss a sophisticated consideration of the micro-politics that usually comes with a political ecological analysis. Broadly speaking, these authors describe the conflict as one between the Loita Maasai, on the one hand, and the local government authority, i.e. Narok County Council, on the other hand, with the latter attempting to appropriate the forest by turning it into a nature reserve and the former opposing this because it threatened their long-held access to the forest. The fact that Narok County Council eventually shelved its forest plan has led academics, activists and the media to present this case as a success story of a local community prevailing over outsiders (in this case, state actors) wanting to dispossess them of their forest. The second conflict, here called the International Union for the Conservation of Nature (IUCN) conflict, took place in 2004 and 2005. Though it is closely related to the first conflict and ended violently, it has been largely ignored in the academic literature,[2] but has received some media coverage.[3] This second conflict stems from local resistance to a community-based management project concerning the same forest and implemented by environmental organization IUCN. Like Narok County Council, IUCN eventually withdrew and the project never materialized and this outcome apparently confirms the success story of the Loita Maasai.

It is very tempting to interpret the Naimina Enkiyio Forest conflicts' denouement as the victory of a united indigenous community over powerful state and international outsiders wanting to appro-

[2] It is only briefly mentioned by ole Siloma and Zaal (2006: 11) and Ngece et al. (2007: p. 179).

[3] 'Letter to the editor: IUCN & the Loita/Purko Naimina Enkiyio forest': https://www.culturalsurvival.org/news/letter-editor-iucn-loitapurko-naimina-enkiyio-forest accessed 13/10/15; 'Maasai reject IUCN project in Loita forest': http://www.ogiek.org/indepth/break-one-killed.htm accessed 14/10/15; 'Loita and Purko Maasai resist IUCN plans for the Naimina Enkiyio forest': https://www.culturalsurvival.org/news/michael-ole-tiampati/loita-and-purko-maasai-resist-iucn-plans-naimina-enkiyio-forest accessed 14/10/15; 'Kenya: The Maasai stand up to IUCN displacement attempts from their forest': http://www.ogiek.org/indepth/break-one-killed.htm accessed 14/10/15; 'One killed in fight for traditional forest of Maasai, implicating controversial IUCN Project with EU funding': http://www.ogiek.org/indepth/break-one-killed.htm accessed 14/10/15; 'Kenya: contentious forest plan halted': http://allafrica.com/stories/200406250490.html accessed 14/10/15.

priate their cherished forest. However, on closer scrutiny and when considering the two conflicts in relation to each other, this interpretation does not stand. An important observation is that IUCN had supported the Loita Maasai in their fight against Narok County Council and had actually been invited by a group of Loita leaders to develop the forest co-management project. Leaders thus played an important role and there were not only divisions between Loita Maasai and outside actors but also collaborations. This brings to light a central paradox: two competing factions within Loita's leadership were each responsible for one of the two forest initiatives and opposing the other. The forest conflicts, though similar, were thus more complex than they appeared at first sight and this calls for a deeper understanding of the politics at play.

To analyse the reoccurrence and the politics of the forest conflicts, this article develops an understanding that builds on the insight that resource conflicts are layered. I introduce to the analysis a particular layer that was largely overlooked or minimized in the previous interpretations that regard the two conflicts separately,[4] namely longstanding tensions within the leadership of the Loita Maasai, and I engage with ideas of 'politicization' and 'ecologization' (Robbins, 2004). Whilst existing explanations have mainly focused on the politicization of access and control, I contend that the emphasis should be on the ecologization of existing political struggles. This entails a shift from questioning 'what people are fighting about', i.e. the resource, to a more actor-oriented view focusing on 'who is fighting whom and why' (Schlee, 2004: p. 1). It does not mean, however, that the struggle for access and control will be dismissed. Rather, the article will show how struggles within the leadership of the Loita Maasai have been fought out through access and control.

More concretely, I argue that to understand how the forest conflicts unfolded, they are best seen as different crystallizations of coalitions between local and outside actors running along a longstanding cleavage in Loita's leadership (and not as a conflict pitting 'locals' versus 'outsiders'). By exploring how leadership groups on both sides of the divide forged outside alliances and mobilized supporters locally, I further argue that it was their antagonism – rather than a desire to keep outsiders away – that fuelled the opposition against first the Narok County Council nature reserve plan by one faction and later the IUCN co-management project by the other. By examining this change in political positions, I draw two factors, present in both conflicts, that will shed light on how the two layers interacted and how this interaction shaped the course and outcome of the forest conflicts. One factor is the interplay between exclusion and opposition, and the other is the discursive 'framing' (Van Leeuwen and van der Haar, 2016) of the conflict. Lastly, I suggest that the ultimate failure of these two forest initiatives, and thus also the remarkable fact that the Loita Maasai still maintain access and control of the forest, should be conceived of as a rather auspicious and maybe wanted – albeit not on all sides intended – side-effect of the way the internal Loita leadership struggles for power and authority played out in the course of the forest conflicts.

The account presented here is based on data gathered through more than 22 months of ethnographic fieldwork in Loita between 2001 and 2010 as part of my MA and PhD research projects.[5] Information was drawn from stories collected during conversations, interviews and focus group discussions with Loita leaders and Loita followers from both sides of the divide. Despite repeated attempts to conduct in-depth interviews with some of the outside actors involved in the conflicts, such as non-Loita politicians and IUCN staff, none materialized apart from fleeting conversations. Therefore, the description on the forest conflicts presented here, including the role of outside actors therein, reflects mostly a Loita Maasai perspective of the sequence of events. However, to offset this shortcoming, I examined texts and documents that reveal outsiders' sides of the story to a certain degree. The most important written sources of information consulted include, for the first conflict: documents from the legal suit against Narok County Council,[6] the 1992 Memorandum of Association (MoA) of the Loita Naimina Enkiyio Conservation Trust Company and a booklet published by this company in 1994. Secondary sources include the already mentioned scholarly articles on the Narok County Council conflict. For the IUCN conflict, the written sources consist of official IUCN project documentation,[7] IUCN-commissioned studies of Loita as part of the IUCN project,[8] the already mentioned news items reporting on the conflict obtained from the internet, and papers written by IUCN staff on the IUCN project, which also mention the Narok County Council conflict (i.e. Karanja et al., 2002; Ngece et al., 2007).

The article proceeds as follows. The next section draws inspiration from the literature on political ecology to build a framework around layeredness and recurring natural resource conflicts. The third section gives historical background to the pre-existing factional split in Loita's leadership. The two subsequent sections, four and five, describe the forest conflicts and section six provides a layered analysis of the dynamics involved. The article then concludes by highlighting the contribution made to political ecology.

