

Empowering Communities to Manage Natural Resources: Case Studies from Southern Africa

Compiled by

Sheona Shackelton and Bruce Campbell

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PREFACE

Background to the power relations study

This report consists of a series of individual country papers prepared for a study on devolution, community empowerment and power relations in community-based natural resource management (CBNRM) during 1999.

Case studies were undertaken in eight southern/eastern African countries, namely: Botswana, Lesotho, Malawi, Namibia, Zambia, Zimbabwe, South Africa (two separate studies) and Tanzania. These studies drew mainly on existing literature and the direct experiences of authors in CBNRM initiatives in their own countries. Each paper was structured under a common framework using standardized headings. Limited fieldwork was carried out in some countries.

The case studies cover a diversity of sectors from wildlife management to range and forest management, and describe both co-management and common property arrangements. For example, the Namibia, Zimbabwe, Zambia, Botswana and South African (Makuleke) cases focus on wildlife management on communal land. In the case of the Makuleke, this is state land that the community has recently regained ownership over through a land restitution claim. In Malawi, Zimbabwe and Tanzania the case studies address forestry management on both state and customary land, whilst the Lesotho case study concentrates on issues related to rangeland management in communal areas. Most of the studies focus on what are frequently termed “imposed” CBNRM initiatives driven by specific sectoral and donor objectives and programmes, whereas the Fish River case study in South Africa describes the status quo in an area where there has been no direct CBNRM intervention.

The overarching objectives of the power relations study were to investigate and evaluate the loci of power within different models of CBNRM, to understand the incentive systems that define who controls what resources and under what conditions, and to draw out lessons and recommendations to inform policy makers and practitioners concerned with the equitable and sustainable implementation of CBNRM initiatives.

The key questions the study attempted to address were:

- Are the approaches to CBNRM in the selected southern African countries truly community-based in that decision-making and regulation resides with local resource users or rights holders, and the benefits of resource management accrue back to the local community? If not, where does control lie, and what are the institutional arrangements and other factors which have contributed to this imbalance in power and blocked the achievement of devolution to a local level?
- What are the lesson learnt from the different case studies in terms of shifting the balance of power to ensure more equitable CBNRM?

Within this context, each country paper investigated devolution and power relations issues within selected CBNRM case studies. The papers examined:

- The extent to which policy and legislation devolves significant control over decision-making and benefit flows directly to communities and community institutions,
- The relationships between the community institutions and external institutions such as local authority structures, NGOs, donor agencies, and the private sector,
- The power and legitimacy of these different structures; and lastly
- The relationships between different groups and individuals within the community and the conflict that has emerged over CBNRM issues.

The country case studies were put together by a number of authors including Brian Jones and Alfons Mosimane; Conrad Steenkamp and Jana Urh; Michelle Cocks; Sissie Matela and Ntale Ntale; Evaristo Kapungwe; Nico Rozemeijer and Corjan van der Jagt; Bruce Campbell, Nontokozi Nemarundwe, and Bevyline Sithole; George Kajembe and Gerald Monela, and Dennis Kayambazinthu.

Bruce Campbell, Institute of Environmental Studies, University of Zimbabwe and Sheona Shackleton, CSIR, Pretoria were responsible for designing and coordinating the study and compiling this report. In addition, an integrated paper which attempts to interpret, analyse and compare the results from the individual case studies is being prepared.

COMMUNITY BASED NATURAL RESOURCES MANAGEMENT (CBNRM) IN BOTSWANA:

HOW COMMUNITY BASED IS CBNRM IN BOTSWANA?

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ABSTRACT

The paper addresses: 1) how the power relations between all stakeholders involved shape the community based natural resources management approach in Botswana, 2) to what extent the decision-making and regulation reside with the local resource users and, 3) how much of the benefits of resources management accrue to the local community. The CBNRM-related policy framework is discussed in the context of the gradual development of the Botswana approach. Another section explores the institutional context of decentralised natural resources management: the role and the interests of the central government and the local authorities, both modern and traditional. Most of the CBOs involved in CBNRM are legally registered entities such as trusts and have been allocated far-reaching management responsibilities. An example of such a trust (the Nqwaa Khobee Xeya Trust in KD 1 in Kgalagadi district) is subsequently described. A following section explains the roles and interests of the other stakeholders who are involved in CBNRM: the private sector and the NGOs. It is argued that the preconditions for a successful CBNRM approach in Botswana have been met, but that a true community based project needs to accommodate the interests of all local resources users within the community in terms of participating in the decision-making and benefit sharing. How much power do local organisations really have to manage their natural resources and how do they cope with the potential intra-community conflicts of interests? Or in other words how community based is CBNRM in Botswana? These questions are addressed with evidence used from the KD 1 case study.

¹ Nico Rozemeijer started working in Botswana in 1986 as District Officer Lands in Ghanzi in western Botswana. He further worked as consultant for the Natural Resources Management Project (NRMP) and SNV/Netherlands Development Organisation until 1995 when he was attached to the Beitbridge Rural District Council in Zimbabwe as Planning Advisor, and partly involved in the CAMPFIRE programme. He is currently the Senior Advisor to the IUCN/SNV CBNRM Support Programme in Botswana. Corjan van der Jagt worked in Ukhwi, Kgalagadi district as Natural Resources Management Advisor from 1994-1999. He facilitated the formation of the Nqwaa Khobee Xeya Trust and worked extensively in community organisation and institutional development. He provided the input for the case study. Currently, he is the advisor for an SNV/Botswana programme assisting 4 NGOs involved in CBNRM.

INTRODUCTION

Community Based Natural Resources Management (CBNRM) is the term commonly used in Botswana for an approach which combines rural development and natural resources conservation. As an attempt to find new solutions for the failure of top-down approaches to “development” and “conservation”, CBNRM is based on the recognition that local people must have the power to decide over their natural resources in order to encourage sustainable development. The draft CBNRM policy (Government of Botswana, 1998) defines CBNRM as a “development approach that fosters the sustainable use and conservation of natural resources and promotes rural development through community participation and the creation of economic incentives. CBNRM aims to alleviate rural poverty and advance conservation by strengthening rural economies and empowering communities to manage resources for their long-term social, economic and ecological benefits.” The key word in this definition is “empowering”. What does that mean?

The CBNRM approach is built upon three (3) assumptions:

1. Management responsibility over the local natural resources that is devolved to community level will encourage communities to use these resources up to sustainable levels.
2. The “community” represents the interests of all its members.
3. Communities are keen to accept management responsibility because they see the (long-term) economic benefits of sustainable utilisation, and they are willing to invest time and resources in natural resource management.

These assumptions need regular testing over time and they prompt three basic CBNRM questions:

1. To what extent is the management responsibility, for the purpose of this paper defined as “the power to control access to natural resources”, devolved to community level?
2. To what extent does the community management structure represent the interests of all the community resource users?
3. How are the economic and intangible benefits (and costs) distributed over all the stakeholders involved?

The key notion entrenched in CBNRM in Botswana is devolution of power – power to control access to resources (natural resources, human resources, information, funding), and power to make decisions on the basis of legal status, class, gender, and ethnicity. Power, by its very nature, is divided unequally over all stakeholder groups involved: central government, district government, traditional leadership, modern village representation, NGOs, private sector and Community Based Organisations (CBOs).

The resulting (but never static) constellation of power relations defines the status of CBNRM in Botswana. It will especially indicate the extent of sustainable community ownership over its attributed natural resources, which is the subject of this paper.

METHODOLOGY AND ACKNOWLEDGEMENTS

This paper is largely based on a desk study of the development of Community Based Natural Resources Management (CBNRM) practices in Botswana over the last 10 years. The authors have a long history of involvement in CBNRM in Botswana, having worked in the field as practitioners both at local, district and national level. They were able to draw upon experiences with a range of communities that are participating in natural resources management today. Information was collected on the Chobe Enclave in northern Botswana, and various villages around the Okavango delta such as Sankuyo, Mababe, Khwai, Seronga, Jao and Xaixai. Finally, data were used from Zutshwa in Kgalagadi district and in the same district from Ukhwi, Ncaang and Ngwatle located in Controlled Hunting Area KD 1 in the south-western and most arid part of the country. KD 1 was selected as case study area.

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BOTSWANA'S CBNRM RELATED POLICY FRAMEWORK

The case of CBNRM in Botswana cannot be understood without taking cognisance of a nation-wide land-use planning exercise which began in the mid-seventies when the Tribal Grazing Land Policy (TGLP)² was launched. Whether intentional, TGLP made an enormous impact on the district planning and rural development process and bore the following preconditions for successful CBNRM in the years to come:

- Subsequent district development and settlement planning was based upon district land-use plans.
- A competent, recognised and co-ordinated district land-use planning cadre evolved with administrative and technical back-up from several key ministries.
- The land that was zoned as “reserved area” under TGLP was gradually utilised to accommodate people living outside the traditional village structures. The mainstay of this section of the population, in Botswana referred to as Remote Area Dwellers (mainly the Bushmen³) was hunting and gathering. Natural resources utilisation was subsequently the appropriate land-use option for these people. This land is now known as Wildlife Management Area (WMA).

² The Tribal Grazing Land Policy (TGLP), 1975 was meant to rationalise land utilisation in communal areas, and to commercialise where possible as reaction to what is known as “tragedy of the commons”. All tribal land in Botswana was zoned in three main categories: arable (communal and commercial); grazing (ibid.) and reserved. The latter category was later renamed Wildlife Management Area (WMA) following the Wildlife Conservation Policy of 1986. These areas were not considered very suitable for arable agriculture; furthermore WMAs were important wildlife migration routes and were considered buffer zones around protected areas, which in addition to cordon fences acted as livestock disease barriers. These WMAs together with the state land WMAs comprise today 22% of Botswana's land surface.

³ The term Bushmen is a common name for a variety of tribes in the western part of Botswana. The Bushmen (also called Basarwa in Setswana) are to date still at the bottom end of the social hierarchy in Botswana.

Figure 1: Community managed hunting areas inside and outside Wildlife Management Areas in Botswana (Source: Department of Wildlife and National Parks)

Low population densities (especially in western Botswana) supported a scattered and wildlife-compatible settlement planning in the WMAs. Conflicts of interest between the cattle lobby and the “WMA lobby” (an alliance of environmentalists and protagonists of the interests of the Bushmen), dominated the district politics for many years before being settled in most districts. The boundaries of WMAs eventually became law, thereby providing a legal land-use base for wildlife utilisation and CBNRM.⁴

The stage was set for natural resource-based planning with the sparsely distributed communities on how to manage the WMAs. However, legislation on what “management” would entail beyond state ownership of all natural resources was lacking until the beginning of the nineties. The Wildlife

⁴ The districts of Kweneng, Central and Kgalagadi are still in the process of gazetting their WMAs.

Conservation Policy (1986), the National Conservation Strategy (1990), the Tourism Policy (1990), the Tourism Act (1992), and the Wildlife Conservation and National Parks Act (1992) laid the foundation for CBNRM in Botswana. Each of the documents calls for increased opportunities for local communities to benefit from wildlife, other natural resources and tourism. They recognize the vital importance of conservation policies that are national in orientation, ecosystem-based and local in approach. However, they do not define the objectives of the Government of Botswana in relation to CBNRM, nor do they provide firm guidance for its implementation. To that effect a CBNRM policy was drafted by DWNP in 1998⁵.

In conjunction with the above mentioned policy development, another key national land-use planning exercise took place in the late eighties. In order to rationalise the existing land-use administration system with the potential uses of WMAs, the Ministry of Local Government, Lands and Housing (MLGL&H)⁶ and the Department of Wildlife and National Parks (DWNP) embarked on a re-zoning exercise of all Controlled Hunting Areas (CHAs). CHAs are administrative blocks used by DWNP to allocate hunting quotas. The entire land area of Botswana is divided into 163 CHAs, which are zoned for various types of wildlife utilisation (including non-consumptive use), under commercial or community management. Wherever possible, especially in tribal areas, CHAs are zoned around existing settlements and those under community management are designed to benefit the local people. In practical terms, WMAs were subdivided into CHAs, which became the “units of production”.

The wildlife and tourism related policies give part of the responsibility for managing and administering wildlife to communities. They encourage the production of land-use and management plans for CHAs to be utilised by communities, before quotas can be given to CBOs who are recognised by DWNP as accountable and representative of community interests. The CBNRM process includes a number of steps and the application of various guidelines and regulations.

- A community or communities in or adjacent to a CHA zoned for community management can apply for a wildlife quota provided it has organised itself in a participatory and representative manner that is sanctioned by the district authorities and DWNP. This is considered an interim phase in the CBNRM process.
- If the community wants more secure access to wildlife quota and consider joint ventures with the private sector, it may decide to lease the CHA from the land authority⁷, in which case it has to comply with three conditions:

⁵ A national wildlife related CBNRM policy was drafted by the Department of Wildlife and National Parks in 1998. One year later the Ministry of Agriculture drafted its own version of a CBNRM policy paper focussing on the sectors forestry, fisheries and veld products. In that same year both agencies agreed to prepare one “unified” CBNRM policy (June 1999). This draft policy proposal is currently circulating within central government.

⁶ MLGL&H was split up in late 1999 into the Ministry of Lands and Housing and the Ministry of Local Government.

⁷ The land authority in Botswana is the state for state land or the land board for tribal land (70% of the country).

1. The community has to organise itself in a representative and legally registered entity such as a trust or co-operative and demonstrate to the district authorities that a participatory process was observed.
2. In this process the CBO should design and adopt regulations and procedures (constitution and bylaws) that not only define its natural resources management functions but also its accountability and responsibility towards the community members.
3. A Land-use and Management Plan (LUMP) conforming to the WMA regulations and the overall WMA Management Plan has to be prepared for the CHA and approved by the land authority. A 15 years "Community Wildlife Lease" may then be obtained.

The registered CBO may, if it so wishes, enter into subleases and/or joint venture agreements with private companies for the use of the acquired resource rights. "Joint Venture Guidelines" have been issued by the Government of Botswana to provide a framework for such an activity in accordance with the principles of CBNRM. The guidelines include a description of:

- Conditions under which subleases or joint ventures may be entered into,
- (Open) Tender procedures, including information required in proposals,
- Duties of specific organisations, individuals, and government institutions,
- Specific procedural requirements.

While DWNP policies over the years pursued decentralised management of wildlife resources accompanied by related guidelines, regulations and support strategies, other natural resources sectors lagged behind. Few comprehensive development strategies have been designed in regard of community based tourism development (Department of Tourism) and community based woodland, fisheries and veld produce management (Ministry of Agriculture) that allow for more community control of resources and community-driven conservation measures. Communities are allowed to use the natural resources in their area, but have no legal rights to control the use by others.

THE INSTITUTIONAL CONTEXT OF DECENTRALISED NATURAL RESOURCES MANAGEMENT – (LOCAL) GOVERNMENT STRUCTURES IN BOTSWANA

In this section we will take a closer look at the central, local and traditional government (land boards and traditional leadership) that have a bearing on CBNRM in Botswana. How decentralised are their planning and decision-making structures? Are there (potential) conflicts of interest between these key players? At which level are these conflicts and how are they dealt with? How do their interests relate to the scope they are expected to provide to the development of community based natural resources management initiatives as defined in the CBNRM policies and programmes?

The great animator behind the development of CBNRM in Botswana was the Department of Wildlife and National Parks. From 1990 technical advice has been provided by the USAID-funded Natural Resources Management Project (NRMP). CBNRM was a response to the following:

- Protected areas (17%) and WMAs (22% of Botswana) constitute a huge area of operation for a department with a minimal central government status and budget; administration, management and control of this land by DWNP alone would be virtually impossible.
- Until a few years back, the benefits accrued in financial terms from the use of this 39% of the land and its resources were not distributed at district level, *let alone* at local level. Consequently, the designation of these areas was seriously questioned.

DWNP had to prove that wildlife utilisation is a valuable livelihood strategy in remote Botswana. It had to decentralise management and redistribute benefits from the resource. DWNP has proved their point – tourism is, after mining, the second-largest contributor to GNP in Botswana today and considered the “engine of growth”. Other ministries supportive of CBNRM are MLGL&H and the Ministry of Finance and Development Planning (MFDP). The mandate of both ministries includes rural development, especially of the remote areas of Botswana. These have been largely dependent on government subsidies ever since Independence in 1966. Natural resources management and related community involvement showed real development potential. The approach used by DWNP prompted MFDP to launch its own Community Based Strategy for Rural Development⁸

Though various Ministry of Agriculture (MoA) departments such as Fisheries, Forestry, Agricultural Resources Board (veld products) are lagging behind, they seem interested in adopting the approach. Progress was made in 1999 when DWNP and MoA decided to “unify” their respective CBNRM policies. This exercise is expected to provide additional impetus to increasing community involvement in natural resource use and management other than wildlife.

The government of Botswana has a long history of decentralised planning and development⁹. It has made commendable progress in establishing and equipping locally elected government bodies (district councils, and sub-district councils) accompanied by effective district planning structures and related

⁸ The Community Based Strategy for Rural Development is a participatory approach that is recently adopted by the government in an attempt to further decentralise planning and development to village level. The strategy is built upon the same principles as CBNRM: to encourage people to take part in rural development, they have to be given incentives and the responsibility to create “their own development”.

⁹ Botswana is divided into 10 districts, administered by District Councils. These are democratically elected bodies supported by an administrative staff and funded by central government. District councils develop, administer and implement their own programmes in the sectors of primary education, rural roads and water supply, and social and community development. All other sectors are the responsibility of the respective central government ministries, represented by heads of department at district level and co-ordinated by the district administration. District planning however is the responsibility of the district council. Multiple sector planning bodies such as the District Land-use Planning Unit (DLUPU) and the District Development Committee (DDC) advise in this matter. On paper the Village Development Committee (VDC) is the lowest tier in the pyramid of Botswana’s planning and decision-making. The land board is an institution that administers all Tribal Land in Botswana (70% of the country). It is an independent body (partly elected by the population) at district level that is responsible for the management and administration of land. The land boards took over most of the powers (where land and natural resources are concerned) of the traditional chiefs, and in that sense “democratised” the allocation of land.

instruments. District councils plan and implement projects within their area of responsibility.¹⁰ Activities in most sectors relevant to CBNRM are however the responsibility of line ministries and departments such as DWNP, DoT¹¹ and MoA. The constraints of this set-up are: lack of communication between line ministry and its department at district level, and/or greater affiliation of district staff with the parent ministry than with the district council. District councils are consulted on CBNRM policies and programmes, but have so far not participated in the implementation of the approach¹². That is left to DWNP as CBNRM is considered to be a “wildlife thing”. This process tends to alienate the district councils and there is a potential danger that the political support for CBNRM will decrease. Some clarifications of this statement:

The local government committee at district level that is supposed to assist the communities in the “CBNRM transition process” is a multiple-sector Technical Committee¹³ established by DWNP. There is little linkage with the consultative and planning structures of the district council and there is a risk that established CBNRM projects are not sufficiently embedded in the district development vision and strategy as expressed in the District Development Plans. There is virtually no link between the required CBNRM extension services (presently provided by the Technical Committee, DWNP or NGOs) and the existing district council Social and Community Development (S&CD) department. CBNRM (wildlife-based) projects tend to become profitable little enclaves in the district. The current turnover of the Chobe Enclave Trust is BWP 800.000 per annum¹⁴. The little village Sankuyo of 45 families is nearly making half a million per annum. Trust bank accounts are growing rapidly, while the district council remains responsible for infrastructure and social and community development costs.

What does the district council get out of CBNRM in its constituency? Apart from local employment, revenues generated and natural resources conserved, which is of vital importance at local level, the council as an institution receives a 4% Resource Royalty over the annual gross income earned in a given CHA as soon as it is leased from the land board or the state.¹⁵ Government encourages that revenue from Resource Royalties is spent in communities who have no opportunity to initiate a CBNRM project themselves in an attempt to distribute the benefits of the wildlife and tourism industry more widely. District councils in Botswana, contrary to their counterparts in Zimbabwe for example, do not really need these monies, as their budgets receive central government deficit funding. Is CBNRM really of interest to the district council as political and developmental institution? If this is not the case then it

¹⁰ The preparation of 5-year District Development Plans (DDPs) provides the district input into the 5-year national development planning cycle. The District Development Committee (DDC) comprising all local Government agencies is responsible for drafting this document, before approval is sought from the district council.

¹¹ Department of Wildlife and National Parks and Department of Tourism are both departments in the Ministry of Commerce and Industry. Other departments dealing with environment (National Conservation Strategy Co-ordinating Agency, Department of Water Affairs, etc) are located in different Ministries.

¹² This also applies to land tenure. The approval of land use and management plans of tribal land is the sole responsibility of land boards. Though the Tribal Land Act (sections 17 and 18) requires the land boards to consult the district councils, formal approval is not necessary.

¹³ The Technical Committee is a district committee that is usually comprised of central government officers, land board and council officers and sometimes a representative of an NGO.

¹⁴ February 2000: 1 US Dollar = 4.5 Botswana Pula (BWP).

¹⁵ Resource Royalties are payable to the councils by all lessees of CHAs and lodge sites, both under commercial or community management (including protected areas). The estimated annual royalty revenue of Ngamiland district is BWP 5 million.

will become very difficult to institutionalise CBNRM as a sustainable development approach in the districts.

Another reason for the potential loss of council's political backing for CBNRM is related to the exclusivity of access to the resources. Relatively recently wildlife was an almost free for all commodity. There were "Special Game Licences" for registered poor members of society and every citizen could take part in a raffle for a hunting licence for any animal in any hunting area. License fees were cheap and quotas huge. Control by the state was at best weak. However, wildlife quotas are increasingly allocated to a very limited number of communities. This is a political bargain that is hard to sell to voters. In addition, the beneficiary communities more often than not belong to minority tribes who are not overwhelmingly represented in the ranks of councillors.

The land boards find themselves in a similar dilemma. They are partly elected bodies representing the tribal constituencies. Exclusive access to wildlife by some communities, even though these are entirely dependent on the resource and have no other livelihood alternative, deprives the majority of district residents in most districts of free meat. Land boards were all consulted on the CBNRM related policies and guidelines and most of the boards have approved the underlying district land-use plans. The institution benefits financially from increased land rentals (with the exception of the Tawana Land Board in Ngamiland, negligible compared to central government deficit funding), but it appears difficult for land boards to accept the consequences. Kweneng and Kgalagadi Land Boards, for example, are delaying the approval of district land-use plans (which include the WMA boundaries). It can be of no coincidence that the WMAs in these districts are situated in areas of the non-dominant tribes: Bakgalagadi in the case of Kweneng-West and Bushmen in the case of Kgalagadi-North.

Cattle are immensely important in the Tswana society. Land board opinion is open to the advocates of livestock husbandry and, more often than not, eager to expand the cattle grazing areas. The existence of WMAs constrains this motive and as long as the WMAs are not gazetted, there is danger of encroachment and the popular call for rezoning. Such cases include the Ngamiland west WMA which "suddenly" in part became a planned commercial ranching area. Giving exclusive natural resources rights to the residents of gazetted WMAs and herewith preparing the ground for successful CBNRM projects is no priority for most land boards.

Traditional chiefs and headmen do no longer play a key role in Botswana as most of their powers have been usurped by modern democratic institutions. Leaders of the different tribes (e.g Tswana tribes, Bakgalagadi, Bakalanga, Baherero) lost their power to the land boards to allocate land and they lost most of their "developmental role" to modern (elected) village institutions such as the Village Development Committee. At village level the headman plays a representative role and administers a customary court. His status is partly derived from administering justice over minor and well-defined offences. In natural resources management the headman guards over these resources using values

and customs which fall under the general heading of indigenous knowledge. However, increased mobility, education and adoption of new western values have largely eroded this tradition.

In villages where a trust has been formed and allocated the resource user rights, the new institution rapidly becomes the focal point of activity. In many cases the trust is the only money-spinner and source of employment in the village. The Village Development Committee (the official village planning and consultative body) and the local extension staff of the district council (mostly dealing with destitute feeding and drawing up labour-intensive works duty-rosters) become a shadow of the emerging legal entity. The impact on the headman differs per locality. In the Chobe Enclave traditional leaders are involved in the activities of the trust and the success of its business ventures enhance their status. In multi-ethnic communities the situation is different. Especially in cases such as KD 1 and Xaixai where the headmen are from the dominant tribes (Bakgalagadi and Baherero) and the trusts are organised into a composition along family/ward lines that is representative of tribal population. The meetings and activities of the trusts representing the interests of the majority residents (Bushmen in both cases), draw larger audiences than the addresses of the kgosi (chief) in the kgotla (traditional village meeting-place).

Despite the ambiguous attitude of the local authorities towards CBNRM, especially at district level, more than 14 projects have started over the last 10 years. It seems that the pressure and interests of the line ministries such as DWNP (“the need to conserve wildlife in a cost-effective way”) and MLGL&H (“the need to alleviate poverty in remote areas”) have influenced the evolution of CBNRM to where it is today. The management of wildlife is decentralised from national to community level, but the latent conflicts of interest between decision-makers and administrators at the intermediate district level may ultimately endanger the sustainability of the concept.

COMMUNITY TRUSTS – NEW PLAYERS IN THE FIELD

Most communities involved in CBNRM followed the DWNP model of establishing community trusts when registering their community organisation as legal entity. Community trusts are usually composed of all people who have resided in the concerned village(s) for more than 5 years. Attempts to create “Bushman only” trusts such as in Khwai were not recognised by the government. Guided by their constitution and management plan the trusts became de facto owners of the wildlife resource. The Board of Trustees are focal points for important decision-making regarding quotas and benefit distribution, business deals with the private sector, and agreements with support agencies such as donors and NGOs. How the trusts deal with this will be elaborated in more detail in the KD 1 case, but from experience in a range of communities we know that the impact of these changes is enormous. This is especially true for communities with high levels of illiteracy and the economies of which are based on a mix of subsistence agriculture and food handouts.

Despite – or perhaps because of – the potential of CBNRM in these villages in terms of employment and cash generation, caution is necessary. The trust as new institution needs to be given time to build up its mode of operation, transparent and accountable, and part of the community decision-making process and economy, such that it will not turn into a little government of its own. Some NGOs have been working for years in one community to assist in the capacity building of the trust. These investments are now starting to pay off. Communities such as Xaixai and KD 1 are better prepared for negotiations with the private sector. They do not simply sell off their entire quota, creating problems of re-investment, but are increasingly empowered to undertake economic activities under joint management, which in turn enhances local employment and management skills.

Unfortunately, DWNP does not have the resources for long-term facilitation and at times endorses the establishment of a trust with a quota knowing that it will not be able to provide the necessary follow-up, leaving behind a resource rich but institutionally puzzled community. The trust turns into a powerful village institution. In some cases (e.g. the populated Seronga area) the board of trustees starts to live a life of its own in very close harmony with the safari operator and, in the process, loses contact with its constituents. This situation is disheartening, as it gives the impression of community participation and management, while in fact an emerging community elite has substituted the extracting role of the state.

Fortunately, Seronga is an exception to the rule. In most cases the community trusts are regarded as representative of the interests of their constituents. Trusts are increasingly recognised by the government and other development agencies as partners in development, who can take up planning and management responsibilities.

Table 1: Registered Community Trusts most active in CBNRM in Botswana¹⁶

Name Trust	CHA (area in sq. km)	# of villages (population)	Main activities	Estimated direct benefits in 2000
Nqwaa Khobee Xheya Trust	KD 1 (12180)	3 (850)	Wildlife joint venture (hunting and photographic), crafts, cultural tourism, campsites	BWP 285.000 and 75 jobs
Nata Sanctuary	Central district	4	Lodge and campsite	?
Gaing-O Community Trust	Central district	3	Cultural tourism at Lekubu Island	?
Gwezotsha Natural Resources Trust	CT7/11 (11927)	3	Marula processing, thatching grass, campsite	?
Kgetsie Ya Tsie	Central district	15 (420 members)	Mopane worms, morula, thatching grass, pottery, woodcarving	Average annual natural resources derived income per member: BWP 2.595
Kalepa	CH8 (1085)	3 (4000)	Wildlife joint venture (hunting and photographic)	BWP 360.000
Chobe Enclave Conservation Trust	CH1/2 (2984)	5 (4400)	Wildlife joint venture (hunting and photographic), campsite, store, brick making	BWP 882.000
Okavango Conservation Trust	NG22/23 (929)	5 (1500)	Wildlife joint venture (hunting and photographic)	BWP 700.000
Okavango Jakotsha Community Trust	NG24 (587)	4 (6500)	Photographic tourism sub-leases, guiding, camp sites, crafts	Not yet, management plan to be approved by Land Board
Mababe Zukutsama Community Trust	NG41 (2181)	1 (300)	Wildlife joint venture (hunting and photographic)	BWP 700.000 and 49 jobs
Khwai Interim Quota Management Committee	NG18 (1918)	1 (350)	In design stage	Community wildlife quota
Okavango Kopano Mokoro Trust	NG32 (1223)	6 (600)	Wildlife joint venture (hunting and photographic)	BWP 1.1 million and 75 jobs
Cgae-cgae Tlhabololo Trust	NG4 (2640)	1 (350)	Wildlife joint venture (hunting) cultural tourism venture, crafts	Tender for next 3 years in process
Sankuyo Tshwaragano Management Trust	NG34	1 (300)	Wildlife joint hunting venture, campsite, crafts, thatching grass	BWP 500.000 and 50 permanent jobs

¹⁶ Another 31 community organisations are operating at a smaller scale and/or in the process of establishing themselves, January 2000. Source: CBNRM Support Programme, PACT, DWNP and BOCOBONET.

LIVING FOR TOMORROW - THE CASE OF KD 1

KD 1 is the name given to the Controlled Hunting Area (CHA) situated in the north-western part of Kgalagadi district. Its total surface area covers more than 12,000 square kilometers. The CHA is designated as a multi-purpose community area and forms part of a buffer zone (known as the Khaa Wildlife Management Area) north of the Kgalagadi Trans-Frontier Park (KTP). KD 1 contains three settlements, Ukhwi, Ncaang, and Ngwatle, inhabited by members of a Bushmen group (Western !Xo) and a Bantu group (Bakgalagadi). Approximately 850 people live in KD 1, of which 70% are of Bushmen origin and 30% of Bakgalagadi origin. Livelihood strategies consist of a mix of activities including livestock and small stock rearing, subsistence hunting and gathering, labour intensive public works, and handicraft production (C.J. van der Jagt, 1995).

Natural resources in KD 1, which include wildlife and various wild veld products, have generally been considered as being free for all but owned by the government. No effective regulatory system regarding the utilisation of these resources (with the exception of grapple or *Harpagophytum procumbens*) has been in place since Independence in 1966. The wildlife resource declined drastically over the past three decades due to drought, cattle expansion and legal and illegal off-take. In the early nineties, a ban on commercial and citizen hunting was introduced in Kgalagadi. In KD 1, only a limited number of households (mainly Bushmen) were allowed to hunt for subsistence purposes through the Special Game License (SGL) system. Each license holder was entitled to hunt a limited number of animals throughout the year. Only traditional hunting methods could be employed (dogs and spears). This meant that actually only gemsbok could be hunted with a relatively good chance of success. In addition, license holders were not allowed to sell any game meat. Over-hunting occurred, particularly with regard to the gemsbok and partly due to the misuse of licences. Over time, the hunting success rate for subsistence hunters dropped to a point where the residents of KD 1 became more and more receptive to the notion of giving up their individual hunting licenses and converting to the newly introduced community quota system. It was felt that the opportunities for generating income and employment through the community quota system would off-set the disadvantages anticipated by the SGL holders if they were to lose their individual access to the wildlife resource. For the population of KD 1 as a whole, the community management and utilisation of the available resources was seen as an opportunity to improve living conditions in a way that several decades of government support could not achieve.

In 1996, SNV/Netherlands Development Organisation and a local NGO, Thusano Lefatsheng, approached the residents of KD 1 and proposed a CBNRM project with them that would focus on sustainable wildlife utilisation, tourism, veld products marketing, and craft production. The project commenced in September 1996 when a full-time advisor arrived who worked with the community for three years. The project has recently entered into its second phase with a new full-time advisor. The development of the project proposal and subsequent implementation were based on a thorough in-depth socio-economic research phase that took place in 1994-1995 (C.J. van der Jagt, 1995 and 1996). The information and insight obtained through this research was of instrumental value during the

establishment of a local management structure and a system for distributing benefits. During the first phase of the project (July 1996 - July 1999) the foundation was laid for a representative and accountable community organisation. It took three years to develop a management structure, a constitution, and a land-use and management plan. Through these activities and extensive lobbying, the community organisation, registered in 1998 as the Nqwaa Khobee Xeya Trust (NKXT)¹⁷, officially obtained user rights to the natural resources in the area. The second phase commenced in August 1999. Since then, NKXT developed a tender document based on their land-use and management plan, selected a private sector partner, and signed a sub-lease agreement for an initial one year period. This year's hunting season (April – September 2000), the residents of KD 1 will begin to see the first (financial) fruits of their three-and-a-half year period of preparations.

THE OTHER STAKEHOLDERS IN CBNRM – SCOPE FOR NEW ALLIANCES?

The private sector

The private sector (commercial hunting and photographic safari operators) grasped the opportunity to gain access to community areas with both hands. Competition over the limited number of concession areas available was high before community areas were opened up. In addition, the hunts offered by operators consisted of species occurring in the north of the country since this is where the concession areas open to the private sector were situated. Since the lifting of the hunting ban and the opening up of community areas in the south-west of the country, commercial hunts are supplemented once again with Kalahari plains species. Private sector companies form joint venture partnerships or straightforward business agreements with registered community organisations who have obtained a lease for their area. A sub-lease agreement between the private sector company and the community organisation is then signed outlining the rights and responsibilities of each party.

In late 1999, the Nqwaa Khobee Xeya Trust advertised its area for the first time, inviting companies to tender for both commercial hunting and photographic rights. NKXT had set aside different zones for hunting and photographic use in its land-use and management plan. Three companies made a bid, of which one was disqualified, for technical reasons. Early December 1999, the Technical Committee presented a synopsis of the remaining two bids and presented them to the KD 1 residents in an official public meeting. The meeting selected one company through a majority vote.

The company that won the tender now has exclusive rights to operate in the designated hunting and photographic zones in KD 1. The company pays annual concession fees for these rights, and hunting fees for each animal on the quota offered. In addition, the company is bound by contract to create 75 permanent jobs. Lastly, the company pays a Resource Royalty of 4% of its gross revenue, which NKXT forwards to the district council. At the end of the sub-lease period, NKXT will review the current agreement and may offer the company a renewal of the sub-lease. If NKXT is not satisfied with the

¹⁷ The name of the trust means "Living for tomorrow" in the local !Xo language.

current partner, it may re-tender the area and select a new partner. NKXT and the current partner, however, are aiming to establish a good long-term relationship. This is obviously advantageous to the company as it will take a few years before profits are realised in view of the relatively high investment costs incurred in operating in the remote and vast KD 1 area. But NKXT benefits as well from establishing a long-term agreement with the company as this will guarantee continuity of employment (every three out of four households will have one person employed permanently by the company). More importantly, with a long-term agreement it will be possible for NKXT and the company to set up a number of activities in a true joint venture partnership nature, i.e. a lodge. This would mean sharing investment costs, management responsibilities, as well as profits.

Under the current sub-lease agreement, the company is entitled to conduct hunts, offer game viewing, set up a guide training school, and host tourists who come by overland trucks or are self-drive visitors. NKXT offers a range of cultural activities for the clients of the company and for tourists who stay at the community campsites of the trust, such as traditional dancing, veld products gathering and tasting, demonstration of traditional hunting techniques and storytelling. These activities are organised by NKXT and the revenues accrue directly to the participants.

NGOs

Most of the CBOs who are successfully operating at present have been established with the support of NGOs. These include international NGOs such as PACT, SNV, ACORD and Conservation International, and local NGOs such as Thusano Lefatsheng, Kuru Development Trust, and Permaculture Trust of Botswana. A few CBOs have been established with assistance of district DWNP offices. Districts generally do not have sufficient staff and financial resources to mobilise communities adequately and consequently resort to irregular hit-and-run visits. In addition, most district officers do not have sufficient experience and knowledge of participatory approaches in facilitating the development and operation of CBOs. There are still many community areas that have not yet received any assistance in establishing CBNRM projects. In addition, several registered CBOs can no longer count on support by the NGO that initially provided support because its support has since phased out. CBOs still need assistance, particularly in regard to re-investing revenues from partnerships. In other words, the demand for facilitation from NGOs is still large. One constraint is that international funding agencies are phasing out of Botswana and local NGOs have difficulty in accessing funds to cover the costs of providing services to current and potential CBOs.

NKXT has received intensive support since its inception. Thusano Lefatsheng is the implementing organisation. It receives financial and technical assistance from PACT whilst SNV/Netherlands Development Organisation has provided a full-time advisor for the past three-and-a-half years and will continue to do so for the next two years. NKXT may be an exception in terms of its assistance received. It still remains to be seen whether such an intensive and expensive facilitation approach actually results in a more solidly established and sustainable CBO.

Figure 2: Actors involved in CBNRM in Kgalagadi district

BOCOBONET

The Botswana Community Based Organisations Network (BOCOBONET) is an umbrella organisation representing the interests of member CBOs involved in CBNRM. BOCOBONET aims to organise support for its members, either in the form of training or lobbying for policy support at higher levels. In addition, it can also link CBOs with NGOs or other actors able to provide the support requested by the CBO. BOCOBONET is still new but its potential role of linking relevant stakeholders in CBNRM is high.

HOW COMMUNITY BASED IS CBNRM IN BOTSWANA – WHO SETS THE RULES?

This section will try to answer the “basic CBNRM questions” one (1) and two (2). The next section will deal with the third question. These questions are:

1. To what extent is the management responsibility (the power to control) over the natural resources devolved to community level?
2. To what extent does the community management structure represent the interests of all the community resource users?

The wildlife utilisation policies and guidelines in Botswana support the decentralisation of management responsibility to community level as has been explained in the above. Communities who have met the DWNP criteria get exclusive access to the wildlife resource in their areas. The draft “WMA Regulations” go even further in allowing communities in a WMA to determine access of people and their commercial use (e.g. tourism) of natural resources¹⁸. There are no blue prints for community management structures, constitutions, land-use and management plans etc. Each CBO may select its own structures, procedures, bye laws, and management plans. Although land authorities need to approve the land-use and management plan of the CBO, ensuring that it fits into the overall district land-use plans before a head lease is granted, the authorities cannot dictate which activities should be undertaken by the CBO. However we cannot speak of full community control over the wildlife and other resources in a situation where:

- The lease agreement with the land board is for 15 years, to be renewed every five years. The limited length of the lease does not promote community investment in natural resources nor does it promote long term private investment (particularly in non-hunting ventures).
- The lease in question is not a lease of land, but a lease governing the use of resources on that land. The ultimate control over the land remains vested in the land authority (state/land board).
- The lessee (the community) cannot control the subsistence use of non-wildlife natural resources in the area. This complicates management regimes. The use of resources such as

¹⁸ Draft Regulation for Wildlife Management Areas, discussion draft of 16 December 1998, DWNP, Botswana.

forestry, fisheries, grazing and veld products (reeds, grass, herbs, etc) is theoretically controlled by the state but is in practice open access property¹⁹.

- The wildlife quota is set by DWNP without community involvement²⁰. Communities are expected to monitor the resource, but by de-linking natural resources monitoring from taking related management decisions, this time consuming activity is not encouraged. This situation is no incentive for natural resources monitoring or sustainable utilisation.