2. 'Layeredness' and the political ecology of recurring natural resource conflicts

This article adopts a political ecology approach to analyse (recurring) natural resource conflicts. Studies in this field have convincingly shown that conflicts over resources typically arise when new claims are laid to them or institutional and other changes at the socio-environmental interface occur that affect people's use, access, management and control over natural resources (for example Peluso, 1992; Tsing, 2005; Li, 2007a). In this literature, the terms 'access' and 'control' have been central analytical concepts for explaining resource conflicts. The focus in this 'conflict over access' (Bryant, 1992) research has mostly been on the material benefits derived from access and control (Ribot and Peluso, 2003). This has allowed political ecologists to illustrate how those 'without' power, such as peasants, forest-dependent people or pastoralists, struggle to protect the environmental foundations of their livelihood (Bryant, 1992: pp. 14, 21, 25–26). Access is generally understood to be about who is included/excluded, about '*who* does (and who does not) get to use *what*, in *what ways*, and *when*' (Ribot and Peluso, 2003: p. 154 emphasis in the original). Ribot and Peluso define access more precisely as 'the ability to benefit from [natural resources]' and control, or 'access control' to be more specific, as

[4] Only the conference paper by Zaal and ole Siloma (2006) addresses this internal conflict to a certain degree.

[5] A preliminary analysis of the first forest conflict is taken up in my MA thesis (Kronenburg García, 2003) and a preliminary analysis of both conflicts in my PhD thesis (Kronenburg García, 2015). The latter provides more details and background information, such as on the role of the 'laibons' or ritual seers in the forest conflicts. The PhD research project was made possible by a grant from MaGW Social Sciences, the Netherlands Organization for Scientific Research (grant number 400-05-146), and a grant from the Prins Bernhard Cultuurfonds.

[6] Republic of Kenya in the High Court of Kenya at Nairobi, Miscellaneous Civil Application No. 361 of 1994: 'Notice of Motion', 'Statement', 'Affidavit of the First Applicant' and 'Replying Affidavit'.

[7] 'Loita Forest Project – Proposal Summary' (date unknown), 'Loita/Purko Naimina Enkiyio Forest Integrated Conservation and Development Project – Project Document' (date unknown), 'Loita project of integrated forest conservation and management (preparatory phase)': www.unesco.org/most/bpik9.htm accessed 14/10/15.

[8] 'Survey of Tourism Activities in the Loita Forest and Environs' (Shelley and Lempaka, 1999), 'Preliminary Biodiversity Assessment of Loita Naimina-Enkiyio Forest' (Legilisho-Kiyiapi, 1999).

'the ability to mediate others' access' (Ribot and Peluso, 2003: pp. 153, 155, 158). The term 'ability' is employed in both definitions to indicate an important component of access and control, namely to the relations of power 'that can constrain or enable people to benefit from resources' (Ribot and Peluso, 2003.: p. 154). Political ecology therefore analyses resource conflicts as political processes or struggles that reshuffle existing power relations as shifts in the distribution of access and control occur, which might benefit some and burden others.

This body of work that focuses on process, access and control informs my interpretation of the Naimina Enkiyio Forest conflicts in important ways, but the recurring nature of the forest conflicts poses an additional challenge. Fortmann (1990), who studied a series of conflicts concerning a forest in Adamsville in the US, was faced with such a situation. One of the conflicts that she studied seemed, at first sight, to be a clear instance of rural environmentalism. Community-wide protests against Megavoltz, a company that intended to build a wood-fired power plant in Adamsville, were instigated by a small group of local environmentalists, but the subsequent protest – called the Great Commute – against a forest-management plan turned this interpretation upside down because 'community members, who had turned out in unprecedented numbers on the "pro-environmental side" of the Megavoltz issue, also turned out on the "anti-environmental side" of the Great Commute' (Fortmann, 1990: p. 206). Fortmann shows that this apparent inconsistency, rather than being a manifestation of local people's 'ideological flip-flops,' disappears when the protests are seen as being in defence of 'local claims to customary usufructuary rights' (Fortmann, 1990: p. 206). The value of Fortmann's article is that it provides an explanation that holds for all protests, whereas, when analysed separately, each protest can be explained in different ways. She shows that studying successive resource conflicts demands greater analytical accuracy from the researcher. This is especially true when explanations that may seem valid for one conflict do not hold when the conflict is studied in relation to other preceding and/or succeeding conflicts over the same resource.

The challenge of providing a consistent explanation of the two forest conflicts considered here indicates that studying the struggle for access and control alone is not sufficient to explain why they emerged, how they unfolded and what their outcome was. It is necessary to complement the analysis with other insights from the field of political ecology.

In some cases, resource conflicts are about more than access and control. In fact, conflicts about environmental resources are often layered and may contain struggles that are 'hidden' (Nijenhuis, 2003, 2013: pp. 49, 232–233) or 'masked' (Peluso and Watts, 2001: p. 6) by the more apparent struggle for access and control. The fact that the struggle for access and control is often the most visible layer of resource conflicts is possibly also the reason why it is the most studied one. Different struggles articulate and become intertwined in resource conflicts and may mean different things to different groups of people at different times. Some of the actors involved might not be keen on having particular struggles being disclosed (Turner, 2004: pp. 870–871, 884), which could add even more to their hidden character.

Various scholars have raised the issue of the layeredness of resource conflicts by exploring what underlies the material struggle over access and control. Turner (2004), for example, shows how farmer-herder conflicts over resources in the Sahel can be better understood by exploring both the materiality of access and control as well as the underlying moral claims of the disputants involved. And Nijenhuis (2003, 2013), who did research in a Malian village, explains how what appeared to be an isolated conflict over land actually turned out to be just one stage of a bigger and long-running struggle for power in the context of decentralization. Nijenhuis' case is close to what my own material on the Naimina Enkiyio Forest conflicts reveals, namely that, apart from a conflict over access and control, there was an important political conflict at play with a longer history, which originally had nothing to do with the forest at all, but which became imbricated with it as new claims on the forest emerged.

Robbins (2004) notes that in political ecology there are two ways that resource conflicts are explained. Some studies highlight the way ecological problems become 'politicized' (Robbins, 2004: p. 173). These are the studies that focus on the access and control layer of the conflict. The other group emphasizes how an existing political issue becomes 'environmentalized' or 'ecologized' (Robbins, 2004: p. 173), which is when the existing political struggle layer is more prominent. In such instances, natural resource conflicts are better understood as reflecting an ecologization of a political conflict. More precisely, they embody pre-existing and long-term conflicts within and/or between social groups or communities that have become 'ecological', in the sense that longstanding power struggles and political differences are newly expressed or reframed as fights over the natural environment (Robbins 2004: pp. 173, 176). When taking a processual and layered view of the Naimina Enkiyio Forest conflicts and exploring their political context in depth, it will become clear that both politicization as well as ecologization were at play and that these two patterns interlocked in dynamic ways.

3. The roots of the Loita leadership divide

The layer of the existing political struggle is the starting point and the main theme running through the analysis. It is therefore important to comprehend where this struggle originated and how tensions in Loita's leadership solidified into a relationship of automatic opposition.

The forest conflicts took shape along an internal line of division in Loita's leadership. On one side, we find 'the Ilkerin group', known by this name in Loita because of the leading role played by employees of the local NGO Ilkerin Loita Integral Development Project (hereafter: the Ilkerin Project). Most Loita leaders belonged to this group. On the other side is a group of leaders that I will call 'the Olorte group',[9] after the home area of the group's key figure. Although individual leaders switched sides as the forest conflicts developed, the two leadership groups remained remarkably consistent in composition and size.

The central person in the Ilkerin group was the Ilkerin Project's late director, henceforth 'the director'. This wealthy, educated Loita Maasai was involved in a long-standing feud with the main leader of the Olorte group. This second leader, also a very wealthy Loita Maasai, was an elected councillor in Narok County Council from 1987 to 1992 and a co-opted councillor in the subsequent 1992–1997 term.[10] I will refer to him as 'the councillor'. It was said that, a long time ago, these two men, who belonged to the same age-set, had been inseparable friends. Over time, they obtained powerful positions and became influential Loita leaders – 'opinion shapers' as one interviewee put it – not only by virtue of becoming a councillor and a director, but also because both men were installed as chiefs of their respective clans.[11] The first clash between the two

[9] The Olorte group includes some outspoken and educated individuals that call themselves the 'Concerned Citizens of Loita' (CCL).

[10] County councils were composed of nominated councillors, who were appointed by the Minister of Local Government, and elected councillors. Sometimes, defeated councillor candidates were 'co-opted' by the elected and nominated councillors into the council to become 'co-opted councillors'. Since 2013, when the new 2010 Constitution of Kenya came into effect, county councils have ceased to exist. In their place are the newly devolved governing bodies called 'county governments'.

[11] I have discussed the intricate connections between the Maasai age-group system, the Maasai clan system and the organization of leadership in Loita elsewhere (see Kronenburg García, 2015).

occurred in the 1980s, at a time when pressure to adjudicate the land in Loita had increased. 'Land adjudication' was part of Kenya's policy of land reform, which sought to turn the semi-arid pastoral lands of the country into clearly demarcated and registered collective holdings known as group ranches (Coldham, 1979; Rutten, 1992: pp. 265–327, Rutten, 2008; Galaty, 1992, 1994; Kimani and Pickard, 1998; Mwangi, 2007a,b). Loita leadership decided to turn Loita into two group ranches. The councillor's home was located in one group ranch and that of the director in the other, and so they became the spokesmen for the respective group ranches. The two men disagreed about the boundary separating the group ranches and, in the end, due to their quarrels, the group ranches never materialized. This was the start of the struggle for power between the director and the councillor, and the story goes that, from this first clash, Loita leadership was divided into two groups: those organized around the councillor and those behind the director.[12] A pattern of opposition developed that years later would also be at play during the forest conflicts: every time either of the two men came up or was associated with a new plan or initiative, whether in the field of development and conservation or pertaining to their position as clan chief, the other group would automatically oppose it, and vice versa. In this context, the forest interventions provided yet another arena for these two men to fight out their long-running personal rivalry over authority and control in Loita.

The quarrel about the group ranches is significant in another way. While land tenure in the rest of Maasailand became formalized, Loita remained unregistered Trust Land.[13] This fact is often interpreted as Loita resistance to formalization and linked to a reputation of being the most traditional of all Maasai sections (LNECTC, 1994: p. 2; Kantai, 2001: p. 41; Karanja et al., 2002: pp. 4, 19, 21; Ngece et al., 2007: p. 178; Péron, 2000: pp. 385–386, 393; Holland, 1996: pp. 7–8, 11–12, 85, 357 n. 1; Kariuki et al., 2016: pp. 122, 134). However, my material suggests that there was indeed a willingness to formally demarcate Loita, but a continued failure to do so due to unresolved boundary disputes, a point also made by Kronenburg (1986: pp. 50–52) and Voshaar (1998: p. 106). Internal conflicts, rather than resistance, seem to account for Loita land's unique status. This pattern, I suggest, also applies for the case of the forest.

4. The Narok County Council conflict

Opposition by one faction to the other's initiative has consistently followed the exclusion of their participation. This section describes how the interplay between exclusion and opposition took shape in the first forest conflict.

In June 1993, Narok County Council announced a plan to gazette the Naimina Enkiyio Forest as a nature reserve. 'Gazettement', i.e. when a notice is published in the *Kenya Gazette*, would accomplish the legal transformation of the forest from a 'Trust Land forest' to a 'nature reserve', after which it would be regarded as a legal government resource. The forest as well as the rest of the land in Loita, was officially Trust Land under state law. Trust Land fell under the jurisdiction of the local authority. Land in Loita was thus vested in Narok County Council and, as the legal trustee, it held the land in trust for the benefit of the Loita until land tenure would be formalized, which could either happen through land adjudication or the setting aside of land by central government or the local authority (i.e. Narok County Council) for public purposes. In the meantime, Trust Land continued to be governed under 'African customary law',[14] which protected Loita customary rights to land to a certain degree and in this way also shielded Loita leaders' control over land and forest, giving them a relatively strong basis from which to deal with the state and other outside actors. Thus, in its attempt to assume legal control of the forest, Narok County Council used the provisions in the Trust Land Act for setting apart land for public purposes. But it also referred to the Local Government Act that empowered them to establish and maintain forests along the lines of game parks, such as the famous Maasai Mara National Reserve. Narok County Council's intention was to acquire legal ownership of the forest and obtain exclusive management rights over it by turning the forest into a reserve for nature conservation and tourism development.

4.1. The Ilkerin group's side of the story

It was said that in early 1992, before the public announcement of Narok County Council's forest plan, the councillor met with Members of Parliament (MPs) for the Narok North and the Narok South constituencies in order to scheme the gazettement of the forest. Of these three men, the MP for the Narok North constituency, a Maasai but from the Purko section called William ole Ntimama,[15] is generally seen as the mastermind of this plan. In Kenya, MPs are powerful politicians, not only because they have a say at national level, but also because they often dominate politics at district level too. Apart from being a MP, ole Ntimama also held the powerful post of Minister of Local Government and, as such, exercised control over all the local authorities in the country, including Narok County Council. In a country where politics is characterized by a system of patron-client networks or neo-patrimonialism, ole Ntimama was considered to be a particularly strong political patron (Péron, 2000; Matter, 2010a,b; Klopp, 2001). Through political patronage, ole Ntimama found massive backing within Narok County Council, which was mostly composed by Purko Maasai councillors. Expecting resistance in Loita, ole Ntimama invited the councillor – the only Loita councillor in Narok County Council at the time – to the above-mentioned meeting and persuaded him to agree to the gazettement plan on behalf of the Loita.

Information about the Narok County Council plan leaked before it was officially announced and reached the ears of the Ilkerin group, who had not been aware of it and they opposed it vehemently. The grounds on which they voiced their protests clearly express the access and control layer of the forest conflict. This is nicely reflected in the booklet written and widely distributed by the Ilkerin group that was used to garner (inter)national support:

> For generations, we the Loita Maasai have protected and conserved our Naimina Enkiyio indigenous forest through our traditions and culture. We are its custodians under African customary law and, as the centre of our spiritual lives and the source of water which maintains our livelihood, the forest is sacred to us. Our future survival and the survival of our children and grandchildren depend upon it. Yet our future and that of the forest is in jeopardy. Narok County Council, one of the richest

[12] Zaal and ole Siloma (2006: pp. 7–8) refer to another conflict: '[I]n the late 1980s, a number of projects were initiated such as a cattle dip and dairy facilities in the sub-centres of the project area. Much of the proceeds of those facilities were kept in the coffers of ILIDP project [the Ilkerin Project]. After allegations that these funds had been misused, there developed a rift between the two individuals and their allies, and it was this rift that was mirrored in the factions in the later Loita Forest conflict.'