Nevertheless, from a wildlife utilisation perspective the conditions for a successful CBNRM project are favourable. The boundaries of the “production area” (CHA) are defined, the resources vis-à-vis population numbers are substantial and the population, especially in the western part of the country, depends on the use of natural resources, which in turn promotes taking up management responsibility. In most successful cases the community(ies) are located within the “production area”. In eight cases the community trusts have been legally registered, management plans prepared, lease agreements signed with the land board, tendering processes followed and private sector partnership agreements signed. However, does this mean that we can speak of true community based natural resources (wildlife) management?

The answer to this question requires an analysis of power relations at community level. More specifically we need to know to what extent the local organisation (the trust) represents the interests of the natural resources users in the community. Different groups of people within the community use the resources in different ways and resource use tends to correlate with resource access. Painter (1997) argues that, as a prerequisite for a successful CBNRM project, a representative community organisation should accommodate the interests of the different groupings in terms of class, ethnicity and gender. We will illustrate this argument with some examples including the KD 1 case further explored in the next section.

¹⁹ In the draft “National policy on the use and management of natural resources” (the “CBNRM policy” of the Ministry of Agriculture) of February 1999, provisions are made for the elaboration of community based management models pertaining to forestry, fisheries and veld products utilisation.

²⁰ For most species, the quota is based on aerial surveys. For the big cats (lion and leopard), no survey data exist, and quotas are quite arbitrarily arrived at. CBOs are encouraged and trained by DWNP to monitor wildlife populations in their areas but their data have no consequence for annual quota setting. DWNP therefore has a big influence on the levels of income and employment created by communities. It has the right to cut a quota without giving an explanation, include or exclude animals on the quota as it sees fit. In 1997 and 1998, the KD 1 quota included 1125 springbok. The following year, only 125 springbok were included although no aerial survey was conducted before quotas were determined. The NKXT had, however, made plans for 1125 springbok. These had to be shelved. On the other hand, DWNP decided to put two lions on the 2000 quota, which suddenly made the entire quota for KD 1 a lot more valuable. Without the lions, the interest from the private sector in tendering for KD 1 would have been much less.

Class

Class mainly refers to the source of people's income, with indicators such as cattle ownership, employment status, land and asset ownership (business, car, etc.). In the Chobe Enclave a strong correlation was found between "wealth" and participation in the activities of the Chobe Enclave Conservation Trust (Painter, 1997). The "upper class" people are usually the ones attending village meetings as they have time and the desire to uphold their status. The trust was conceived and further developed in these village meetings explaining the over-representation of the village elite in the activities of CECT. Their overriding interests might explain why in the case of Chobe Enclave all the natural resources have been sold to the private sector partner (without much attention to more equitable employment creation and economic spin-off activities to improve the overall standards of living). After five years of operation little money has been reinvested. Segments of the community such as women and the youth feel they do not sufficiently participate in "their" community trust (Alexander *et al.*, 1999).

Ethnicity

Most communities involved in CBNRM activities in Botswana accommodate more than one tribe. In most cases the livelihood strategies of these tribes differ and, consequently, so does their natural resources use. Furthermore, in the majority of cases one tribe dominates the other in social and economic status. In the case of Zutshwa, the !Xo people used to hunt on behalf of the dominant Bakgalagadi. Attempts to reduce direct consumption of wildlife, for example, in favour of potentially more remunerative commercial or non-consumptive uses such as tourism is constrained by the historically based ethnic division of labour. Introducing changes in such a social structure provokes resistance from the dominant grouping. Therefore, understanding how ethnic divisions relate to rules of resource access is crucial. People with different or competing interests will want to negotiate the rules under which they have access to resources (Painter, 1997).

Gender

Women and men are often involved in different kinds of productive activities. Hence they need access to different kinds of natural resources. Productive activities of women include goat rearing, veld product gathering for subsistence use and craft production. Furthermore, in most villages in western Botswana, women are the majority in real numbers and most households are female headed. CBNRM activities which restrict access to the basic resources for such a substantial portion of the population, and do not offer comparable benefits to that same portion of the population, will fail. The high proportion of female-headed households in most villages (e.g. 56% in the case of Sankuyo) and their specific interests in resource utilisation prompt women to assume roles in the decision-making structures and to participate in discussions about tangible and intangible benefit distribution. For women to take up such a decision-making role, they have a particular need for training and structures conducive to their participation (Painter, 1997).

DISTRIBUTION OF BENEFITS – WHO GETS WHAT AND WHY?

How are the economic and intangible benefits (and costs) distributed over all the stakeholders involved?

The distribution of benefits is probably the most crucial component of CBNRM and, if not worked out in sufficient detail, becomes a potential stumbling block for CBOs. A CBO with a lot of money in the bank may lose the interest/support of its members when they see that their living conditions do not improve. A CBO which is run by a small elite may see most of its funds benefitting this group either in the form of high sitting allowances or by projects which only benefit a few (i.e. a livestock borehole).

In multiple-ethnic communities, guaranteeing equal representation in decision-making is often complex and problematic. This is also the case in KD 1 where Bushmen form the majority but leadership is vested in the Bakgalagadi minority groups. It was clear from the start that any election of an interim management committee (and later of the board) through standard public meetings would follow the normal pattern of Bakgalagadi taking up most of the leadership positions. In addition, if such a committee or board would be allowed to determine subsequent decision-making processes and systems for the distribution of benefits (particularly money and jobs) it would follow the same pattern of ethnic favouritism. Therefore, during the first year of the project much attention was paid to developing a management structure that would be as representative as possible and still be practical. The constitution of NKXT clearly spells out how decisions are to be made and by whom.

In KD 1, an attempt was made to develop a management structure that would reflect as closely as possible the ethnic and gender composition of the three settlements. Based on information obtained from the in-depth research phase conducted before the project commenced, a system was agreed to whereby all residents formed groups largely based on kinship. Ethnically mixed groups generally did not emerge. Each group is represented by a man and a woman in the settlement committee, and each village is represented by two men and two women in the overall board of the trust. The family groups form the basis of decision-making (see figure 2). The board of NKXT mainly has administrative powers and responsibilities. The settlement committees function as communication links between the groups and the board, and carry out some of the administrative duties devolved from the board.

The division of the community quota, as well as any distribution of income or employment opportunities within KD 1 follows a clearly defined process based on the family group structure. For instance, the board divides the community quota for KD 1 amongst the three settlements proportionate to their population size. Within each settlement, the share of the quota is further divided over the family groups again proportionate to the number of people in the groups (there is an annual family group registration exercise). Well before the annual hunting conventions in the USA (January) where commercial hunting operators market their hunts, each group informs the settlement committee which animals it wishes to sell and which it will hunt for their own subsistence needs. All animals put up for sale by the groups will be advertised as a single package by the board and sold on their behalf. The income derived from the

sale of the animals will be returned to the groups, based on what each group put up for sale, after an overhead charge has been deducted by the board. The groups may then decide what they wish to do with their income. They may decide to distribute it as cash to the group members, invest it in a group activity, invest it in a settlement activity, or even in an overall trust activity. The decision, however, is up to the groups. The board or settlement committee may come up with suggestions for starting a joint project or activity. The division of job opportunities follows a similar process. The 75 jobs created by the current joint venture partner are divided over the settlements and groups proportionate to their population size.

ATTITUDES OF COMMUNITIES TOWARDS CBNRM AND THE STATE

The implementation of the CBNRM approach in Botswana today has shown potential for true community involvement in project design, implementation and benefit sharing. The driving force behind the launch and elaboration of the concept has been the central government. Why would the state promote this far-reaching devolution of decision-making over the use of natural resources to the community level? Two reasons are offered:

- Botswana government has a history of being open to external advice, experiments, and pragmatic decision-making. It picked the best out of the experiences with NRM in surrounding countries and allowed external experts to adapt and further develop the concept. For example, most of the CBNRM related policies and guidelines have been prepared with assistance from the USAID funded Natural Resources Management Project.
- Botswana is a relatively well off country in the region (rich resources versus low population densities) and can afford policies that allow all benefits of CBNRM to devolve to a community level bypassing district authorities. It can afford to allocate exclusive user rights over national resources to small and defined entities, in stead of being forced to give everybody a tiny share.

What is the response of the direct beneficiaries? Most of these beneficiaries have been dependent on the government for the last 25 years through labour intensive works programmes, agricultural subsidies, small stock distribution, food handouts, Special Game Licences and destitute programmes. It is safe to say that most communities in rural Botswana survive on some form of government assistance. The introduction of CBNRM in that context invokes different reactions from communities:

- Uncertainty: communities have generally accepted CBNRM, but have also realised that related capacity building and institutional development is a long, complicated and expensive process and has been the mandate of “outside” organisations: DWNP staff and especially (I)NGOs. Communities need support for CBNRM to succeed, but how to secure it?
- Mistrust: communities tend to regard the recently acquired exclusive access over natural resources (wildlife) as a gift from government far away in Gaborone. For how long are they allowed to keep this gift?

- Confusion: communities became suddenly “managers” of their natural environment and were given related responsibilities by government. After being dependent on government aid for so long it is not difficult to enjoy the benefits of natural resource management but much harder to grasp and accept the costs of management responsibility (e.g. social costs of making decisions, accountability, time to monitor and report, investments in human resource development).

CONCLUSIONS

The CBNRM policy framework and the socio-political context in middle-income Botswana provide a solid foundation for further development of community based natural resources management practices. Management responsibility over natural resources (especially wildlife) has been decentralised to the community leading to the establishment of an increasing number of communities that organise themselves to better tap their surrounding resources. The level of community ownership over natural resources has gradually increased, as well as the community benefits from the use of these resources. Involvement of NGOs to facilitate the CBNRM process and the private sector through partnership agreements has shown the potential to bring about economic development in remote rural areas and the promotion of sustainable utilisation of natural resources. The case of KD 1 shows that by using truly participatory approaches in the preparatory stages of community mobilisation, organisation, planning and institution building a CBNRM process can be set in motion that leads to a community based management model true to its principles.

This does not mean that full ownership of the natural resources base has been devolved to communities in Botswana. The ultimate control over the land and resources is still vested in the state. The challenge of the future will be to steadily move the balance of power towards community ownership. To encourage communities to invest in natural resources management and to promote long-term business investment and partnerships with the private sector, longer term and more inclusive (all natural resources, including the land itself) community lease agreements need to be secured.

Communities are the key to a successful CBNRM process. Continued efforts have to be made to build the capacity of these communities by (local) government, NGOs and private sector to take up the challenge and become real partners in natural resources management instead of mere recipients. Sufficient time and support should be allocated to allow community organisations to develop as representative of the different interests of the local resource user groups (by class, ethnicity and gender) so as to ensure equitable and sustainable participation in management decision-making and benefit sharing.

CBNRM is a multiple sector approach that includes a wide array of actors with different interests. Largely unskilled communities receive responsibilities they find hard to cope with. Unrealistic expectations lead to friction between communities, private sector and (local) government. The resulting mistrust among stakeholders distorts the process. Hence the need for co-ordinating platforms at district and national level where all stakeholders meet on neutral ground with the aim to share information, encourage co-operation and promote the dialogue on CBNRM.

CBNRM related community mobilisation and institutional development have largely been the prerogative of central government. It however underestimated the importance of involving district councils for political support and institutional sustainability, as well as NGOs and the private sector as more adaptive, efficient and flexible service providers. The very nature of CBNRM should invoke the call to strengthen civil society in general and encourage central government to make the necessary resources available to achieve this.

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MISSING LIST OF ACRONYMS

**EMPOWERING COMMUNITIES TO MANAGE NATURAL RESOURCES:
WHERE DOES THE POWER LIE?**

THE CASE OF LESOTHO

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INTRODUCTION

Lesotho's land area extends to 30,355 km² of which 9 percent is arable land and 63% rangeland. The remaining 28% caters for other uses including human settlements. The rangeland is dominated by rugged mountains which rise to 3 482 m above mean sea level. With the population growing at an annual rate of 2.6 percent (Bureau of Statistics 1992), there are increasing demands on the land base and associated increases in livestock numbers, all at the expense of the country's natural resources. Lesotho society is highly dependent on livestock and livestock products, which has resulted in widespread degradation of rangelands. There is a general decline in soil, water quality, and rangeland. The grassland is deteriorating due to unsustainable rangeland management practices, and at present there are approximately 359,680 hectares of rangeland invaded by Karoo shrub *Chrysocoma ciliata* (Chakela, 1999).

The different governments over time have all recognized the importance of range management and grazing control, and the importance of range resources to the people of Lesotho. The result was several amendments to laws and regulations, and the formation of different natural resource management and control bodies whose composition and mandates will be discussed in this paper.

A national rangeland improvement programme was introduced in the early 1980's to overcome the ecological and social problems of overgrazing and to strengthen the management of communal lands. There were also several programs on soil and water conservation, all with some measure of success during the period when operations were funded by donors.

All of the rangeland resource management programmes introduced at different times recognize the important role of community based leadership. The main issue that needs to be addressed is in connection with who should be leading within the different structures.

This paper examines the roles played by the different traditional, democratic and community-based structures in common property resources management to date, their mandate and relationship with each other, and the effectiveness of each during their period of tenure, both collectively and as individual organizations. Emphasis will be on rangeland and range management as the rangeland constitutes the bulk of the communal land resource.

“COMMUNITY” IN THE LESOTHO CONTEXT

In Lesotho the term “community” refers to the number of individuals living in the defined area of specific boundaries. These individuals may have a common or different interests regarding the utilisation of natural resources. The term community refers to the inhabitants within the national electoral boundaries, as determined by the national constituencies and set by the boundaries of existing administrative areas. The community as determined in this procedure (administrative area) may refer to the people or inhabitants of the village falling under a headman, or inhabitants of a number of villages falling under a certain chief, area chief and/or principal chief. This system grows into a district community which is comprised of the inhabitants of one particular area (district).

THE POWER OF THE CENTRAL STATE - LEGAL AND POLICY FRAMEWORK

The major institutions involved and range and livestock management in Lesotho are central government, local government, chieftainship, farmers' organizations, and herders' institutions (Chakela 1999).

The central government

The two government ministries which play a key role in the management of range resources are the Ministry of Agriculture and the Ministry of Local Government.

The Ministry of Agriculture

The Ministry of Agriculture, through the Range Management Division of the Department of Livestock Services, is responsible for all technical aspects which address the biological and ecological concerns of range management. They provide the training and extension services at both professional and local levels, and are also responsible for drafting the governing legislation and guiding necessary amendments. Their stated goal is:

“To reduce degradation on Lesotho’s rangelands and improve their capacity to sustain better quality livestock and thus contribute to the economic betterment of their resident communities. Through working with rural communities ensure that the rangelands are improved and maintained at optimum production and vegetative cover to combat land degradation; and to improve and sustain biological diversity, water yield and other values” (Department of Livestock Services, 1999)

The Ministry of Agriculture is also responsible for public awareness aimed at addressing the rangeland deterioration and decline in livestock productivity.

The Ministry of Local Government

The constitutional set-up is such that chiefs and the local authorities (urban, rural and community councils), fall directly under the Ministry of Local Government. The Local Government Act (1996) stipulates that grazing control will be the responsibility of the urban councils, rural councils and community councils.

The Ministry of Agriculture, from the structure of the central government, must rely heavily on the Ministry of Local Government to assist them to get the cooperation of chiefs to fulfil their duties of resource management at local levels.

LOCAL GOVERNANCE STRUCTURES: THE OLD, NEW AND EVOLVING - HOW DO THEY RELATE TO ONE ANOTHER?

The chieftainship

There are certain powers which have become part of Basotho tradition conferred upon chiefs by the Range Management and Grazing Control Regulations (Land Husbandry Act No.22 of 1969). The major objectives of these regulations are conservation of natural resources for the benefit of individuals and communities, implemented within the framework of certain social and cultural practices, traditions, customs and beliefs (Ntlhoki, 1994) and safeguarding the rights of those affected.

The Range Management and Grazing Control Regulation (Legal Notice No.39 of 1980) gives the power of control of grazing land to chiefs; their role includes setting aside special areas, applying restrictions in their area of jurisdiction regarding who can graze and the periods when it is allowed, and impounding trespassing livestock. The allocation of grazing areas is done with advice from agricultural officers regarding stocking rates through issuing of grazing permits and to determine movement of stock between grazing areas. This is not in conflict with the Chieftainship Act No.22 of 1968 which reinforces the chiefs' power to oversee implementation of the Range Management and Grazing Control Regulations.

The chieftainship boundaries are a consequence of history, whereby Basotho Leader, Moshoeshoe I, allocated his relatives, friends and leaders of different tribes, areas/communities to assist him with governance. This was not defined in terms of physical features, but was socially defined.

The physical demarcation of boundaries came with colonialists, and dates as far back as 1938, through the Native Administration Proclamation of 1938, which regulated chieftainship. The proclamation was later amended eight times (1941, 1945, 1950, 1959, 1960, 1964, 1968 and 1970).

The purpose of demarcating the chiefs' boundaries is cited in the preamble of the Chieftainship Act of 1968, as follows:

“To make provision of determining the nature and duties of the office of chief, the status and relationship of various offices of the chief one to another, and to the people and the government ,... to provide for the publication of lists giving public notice of the holders of offices of chief improving the quality of chieftainship as a whole and for related and connected matters.” (pg 5)

Functions of the chief's office to be as follows:

“It is the duty of every chief to support, aid and maintain the King in his government of Lesotho, according to the constitution and other laws of Lesotho ... To promote their welfare and lawful interests. To maintain public safety and public order among them, and the exercise of all lawful powers and perform all lawful duties of his office impartially, effectively, efficiently, and quickly according to law.”

The chieftainship is an important traditional institution, and its role in resource management over time cannot be overlooked. Chiefs have a permanent constituency under the Ministry of Local Government, but they are not civil servants. Their duties include the regulation and control of the use of natural resources, land allocation and grazing control (Phororo *et al*, 1999).

According to Nthloki (1994), the Minister of Agriculture has vested substantial powers of implementation of the Range Management and Grazing Control Regulations in chiefs, over whom he

has no control. Chiefs have a lot of influence in their permanent constituencies and are protective towards their areas of jurisdiction as these are their inheritance.

Chieftainship hierarchies are well understood by the people of Lesotho and resource utilization as guided by this traditional management system, has been in operation for decades and the rules and regulations, as well as the associated penalties, have been ingrained within the communities.

Chiefs inspect the condition of rangelands and issue grazing permits. The decentralization as described in section 4.4 and summarized in Table 2 will redefine their roles, change their mandate and alter their powers in range and livestock management. The importance of their participation and cooperation is recognized as indicated by their inclusion in the different management structures, albeit with diminishing power.

The constitutional setup though is such that chiefs answer to the Ministry of Local Government and the power of regulation of rangelands is within the Ministry of Agriculture, with the chiefs responsible for the implementation of the regulations. The success or failure of community resource management depends a great deal on the goodwill and motivation of individual chiefs. There is, however, pressure to have democratic local institutions which can answer more to the people, hence the intention to hold elections of local authorities which will be responsible for grazing control.

The development councils

At local level, during the colonial era, a parallel system of local government was established for the first time in 1943, and given status in 1948. The composition and mode of operation are embodied in the legislation which has been amended since that period up to the Local Government Act of 1997.

The development councils exist only where there are gazetted chiefs, except at the level of district. But it is important to note that not all gazetted chiefs have development councils. The development councils' boundaries follow chieftainship boundaries, and are not described or recorded, except in rare cases where boundaries are recorded and placed in a "boundary book".

The development councils are established specifically to deal with development issues of different nature within the gazetted chiefs' areas of jurisdiction. They also serve as a link between the central government and local authorities through district development councils, members of which are elected from several ward development councils, made of village development councils.

Village Development Council (VDC)

Village development councils were re-established under the Development Councils Order of 1991, amended in 1992. The order gave the power of control of range resources to the VDC of which the chief was first installed as chairman, and later as an ordinary member. The order came into being during the time of military rule in Lesotho, and was seen as one way of restoring real power of control of

resources to the chieftainship and the local communities through election of VDC members from among the communities.

The function of the Village development council is to: *“In consultation with the government, be responsible for planning, formulation, implementation and maintenance of development activities and social services in the area of its jurisdiction.”*

Ward Development Councils

Functions of ward development councils are as follows:

- To collate development proposals from village development councils, or scrutiny and submission for consideration by the district development council.
- To monitor the implementation of development projects at village level.

District Development Councils

Functions of district development councils are:

- To promote socio-economic development at district level.
- To formulate and implement development projects in the district.
- To ensure that projects in the district are in compliance with the national development plan.
- To monitor the implementation of development projects.
- To raise funds for implementation of development projects.
- To utilise economically all districts, resources for the betterment of the people in the district.
- To consult, through its secretary, with appropriate government ministries on matters relating to development and planning.
- To coordinate the activities of ward development councils.

The development councils came into being on realisation of the need to have a body looking after development issues. Therefore, the criterion considered in their making was development. Development councils in the new local government structure will become obsolete, and their functions will be taken over by the new community and rural councils in rural areas and the urban and municipal councils in urban settlements.

Figure 1: The development council structure.

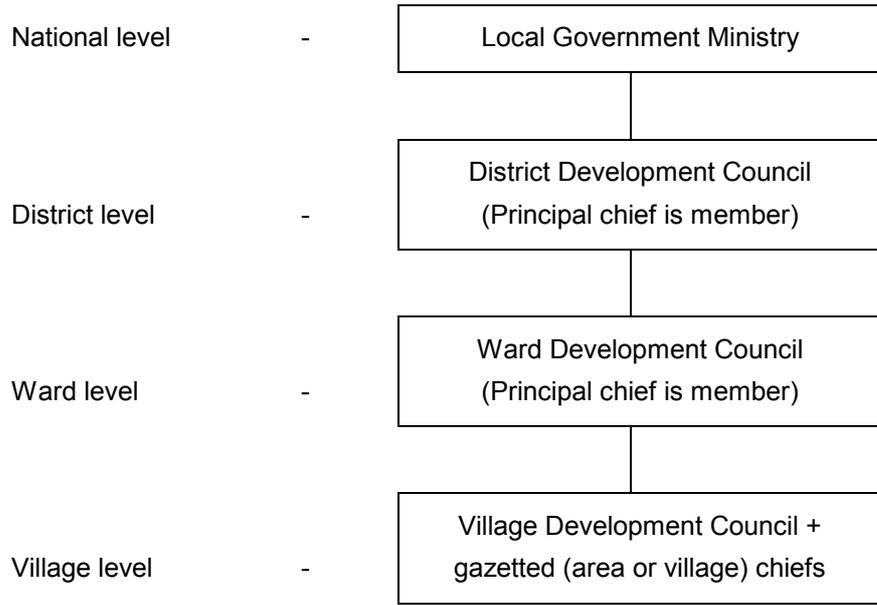


Table 1: Changes in range resources management and control from 1979 to present (Source: Range Management and Grazing Control regulations, 1980, Local Government Act, 1997).

Management authority	Year	Activities/responsibilities
Principal and area chiefs	1979 - 1992	<ul style="list-style-type: none"> - Set aside <i>Maboella</i> (Closed Areas) - Impound trespass stock - Issue grazing permits
Development councils (Chiefs as chairmen)	1992 - 1993	<ul style="list-style-type: none"> - Set aside <i>Maboella</i> (Closed Areas) - Impound trespass stock - Collect pound trespass fines - Collect grazing fees - Open bank books for development funds - Issue grazing permits
Development Councils (Chiefs ordinary members)	1993 - 1999	<ul style="list-style-type: none"> - Set aside <i>Maboella</i> (Closed Areas) - Impound trespass stock - Collect pound trespass fines - Collect grazing fees - Open bank books for development funds - Issue grazing permits
Urban, Rural and Community Councils + chiefs' representatives	1999 - onwards	<ul style="list-style-type: none"> - Set aside <i>Maboella</i> (Closed Areas) - Impound trespass stock - Collect pound trespass fines - Open bank books for development funds - Issue grazing permits

It is worth noting that changes in range resources administration and control coincides with changes in Government, which indicates the strategic and political importance of these resources.

Local government

The first and second schedules of Local Government Act, 1996, stipulate the functions decentralised to principal local authorities and those of community councils. According to the Act, these local authorities (councils), within their administrative limits, are responsible for regulation, control and administration of all matters set out in the First Schedule of the Act. Each local authority, within its

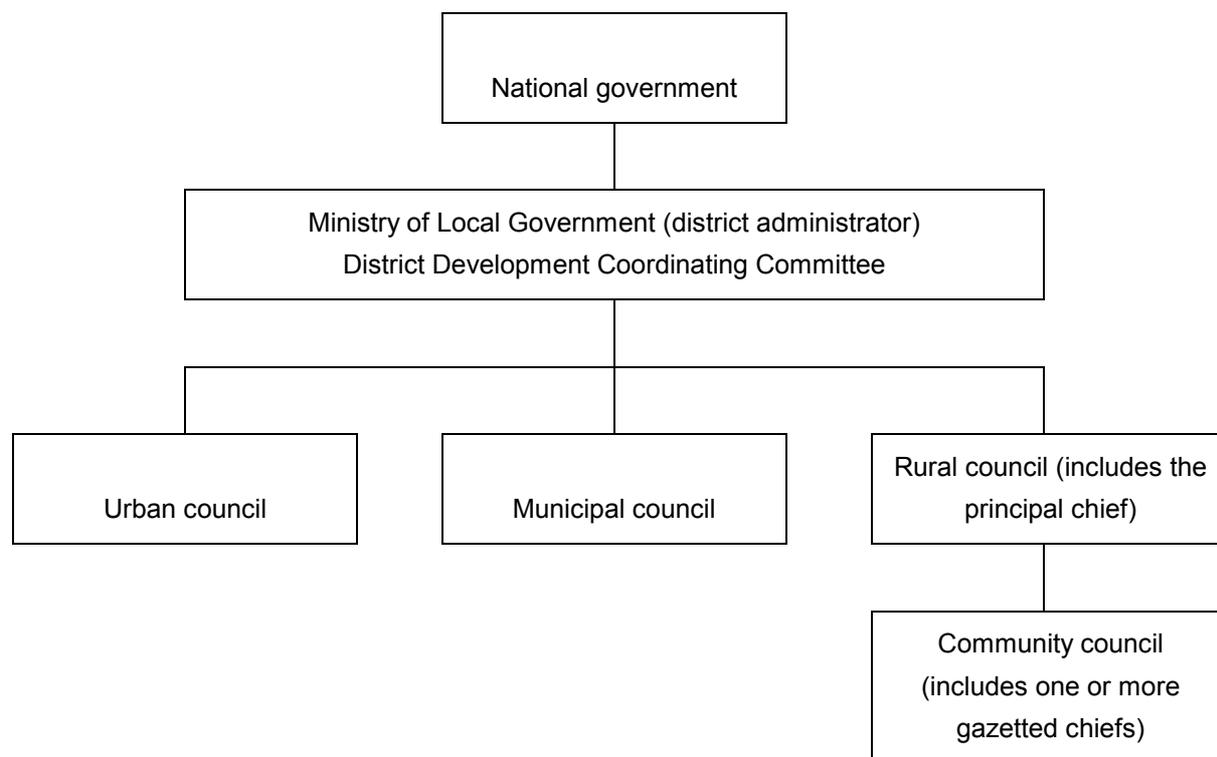
administrative limits, is charged with control and administration of, among others, natural resources, physical planning, land/site allocation, grazing, water resources and fire management.

The local authorities under the new local government structure are: rural councils, municipal councils, urban councils, and community councils. The term of office for these councils is five years, and as at present, elections have not been held. In the interim the development councils have the legal mandate over the range resources. Community based organizations such as grazing associations are taking part in the management of the resources, but they have no clear legal status.

Table 2. Composition of local authorities (councils)

Council	Composition
Community council	Not less than 9 elected members but not exceeding 15 elected members and not exceeding 2 gazetted chiefs (other than principal chiefs) who shall also be elected.
Urban councils	Not less than 9 elected members but not exceeding 13 elected members and not exceeding 2 gazetted chiefs (other than principal chiefs) who shall also be elected.
Municipal councils	Not less than 11 elected members but not exceeding 15 elected members and not exceeding 3 gazetted chiefs (other than principal chiefs) who shall also be elected.
Rural councils	Not less than 37 members but not exceeding 45 members and not exceeding 3 gazetted chiefs other than principal chiefs) who shall also be elected.

Figure 2. The structure of local government: Phororo (1999)



COMMUNITY BASED RESOURCE MANAGEMENT INSTITUTIONS AND THEIR RELATIONSHIP WITH LOCAL GOVERNANCE STRUCTURES

In Lesotho, there are a number of community-based institutions for management of natural resources. These include grazing associations, farmers' organizations, herders' institutions, community conservation forums, burial societies, non-governmental organizations and women's groups.

Range management areas and grazing associations

A range management area (RMA) is an area of land specifically set aside by a chief (or ward development council) upon which improved range management and livestock production practices are introduced (Buzzard *et al*, 1991). The RMAs are managed by grazing associations (GAs), organized groups of users resident within the area, who operate with the advice an agricultural extension officer. Major objectives for setting up RMAs are:

- to improve and sustain rangeland productivity,
- to improve livestock quality, and
- to increase the incomes of rural livestock producers.

The grazing associations which are scattered throughout the country, are responsible for management of grazing resources, although their operational powers depend on delegation of management powers by the village development councils, which will be replaced by community, rural, municipal and urban councils once the local elections have taken place.

Grazing associations are established under the Societies Act No. 2 of 1966. Membership includes several villages and they are allocated grazing rights on land which may fall under several area chiefs' boundaries.

Grazing associations are registered under the Societies' Act No.20 of 1966. The Act allows the associations to hold property, acquire and enforce rights and obligations, this against the backdrop of tradition and culture of land being a communal asset. Grazing associations, lease/own grazing rights within areas normally allocated for cattle post grazing areas, which in terms of Regulation 8(1) of the Range Management and Grazing Control Regulations of 1980, are designated communal land. There is a complication in that membership is not restricted only to people residing under the designated ward or principal chief. Anyone residing within the boundaries of the area designated as an RMA can be a member.

Clause 8. (1) of the Range management and Grazing Control Regulations of 1980 stipulates that "grazing of cattle post areas shall be communal and no principal or ward chief shall have the right to restrict a cattle post grazing area to the people living in his area of jurisdiction, provided that in special circumstances the principal or ward chief may, on the advice of an agricultural officer, restrict grazing to a particular group of people living in a particular area". This pronouncement does not protect the rights of the grazing associations.

Chiefs are under no obligation to protect the rights of these societies separately, but the Ministry of Agriculture, which is the government department directly responsible, relies on the cooperation of the chiefs to implement the legislation. Implementation of the two rangeland utilization patterns (communal in the form of range management areas and open access grazing) side by side has resulted in problems especially with non-association community members wanting to graze the better managed association areas, with chiefs often caught in the middle as traditionally they are expected to mediate in community disputes. In both the new local government and the old village development council structures the chiefs' intervention carries very little weight as they are ordinary members like the rest of the community.

Table 3. Status of range management areas/grazing associations in Lesotho. (Source: Lesotho National Livestock Development Study, 1999).

Name	District	Size (ha)	Year of declaration	No. of villages	Status (1999)
Sehlabathebe	Qacha's Nek	33000	1982	12	Active
Moshebi/ Ramatseliso	Qacha's Nek	10082	1988	9	Dormant
Pelaneng/ Bokong	Leribe	36500	1989	17	Active
Mokhotlong/ Sanqebethu	Mokhotlong	52440	1991	37	Active
Malibatso/Matso ku	Leribe	38355	1994	18	Active
Qhoali	Quthing	15305	1997	19	Dormant
Liseleng	Mokhotlong	8385	1997	13	Active
Mofolaneng	Mokhotlong	14988	-	12	Proposed
Tsehlanyane	Leribe	15902	-	49	Proposed
Tsikoane/ Bokong	Leribe	-	-	-	Proposed
Ketane	Mohale's Hoek	7800	-	3	Proposed
Phamong	Mohale's Hoek	-	-	-	Proposed
Libibing	Mokhotlong	-	-	-	Proposed

Farmers' institutions

These groups were established prior to the existence of range management areas and grazing associations, whereby livestock farmers organized themselves into wool and mohair growers associations. These groups' are directly involved with management of natural resources, but their by-laws and constitution limit them to improvement of small stock with less emphasis on natural resources management. Their emphasis is also on breeding stock and remedies, training in animal husbandry, disease control, marketing and range management (Chakela, 1999).

The role of non-governmental organizations (NGOs)

There are several categories of NGOs and community-based organizations engaged in natural resources management in Lesotho. The majority of them are almost entirely financed by international donor agencies and mostly fulfill the mandate as identified by the donors. Others have partners in Africa and the West, while still others are indigenous. All categories do not have the financial independence to determine their own mandate, and the length of time they are in service is directly related to funding availability. Increasingly donors are asking for government and civil society contributions to NGO's so that they can release matching funds. This is the way donors are beginning to measure the commitment of the local incumbents to sustainability. As a result, of late the NGOs carry out consultancy services for other organizations in order to raise funds, but recognition for the services normally goes to the clients (Seabata Motsamai, telephonic interview).

The major resource management activities that NGO's have engaged in over the years in Lesotho include watershed management, community water supply and sanitation, soil conservation, forestry and environmental awareness.

There is a growing recognition in Lesotho by government and parastatal organizations of the significant role played by NGOs and community-based organizations. Those engaged in social, environment and development issues are willing to accept subsidies to extend the scope of their services or take on additional work from other organizations including government institutions. Most NGOs engage in activities already catered for by government structures and incorporated in national action plans. It was deemed necessary, therefore, that consultation should take place between NGO'S and relevant government departments to open the way for cooperation during implementation of community projects. Perceptions that NGO'S are radical organizations which have potential to cause disruption, based mostly on media portrayal internationally, persist, resulting in discrimination by some government institutions.

There has been a strong move lately towards incorporating NGOs in national planning activities. The Lesotho Council of NGOs, the umbrella body of Lesotho NGOs, maintains a register NGOs and their expertise. Environmental NGOs have been known to participate in capacity building in range management, focusing mainly on herders in order to provide them with literacy and numeracy skills, animal husbandry, and community forestry (Chakela, 1999).

The National Environment Secretariat under the Ministry of Environment, Gender and Youth Affairs has taken on the role of coordinating those NGOs with a natural resource bias which will ensure maintenance of agreed standards and cooperation on projects.

Because of most NGOs' non-permanent status, they can mostly play an advocacy role and limited on the ground implementation of projects, including natural resources management.

NGO's which fall directly under international organizations such as Africa 2000 (UNDP) do not have a clear mandate and their obligations to the people of Lesotho cannot be enforced in a similar manner to those of indigenous organizations.

The role of women in resource management

There is increasing recognition for women in that where previously they were taking care of resources for the absentee adult male relatives working in the South African mines, they are now recognized in their own right as resource managers. Membership of grazing associations is open to all residents including women. In general, women join structured community organizations as these do not recognize the traditional role of men as leaders (personal observation). In a lot of cases where there are organized committees, women almost always hold the portfolio of vice chairperson, secretary and treasurer. Where men still want to get involved in activities that will earn them wages and recognition, women tend to follow the less traditional route and get involved when there are opportunities of improved family life and community well-being.

Other groups

Community social forestry groups focus more on wood and timber production, rather than taking into account management of the resources as a whole. In a like manner, soil and water conservation committees put more emphasis on rehabilitation and reclamation of dongas (gullies) rather than managing the natural resources as a whole.

There are 'selected development areas' under the jurisdiction of the Lesotho Highlands Development Authority, and additional areas being promulgated as nature reserves under the Authority. In nature reserve areas, community conservation forums (CCF) have been formed. Representation of the CCF is such that it includes the full spectrum of affected and interested community groupings who lay claim on the resources within the nature reserve boundaries. Their importance as a bridge between the project and the community cannot be overlooked as their cooperation would mean the difference between survival and real success of the nature reserves. The chiefs and development councils are represented on the CCF.

There are also schools and agricultural groups, who focus specifically on crops and vegetable productions only. The associations of traditional healers are much more interested in medicinal plants rather than focusing on total resources. The powers and rights of property for all these institutions are minimal, since the village, ward and district development councils are vested with all the powers by the State Acts. In some areas, herders are organised into committees to manage their grazing areas, and to reclaim denuded areas. However, the effective functioning depends on the will of development councils to let them do so, by delegating their management powers to them (herders).

Communities in Lesotho are increasingly forming interest groupings at a local level such as burial societies. These groupings engage in activities such as community forestry, vegetable production and dairy farming to raise funding. The majority of members of these groupings are women. Programs such as the development of nature reserves in the Lesotho Highlands Water Project areas are utilizing the indigenous common interest community groupings in order to facilitate communication and ensure good community relations. The groups' effectiveness as facilitators in community development is relatively high because they are in the groups by choice unlike the groupings which form because of promises of financial reward, a common occurrence during start up phases of community projects funded by outside agencies.

CASE STUDY: Pelaneng/Bokong Range Management Area (RMA)

Information for the case study was derived from the following sources:

- Reports compiled by the Range Management Division, Department of Livestock Services, Ministry of Agriculture, Cooperatives and marketing.
- Verbal communication with the Range Management Division staff, Department of Livestock Services.
- Verbal communication with Executive Committee members of the Pelaneng/Bokong Grazing Association.
- Lesotho Highlands Development Authority Field Services staff.

The Pelaneng/Bokong RMA is located approximately 160 km north of the capital Maseru. It lies within the watershed of the Malibamatso river and 3.3 percent of the RMA has been inundated by the Katse dam (Fig. 3). The RMA is about 35,949 ha in size and the three major land uses within the area are residential, cropland, and grazing. Elevation ranges between 1900 and 3198 m. Topography over most of the area is very steep, with high elevation areas designated summer grazing (cattle post areas), and the valleys winter grazing. Village grazing areas and croplands are generally located at the mouths of the valleys.

Forage growth is most active during the warm season between November and April. Snow is common in June, July and August at elevations above 2800 m, and may reach cumulative depths of up to 30 cm.

The RMA is located within the Leribe District. Local administration of development in the area, like other parts of the country, falls under elected local government structures and the chieftainship, both systems operating parallel to each other.

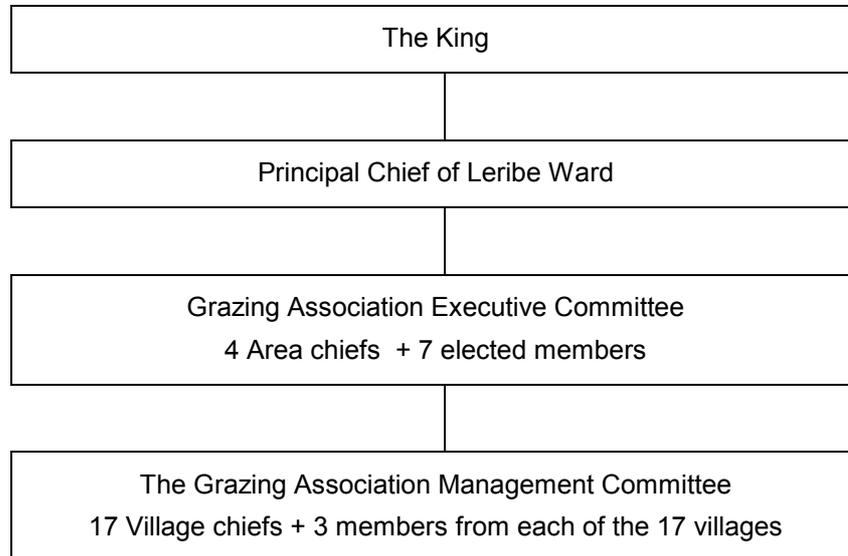
Figure 3: Map indicating location of Pelaneng/Bokong range management area.