[13] With the new constitution, Trust Land has been replaced by the new category of 'Community Land'. The other land categories were Government Land (now Public Land) and Private Land, which retained its name.

[14] Constitution of Kenya, revised edition 2008 (2001), Chapter IX 'Trust Land', Section 115 (2).

[15] Ole Ntimama first entered district politics during the colonial period in 1954 as a councillor on the Narok African District Council (Rutten, 2001: p. 433). In 1974, he became the chairman of Narok County Council (Rutten, 2001: pp. 409, 433). In the 1988 elections, he became MP for Narok North, a position he held until he was defeated in 2013. Later, in 2013, he announced his retirement from politics at the age of 87. He passed away in 2016.

> local authorities in Kenya, wants to turn the forest into a reserve for the development of mass tourism. If the plan goes ahead we will lose access to the forest for our sacred ceremonies and the use of critical water resources in the dry season and times of drought.
>
> (LNECTC, 1994: p. 1).

The concern about losing access and access control over a resource that is key to the Loita Maasai way of life was further justified by referring to what had happened to the Purko Maasai group ranches that neighbour the Maasai Mara National Reserve, which is also managed by Narok County Council. Not only had these Maasai communities lost legal access to pastures inside the park but promises of jobs and revenue sharing had not been kept by Narok County Council. The Ilkerin group used these arguments to win backing from the Loita population, but they also used it to gain support from national and international networks, support groups, NGOs, and some state institutions such as the Kenya Wildlife Service (KWS). Their success in obtaining this support derives from their ingenious and strategic engagement with debates on nature conservation and by tapping into the discourse of 'indigeneity' (Friedman, 2008; Merlan, 2009) to conform to the 'indigenous slot' (Li, 2000; Karlsson, 2003),[16] as is evident from the quote above.

The Ilkerin group leaders took their protests to the authorities at district, provincial and national level, including to then President Moi, but to no avail. Following legal advice, they set up a company in December 1992 in the form of a trust called the Loita Naimina Enkiyio Conservation Trust Company (hereafter the Trust Company) through which they could attract funding and stage a legal fight against the gazetting of the forest. The Trust Company was seen as the best option available at the time to legally represent the interests of the Loita population regarding the forest. Its main objective was to secure legal ownership of the forest to prevent the County Council and others from appropriating the forest in the future. The Trust Company was run by nine Loita leaders, all from the Ilkerin faction, including the director, who acted as the trustees. Membership was defined as 'all *bona fide* residents of the administrative Loita location,'[17]; which, at that time, was estimated at being about 15,000. By including all Kenyan Loita Maasai as members of the Trust Company, it was believed that collective Loita Maasai ownership of the Naimina Enkiyio Forest could be legally achieved and a title deed would be obtained.

4.2. The Olorte group's side of the story

When talking about the Narok County Council conflict, supporters of the Olorte group tended to emphasize the layer of the existing political struggle, rather than the access and control layer. They claimed that the forest conflict was part of a deliberate campaign by the director and his group to discredit the councillor in the run-up to the December 1992 elections (which he indeed lost), so as to diminish his power in Loita. The campaign against the councillor hinged on the idea that he was 'selling the forest', as one member of the Olorte group explained, through a letter that he had allegedly drafted. The supposed letter stated that the Loita had agreed to the gazettement plan and it was to serve as proof that the Loita had been consulted on the Narok County Council plan, a requirement stipulated in the Trust Land Act when local authorities want to set aside land. The Olorte group, however, insisted that the whole campaign was based on groundless rumours and that no such letter existed.

They also insist that Narok County Council only became involved in the fight when their authority as legal trustee over the forest was being challenged by the formation of the Trust Company, hence the suggestion that the Ilkerin group had actually provoked the whole conflict. The Narok County Council's forest plan was a reaction to the Trust Company and a way of reaffirming their authority over the forest. According to the councillor, the Trust Company actually intended 'to give' the job of forest conservation to the KWS. His side of the story emphasizes that it was the KWS (and not the County Council) that wanted to take control of the forest. The KWS, the Trust Company and the Ilkerin people (and not himself, ole Ntimama and Narok County Council) were the ones planning the disappropriation of the forest from the Loita. Thus, in the Olorte faction's view, forest gazettement was designed as a way of countering this disappropriation.

As mentioned earlier, the councillor lost his seat in the 1992 elections. The winner belonged to the Ilkerin faction and so this new councillor became the only councillor in Narok County Council to oppose the gazettement plan. The Olorte group, however, did not blame this new councillor for the councillor's defeat, but believed it was a result of the director's political manoeuvring. The personal vendetta between the councillor and the director, and not the forest, was, according to the Olorte group, the main motivation behind this political attack. The defeated councillor was, however, able to get back onto the County Council via the back door as a co-opted councillor, thanks to the influence of the other councillors who wanted the Narok County Council's forest plan to succeed and needed his support for this.

4.3. Choosing sides

Opinions in Loita were divided regarding Narok County Council's proposal to turn the forest into a nature reserve. Although the majority opposed it and stood behind the Ilkerin group's active opposition, a small group of Loita Maasai supported the Olorte group and the County Council's plan. An important observation can be made at this juncture: the Loita Maasai, including the Loita Maasai leadership, *and* the County Council were divided, with alliances cross-cutting the local and district levels. While the majority of the Loita joined the Ilkerin group and the newly elected Loita councillor in their opposition to the Narok County Council plan, the councillor (now a co-opted councillor), together with the Olorte group and a small group of Loita followers, sided with the majority of the Narok County Councillors who were proponents of the plan.

On what grounds did people in Loita choose sides? Schlee (2004), who studied resource conflicts among pastoral groups in southern Ethiopia and northern Kenya argues that choosing sides in conflict situations is often done on the basis of a common identity, which is flexible and accommodating but at the same time constrained by social structures, such as ethnic affiliation and clanship. The nature of the forest conflicts in Loita is a bit different from the sort of resource conflicts that Schlee analysed, in the sense that the forest conflicts were not only local, but also involved state actors and international organizations. But when it comes to the local dynamics, there are indeed some parallels with Schlee's cases. There were various lines of identification that played a role in the way people chose sides and clanship was the most conspicuous one: there was a tendency for people from the same clan and moiety as the councillor and director (though by no means all) to support one or the other out of loyalty because they were their clan chiefs.

Identity shaped the way people took sides to a certain extent, but there was more to it. The determining factor seems to have been

[16] The Ilkerin group actively participated in the second session of the Intergovernmental Committee on the Convention of Biological Diversity at Nairobi in 1994 and in 1995 at a UN Working Group on Indigenous Populations in Geneva (Péron, 2000: pp. 396–401; Karanja et al., 2002: p. 11; Ole Siloma and Zaal, 2005: p. 276). According to Péron (2000, 2003), ole Ntimama, on hearing of the Ilkerin group going to the conference in Geneva, hastily sent a delegation of 24 Maasai leaders, including three Narok County Councillors, to counteract the efforts of the Ilkerin group.

[17] Republic of Kenya in the High Court of Kenya at Nairobi, Miscellaneous Civil Application No. 361 of 1994: 'Statement' 6 (l): 1.

the way the Narok County Council plan came to be understood in Loita. The belief that 'the County Council was trying to snatch the forest,' as one interviewee put it, was widely shared in Loita. The gazettement plan was often described as a way of 'taking away' the forest from the Loita. It was thought that if the County Council succeeded, the Loita would 'lose their say' over the forest and this could endanger their long-held access to the forest. In this understanding, the councillor and the Olorte group were seen as those who were 'selling the forest'. For the common people in Loita, the forest conflicts primarily reflected a struggle to maintain access and control: there was a genuine fear of not being able to continue using the forest as they had always done – this would seriously threaten the continuity of their agropastoral and cultural way of life.[18] We have already seen that this was the way the Ilkerin group described the Narok County Council plan in their booklet. In fact, when probing more deeply, it turned out that most people in Loita had found out about the County Council's intentions through the director and the Ilkerin faction. The latter had been quite successful in raising funds for the Trust Company, which were used for the court case (see below) but also for a 'sensitization' campaign in Loita[19]: workshops and public meetings were organized to 'educate' the community, and printed shirts and cassettes with songs about the forest struggle were distributed. The Olorte group considered all this to be 'brainwashing', but the discourse on losing the forest, and with it all its benefits, touched a sensitive nerve and was widely adopted in Loita. Therefore, the Ilkerin group, which was at the forefront of this fight, enjoyed massive support from the wider Loita community.

4.4. *The unfolding of the first forest conflict: the court case and electoral politics*

Having co-opted the councillor into the County Council, efforts were made to exclude the newly elected Loita councillor from important County Council meetings where the issue of the forest was being decided on (Péron, 2000: p. 391). Public protests continued to be ignored and a final resolution by Narok County Council was passed in November 1993 confirming their forest plan. In reaction, a case was filed by the Trust Company (i.e. all 15,000 *bona fide* residents) and six Loita leaders (all from the Ilkerin group) at the Kenyan High Court. They sued Narok County Council and sought to block the resolutions taken by them on the grounds that the gazettement plan was made without proper prior consultation or communication with the Loita. But they also sued ole Ntimama in his capacity as Minister for Local Government to prevent him from approving the plan. The case was heard twice in 1996 and once in 1998 after which it was adjourned indefinitely (Karanja et al., 2002: p. 10).

The court case hearings happened around the 1997 elections, the results of which would influence the way the Narok County Council conflict would develop. The elections resulted in a reorganization of power relations at district level that worked to the advantage of the Ilkerin group and determined the court case.[20] Although ole Ntimama was re-elected MP for Narok North, he was not reappointed to the Ministry of Local Government and thus lost his official and powerful link with Narok County Council. Many of his political clients and allies in Narok District also lost their political positions, which reduced his hegemony even further. The MP seat for Narok South, which covers Loita, was won by a new politician called Stephen ole Ntutu, also a Purko Maasai, who defeated an ally of ole Ntimama. The Ilkerin group had visited ole Ntutu prior to the elections to express their political support. Ole Ntutu, in turn, backed the Ilkerin group in the forest conflicts and, as a result, he got the Loita vote (Rutten, 2001: p. 424). A second observation can be made here: Purko leadership, like Loita leadership, was also divided on the forest issue.

Another setback for ole Ntimama was that the composition of Narok County Council itself changed. New electoral wards were created in Narok South constituency to total 25, which outnumbered the 17 wards in Narok North where ole Ntimama sat (Rutten, 2001: p. 438 n. 42). In Loita too, the number of wards increased from one to five. This increase was the result of a visit by the Ilkerin group to President Moi to complain about Loita's marginal political position.[21] As a result, Loita representation on Narok County Council became greater. There were now five elected Loita councillors on the 55-member-strong Narok County Council, including nominated and co-opted councillors (Karanja et al., 2002: p. 16), about 38 of whom were Purko. It may seem an insignificant Loita victory but, ultimately, it would seriously affect ole Ntimama's influence on the County Council.

The forest issue was a major topic during the electoral campaigns in Loita, with some aspirant councillors voicing the position of the Olorte faction and others that of the Ilkerin group. The Ilkerin Project supported the campaigns of the pro-Ilkerin group councillors with resources, such as transport (Zaal and Adano, 2012: p. 204); consequently, they all won the 1997 elections. One of the new councillors was a young man who had studied in the UK and who was the coordinator of the Trust Company as well as a former Ilkerin Project employee. This new councillor became the chairman of Narok County Council, which is the most powerful position in a county council. He defeated a Purko contender, an ally of ole Ntimama, with the support of councillors representing other minority groups in Narok, such as the Keekonyokie Maasai, Damat Maasai and the Kipsigis. It was the first time that a Loita Maasai – or any non-Purko for that matter – had been chairman of Narok County Council. This political victory 'was the beginning of the end for the [conflict with] County Council,' as he put it. In his time as chairman and by making clever use of his new powers, the County Council officially rescinded its earlier decision to gazette the forest, opted for an out-of-court settlement with the Trust Company that was signed in 2002 and supported the newly evolving forest management project under IUCN. This brought closure to the Narok County Council conflict.

The strategies of opposition by the Ilkerin group bore fruit. The lengthy court case made it possible for the Ilkerin faction to influence district politics in the run-up to the December 1997 elections: through their efforts there was an increase in the number of Loita councillors in Narok County Council, they influenced the election of pro-Ilkerin group councillors and sought support for their cause with a new MP contender in exchange for votes. The changed political constellation in the district after the elections and especially the infiltration of Loita politicians onto the Purko-dominated County Council turned out to be decisive in their victory to prevent the Narok County Council plan from happening. To date, the Naimina Enkiyio Forest remains one of the last ungazetted Trust/Community Land forests in Kenya.

Resorting to state law and engaging in electoral politics might have determined the unfolding of the first forest conflict, but this would not have succeeded without the widespread popular support that the Ilkerin group received in their fight against the gazettement

[18] For a detailed description of Loita Maasai forest use, meaning and access rules, see Kronenburg García, 2003 (Ch. 4 & 5) and 2015 (pp. 163–165). See Maundu et al. (2001: pp. 17–24, 35–54) for an extensive list of plant uses. See also Legilisho-Kiyiapi (1999: pp. 65–68).

[19] Dutch development aid came from Cordaid and DGIS.

[20] See Rutten (2001) for a review of the 1997 elections in Maasailand.

[21] This visit also brought about the administrative upgrade of Loita Location into Loita Division.

plan. We have seen how local, national and international support was secured by emphasizing the access and control layer of the conflict. International funding was important for financing the court case and the argument of 'losing the forest', which strongly resonated with the larger Loita population, was the basis in which local resistance was mobilized.

5. The IUCN conflict

A few years later, in 2004 and 2005, a new conflict broke out, but in this next round there was an interesting inversion of roles. The Ilkerin group, which had been so successful in organizing resistance during the first forest conflict, now partnered with an outside actor in a new forest project and would find itself on the receiving end of (violent) opposition, including by many Loita Maasai who had previously supported them. This time, the Olorte group and their outside allies would lead the resistance against this new forest intervention.