Approval for the promulgation of the RMA was given by the principal secretary of the Ministry of Agriculture in 1988, which was preceded by a series of forums between district authorities. The principal chief participated in these forums and once he declared his approval of the RMA, he was also responsible for informing his constituents. Once the approval was given, it was necessary to form the grazing association which would be empowered to regulate grazing within the RMA. With participation from the community, the range management area advisor, the district range technical officer and the range management staff from the headquarters in Maseru, the association's constitution and regulations were drafted and late in 1990 the Bokong/Pelaneng grazing association was entered into the Lesotho Societies Register.

The RMA has membership from 17 villages under four area chiefs. Membership is open to all residents from the villages in the area. Residents of other villages within the mountain zone who previously had grazing rights in the area can join as long as they pay their once off registration fee of R50.00 and membership of R10.00 per year, payable annually. Members also have to abide by the policies and grazing plans guiding the association. Grazing permits, whose purpose is to regulate access, monitor behaviour and sanction violators based on the commonly agreed restrictions, are

issued to members by the grazing association committee and stamped by the chief. This would imply that the administration of grazing is under the chief's control.

Figure 4. The traditional administrative structure for the Pelaneng/Bokong Range Management Area.



The association membership elects three representatives on the management committee from the 17 villages, and the range riders, who are paid from the stock pound collections, are also chosen from all of the villages.

To date, the grazing association has held its monthly meeting every month. The village development council and local government representatives are invited to these meetings.

The number of members has been decreasing over time due to political and institutional tensions in the area. The mandate of the different controlling bodies, and how they relate with each other is not clear. The problem has also been exacerbated by the delays in local elections for the rural councils, the body that has been given the overall power of control. As a result of the gap left by the delay in the elections, the village liaison committee, a non-statutory organization affiliated to the ruling party, has exploited this gap and installed themselves in place of the VDC without being elected. This has potential to politicise the rangeland utilization.

Membership has dropped from an original 600 to 346 because of these tensions (chairman of the grazing association, 1999). There's still a section which is pushing to maintain the RMA and they operate mainly through the grazing association as opposed to the local government structure. Those members who have dropped out have started converting parts of the common property range management area into open access grazing, and this is likely to impact negatively on the community's socio-economic well being and the state of the environment in the area. The associated degradation

has already been identified as a source of concern by the grazing association, in that due to the proximity of the RMA to the Katse Reservoir, they may have to forfeit their grazing rights as the degradation is likely to affect the quality of the water being delivered to South Africa.

CONCLUSIONS

Rights of ownership and management of common property, in this case rangeland resources, can only be secured if they have proper institutional, technical, financial and legal backing from the Government.

Institutional tensions are experienced both at local and national government levels due to the lack of clarity of mandate guiding the different institutions. Range Management and Grazing Control Regulations are promulgated under the Ministry of Agriculture while chiefs, though not directly public servants, answer to the Ministry of Local Government, together with the development councils.

The legal issues guiding the power of control of the range resources have still not been resolved, and there is no clarity on the mandate and hierarchies in range resource management.

The traditional village structures which in the past governed property rights and management of communal resource, and which were mostly understood and respected by rural communities because of the associated penalties for transgressors, have been dismantled to make way for democratic structures. Because of the serious lag between setting up the modern legislative systems and phasing out the traditional systems, the gap has been exploited by those not wanting to follow the rules. Common property access is being converted to open access because of the lack of operational regulatory structures and the phasing out of the communally accepted systems of regulation which have over time guided resource use.

Within the myriad of structures which are presently operating with the goal of managing the rangeland resources, the one level which seems to be consistently present is the chieftainship at ward level. They have been able to maintain their autonomy and some power of control, and are represented within the different structures that have been in operation at different times and under different governments. Their power of decision has from time to time changed, but they have been recognized as the structure which could be exploited in order to get community acceptance of the changes brought into the communities.

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**EMPOWERING COMMUNITIES
TO MANAGE NATURAL RESOURCES:
WHERE DOES THE POWER LIE?**

THE CASE OF MALAWI

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“Mr. Speaker, Sir, Honourable members, realising that the depletion of our forests and environmental degradation have serious negative effects on development, government will launch clear policies, programmes and practices aimed at achieving sustainable utilisation of forest resources. It will also adopt a multi-sectoral approach to the deforestation problem which will involve major changes or reversal in the causative forces which include rapid population growth, acute poverty, subsistence agriculture and over-dependence on wood energy.

Mr. Speaker, Sir, Honourable members, government will ensure that communities are closely involved in the management and sustainable utilisation of forests through the promotion of tree planting, conservation and management and formation of local level structures such as Village Forest Committees. It will pass appropriate forest legislation and policies to reverse deforestation.”

State Address made by His Excellency, President Dr. Bakili Muluzi on the occasion of the State Opening of Parliament, 30th June 1994

ABSTRACT

Effective CBNRM has been practiced for decades in Malawi when traditional leaders commanded a lot of power in their subjects. Political and economic changes over the years have been observed as having weakened the powers of the local leaders, and made it difficult for them to mobilise their people towards CBNRM. A multi-sectoral approach by a number of players, aimed at capacity building combined with strong traditional leadership and appropriate legal framework would provide the necessary conditions useful in restoring community confidence and commitment for successful CBNRM.

INTRODUCTION

The Government of Malawi (GoM), concerned with escalating deforestation and associated environmental degradation, and through a multi-sectoral approach, has placed high priority on the involvement and empowerment of communities in the management and sustainable utilisation of natural resources. The priority given to community-based natural resource management (CBNRM) is well embedded in the GoM Statement of Development Policy 1987 – 1996 (GoM, 1997) and in the recent Vision 2020 National Long Term Development Perspective for Malawi (NEC, 1998). A new forestry legislation is now in place designed to provide the necessary legislative support and enabling environment to effectively promote and sustain community-based management efforts in Malawi.

The country has recently witnessed increased emphasis on community forestry by the Forestry Department (FD) and emergence of numerous community forestry-related projects and activities by other government agencies, non-governmental organisations (NGOs) and the private sector. Through these, valuable lessons and solid gains in addressing village forestry issues have been achieved in the implementation of many of these programmes and projects. To this end, a National Community Forestry Programme has been formulated to provide an overall policy and strategy framework for the GoM, NGOs, parastatal bodies, private sector, and others involved in the planning, implementation and management of community forestry development projects and activities.

Despite the evident policy commitment to 'community-based' natural resource management shown by the GoM, only a few of such programmes have adequately contributed to enhancing the capacity of village level organisations, local communities and district level institutions to plan, implement and manage on their own. There has been too much emphasis on the technical aspects of natural resource development (e.g., indigenous forest management, tree planting, etc) rather than the socio-economic aspects (e.g., community needs, community organisation, etc) such that communities have realised little benefit on a sustainable and self-reliant basis. In some cases many community-based programmes have developed dependency on government and NGOs rather than self-reliance amongst the local communities. Further, even where 'community-based' natural resource management seems to be working, there is accumulating evidence, both factual and circumstantial, that many of such programmes are not community-based in the real sense, but that they have resulted in the shift of power from one level of authority and control to another.

This paper examines the power relations and decision-making processes from two case studies in Malawi in order to expose the level of community empowerment and participation in CBNRM.

CASE STUDY AREAS

Two case study areas were selected in Malawi, that is, Chimaliro Hills and Mangweru Hill areas. The first case study was conducted at Chimaliro in Group Village Boni Chakuchanya in the area of TA Kaluluma, located approximately midway between the capital city, Lilongwe, about 180 km away, and the city of Mzuzu, in the northern region (Fig. 1). The Chimaliro study area forms the northern boundary of the extensive Lilongwe-Kasungu plain that lies at approximately 1100 m.a.s.l. It has, on average, a population density of over 74 persons/km² (NSO, 1987). The area receives mean annual rainfall of between 800 and 1600 mm.

Community involvement in natural resource management is undertaken in the miombo woodlands of the Chimaliro Forest Reserve in what are called co-management blocks and in the village forest areas (VFAs). For the former, this involves groups of three villages, formed by villagers themselves, which manage together with the FD three clearly defined co-management blocks. At the same time each of the nine villages under Boni Chakuchanya manages its own VFA. VFAs are mainly under community control and managed through village natural resources management committees (VNRMCs), formed by the community during village meetings but usually under the auspices of and with advisory services provided by the FD. Currently, the forest reserve, covering 160 km², though under complete government control, is partly under co-management between the government and the communities, through an elected VNRMC, on a pilot scale. The reserve was gazetted in 1926 although communities were after then still involved in protection measures such as firebreak maintenance and early burning. Shifting cultivation was, however, discouraged and villagers were moved out to settle in the surrounding plains, with the exception of one village which acted as a forest caretaker and was allowed to cultivate specific areas in the reserve. By 1945, however, cultivation within the reserve, seen as environmentally unsustainable, was prohibited and the last village was moved out (Varela *et al*, 1995).

Communities in the area comprise mostly of smallholder (commercial and subsistence) farmers with a patrilineal line of descent, that is, husbands inherit or receive land from their father, and wives move to their husbands' village upon marriage. The area is located at the intersection of the Tumbuka and Chewa tribes.

The second case study involved Mangweru Hill Village Forest Area in Group Village Jamali in the area of TA Lundu about 30 km from the commercial city of Blantyre (Fig. 1). The VFA, covering 38 hectares, is composed of miombo woodland in an area receiving approximately 700 – 800 mm annual rainfall. The average population density is over 200 persons/km² (NSO, 1987). The village largely represents a smallholder farming community dependent on subsistence living or employment. High pressure on land and forest resources is evident by significant over-cultivation, overgrazing and depletion of fuelwood and timber leading to increased erosion and reduced yield. Most of the area has rather degraded low altitude savanna giving way to miombo on hills and escarpments. Due to extensive migration and settlements, the area is a mixture of many different tribes although the major one is the Yao tribe. Settlement is of a scattered nature, with most people living near their cultivation fields or in small villages.

Figure 1: The location of the study sites (striped and labeled) of Chimaliro (1) (TA Kaluluma) in Kasungu District and Mangweru (2) (TA Lundu) in Blantyre District.

Upon noticing, in the late 1970s, that Mangweru Hill, on which the local community depended for firewood, poles, timber, fruits, ropes, honey and medicines, had been completely denuded, mainly due to charcoal production, the inhabitants of Jamali village mobilised themselves and formed a committee. The latter was charged with the responsibility to protect the hill from fire, overgrazing, and wanton cutting of trees with the view to promoting natural regeneration of indigenous trees. The first meeting leading to the formation of the committee was held in 1978 under the stewardship of councillors and the village head, Lady Jamali. Community-based conservation and management of the miombo woodland on Mangweru Hill started in 1991, after earlier plantings of Eucalyptus trees on the peripheral of the hill designed to protect natural regeneration of the miombo woodland.

A 10 member village forest committee (VFC) was formed to plan, implement and control the activities of the proposed Mangweru VFA. Due to strict protection from cutting, the forest had, over the years, been regenerated to the extent of becoming a fully-fledged natural forest and attained utilisable age. Attracted by this achievement, the Forestry Department approached the community to offer technical assistance and share experiences. The assistance has come in the form of providing patrolmen to assist with protection from fires and theft of forest produce, advisory service in all aspects of forest management, training of committee members in basic forest management and provision of free seedlings.

APPROACH AND METHODS USED IN THE CASE STUDIES

The study was based on field work in each of the case study areas as well as information gathered from available literature. In both study areas methods included participatory rural appraisal and formal questionnaire surveys. Semi-structured and structured interviews were used, based on open questions with representatives of concerned groups as individuals. In Chimaliro, this involved target groups, key informants involved in co-management efforts of the forest reserve as well as the, purely community-based and managed, VFA. The Mangweru study was confined to groups and individuals of the largely community-based and managed VFA.

THE POWER OF THE CENTRAL STATE – LEGAL AND POLICY FRAMEWORKS

Malawi has a long history of forestry sector involvement in community-based management of miombo woodlands stretching back to the 1920s (Clements, 1935; Abbot, 1997). The Communal Forest Scheme, established and regulated by the District Administration (Native) Ordinance in 1926, was devised after gazettment of forest reserves mainly for watershed and soil protection during the early and mid 1920s. The forestry policy, at the time, of providing free seedlings to the local population had proved popular but survival had been low, and the management of scattered small reserves for the local population seemed beyond the scope of the state. The scheme, therefore, ensured a more realistic local involvement whereby village heads were allocated patches of woodland, i.e., VFAs, for local use and management. The interest in VFAs increased rapidly among village heads after the enactment of the VFAs under the Forestry Ordinance of 1931. This development streamlined the gazettment process and community activities relied heavily on local forestry staff who, by overriding the general forest laws relating to the crown lands, gave

village heads wide powers for the protection and management of the VFAs. The 1934 Forestry Department Annual Report (Anon, 1934) commented on the promising spirit of co-operation between forestry personnel and communities but cautioned that the expansion of the scheme was reducing the capacity of the Department to carry out extension work effectively. As a result interest in the scheme was sustained for only much of the following decade, after which it began to decline, particularly when priorities of the colonial government shifted and redirected efforts towards more strategic needs and resources for plantation development.

At independence in 1964, control, protection and management of trees and forests on customary lands was transferred from the Forestry Department to district councils, with extension becoming the responsibility of the agricultural extension services (Varela *et al*, 1995). The state's management emphasis then changed from forest conservation to revenue raising with revenue collectors used as forest managers, with the Department of Forestry personnel having limited involvement with woodlands outside forest reserves. This led to so much degradation of the resource to the extent that management responsibility reverted to the Department of Forestry in 1985. By this time, however, the power of the village heads had been usurped by the single political party's machinery entrenched (after 1964) in the district councils which also dictated the composition and operations of village forest committees. This further reduced the number of active VFAs and by 1994 there were only 1,182 VFAs reduced from 5,108 VFAs of 1963 (Varela *et al*, 1995).

The taking over of revenue collection by the Forestry Department (FD) while maintaining its protectionist role over forest reserves and at the same time engaging in forestry extension with local communities, proved difficult. Local community perceptions of forestry staff became tainted and the power vacuum created during the change of government in 1994 led to forest and woodland overexploitation. Malawi's democratisation meant also that the Forest Act of 1942, restricting woodland utilisation and the rights of the people over their woodlands and woodland products, became outdated. This ushered in a new National Forest Policy of 1997 in line with the current socio-political climate in Malawi. The Policy removes restrictions to the access and use of woodlands and their products and promotes equity and participation in woodland management by local communities. The Policy also promotes co-ordination between the FD and other government departments on cross-sectoral issues, and specifically emphasises the need to ensure that the women's role in woodland resource utilisation and management receives due attention.

The devolution process in Malawi could be considered as one of the most up-to-date forest policies in Africa, leaving the legislative door open for effective community involvement and co-operation in natural resource management. The biggest challenge to implementing community-based resource management may not therefore necessarily lie with the policy and legal framework, rather with trying to change attitudes and the approach taken. The FD's reputation as a 'policing' institution, the limited capacity of local level institutions for resource management and the ability of current forestry staff to work together with communities remain the major obstacles to effective devolution. The Forestry Act of 1997 provides the necessary legislative support and enabling environment for CBNRM. Under this act, the Forestry Department is re-orienting its staff, particularly in its Forestry Extension Services Division, to community forestry and extension activities, eliminating community perceptions that may hinder effective CBNRM.

One advantage the country still has is the existence of not inconsiderable number of VFAs and VNRMCs (now numbering 1,250) and the experiences of the previous relatively, successful community-based management efforts.

LOCAL GOVERNANCE STRUCTURES - THE OLD, NEW AND EVOLVING

The basic local governance or power structure and decision-making arrangements in a community administratively begin at the village level. The power hierarchy in the community is structured in such a way that the village head nominates councillors (“ndunas”), who are usually relatives or acquaintances, as an advisory team. In most cases, the councillors initiate actions after being approached by fellow members of the village on what they have decided to do. The councillors then advise the village head who may either accept the initiative or proposal and call for a communal meeting if the issue at hand is a minor one, or may take the matter to the group village head. The group village head may in turn embrace the proposal or refer the matter to the sub-chief or chief (TA) who approves the proposal or the decision made. In cases where the village head or the group village head has approved the decisions made on behalf of the chief, they then notify their superiors of the decisions made on their behalf.

Village or community development decisions are therefore taken during communal meetings called either by the village head or the group village head, prior to the acceptance of the proposal or decision made. The process involved is democratic, the head introduces the subject, the people discuss it and a decision is reached by consensus. This process gives a fair and even representation of all individuals in the community who feel part and parcel of the decision-making process on issues concerning them. Any new and evolving structures or institutions, VNRMCs, or indeed any development programmes are introduced, approved or rejected through such communally held meetings. This has been an effective traditional way of avoiding conflicts and possible power struggles in the community. The described process relates to the community set up of the Chimaliro and Mangweru areas, whose group village heads are a man and a woman, respectively.

Administratively, each village has a village head whose main duties are to make sure that his/her subjects live together in harmony. Several villages grouped together are looked after by what is known as a group village head (*Nyakwawa*), and these in turn are under the control of a Tribal Authority (TA), the chief or, depending on the area, his/her representative, the sub-TA (sub-chief). The TA appoints the group village head from a group of village heads under his/her jurisdiction. The sub-TA is appointed, in some areas, by the TA or by royal family members, mostly for ease of administration particularly where the area is too big for the TA. The latter ascends to the throne purely by royal family lineage. One of government’s direct involvement in the traditional structure comes through the appointment, in some areas, of the senior TA (STA). The STA is appointed by the president on recommendation from the DC, for political and administrative reasons, to take charge over a number of TAs. This implies that the STA directly reports to the President, through the DC, particularly in areas where there is no traditionally instituted Paramount Chief. There are only three paramount chiefs in Malawi but these, falling within a particular district, are also under the jurisdiction of the DC. Figure 2 illustrates the traditional relationships outlined above.

It is important to note that the government political and administrative framework requires that the DC be notified of any succession or nomination to a chieftainship. The DC then informs the government and the political party officials who must endorse that they agree with the succession. This goes as far as the Office of the President and cabinet for approval by the president.

By traditional/customary dictates one assumes headship or chieftainship in the hierarchical structure (Fig. 2) by lineage, in both the patrilineal and matrilineal social systems, and owes his or her position to the order of descent in the kinship or royal family structure. In the matrilineal social system, which predominates in southern, and some parts of central, region of Malawi as the case is with the Mangweru study area, one may succeed to chieftainship or headship through any of the following ways:

- The first and most common headship is the one gained through maternal inheritance. A new head or chief is elected by elders or members of the royal family from the deceased head's or chief's sister's children. However, first priority is given to the male children, but if none of the male children qualifies, depending on their record of behaviour, or if there is no male child available, then a female child is appointed to the throne.
- The second is when none of the deceased head's or chief's sisters have any children, in which case members of the deceased clan or royal family come together and elect a new leader.
- The extreme case is when no one suitable can be identified from the clan in which case a suitable and respected individual from the village is elected to the throne.

In the patrilineal social system, which predominates in northern, as well as in some parts of central, region of Malawi as the case is with the Chimaliro study area, the order of descent is through a common male ancestor. The headship or chieftainship is, in this case, passed on to the eldest son of the deceased. In general, chiefs in Malawi are hereditary and are not democratically elected. They play an important role in that they provide a symbol of authority the community can identify with. Through their hereditary positions and individual wisdom they are able to mobilise the community easily. According to the Chiefs Act, their duties are to administer customary laws, perform religious and cultural functions, settle disputes, attend to land distribution matters, and collect taxes for their revenue. This implies that the traditional governance structure is also an instrument in the political and administrative framework of the government.

Thus, the above existing traditional structural set-up can be seen to have been deliberately appropriated by past governments, especially from the post-independence period, in order to ensure effective co-ordination and implementation of developmental activities in forestry and other natural resources sectors among the rural communities. Thus, parallel to the traditional structure runs the local governance structure under the district administration, the main channel for central and local government authority in the Office of the President and Cabinet, for reaching out to local communities. This extends down to the village level where the village head chairs the village development committee (VDC) which co-ordinates all development activities in the village. It is the VDC that the VNRMC reports to and operates under as responsible for planning, implementation, and management of forestry development projects and activities within the village.

Figure 2: Relationships within and composition of the traditional structures and related district and local government structures. FC - Finance Committee, EC - Education Committee, WC - Works Committee, H&EC - Health & Environment Committee, and DC - Development Committee (replacing the district development committee - DDC).

A group of VDCs form the area development committee (ADC), representing a cluster of several villages under the jurisdiction of the TA who chairs it. Just like the VDC, the ADC co-ordinates development activities but at a higher area level of a TA. At both the ADC and VDC levels, forestry assistants and forest guards are the government agents who provide the necessary technical and organisational support. Membership of ADCs and VDCs variably includes TAs, government extension workers, MPs, NGOs, councillors of the different wards of the area, etc. The effectiveness of these committees depends mostly on the calibre and influence of the traditional leaders.

At the district level TAs, representing individual ADCs, become members of the district development committee (DDC). Other members include members of parliament in the district, local NGO representatives, representatives of different government departments and the business community, chairpersons of local authorities, etc. The committee co-ordinates the implementation of district developmental activities, public awareness and participation of local communities under the chair of the district commissioner (DC). In his role as chair, the DC is assisted by the district development officer (DDO) with technical advice from the district executive committee (DEC) which the latter chairs. The DEC is composed of all departmental heads of ministries represented in the District and other specialised professional staff such as United Nations volunteers. At this level, the district forestry officer provides the necessary technical backstopping and support.

Under the local government arrangement, there are councils (at the district, town, municipality and city levels) which are supervised by the Ministry of Local Government and Rural Development. These comprise councillors elected by residents of a ward in the local government area and traditional chiefs. Councils have committees, each with delegated powers and terms of reference which may be specific or general in nature, through which they plan and implement their activities on education, health, works, etc.

In general, developmental activities at the district level, headed and carried out by central line ministries and departments, and which impacts on the local village level seem to have increased importance through the DDCs. This may be due to Programme VI under the GoM/UNDP 5th Country Programme, an initiative that seeks to strengthen district-level institutions and to facilitate decentralisation (UNDP, 1995).

The extensive central and local government structure outlined above makes it potentially enabling for both government and political decisions to trickle down and influence activities at the local community level. In some cases in the past, particularly under the dictatorial rule of the one-party state, real power in driving activities at the local level lay with the state. The existence of the almost parallel, local and central government structures to the traditional one, particularly during the one-party state where the former had overriding powers, brought about greater weakening of the latter.

In an effort to further the constitutional order based on democratic principles, accountability, transparency and participation of the people in decision-making and development processes, the government has put in place a yet to be enacted new Act, the local government act, 1998. Under the Act, the district assembly (DA) will run activities of the district, known as the local government area (Fig. 2). Among other things, the DA will make policy and decisions on local governance and development for the local government area.

The DA will also be able to mobilise resources within the area for governance and development and will make by-laws for the good governance of the Local Government Area. The composition of the DA will be:

- Elected member of a ward in the district,
- TAs and Sub-TA as non-voting members, ex-officio
- MPs as non-voting members, ex-officio
- 5 persons as non-voting, to be appointed by the elected members to cater for the interests of such special interest groups as the assembly may determine.

Members of the DA will elect, from among their number, a chairperson and vice-chairperson, to serve for a period of five years unless sooner replaced.

The DA will establish a number of committees such as for finance, development (the same as the DDC in Fig. 2), Education, Works, Health and Environment and others at the village level it may determine. The DA will determine the composition of each committee. Such a committee may, however, in its discretion at any time and for any period invite any person, to attend any meeting of such a committee and take part in the deliberations, but such person shall not be entitled to vote at the meeting (GoM, 1998).

Thus even in this new era of promoting CBNRM in Malawi, weakening of the traditional structure may come through other means through the new local government arrangement. Furthermore, the local chiefs are now under the payroll of the local government authority and government and political influence to the community level may be equally possible if the present policy is hijacked by political opportunism.

COMMUNITY-BASED SOCIAL INSTITUTIONS FOR RESOURCE MANAGEMENT

In both study areas, formal institutions exist as village natural resources management committees (VNRMCs) (Mwabumba *et al*, 1999) which are elected at village meetings by the communities although facilitated by the Forestry Department in most cases. These committees are responsible for assisting the village head in the management of village woodlots and forests in government protected areas close to their village as well as reforestation programmes. Their other duties include enforcing laws on conservation of forest resources, regulating the utilisation of forest products, management of VFAs, fire patrols and fire fighting and reforestation of degraded areas. The committees are composed of a chairperson, secretary, treasurer, their vices and committee members.

ARE NGOS AND OTHER EXTERNAL AGENCIES INVOLVED: WHAT ROLE DO THEY PLAY?

NGOs, which have mostly mushroomed in the later part of the post-colonial era, and mainly with the onset of democratic rule, are increasingly playing an important role in CBNRM in Malawi. Initially, their emphasis was on development in the health, education and agriculture sector. They have however aggressively

expanded their activities into the forestry and wildlife sectors and, to some extent, influenced government to move towards devolution of control to communities (MOREA and UNDP, 1996).

NGOs also play a complementary role to government and individual efforts particularly where resources are limiting. By mobilising their own resources in areas of their proven strength and expertise, they have emerged as significant contributors in fostering CBNRM at the local community level in the country. For example, from the Chimaliro case study, the Chimaliro Forest Reserve has been one of the successful areas in Malawi where government, working together with the NGO, WSM, has allowed communities to practice bee keeping activities in protected areas. Most of the respondents acknowledged the WSM's mediating role in getting the FD to allow communities access to the Reserve to practice bee keeping. This was followed up with training of willing community members in bee keeping as well as in processing and marketing of the final product. In other areas of Malawi, such as Vwaza Game Reserve and Nyika National Park, the Germany Embassy and WSM, through establishment of bee keeping clubs, have access to the protected areas. There are now over 200 registered bee keeping clubs operating in protected areas in Malawi. These CBNRM efforts have had the added advantage of contributing to the improvement of the relationships between the Department of National Parks and Wildlife (DNPW) and the local communities (Adams and McShane, 1992; IIED, 1994). Due to such successes, game farming by communities of some species such as guinea fowl and cane rats has also been introduced.

In both case studies, it was apparent from the respondents that NGOs based around the study areas had established close and focussed relationships with the local communities.

In either area, PLAN International, WSM, CURE and the Miombo Research Project¹ were well appreciated for offering intensive training programmes aimed at capacity building in CBNRM. Plan International, a humanitarian, child focussed development organisation, has been active in the area of soil and water conservation, agriculture production, agroforestry, community forestry, environment, education and health. It does this through provision of credit and seed, improved delivery extension system and tree planting, vocational skills training and support for income generating activities, leadership training and empowerment, etc. WSM focuses on smallholder farmers and learning institutions on biodiversity conservation, wildlife utilisation, community forestry, environmental education, community capacity building and training. Apart from supporting bee keeping activities in the area, WSM has also been able to support community based and managed nurseries. Besides playing its coordinating role, CURE has conducted a number of capacity building training sessions in environmental education, soil and water conservation,

¹ A research project, run by FRIM and, supported by the Natural Resources Institute (UK) and the GoM under the general title of 'Management of Miombo by local communities'. Started in 1995 (end date 2000), it seeks to assist in developing participatory management of selected forest reserves and methodologies for co-management of customary land forests and forest reserves. It is assumed that such community involvement in forest management will increase access (of the community) to forest resources whilst safeguarding their(the forests) service functions.

wildlife utilisation, fuel-wood saving devices, participatory approaches and gender issues. Such programmes have helped in providing input into the preparation of detailed plans for forest resource management, something which complements the work and objectives of the FD Extension Services.

In recognition of the potential value of the NGOs in CBNRM, at the national level, the GoM has entered into a number of collaborative partnerships with NGOs. As a result, a number of official documents, policies and strategies have been prepared which show clearly the partnership role of the NGOs in supporting and implementing development policies. One clear indication of this is the on-going monthly meetings of the GoM/Donor/NGO Partnership Task Force. The Council for the NGOs in Malawi (CONGOMA), an umbrella NGO, has, to this effect, closely engaged the government in dialogue (MOREA and UNDP, 1996). Also, a number of NGOs have membership of policy and decision-making government institutions and organisations on natural resources management such as the National Council for the Environment, the Indigenous Woodland Management Research Strategy Area Co-ordinating Committee in the FD, the DDCs, the ADCs, the VDCs, etc.

According to the Directory of NGOs involved in NRM Activities (CURE, 1997), there are some 27 NGOs (up from 20 in 1995) throughout the country that are engaged in NRM activities. CURE is an umbrella NGO, established in 1994 with a mandate to improve co-ordination, planning, implementation and evaluation of environmental activities among NGOs, government and donors in order to promote sustainable, CBNRM activities. Among other things, CURE provides technical expertise and training in various areas (e.g., wildlife management, land husbandry, gender issues, etc.) and provides NGO staff with training in community mobilisation using the participatory methodologies such as PRA, Training for Transformation, etc. Other NGOs involved at the community level in the area of Community Forestry and Wildlife in Malawi include ACTION AID-Malawi, CARD, CPAR, ELDP, EVARD, HfH, PHWEZI, PLAN, RUFA, EDETA, MASH, SCF-Malawi.

There are also a number of external agencies involved in CBNRM mainly through partnerships with the government. For instance, the GoM and UNDP, through the latter's 5th Country Programme of Community Forestry and Wildlife Utilisation, brings together NGOs, DNPW staff and various extension staff from other government departments and smallholder farmers. A UNDP/FAO's Chambo Fisheries Project (initially ran from 1988 to 1992, but now on-going in its second phase), involves the establishment of Beach Village Committees in CBNRM (Rivera *et al*, 1995).

Under the Environmental Support Programme, major participating donors, which include USAID, DfID, the European Union, UNDP, UNEP, Canada, Germany and Japan, are working with the GoM in CBEM/Natural Resource Co-management. This is mainly in the transfer of responsibility from the state to the local communities for managing natural resources. These are either those designated as protected areas (e.g., National Parks, Game Reserves, Forest Reserves) or are currently open access resources (e.g., Customary Land Forests) where the ownership by a particular community is not defined (MOREA and UNDP, 1996).

Other notable NGOs in both study areas include World Vision International and World Life Action Group, among others, whose approaches in food security programmes (Robertson, 1998), seem to have made good success in some sectors and their experiences may be worthwhile in promoting local community-based natural resource management.

While efforts by NGOs are generally acknowledged and documented as given above, their push towards implementing CBNRM and other development programmes, although supposedly complementary to government and individual efforts, have in reality tended to derail a cohesive approach to dealing with national problems. A clear indication of this, for instance, is the uncoordinated implementation of forestry programmes by different NGOs, mostly implemented without following priorities set by the FD. Further, their activities seem not to be bound by the Forestry Act, which guides and gives direction to all forestry activities in the country. In the Mangweru study area, for example, two income-generating activities, bread-making and lime production, dependent on a constant supply of fuelwood, were being supported by NGOs without linking up with the FD on possible afforestation for future supply. Some NGOs are actively involved in community tree seed collection for various CBNRM programmes, risking and compromising seed purity, when the FD has given the mandate to FRIM as the only institution in the country to collect, process and sell tree seed. Often times such NGOs are perceived to be pursuing their own agenda while engaging in social and economic development of communities. As a result, there are repeated demands made by foresters, at various fora, for the FD to hold NGOs' activities in check so that they are subservient to the Forestry Policy and Act and operate according to the priorities set.

At field level, FD's efforts at CBNRM seem to receive a slight setback due to tendencies by NGOs to pay or reward communities for their contributions and time spent deliberating issues concerning them. Such precedents call into question a community's commitment towards CBNRM when the FD does not reward likewise. There is also some uneasiness in government's dealings with NGOs due to the common flight of the former's trained experts to the latter. This is incapacitating the government to effectively conduct CBNRM. Alongside this is the divided loyalty that donors now have to fund either the government or NGOs to carry out CBNRM. While the government realises that it cannot 'go it alone' on CBNRM, the most funding seems to go to NGOs, leaving the government unable to implement most of the programmes under CBNRM.

WHERE DO THE ENTREPRENEURS AND PRIVATE SECTOR FIT IN?

In both Chimaliro and Mangweru areas, there appear to be major conflicts between entrepreneurs and the private sector and the local communities with regard to resource utilisation. The entrepreneurs are more sophisticated in terms of resource acquisition, processing, transportation and marketing of forest products, most of which is illegal. In both case studies, these were said to be based outside the villages, operating alone, in small groups or in a network of groups which government authorities find difficult to track down. For example, wood carvers have been engaged in their business for a long time in Malawi without being checked. They seem to claim the largest share of the market in wood carvings but, unlike local communities, are not engaged nor have they shown interest in managing the resource they are exploiting.

Surprisingly, however, there is no single statistic indicating their impact on the environment and no efforts have been made to quantify neither how much wood is being removed from the forests and what proportion of it is exported in the form of carvings nor the value of that wood. Similarly, no efforts are made to control their activities. It seems, however, that those involved in the business are people who are so economically powerful to the extent that local institutions and structures have no capability to control them. While the wood carvers may themselves be local to the area and trying to earn a living, the real benefits go to the owners of the business who are usually wealthy people living in urban areas. Anecdotal information indicates that the type of wood or tree species, sometimes obtained under licence from the FD, that these wood carvers go for is quickly getting depleted. Expectedly, local communities are averse to this trend as wood carvers operate on an individual basis and usually not for the common good of the community.

Another group of entrepreneurs is that involved in the firewood and charcoal trade. The effect of this trade on the environment is enormous, particularly in the Mangweru area. The government, through the FD, still tries to curb this trade through various means like roadblocks, meted out fines to offenders and seizure of the products but with little success. An agreement between the FD and the Mangweru community has resulted in intermittent roadblocks that are generally perceived as too infrequent to arrest illegal exploitation of the resource they are trying to protect and manage. Under community-based control and management one wonders whether the current local institutions would be able to control the situation. Perhaps through community control, mechanisms for fostering individual entrepreneurs could be found for the benefit of the community. In Chimaliro, however, some respondents indicated that individuals have a direct benefit from the forest products sold along the major roads. This implies that benefits accruing to the community through the VNRMC appear to either take too long to be realised by the individual in the community or it is not at all. Entrepreneurs and the private sector involved in the business are usually people who are so economically powerful to the extent that local structures have no capability to control them. One would wonder whether the current local institutions would be able to control the situation just like in the days of chieftainships.

TRADITIONAL VERSUS MODERN ADMINISTRATIVE STRUCTURES: WHO HAS THE POWER?

Respondents in both Chimaliro and Mangweru viewed the local community structures as being sanctioned by the local community members and therefore had the mandate and cultural backing to hold power for their normal operations. They however felt that they did not have the same legal backing or power as they used to have in the pre-colonial times. Thus though they are still perceived to have some capacity, under both the traditional authority and the jurisdiction of the Local Government, to enforce rules required for the management of communal resources, this has been eroded to some extent. The general weakening of the traditional structures and their powers is linked mainly to political changes from pre-colonial to colonial era. Further, the coming of the post-colonial government with its strong political (one party, dictatorial) structures at all levels, national, regional, district, area as well as local levels, signified a shift of power from local chiefs to the local party structure. Ultimately, the dictates of the party carried all the powers that mattered and the traditional leadership and its structures (e.g., VNRMCs, DDCs, etc.) had to modify their

own rules and bylaws to tow the party line. As a result, local chiefs who used to preside over trials and pass judgements, for example, were heavily undermined by the local party system.

It was appreciated in both case studies, as much as it is nationally, that the change to multi-party democracy in 1994 seemed to have eased the enormous control and power the political structures had under the one-party system of government. However, most respondents, particularly chiefs in the Mangweru area, stated that the democratisation process did not necessarily restore power to the traditional leadership. They cited the period after 1994 as most destructive where the leadership and the VNRMCs had no power to and were incapable of stopping the complete deforestation of hills in the area. Mwabumba *et al*, 1999 cite an example from a study conducted within the vicinity of Mangweru, in Mdeka and Jamali areas, where informants indicated that their local committee (a natural resources committee) was being challenged by charcoal makers. When they tried to stop the charcoal makers from operating in Namatunu Forest, the charcoal makers threatened to kill them. When the committee invited the Forest Department and the Police to come and help arrest the situation, they never showed up. This undermined their power and that of the local leadership to enforce the local rules to manage the woodland as they helplessly watched the whole woodland become completely deforested.

The passing of the Local Government Bill in Parliament in November 1998, however, meant that development projects were formally decentralised to the district level and thereby implied greater empowerment of local administrative structures. Though some respondents in both case studies were aware of the existence of ADCs and VDCs, which are all designed to involve local people in development and management activities, most of them were not sure as to how these modern, government-instituted structures affect their local level traditional structures. It was also not yet clear to them how such relationships would influence community-based management of miombo woodlands. It would appear then that government ought to work closely with the existing traditional structures to make them more effective and powerful particularly when emphasis is now being put to participatory development and decentralising of government structures for CBNRM.

Government efforts through the FD Extension Division are currently seen as the best way forward in promoting and empowering traditional structures in CBNRM. Forestry extension officers and their counterparts in the Agriculture Department, based at the local community level in what are called extension programme areas, work with the traditional structures, mostly, local leaders and VNRMCs, as partners in CBNRM. In Chimaliro, traditional leadership is still held in deep respect and the community is more cohesive than in the Mangweru area, where the tribal composition of the community is more diverse. In comparison, the VFAs and the VNRMCs are more successful in the former than in the latter. In both cases the government through its extension workers is seen as playing an advisory role in CBNRM of communal forests (mostly VFAs) with real power concerning their management and utilisation resting with the traditional leadership through the village committee (VNRMC). However, power on protected areas (Forest Reserves) belongs to the government. The Forest Department as an institution is still charged with the duty to police harvesting of forest products such as firewood, charcoal, poles and timber and small taxes are still levied on offenders or illegal users. It still has the power to unilaterally declare as protected areas and gazetted, forests and wild life areas which are of free access to local communities. Hence, there

is the realisation of feeling completely disempowered in terms of managing these areas. Even in the forest co-management work in the Chimaliro Forest Reserve, with emphasis on rights of the community to the resource, shared control, responsibilities and benefits, most respondents felt real power rested with the government who hold all rights to the land.

The manner in which co-management has been initiated and is being carried out, however, is not through a top-down approach, as was the case in the previous one-party system of government. This has given some hope to the local communities in both case studies that efforts being made in promoting community participation serves as a beginning to full control and empowerment of local communities in CBNRM. The present era of multiparty democracy in which government has passed legislation recognizing the capacity and legitimacy of local institutions in managing forests and woodland areas (GoM, 1997), perhaps has created conditions for genuine devolution of power to local communities.

GRASSROOTS OR EXTENSIONS OF THE STATE: WHO MAKES AND ENFORCES THE RULES?

When dealing with CBNRM of either protected areas or customary land, its success is based on communities living in the area having a sense of ownership, control and/or management of the natural resources. Protected areas in Malawi include National Parks, Game Reserves and Forest Reserves occupied, used or acquired by government. The rules for and means of protecting the resources in these areas had been exclusive to the government and the rights of the communities in the surrounding areas overridden in the name of national interest. The concept and introduction of co-management adopted in Malawi involves natural resources within protected areas, as is the case with Chimaliro Forest Reserve, as well as with open access areas (e.g., customary land forests such as Mangweru Hill Forest). As co-management involves the sharing of responsibility over natural resources and implies the formation of institutional partnerships between the state and the local communities, it inevitably engages both in taking part in decision-making and formulation of rules and by-laws. Although the idea of co-management did not have its basis at the community grassroots level (albeit indirectly influential), the rules embedded in the management plans, agreements, regulations and legislation for co-management of Chimaliro Forest Reserve indicate that the community, in partnership with government, established the rules which they are enforcing. The VNRMC involved in co-management does not, however, formulate and enforce rules for the rest of the Forest Reserve; this being the responsibility of the FD whose rules and regulations are covered in the 1998 Forest Act.