IUCN appeared on the scene as a supporter of the Ilkerin group in their fight against the County Council as early as 1993. It presented itself as an expert institution in modern conservation practices. Later, the Ilkerin group invited IUCN to assist in the development of a forest management plan. This eventually resulted in a project that was officially called the Loita Forest Integrated Conservation and Management Project, but was informally known in Loita as 'the IUCN project'. The IUCN project was planned as a project with two phases. The first was a one-year preparatory phase that was carried out in 1998–1999. It was funded by Bilance (formerly Cebemo and now Cordaid), a long-term Dutch development donor of the Ilkerin Project. IUCN commissioned a number of short-term studies and also mediated and facilitated a participatory planning process involving the majority of the stakeholders (including Narok County Council that was now under the chairmanship of a Loita councillor) in order to develop a management structure for the forest. Phase 2 was planned as the implementation phase. There would be the formulation of a long-term management plan for the forest and the development of an effective institutional structure and mechanism to implement it. After this three-year project, a sustainable and community-based forest management structure would be in place and IUCN would withdraw. However, the second phase of the IUCN project never took off. Even though IUCN was invited by the Ilkerin group and despite its role in bringing the different players in the conflict together to find common ground and its commitment to ensure local community participation in a joint management body (Maundu et al., 2001: pp. 4, 31), resistance to the project had mounted by the time the second phase of the project was due to be implemented.

5.1. The unfolding of the second forest conflict: the Purko Maasai factor

People in Loita had initially welcomed IUCN and applauded its participatory and transparent method of working. In 2001, during my MA fieldwork, there were no signs of opposition to the IUCN project. But shortly after the 2002 out-of-court settlement between the Trust Company and Narok County Council, the tide of opinion started to change. Why did this happen?

One of the terms of the out-of-court agreement with Narok County Council was that the IUCN project would incorporate and acknowledge the stake of the Purko Maasai families living in the north of the administrative Loita Division (formerly Loita Location, now Loita Ward) on the edge of the forest.[22] This used to be Loita territory, but over the years had become settled by Purko families. Purko's success in pushing the Loita from their land has been an issue between the two groups ever since the Purko arrived in the area after they themselves had lost land to white settlers during the early colonial period (Waller, 1990; Lamprey and Waller, 1990; Rutten, 1992; Hughes, 2006). This explains the currently tense relationship between these two Maasai sections, especially when it comes to land and other natural resources. The Purko who had settled next to the forest also claimed its northern tip, especially as they started to become acquainted with tourism and realized the forest's potential for this. In 1984, some Purko individuals successfully applied to Narok County Council to be allocated 22 ha of forest land for a campsite. Later, they entered into a lucrative agreement with a tour company that leased the campsite and from which they earned US$ 8100 a year (Karanja et al., 2002: p. 12; Ole Siloma and Zaal, 2005: p. 272; Shelley and Lempaka, 1999: p. 24). Constituting only 1% of the population in Loita Division, the Purko in the north benefited from 60% of the area's total tourist revenues (Shelley and Lempaka, 1999: p. 8; Karanja et al., 2002: pp. 12, 17). This inequitable distribution of benefits has been another source of contention between the Purko and Loita (Karanja et al., 2002: p. 17).

During the first forest conflict, these Purko families had been on the side of the Olorte group. They had been wary of the Trust Company and its definition of membership because '*bona fide* residents' carried the connotation of 'real' or 'genuine' and the general sentiment in Loita was that they were not 'real' and 'genuine' residents but encroachers, and were therefore not entitled to a stake in the forest. But in response to the out-of-court settlement, they were now being invited by the Ilkerin group to IUCN project meetings (Karanja et al., 2002: p. 14). These Purko families switched sides from supporting the Olorte group to supporting the Ilkerin group.

The invitation of these particular Purko families was done under the patronage of the new Narok South MP ole Ntutu. For ole Ntimama, this implied that he was being cut out of any involvement with the forest. With all his links to Loita cut (the councillor retired from council politics, the Narok South MP ally defeated and the Purko living in Loita Division siding with the Ilkerin group), ole Ntimama lost his political foothold in Loita, which deprived him of any future benefits that might flow from the forest project. At district level, this translated into a fierce fight for political power between ole Ntimama and ole Ntutu (Ngece et al., 2007: p. 179; see also Matter, 2010b: p. 241).

Apart from ole Ntimama, the councillor and his entourage in Loita were also being side-lined from the IUCN project. The Olorte faction felt that they were being left out of the proposed management body in favour of people who were pro-Ilkerin. They observed how members of the Ilkerin group were positioning themselves for the jobs that would be opened up by the IUCN project. In reaction to this exclusion, the Olorte group and ole Ntimama reinvigorated their alliance and started to mobilize people into opposition.

The Olorte group started campaigning vigorously against the IUCN project in Loita and they did so by employing exactly the same discourse on losing the forest as the Ilkerin group had used during the Narok County Council conflict. Their strategy was also the same: they pointed to a previous negative Maasai experience with IUCN – just like the Ilkerin group had done by highlighting

[22] This is evident in the way IUCN staff and consultants started to write about the forest and the project. While previously the forest was referred to as the 'Loita Forest' (for example Shelley and Lempaka, 1999), it was now consistently being referred to with the more impartial 'Loita/Purko Naimina Enkiyio Forest' (see for example Karanja et al., 2002). The name of the project was also adapted and became the 'Loita/Purko Naimina Enkiyio Forest Integrated Conservation and Development Project' (L/PNEFICDP, undated). See also 'Letter to the editor': https://www.culturalsurvival.org/news/letter-editor-iucn-loitapurko-naimina-enkiyio-forest accessed 13/10/15.

the problems with the Narok County Council in the Maasai Mara National Reserve. IUCN's involvement in the Ngorongoro Conservation Area in Tanzania in the 1980s and 1990s (McCabe et al., 1992) was used as an example of what could be expected in Loita. Since the demarcation of the Ngorongoro Conservation Area, the local Kisongo Maasai have been restricted in their use of fire (Maasai burn grasslands to stimulate the growth of new grass after rainfall), they have been prohibited from settling in certain areas, have experienced periodic bans on cultivation and have lost access to grazing areas and watering places (in some cases allowed under permit) including crucial dry-season forest refuges (Homewood and Rodgers, 1984; McCabe et al., 1992, McCabe, 1997: 58). Indeed, the relationship between the Kisongo and the conservation area's authorities has been characterized by mutual mistrust and conflict (Homewood and Rodgers, 1984; McCabe et al., 1992; McCabe, 1997, 2003). These problems made people in Loita fear that they would experience the same fate as the Kisongo. The studies commissioned by IUCN during phase 1 of the IUCN project seemed to confirm these fears as they recommended similar measures be taken with regard to the Naimina Enkiyio Forest, which were later incorporated in the project proposal for Phase 2. These included: forest-use zoning with varying degrees of access, a wildlife sanctuary to the exclusion of people, boundary identification to control forest extraction, settlement and cultivation encroachment as well as possible settlement eviction (Shelley and Lempaka, 1999; Legilisho-Kiyiapi, 1999). The most controversial issue was the demarcation of the boundary of the forest, as tentatively suggested by IUCN, because it implied that those families living in it would need to relocate. Resistance in Loita started to build against IUCN.