The making of rules and their enforcement for the VFAs is different, as this is entirely the responsibility of the village heads and the VNRMCs done in consultation with the community. Section 33 of the Forest Act 1997 empowers VNRMCs to formulate bye laws for the purpose of managing VFAs. When devising these bye laws, the VNRMCs must clearly state the purpose of each rule/regulation and how the forest will be managed and utilised in a sustainable manner. This should include schedules for protected trees, prices of forest products, the possible offences and penalties incurred by those breaking a bye-law. As the

VNRMCs are mostly initiated by the FD rules made and enforced at the local community level are, however, still open to political and administrative influence of the government.

According to the rules and norms operating at the local level, however, the resource utilisation and management of VFAs heavily depends on the authority of the village head. All community members and committee members stated that the village head is actually the leading authority in the village. The village head has got the supervisory control over the VFAs, as well as co-management block committees of the forest reserve, and has to be approached for permission to access the forest, and is the person with the final say about management rules. The rules of the VFA can be changed on his behalf, whereas the management rules of the co-management block can only be changed in his co-operation with the co-management block committee. This indicates that the traditional rules carry more weight and are strictly adhered to and enforced rather than those that may trickle down from the state. To most respondents, the direct link of community activities to rules and decisions made at the DDC meetings was not obvious. What appeared to matter was the fact that the community is always contacted on issues that affected their households and that they are a part of the decision-making process. This set-up is replicated in all other parts of Malawi where committees of VFAs are active; the extent of their success mainly based on the strength of the local leadership.

In Mangweru, CBNRM was based on mobilisation of communities at the grassroots level, without outside influence. The village leadership and its 'ndunas' in consultation with the community set up the rules and regulations for the protection and sustainable utilisation of a forest area. The FD only came in to learn and to also give support in terms of capacity building, especially in aspects of resource management, leadership skills and planning. Enforcement of rules to protect the forest, for example, done through village-organised patrol teams, is effected both during the day and at night. This protection is mainly against theft by people from the city of Blantyre.

WHERE DO THE BENEFITS GO - WHO MANAGES AND DECIDES ON THESE?

Under the co-management arrangement, e.g., for the Chimaliro Forest Reserve, benefit sharing refers to the proportion of financial and material benefits allocated to each party, as agreed upon by the FD and the VNRMC representing the community. Under the agreement, 70 % of revenue or forest produce collected shall go to government and 30 % to the community. Under customary land, however, particularly where the FD is actively involved in management of a resource together with the community, 80 % and 20 % of revenue collected will go to communities and government, respectively. The VNRMC, with approval by the village head, decide how the revenue should be used, by looking at the community projects to be implemented in the area. It is after community developments have been accomplished that money accruing to the community can be paid as a household dividend.

Though there is a deep appreciation by the community for being allowed access to the forest reserve under the co-management agreement, there was dissatisfaction with the disproportionate share of

benefits. Most people could not understand how the proportions used were arrived at but conceded that it was far much better than getting nothing as was the case in the past. Besides, most felt that there are many non-wood forest products, such as thatch grass, mushrooms, rope, caterpillars and others, that the FD does not lay claim to. This, however, underlines the fact that devolution is being pursued with a lot of caution, with the FD maintaining some authority and, in some cases, being uncompromising.

The problem of benefit sharing did not arise among the community in Mangweru as the VNRMC, with supervision by the village head, had full control of the revenue, mainly from the sale of poles, firewood and, in some cases, timber. Revenue collected so far has been used in helping towards rehabilitation of a church building, school and individual villagers' houses, as well as construction of bridges. The initiative shown by the community and the success they have had in protecting and managing the forest resource has made the FD not to interfere in share of benefits. As the FD still maintains its advisory role, this implies that it is flexible on the issue of benefit sharing.

Benefit sharing in other sectors of natural resource management has had positive as well as negative implications. Major problems arise when the supposed benefits are not forthcoming or what is given out to the community is not what was anticipated. The underlining cause seems to be that either the people are not involved in the decisions on the sharing of benefits or the information from their leaders, engaged in the discussions, does not flow down to them. In other cases, such problems come out of sheer misunderstanding of the conditions for community involvement in CBNRM. The Border Zone Development Project (BZDP), funded by the German Technical Co-operation (GTZ), the European Union, German KFW Fund and Revenue Sharing Fund, was started in the early 1970s to enhance the conservation of biodiversity and ecosystems of wildlife in the northern region. This led to the extension of the Nyika National Park and Vwaza Marsh Wildlife Reserve (together occupying 11 % of surface area of Malawi) and the translocation of people to neighbouring communities bordering the newly established protected areas. Some compensation was made then but it was not clear how much further benefits would come from having given up the land for game and for its protection. When the community received K1 million (about US\$22,000) from the Revenue Sharing Fund from the sale of game from the Ministry of Tourism, Parks and Wildlife, there were no dissenting views about the share. However, when government and the project sold 32 tourist-attracting, roan antelopes to a Zimbabwe national park in September of 1998, worth US\$4,000 each, with no benefit in terms of money or access to the wild game to the community, the government was accused of illegally transferring wildlife to foreign countries while denying the ordinary villagers access to wild game. Some members of the community felt cheated. This indicates that either the chiefs who were briefed by the government ministry before the sale did not in turn brief their subjects or it has never been clear to the community as to the terms of the co-management. Also, it was not apparent to the villagers that the sale was from a normal population control exercise of animals, thereby making the transfer legal and part of the money generated would somehow be injected into the community through the Border Zone Development Project. The scarcity of arable land within the border zone is said to be the main cause of conflict between the authorities interested in conservation and those communities pressing

for utilisation. The extension of the protected area has created difficulties for the villagers to sustain a livelihood in the border zones because of uncontrolled and unsustainable exploitation of dwindling natural resources by both the dislocated and indigenous population. From the misunderstanding created in the project area between the government and the community, it is obvious that clear and unambiguous sharing of benefits as well as roles to be played by either party, are crucial in the successful implementation of CBNRM.

COMMUNITY DIFFERENTIATION: ARE THERE SECTORS WITHIN THE COMMUNITY WHO APPROPRIATE THE VALUE?

The two case studies of Chimaliro and Mangweru, as it is for most of Malawi, have shown high community differentiation, which can vary from area to area. This could be in terms of different tribal backgrounds and lineages, capacities, interests or motives, gender, etc. Partly due to this differentiation there is likely to be a deliberate attempt by an individual, a household or a group of people to select community roles each is comfortable with. This also entails that different people will seize opportunities and benefits differently within the community and display different levels of commitment towards community work. For instance, during the preparation of a management plan for co-management of Chimaliro Forest Reserve, different views emanated as to whether to manage the forest as one group or manage it in blocks comprising of three villages each. It transpired that not all the nine villages were comfortable to work together, some preferring to work with one than the other village as they migrated from the same area and arrived together in Chimaliro. All the village heads, however, wanted to work as one group. Further, the young men wanted to manage the forest for production of timber, charcoal, etc., for income generation, with patches of the forest allocated to individuals, while the elders did not want the forest to be divided up among them. Even after a general consensus was reached on this, there was a lot of disparity regarding the type of management under which to put certain sections of the forest. Most of the suggestions put forward had to do with personal interests and benefits, and whatever was agreed upon as of importance to the community was to favour a certain section of the community.

The administrative structures of VNRMCS under co-management arrangements and VFA, can be said for Chimaliro as not having been borne out of a purely grassroots initiative, as the case was with Mangweru. The level of active participation and commitment towards CBNRM, appears to have been largely driven by the traditional leadership in Mangweru. In either case there were indications made by members of the community that some committee members, though democratically elected, showed tendencies of serving their own interests. However, the system put in place through the village head allowed for community members to voice their concerns to the chief for the removal of such members from the committee.

Perhaps one area which was difficult to discuss was the differential appropriation of forest resources for the benefit of women. The roles for women in CBNRM and therefore benefits accruing to them were

restricted to certain activities and forest products. This is mainly due to the influence of fundamental traditional values and beliefs in the community, e.g., that firewood and thatch grass collection was a woman's domain. Most women respondents expressed the view that they wanted the same opportunities as men to have an equal say and influence in the decision-making concerning forest management and utilisation, as crucial in enabling them have a fair share of benefits. This was strongly felt in both case studies.

ATTITUDES TOWARDS CBNRM AND THE STATE

The Chimaliro community, in general, expressed a lot of positive attitudes towards the CBNRM being pursued in their area in both VFAs and co-management blocks in the forest reserve. To most people the mere removal of restrictions to access and utilisation of the forest reserve, backed by the new policy, signifies an irreversible trend towards empowerment of the local community to manage and utilise the resource. Various training sessions offered by the FD and NGOs to members of the community aimed at capacity building in community organisation, resource management, etc., was proof to them of government's commitment towards CBNRM. There was, however, a general dissatisfaction with the delays made by the FD in formally legalising and ratifying the legislation drawn up by the community together with the FD representatives. Since active management depends on the legislation, the management plan, also prepared by the community and the FD representatives, is not fully being implemented and current community involvement is only restricted to a few villages in dire need of the forest resources. It is feared by most villagers that the good intentions of and reputation built up by the FD, at the beginning of the co-management efforts, is slowly being dented.

The spirit of working together in CBNRM in Mangweru was evident in all sections of the community. This explains why the FD found the initiative and co-operation commendable and worth emulating for the rest of Malawi. The free technical and material assistance given to the community has acted as an encouragement and boosted the moral towards CBNRM. Compared to the VFAs existing in the rest of the country, this is certainly one of the most successful. Based on this case study alone it would appear that a grassroots initiative in CBNRM, supported by the government and others, such as NGOs, is perhaps one of the right approaches to sustainable CBNRM. In spite of the assistance given though, the community exposed a number of problems in terms of managing and protecting the forest and felt that the FD could do more to help solve the problems. There was a general feeling that some influential members of the community had more than a fair share of the benefits accruing from the forest and that more training sessions were required to sensitise the community against such practices. The community also expressed limited capacity in the community to protect the forest resource against theft. The deployment by the FD of two patrolmen to assist in protecting the VFA from fires and theft of forest produce was felt as effective but that this had become too infrequent.

For both case studies, communities felt that forest resource exploitation by entrepreneurs and the private sector, especially for wood products, was becoming more intense due to increased commercialisation of the products. They observed that the uncontrolled cutting by the woodcraft industry, charcoal-making groups and local medicine people was being done for greedy purposes and not for community advancement. Considering that most people in the communities were living below the poverty line, this made it difficult to mobilise resources to regulate and control the exploitation. It was therefore felt that even under CBNRM there was need to not only empower the communities but also to equip them to effectively control and manage their forest resources.

LESSONS LEARNT FROM EACH CASE STUDY AND POLICY IMPLICATIONS

CBNRM through co-management of the Forest Reserve between the FD and communities in Chimaliro, guarantees user rights of the latter with some empowerment with regard to decision-making and legislation. However, the implementation of management plans and legislation, drawn up by the community together with the FD, have had to await the scrutiny, final approval and ratification by the latter. Thus, in spite of the new policy, Government pursues a 'go slow' approach and is seen, in the eyes of the community, as trapping the power to make final decisions and establishment of rules. The decision on the disproportionate sharing of benefits done without any consultation with the community signifies that the ultimate power lies with government in the co-management of Forest Reserves. Some sections of the FD see this as necessary in this transitory phase of devolution so that government should remain in control in order to protect the forest from the depredations of households in the communal areas while at the same time relaxing some of the rules. There is a general feeling, even among people in Chimaliro, that this transitory phase is likely to involve an iterative process of continuous trial and improvement. This appears to be the approach accepted by both the communities and the FD towards CBNRM to try and 'give it a chance' to evolve and develop.

For now the transition to CBNRM seems to lack the instruments to operationalise it in order to reconcile the different interests of the community and the authorities. The authorities, mainly represented by traditional foresters, require skills with which to equip themselves in working with communities. Admittedly, this would require action, not by government alone, but also by the market and civil society bodies, particularly NGOs working in Chimaliro and Mangweru.

In general, a lot of effort has been put into promoting CBNRM in both case studies. This has been shown by community commitment and by the technical and socio-economic assistance given by the FD and NGOs at the community level. CBNRM is therefore seen as dependent on the need to establish an institutional framework, which caters for the needs of local people at the grassroots, and to develop capacities to deal with increased responsibilities and complex issues of shared decision-making and

power relationships. Certainly for Mangweru and Chimaliro there was some indication that decision-making and power may finally rest with the authorities.

The private sector and entrepreneurs were, in both case studies, perceived as opportunistic exploiters although in some cases they are given concession rights to exploit the resource. Since they “exploit the resource without replenishment”, they are also seen as not responsible for the long term objectives of the natural resources, i.e., those related to resources as a public good. As most entrepreneurs and the private sector are taken to have some means to manage the resource, if they wished but are not interested, they are therefore seen as often having opportunistic relationships with local communities. They are also observed to be more influential and powerful than the majority in the community. This state of affairs may frustrate CBNRM efforts as indicated by people’s attitudes towards them in both Chimaliro and Mangweru. In the absence of government ratification of the legislation formulated for co-management at Chimaliro, the local community is left with no or few legal responsibilities with no significant official rights besides their user rights. In this case, customary rights appear more important than formal rules, particularly with regard to VFAs established in Chimaliro and Mangweru. Under the co-management arrangement, individuals or groups of individuals from the community must seek permission from the VNRMC and the FD officials to utilise the resource. Such an arrangement ensures some control of the resources but, at the same time, creates an imbalance in power relationships and conflicts of interests, which in turn, would make it difficult to build trust between the community and authority.

CONCLUSIONS

CBNRM of VFAs has been practiced for decades in Malawi and, although formally introduced by the FD, the traditional leadership and power structure was used as a basis for mobilising and involving communities. There was no doubt that traditional leaders commanded a lot of power in their subjects until government withdrew its support to some of the VFAs. Recent attempts at establishing and increasing the number of VNRMCs for management of VFAs, are largely based on past successes in community forestry. However, political and economic changes over the years have affected the powers of the local leaders, whereby they now feel their powers have been diluted to some extent. Under such circumstances, it has been difficult to mobilise people and arrest deforestation, one of the major causative factors for government’s decision to devolve control and change policy favouring community-based management. A multi-sectoral approach by a number of players, aimed at capacity building would be useful in restoring community confidence and commitment in CBNRM.

Strong leadership appears to be critical for successful CBNRM. In spite of the problems faced by communities in Chimaliro and Mangweru, CBNRM stands to succeed as traditional powers from the local leaders are adhered to much more than those from the government. Where these conditions exist in the country, it is likely that similar CBNRM achievements can be made. This is especially in areas where the

government mainly has an advisory role. Rules established by government regarding sharing of benefits accruing from forests on customary land, between itself and the local community, implies an attitude of 'not letting go' by the government. This is an indication that the government would like to maintain its power and have the final say in order to act as the protector of the resources against damaging elements within communities. This has been shown in this paper by the existing local and central government structures that have the capacity to influence decisions at the village level. With changed policy, however, it is hoped that this could be perceived as only transitory and that the government structures will act to support CBNRM initiated by the community. The new paradigm may evolve and develop to allow full empowerment and devolution of control under CBNRM.

In its various forms, CBNRM, has placed a lot of demands on communities and the government. The power relations would be somehow changed as people, backed by the new policy and legal framework, expect changes in their favour. Besides working to protect the existing forest reserves, government has to act in a way as to facilitate and empower local communities. Foresters have to be re-orientated and offered new skills in working together with communities on CBNRM. The example of Chimaliro co-management effort, being on a pilot scale, is perhaps the way forward as government and communities take up new roles on the management of natural resources. The conviction that one cannot sustainably manage the natural resources by excluding the people the resource matters most to, underlines government commitment as contained in the new forest policy and points to greater community empowerment and participation in CBNRM.

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ACRONYMS

ADC	Area Development Committee
CARD	Churches Action for Relief and Development
CBEM	Community-Based Environmental Management
CBNRM	Community-Based Natural Resources Management
CONGOMA	Council for Non-Governmental Organisations in Malawi
CPAR	Canadian Physicians for Aid and Relief
CURE	Coordinating Unit for the Rehabilitation of the Environment
DDC	District Development Committee
DF	Department of Forestry
DfID	Department for International Development
DNPW	Department of National Parks and Wildlife
EDETA	Enterprise Development and Training Agency
ELDP	Evangelical Lutheran Development Programme
EVARD	Evangelical Alliance for Relief and Development
GoM	Government of Malawi
HfH	Habitat for Humanity
MASH	Malawi Association for Spices and Herbs
NGO	Non-Governmental Organisation
NRM	Natural Resource Management
RUFA	Rural Foundation for Afforestation
SCF	Save the Children Fund
UNDP	United Nations Development Programme
UNEP	United Nations Environmental Programme
USAID	United States Agency for International Development
VFA	Village Forest Area
VNRMC	Village Natural Resources Management Committee
WSM	Wildlife Society of Malawi
WWF	World Wildlife Fund

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**EMPOWERING COMMUNITIES TO MANAGE NATURAL
RESOURCES:
WHERE DOES THE NEW POWER LIE?**

CASE STUDIES FROM NAMIBIA

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INTRODUCTION

The move to local control¹

The move to local control of forests and wildlife is now well advanced. Over the last 10 to 15 years, community-based approaches to natural resource management have received considerable policy, development and research attention in most southern African countries. New and emerging policies relating to conservation and land management therefore strongly articulate the need for the participation of local people in the management of natural resources, both within communal areas and on state owned land, and place much greater emphasis on issues of equity and benefit sharing. Community-based natural

¹This section is based on material from the introduction to: Empowering communities to manage natural resources: where does the new power lie? First draft/outline. By Bruce Campbell and Sheona Shackleton. 1999.

resource management (CBNRM) has become a 'catch all' for many different approaches and models for natural resource management, from joint or co-management initiatives with government on either state land or communal land, to private sector-community partnerships (with or without the state intervention), and finally to true common property arrangements on community-owned land.

Many of the first so-called CBNRM initiatives had a conservation focus, and dealt primarily with wildlife management and biodiversity conservation through reconciling this objective with the social and economic needs of local people. Often these initiatives were linked to obtaining legitimacy for state-run protected areas. The approach has now broadened to include local level participation in forest and woodland management, rangeland management, ecotourism, catchment management and land care and rehabilitation initiatives. The focus has switched from environmental conservation *per se* to an approach that aims at realising sustainable rural livelihoods through more effective natural resource management and productive use of the resource base. Many CBNRM programmes, in particular the Natural Resource Management Programme (NRMP) of the Southern African Development Community (SADC), place an emphasis on local enterprise development as an incentive and means to stimulate development based on sustainable resource use.

Despite the broad scope of CBNRM, there are, however, certain basic ideals, principles and approaches that are implicit in all CBNRM initiatives. Some of these include:

- Fair access to resources - resource users/rights holders should have shared rights and status.
- Participation - resource users/local community members participate either directly or indirectly, through a legitimate and representative local institution, in resource management issues, and are involved in the planning and implementation of local initiatives.
- Ownership - ownership or tenure of the resource/s lies with the group as a whole.
- Incentives, such as an income stream from tourism and hunting exist to help promote collective action and sustainable resource use.
- Benefits accrue to all resource users/local community members.
- Management, regulation and decision-making occur at local level, through a legitimate and accepted local institution.
- Management systems incorporate local knowledge, traditions and institutions.
- The state respects local level control, and enables and facilitates its development.

It is argued that the above conditions are essential for successful and sustainable local level natural resource management, as without them there is little incentive for local people to take control and responsibility and thus ensure resource conservation rather than degradation.

Power relations in CBNRM

The devolution of authority and responsibility from one level to another implies a shift of power. While the higher level might retain the power to recentralise authority and responsibility, devolution means that the lower level has gained more power than it had before. This power might be expressed in different ways. It might be control of decision-making, control of income and expenditure, distribution of jobs and contracts, improved status, etc. Within CBNRM approaches in southern Africa, authority over wildlife and tourism is being devolved to lower levels of government (Zimbabwe) or directly to local communities (Botswana and Namibia). Central government is giving up (to varying degrees) control over wildlife and tourism as resources and allowing lower levels to keep the income that can be gained from the sustainable use of these resources.