The implications of the proposed forest management plan for Loita's access in connection with IUCN's history in the Ngorongoro project were widely discussed in press interviews, public meetings and demonstrations by the Olorte group, and were subsequently taken up by the media. The Olorte group warned that, even if IUCN left after the three-year project, Loita control of the forest would be lost forever, with the state possibly stepping in and taking over the management functions.

Since IUCN had come in through the Ilkerin group, suspicion extended to them as well, even though most people in Loita had supported the Ilkerin group during the Narok County Council conflict. The popularity of the Ilkerin Project had declined after the charismatic and popular director passed away in September 1999 and accusations of financial mismanagement were increasingly being voiced. Very much like the Olorte group had experienced before, people soon started to accuse the Ilkerin group of being involved in 'selling' the forest to IUCN.[23] There was even a price tag circulating – the US$ 2.56 million made available by the EU for the project.

Apart from the rallies that were held in Loita by the Olorte group against the IUCN project and the Ilkerin group, there were also joint Loita-Purko demonstrations in Narok town, with one even attracting 1000 demonstrators. Ole Ntimama, who is known for using inflammatory tribal speech (Rutten, 2001: pp. 413–416; Matter, 2010a: pp. 77–78, Matter, 2010b), led aggressive rallies in Purko centres neighbouring Loita, where he denounced the partial inclusion of the Purko in the IUCN project, branding it a deliberate Loita strategy to divide the Purko. He thus capitalized on long-standing Loita-Purko feelings of animosity to get Purko support, adding a sub-ethnic dimension to the IUCN conflict. A third observation can be made here: the Purko population was also divided with those living in the north of Loita Division siding with their patron ole Ntutu and supporting the IUCN project and other Purko communities following ole Ntimama against the IUCN project.

A meeting to solve the issue was organized by provincial authorities in June 2004 and was supposed to bring together IUCN staff and the opposition. After it was aborted, an angry mostly Purko, but also Loita crowd headed to the Ilkerin Project where the IUCN headquarters were housed. Eyewitnesses claim that the anti-IUCN group had been armed with bows and poisoned arrows and carried petrol cans to set the buildings on fire. The intention was to burn the whole Ilkerin Project down. This attack was thus not only directed at IUCN, but also at the Ilkerin group. It is also said that project staff, in anticipation of clashes, had called the police and some of them were carrying firearms to defend themselves. These preparations on both sides clearly ignited the threat of physical violence. Interviewees said that as the crowd stormed the project, policemen fired, killing one person and injuring another. A major clash was prevented but the damage to the IUCN project had been done. The state intervened and the project was halted on security grounds following the incident. Final attempts by IUCN to solve the issue culminated in a consensus-building gathering in Naivasha that, initially, appeared successful.[24] However, when IUCN wanted to resume the project in 2005, conflicts broke out again and IUCN pulled out permanently.

The IUCN conflict shows a remarkable similarity with the Narok County Council conflict. Not only is it structurally the same and did it have identical endings, but also actors' strategies were very much alike. The difference is, of course, that the two factions effectively changed sides, and that in the second conflict the Purko Maasai factor, rather than Kenya's legal system and districts politics, greatly influenced the way the conflict developed and concluded.

6. The politics of resistance by a fractured leadership

At the end of the story, neither the Narok County Council gazettement plan, nor the IUCN co-management project were implemented and this can be seen as a result of the successful way in which resistance to these forest interventions was mobilized. And therefore, as it turns out, the Loita Maasai did not lose access and control of the forest. This is quite exceptional, given that, since the colonial period, similar interventions in other parts of Maasailand and Kenya eventually led to local people being excluded from forest areas they had previously benefited from for their livelihoods. The case of the Loita Maasai speaks to the imagination and the outcome of the Naimina Enkiyio Forest conflicts is prone to being interpreted as the extraordinary defeat of powerful state and international actors by a cohesive indigenous community. It would be in line with the way scholars, activists and the media have generally described first the Narok County Council conflict and then the IUCN conflict. The problem is that such an interpretation assumes that the Loita Maasai are homogeneous and have common interests. Ideas like this are 'attractive' (Agrawal and Gibson, 1999: p. 633), 'powerful' (Agrawal and Gibson, 1999: p. 633) and 'charismatic' (Tsing, 2005: p. 265) but, as Agrawal and Gibson have shown, they hold an uncritical and problematic conception of 'community' that 'ignore[s] the critical interests and processes within communities, and between communities and other social actors' (1999: p. 633). Indeed, on closer scrutiny and when considering the two conflicts in relation to each other, a different picture emerges that not only unsettles the portrayal of the Loita Maasai as unified and homogeneous, but shows that the fact that the Loita Maasai maintain access

[23] See 'Letter to the editor': https://www.culturalsurvival.org/news/letter-editor-iucn-loitapurko-naimina-enkiyio-forest accessed 13/10/15) for a response from IUCN to these allegations: 'IUCN does not buy or own, nor does it intend to own, land or ecosystems of any nature, including that of the Loita/Purko Naimina Enkiyio forest'.

[24] Letter to the editor': https://www.culturalsurvival.org/news/letter-editor-iucn-loitapurko-naimina-enkiyio-forest accessed 13/10/15.

and control was not really a result of a struggle to keep outsiders away, but a result of how internal struggles for power played out.

A closer look at the principal actors involved in the conflicts reveals that the Loita Maasai were not united but divided with regard to the forest interventions, and that the line of fracture ran along an existing rift in Loita's leadership. Focusing on this cleavage and the ongoing struggle for power between the two factions, it becomes clear that leaders played a central role during the forest conflicts, as the two groups actively formed outside alliances and sought support locally to strengthen their position. An examination of how they engaged in forging alliances with powerful outsiders revealed that some of these external groups and institutions, such as the Narok County Council, the Purko Maasai and the Purko Maasai leadership, which initially also seemed united and homogeneous, came to disagree about the forest issue as well and were thus also divided. This article has demonstrated that the Naimina Enkiyio Forest conflicts cannot simply be portrayed as a fight of locals versus outsiders. Rather, the line of conflict cut across 'locals' and 'outsiders' and hinged on a split in Loita's leadership organized around the Ilkerin group on the one hand and the Olorte group on the other.

An explanation for the (re-) emergence, the course and the outcome of the forest conflicts must be sought in the role that Loita leadership played and the strategies they employed. Two dynamic factors that were present in both conflicts clarify this role. The first one concerns the interplay between exclusion and opposition that has characterized the relationship between the two factions, so that the initiative of one faction (whether in alliance with outside actors or not) automatically meant the exclusion of the other and therefore its opposition to it regardless of the nature of the initiative and what it would mean for the Loita. This pattern started to take form when the director and the councillor first fell out long time ago and, becoming more rigid over the years, has come to define the existing political struggle layer of the forest conflicts. Thus, in the context of the Narok County Council forest plan that was developed by ole Ntimama, the Narok South MP and the councillor, the Ilkerin group's natural reaction was to oppose it in reaction to their exclusion from it. And so too, when the Olorte group realized they were being excluded from participating in the IUCN project, they reinvigorated their alliance with ole Ntimama to oppose it. The point is that for the Loita leadership, opposition was not so much about the threat of losing access and control of the forest to outsiders. After all, each faction had been associated with one or the other outside actor. Instead, what bothered them most was that they were being excluded from the forest interventions and risked losing benefits and power vis-à-vis the other faction if the plans went ahead. At the same time, the forest conflicts offered a useful podium for leaders to exercise authority and reaffirm their leadership positions in relation to their followers, to outsiders and to each other. In a way, then, leadership was constituted and transformed through the forest conflicts.

The second factor refers to the way opposition was mobilized, first by one faction and then by the other. Van Leeuwen and van der Haar (2016) point to the important role that the 'framing' of the conflict plays in the mobilization of people. 'Framing' is about how resource-related conflicts are labelled and also about 'the ways in which different contentious issues get discursively connected' (Van Leeuwen and van der Haar 2016: p. 102). To garner support from the wider Loita population, leaders employed – quite successfully – the discourse of access and control. It is very striking to observe that both the Ilkerin group and the Olorte group utilized the same language on access and control and methods to rally people into opposition. Thus, the Ilkerin faction convinced the wider Loita Maasai population to resist the Narok County Council plan by pointing to what had happened to the Purko Maasai neighbouring the Maasai Mara National Reserve. Conversely, the Olorte faction persuaded the majority of Loita Maasai to oppose the IUCN project by warning that they would experience the same fate as the Kisongo Maasai from the Ngorongoro area in Tanzania. In the case of the former, donor money had been instrumental in funding the Ilkerin group's campaign of mobilization and, in the case of the latter, it was ole Ntimama's help to involve the Purko that bolstered the Olorte group's opposition. Thus, the discourse of access and control was instrumental for mobilizing the wider Loita community into opposition, but also for securing outside support and funding. For the common Loita Maasai there was no contradiction in their actions. In both cases, they understood their fight to be over access and control, even if this meant supporting first one and then the other Loita leadership faction against the other's agenda. The Naimina Enkiyio Forest is, after all, a significant resource to fight over and this explains why the conflicts took such a virulent form.

The way the forest conflicts evolved was not unavoidable and could have had a different ending. The first conflict could have ended in Narok County Council taking over the management of the forest and introducing new rules of access and use had the forest gazettement plan not been leaked at a fairly early stage, or if ole Ntimama's allies had not lost the 1997 elections in such great numbers. And if the Olorte group had not been excluded from the IUCN project there would have been no need to mobilize resistance against it. If the IUCN project had gone ahead, then the Loita would have had to share control as 'co-managers' and 'biodiversity conservation' would have become a key criterion of access.

As it stands, however, the motives and actions of Loita's two main leadership factions, involved as they were in a longstanding struggle for power and authority, not only shaped the (re) occurrence and further development of the forest conflicts, but also its ultimate outcome. The pattern of exclusion and opposition long present in the relationship between the Ilkerin group and the Olorte group re-emerged in full force in the context of the forest interventions explaining how this longstanding political conflict came to express itself in the forest conflicts. The struggle for power took precedence over access and control and the ultimate failure of both the Narok County Council forest plan and the IUCN project springs from the successful mobilization of the wider community into resistance by first one and then the other faction. Thus, the antagonism between the two leadership factions in Loita ultimately stood at the root of both the (re-) emergence and the ultimate outcome of the forest conflicts. Therefore, the fact that the Loita Maasai maintain access and control over the forest is best understood as an accidental – though in retrospect highly auspicious – by-product of the way an existing political struggle in Loita's leadership played out.

7. Conclusion

Fortmann's (1990) case of a recurring conflict raises an interesting analytical issue for the inquisitive researcher. When a resource conflict is followed or preceded by one or more conflicts over the same resource, careful analysis is required, because this reoccurrence may challenge the interpretation of either of the conflicts when considered on their own. In the same vein, the analysis of the Naimina Enkiyio Forest conflicts presented in this article demonstrates that the interpretations of the two conflicts that had been put forward by outside observers considering them separately, did not hold when the two conflicts were considered in relation to each other. Apart from unsettling well-established interpretations, this article offers an additional insight that is relevant to the political ecology of natural resource conflicts more in general. To understand the recurring nature of the forest conflicts, it was necessary to highlight a somewhat covert layer of the conflicts – the existing political struggle – that had been overlooked in earlier interpretations. This was done without dismissing the more obvious access and con-

trol layer of the conflict, but instead showed how the two layers, meaningful to different groups of people, were both present in the conflicts and interacted in dynamic ways. Though focusing on the two layers, the article also briefly discussed other layers simmering under the surface of the conflict, such as the ongoing territorial struggle between the Loita and the Purko Maasai, electoral politics and tensions between clans. The layeredness of resource conflicts and particularly the 'hidden' or 'masked' character of some layers behind the more apparent struggle for access and control has already been noted by a number of scholars (Nijenhuis, 2003, 2013; Peluso and Watts, 2001; Turner, 2004). But what the study of the Naimina Enkiyio Forest conflicts suggests is that cases of recurring resource conflicts in particular are very appropriate to explore the layeredness of natural resource conflicts. Above all, recurring resource conflicts seem especially fit for uncovering the more elusive layers of resource conflicts that easily go unnoticed when they are studied on their own.

The contribution that this article seeks to make to the political ecology of resource conflicts, may also be relevant for the political ecology of conservation interventions. Conservation interventions, as political ecologists have shown (e.g. Fairhead et al., 2012), seek to secure control over resources for environmental ends, and therefore clearly imply a redistribution of access and control that may lead to conflicts and struggles. The case of the Naimina Enkiyio Forest conflicts shows, however, that conflicts may emerge not primarily because what conservation implies in terms of access and control but more as a result of how existing political struggles become 'ecologized' (Robbins, 2004). The case of IUCN is instructive: IUCN became a part of the conflict, despite its intense wish to stay apart from it. IUCN's involvement was deeply political from the very start: they had supported one faction during the first conflict (perhaps unwittingly – at least initially) and later worked closely with the same faction in setting up the co-management project. In the process, they bolstered this faction's political position vis-à-vis that of the other faction, despite IUCN's efforts at ensuring participation and equity. We saw how opposition spread in earnest only when the latter faction realized its exclusion and started to frame the intervention in terms of access and control, which is when the conflict escalated and led to IUCN's exit. The point is that conservation interventions, like other governmental interventions that seek to improve things, articulate or intersect with other processes and struggles and may produce 'messy consequences' (Li, 2007a: p. 28). This dynamic is thus not particular to conservation interventions but applies to any intervention. The earlier dispute about the group ranches, touched upon briefly in section three, reinforces this point as it shows that the land adjudication programme too became embroiled in the political struggle and had a surprisingly similar outcome to the forest interventions: due to the quarrels within Loita's leadership the programme was never implemented in Loita. Thus, IUCN became entangled in a longer-running dynamic that was not really about conservation or access and control to resources, but rather a struggle for power and authority that rekindled each time outside intervention impacted the land of the Loita Maasai.

Acknowledgements

Thanks to Han van Dijk, Sabine Luning, Marlous van den Akker, Iva Peŝa and two anonymous reviewers for their insightful and helpful comments during the preparation of this article, and to Lenaai ole Mowuo for his indispensable research assistance during fieldwork.

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