It can be expected that such a shift in power will be accompanied by competition for the benefits of that power. This competition is likely to take place at an external institutional level i.e. between the institution receiving devolved authority and existing institutions that believe their own position to be threatened. It is also likely to take place at an intra-community institutional level where interest groups are moved to try to take control of a community-based process to further their own interests.

At the external institutional level competition for power may come from the very body which is devolving authority and responsibility. Murphree (1994) points to the tendency of bureaucracies to hold on to power despite attempts at devolution. Competition might also come from traditional authorities which in all southern African countries, to a greater or lesser extent, have in the past exercised control over the use of natural resources. While their authority has been eroded, they are often fighting to retain the power that they have or re-establish the authority they have lost. In many cases, new state administrative bodies have been created which need to raise revenue and increase their status with local residents. Often a plethora of new community level institutions (development committees, water committees, women's committees, youth committees, etc.) have emerged driven by the new participatory ideology of rural development and the specific agendas of sectoral agencies and large donors. A lack of clarity regarding the roles of these institutions in a range of issues including land allocation and natural resource management complicates and politicises the implementation of CBNRM and results in competition for power, recognition and control that deflects away from the real target of CBNRM initiatives, the local community itself.

Another level of potential external institutional conflict is present when communities are engaged in partnerships with the private sector. Communities usually lack knowledge of the tourism and hunting industries and their respective markets. This puts the private sector in a powerful position when striking deals with community institutions.

NGOs are also a powerful group of actors in CBNRM. In many cases they are recipients of funding and are involved in facilitating the CBNRM process. They can allocate or withhold funds, they can push communities into certain decisions, they can provide material benefits and employment. If NGOs are good facilitators their role will diminish as the community's capacity increases. This is not always the case.

Within the community there will be rich, poor, men, women, young, old, cattle herders, agriculturalists, wage earners, etc. All might have competing interests in the way land is allocated and used. Some will be more able to articulate their views, organise themselves as a group and determine the outcome of decision-making, often depending on their status within the community.

A clear challenge within CBNRM is to identify whether policy and legislation truly do "empower" local communities to control decision-making over land and natural resource use and to retain the benefits from that use. Another challenge is to identify and understand the different interest groups within a particular community and assist the development of a community coalescent authority structure which subsumes and reconciles internal and sectoral divisions (Murphree 1994).

This paper investigates the power relations within selected CBNRM case studies within Namibia. It looks at the extent to which policy and legislation devolve significant control over decision-making and benefit flows directly to community institutions. It looks at the relationships between these community natural resource management institutions ("conservancies") and external institutions such as regional government and traditional authorities. The paper also examines the relationships between different groups within conservancies and the conflict that has emerged over land and conservancy boundary definition.

COUNTRY CONTEXT

Namibia is the most arid country south of the Sahara, with average rainfall varying from above 600 mm in the north east to less than 25 mm in the Namib Desert to the west. Rainfall is erratic both temporally and spatially leading to large localised differences in precipitation and large fluctuations annually. Drought is a regular occurrence. This is the most important factor affecting population distribution and development options. Namibia's economy is heavily dependent on natural resources. Two-thirds of the 1,6 million population live in rural areas and are directly dependent upon the soil and living natural resources for their livelihoods (Brown 1996). In 1995, per capita GDP was US \$4 591, but income distribution is highly skewed between urban and rural households. The richest 10% of the population receive 65% of total income (UNDP 1996).

Namibia still suffers the legacy of South African colonial rule and the imposition of apartheid policies. At independence from South Africa in 1990, 40,8% of the land had been allocated to black homelands which supported a population of about 1,2 million, while 43% had been allocated to mostly white commercial farmers. 13,6% was allocated to conservation and a small percentage was unallocated state land. The former black homelands are now recognised as communal lands to which rural residents have access for the use of the land and its natural resources (although communal land ownership is vested in the state). Some resources such as wildlife and forestry have been subject to strict state controls and communal area residents had little or no legal access to these resources. Despite these controls, wildlife numbers have generally suffered huge declines in most communal areas except where long running community-based conservation projects exist such as in Kunene Region in the north west (Durbin *et al*, 1997). In many northern communal areas, uncontrolled cutting of trees for various purposes is prevalent and in the north-

east woodland is being cleared for shifting cultivation. State regulation of wildlife and forestry products is extremely difficult to enforce due to large distances from administrative centres and lack of government resources.

In many cases traditional mechanisms of land and resource allocation and management have broken down. Under South African colonial rule, land allocation was the function of government officials, but in practise, traditional leaders believed that the land was owned by the chief or king and allocated land in terms of customary law (Corbett and Daniels 1996). However, a number of factors, including post-independence government policy, have eroded this *de facto* allocation of land by traditional leaders. The erosion of the power and status of traditional leaders has contributed to the development of 'open access' situations on much of Namibia's communal land.

CASE STUDY AREAS

Two case study areas have been selected in Namibia, the Kunene Region in the arid north west and the Caprivi Region in the wetter north east. Within the Kunene Region attention is focused on one emerging and two established communal area 'conservancies'. In Caprivi data is provided for one established and three emerging conservancies. A communal area conservancy consists of a legally constituted group of communal farmers who have pooled their resources to manage and benefit from wildlife and tourism on their communal land. The government gives rights over wildlife and tourism to communities that meet prescribed conditions for forming a conservancy (for more detail see section 5.).

Kunene region

In Kunene Region human population densities are less than one person per square kilometre, reflecting the arid conditions. The *Sesfontein* emerging conservancy and the *Torra* Conservancy (registered by government in 1998) fall within the pro-Namib and Namib desert proper below the escarpment of the central southern African plateau. Rainfall varies from about 50 mm in the west to about 240 mm in the east. The economy of the region is confined mainly to semi-nomadic pastoralism or sedentary livestock farming at low stocking rates. Residents of *Sesfontein* conservancy consist of Herero, Himba, Damara and Nama ethnic groups and the *Torra* conservancy consists mainly of Damara and Riemvasmaker people with some Hereros. The population mix and distribution has been affected by forced removals and relocations imposed by successive colonial governments. According to Durbin *et al* (1997:1) "The consequence has been frequent inter-group tensions and rivalries, tenure insecurity and leadership instability, factors which militate against an easy transition to effective and efficient local organisation. The fact that the ecology and economy of the area dictate dispersed household settlement further exacerbates social cohesion and creates logistic problems for collective decision-making. Both conservancies are attracting increasing numbers of tourists seeking to enjoy a combination of spectacular desert scenery and large mammals not normally associated with desert habitats such as elephant, black rhinoceros and giraffe.

The #Khoadi //hoas Conservancy (registered 1998) lies between the commercial farmland on its eastern border (rainfall 300 mm) and the escarpment in the west (240 mm). The main economic activity is sedentary livestock farming, although some movement takes place during times of drought. The population comprises mostly Damara-speakers, with some Hereros. Despite constraints to social organisation similar to those experienced by the *Sesfontein* and *Torra* conservancies, the community has been relatively well organised since the early 1990s through a strong farmers' association. The area does not have the same tourism potential as *Sesfontein* and *Torra*, and wildlife is less, although elephant numbers are increasing.

Caprivi region

The Caprivi Region, in the north-east of Namibia stretches between Angola, Zambia, Botswana and Zimbabwe. Caprivi is the best watered part of Namibia with the amount of rainfall increasing from west to east. The rainy season can extend to five months (November - March) and may reach a total precipitation of more than 600 mm a year. Temperatures are among the highest in Namibia, ranging from a daily average of 10°C in winter to 39°C in summer. Caprivi's sub-humid climate dictates vegetation characterised by forest savanna and woodland.

The Caprivi region has a population of 90 400, on a total surface of approximately 19 532 kilometers, giving a population density of 4.2 people per square kilometer. The population density is considerably higher than the national average of 1.69 persons per square kilometer. There is a total of 18 000 households in the region, with an average household size of 4.6.

This paper focuses on the eastern part of Caprivi Region between the Kwando River in the west and the Zambezi in the east. Data has been gathered from the *Salambala* Conservancy and the *Kwandu, Mayuni and Wuparo* emerging conservancies.

Caprivi is particularly riven by ethnic divisions. The dominant group on the eastern floodplains is the Basubia, who are generally believed to support the ruling political party, SWAPO. For many years the western part of eastern Caprivi was dominated by the Mafwe, a coalition of several different tribal groups, generally supporting the opposition DTA. More recently the Mafwe have fragmented and the government has recognised a new traditional authority, that of the MaYeyi under Chief Sifu. Another breakaway group under Chief Mayuni operates more or less autonomously of the Mafwe, but has yet to be recognised by government. The breakaway groups are said to be more sympathetic to SWAPO.

Politics in Caprivi have been complicated by the recent activity of secessionists which initially led to the flight to Botswana of many Mafwe including the head of the group, Chief Mamili. More recently a failed armed rebellion by the secessionists led to 47 Caprivians being charged with high treason. The secessionist group was led by a former DTA leader who comes from Caprivi.

The tribal conflicts, overlaid by differing allegiances to political parties and the politics of secession have made it difficult to encourage the formation of community institutions for collective decision-making over natural resource management.

Figure 1: Map of Namibia showing location of case study sites.

The *Salambala* conservancy was registered in 1998. It is based around the mainly uninhabited Salambala forest, a former hunting area of the Basubia Chiefs. The wildlife had mostly disappeared by 1989 when the Basubia tribal authority requested the conservation authorities to develop the area as a game reserve. The government refused the request because of the lack of wildlife and the community opted for forming a conservancy once appropriate legislation had been passed in 1996. Due to greater protection by the community, wildlife is beginning to return, and a number of species have recently been re-introduced. The conservancy has developed a campsite for tourists using the main tourist route from Namibia to Chobe in Botswana and the Victoria Falls in Zimbabwe. The conservancy has a small quota for trophy hunting including elephant.

The emerging *Kwando* Conservancy falls within the Mafwe area and suffered a major setback when the chairman of its management committee and other office bearers fled with the secessionists. It is situated on the Kwando river opposite the Caprivi Game Reserve, which is its main tourism and wildlife resource. To the east, the conservancy is bounded by a State Forest Reserve. Changes in forestry policy offer the opportunity for developing some form of co-management arrangement with the forestry authorities.

The emerging *Mayuni* conservancy consists of a breakaway group from the Mafwe and conservancy formation has been driven largely by Chief Mayuni and his indunas. The conservancy borders the *Kwando* conservancy in the north and is also on the Kwando River opposite the Caprivi Game Park. Residents of both conservancies suffer from elephants and hippos that raid their crops. The *Mayuni* conservancy has several prime tourism sites along the Kwando floodplain.

The *Wuparo* conservancy has been formed by the Yeyi breakaway group from the Mafwe. It borders the Mamili National Park and wildlife moves freely from the park into the conservancy. Elephants and lions are problems for residents. The proximity of the park provides several tourism opportunities for the conservancy.

METHODS

The data from Kunene is drawn from several years of involvement by the first author in CBNRM activities in the region and recent community questionnaire surveys, and research carried out for the Community Conservation in Africa Project of the Institute for Development Policy and Management, University of Manchester.

The data from Caprivi is based on the field experience of the second author, and data collected over the past four years in various conservancies in the study area. Data has been gathered from in-depth baseline surveys, using formal questionnaires, focus groups and workshops. Information from a study thesis by the second author (Mosimane, 1998a) conducted in the study area is also used in the paper.

THE POWER OF THE CENTRAL STATE - LEGAL AND POLICY FRAMEWORKS

In the late 1960s the pre-independence government gave to white commercial farmers limited and conditional ownership over certain species of wildlife and the right to use others on their farms. This led to an 80% increase of wildlife between 1972 and 1992 on commercial farmland (Barnes and de Jager 1995) as farmers had control over wildlife as a resource and could benefit financially from use of the resource (Barnard 1999). Due to the prevailing *apartheid* ideology in pre-Independence Namibia, these rights were never given to black communal farmers. In most communal areas, wildlife numbers declined considerably due to poaching by the South African military, government officials and local residents.

With Independence in 1990 and a commitment to democratic government, changes in wildlife policy and legislation took place which gave communal residents the same rights and conditional ownership over wildlife as commercial farmers (MET 1995a, MET 1995b, GRN 1996a, GRN 1996b) These rights are given to communal area residents who form a conservancy. In order to form a conservancy, a community needs to define its membership, define its physical boundaries, elect a representative committee, agree on a plan for the equitable distribution of benefits and adopt a legally recognised constitution.

Once a conservancy is registered by government it receives conditional ownership over huntable game (kudu, springbok, oryx, warthog, buffalo and bushpig), and use rights over other species through a permit system. A communal area conservancy can register as a hunting farm in order to gain rights to trophy hunting and the legislation gives a conservancy rights to tourism activities on its land (see section 8). The government sets trophy hunting quotas in consultation with conservancies, and even though not stipulated in law, the government also sets quotas for the use of huntable game. (This contrasts with the approach on commercial land where farmers may use as much huntable game as they please.) The government also retains the right to withdraw conservancy status if it believes this to be necessary. Despite the conditional nature of ownership, and government control over quota setting, Namibia has the strongest policy and legal framework in southern Africa that devolves authority over wildlife and tourism directly to community-level institutions.

Even though good policy and legislation may exist, there can be large differences between the stated intent of government and how bureaucracies apply this intent in practise. In the case of Namibia the government conservation agency, the Ministry of Environment and Tourism (MET) is generally supportive of the conservancy approach. It has information/extension agents who in some regions spend a large amount of their time working with emerging conservancies and supporting existing ones. There is a set procedure for communities to apply for conservancy status which is being used and followed, and the application process is overseen by a technical committee which evaluates conservancy applications. The committee deploys staff to investigate issues in the field if there appear to be problems with a particular application.

However, active support for conservancies within much of the conservation bureaucracy is only a relatively recent development. It has increased with the process of post-independence transformation within the

MET and with the approval of policy and legislation. In the early days of CBNRM in Namibia, many conservation officials were sceptical of the approach and little field support was given to NGOs and communities.

The Directorate of Forestry (DoF) in the MET has developed draft legislation which makes provision for the creation of community forest committees with attributes similar to those of conservancies. Community forest committees would gain rights to manage and benefit from designated community forests. Although the legislation has not been approved, the DoF has concluded a community forest agreement with one community in northern Namibia. A policy decision has been taken with MET that conservancies and community forest committees should not be set up in competition. The DoF is supporting forestry activity within the *Salambala* conservancy in Caprivi for example. It still needs to be seen however, how the two approaches will in fact be integrated once the forestry legislation has been approved by parliament.

LOCAL GOVERNANCE STRUCTURES

Local government

In rural Namibia there is no state local governance structure below the regional level. The country is divided into 13 regions each with its regional council made up of elected councillors and headed by a governor elected by the majority of councillors. Some of the regions cover large parts of the country and villages may be hundreds of kilometres from the administrative centre of the region.

Currently the regional councils have few powers and no revenue generating authority. However, a new decentralisation policy aims at transferring a large part of central government functions (including conservation and wildlife management) to the councils along with budgets and staff. Implementation of this policy is slow and while some ministries already have decentralised structures, some central ministries are opposed to losing control to the regions.

The councils are encouraged to form regional development committees with satellite committees at village level. The regional councils have a minimal role in conservancy formation, being required by law only to endorse the application of conservancies for registration, after familiarisation with developments in the concerned area. The regional structures of government are not involved in the management and utilisation of wildlife and other natural resources in the conservancy. There is little institutional competition between regional councils and conservancies at present, although some individual councillors appear to feel some of their status is being threatened.

Traditional authorities

Generally in Namibia during colonial times and post-independence there has been an erosion of the powers and authority of traditional leadership. Traditional control over natural resource use has been eroded by past centralisation of decision making. The *de facto* rights of traditional leaders over land

allocation will be eroded by proposed land boards although representatives of chiefs will play a role on these. Recent legislation has restored some authority over natural resources to traditional leaders, but does not define the scope of this authority.

Conservancy management committees

The conservancy management committee is the highest authority at community level in the management of the conservancy and, in the absence of administrative units below the region, the lowest governance structure in the study areas. The conservancy management committee (CMC), consist of elected representatives of sub-villages or areas. In some cases representatives are elected from anywhere within the conservancy rather than from a specific village. The representatives at village level are elected by the village residents and the village headmen. The election of representatives and the period of service is spelled out in the conservancy constitution which is developed and approved by the residents of the conservancy.

The conservancy management committee deals directly with the relevant departments in the Ministry of Environment and Tourism (MET) regarding the management and utilisation of natural resources.

Figure 2: Relationship between local government structures, traditional authorities, and conservancy committees.

In both Kunene and Caprivi the traditional authorities also have representation at village level. In Kunene headmen and headman's councillors form the lowest level, while the king's council forms the ultimate authority among some groups.

In Caprivi headmen (*Induna ya Munzi*) form the lowest level. In conjunction with the village representative, the village headmen ensure proper representation of their people. The highest level, the *khuta* (overall tribal authority), is also represented on the conservancy management committee, to ensure that the *khuta* is always well informed about the developments and activities of the conservancy. Since the *khutas* have initiated most of the conservancies established in the Caprivi region they also have an influence on the composition of the management committees. The control and influence are maintained by recommending a loyal candidate for the chairmanship of the conservancy management committee. Therefore, the control of the traditional authority (*Khuta*) on the management of wildlife resources and other natural resources cannot be underestimated.

NGO INVOLVEMENT

NGOs provide a number of services within Namibia's CBNRM programme. A Namibian NGO, Integrated Rural Development and Nature Conservation, (a pioneer of community-based conservation in southern Africa) is the main implementing agency in Kunene and Caprivi regions. Funding and technical assistance is provided by the USAID-funded Living in a Finite Environment (LIFE) Project administered by a consortium of international and Namibian NGOs. Overall programme direction is given by the CBNRM Association of Namibia (CAN). NGOs are also involved in community-based tourism, fund administration and training. A description of NGO activities is provided in Annexe 2.

Generally NGOs working directly with communities are providing what has been called consistent and persistent "light touch" community empowerment and facilitation (Hitchcock and Murphree 1995; Jones forthcoming). This approach involves working directly with communities and not only through local government institutions or traditional leaders. It includes regular visits to the communities concerned, staying in touch with community power shifts and internal dynamics, follow-ups to workshops, sending of messages to community members through word-of-mouth and other means, and spending a few nights in villages on occasion. It requires assisting communities to identify key issues and potential problems, helping them to work through these issues and then to develop appropriate decisions, solutions and actions. Usually facilitation staff live in the regions where they are working, but even if they are based in the capital, will visit communities at least once a month. At the same time, although regular contact is maintained and communities may be "nudged" into taking action, facilitators are not taking decisions for or on behalf of communities. The "nudging" is usually to get people to follow up and act on their own decisions. It is difficult to strike this balance however, and for NGOs not to become the community's gatekeeper to the outside world. Generally, implementing NGOs are striking this balance in Namibia mindful of an occasion when a San community threw out two senior NGO staff whom the community accused of taking too many decisions on its behalf.

THE ROLE OF ENTREPRENEURS

Entrepreneurs operate at different levels in the Namibian case study areas. A number of lodges have been developed by operators from within the mainstream tourism industry and local residents are beginning to develop their own enterprises. The conservancy legislation gives conservancies rights over "non-consumptive" wildlife use and part of the definition in the legislation of "non-consumptive" includes for recreational purposes. This is much weaker than the intention of the policy makers which was to give conservancies concessionary rights over commercial tourism and which was expressed in the Policy on Community-based Tourism (MET 1995b). The lack of a strong right to tourism concessions provides an arena of potential conflict.

This conflict has begun to emerge over the issue of rights to business sites or tourism enterprise development. Under current legislation dating from pre-independence, entrepreneurs wishing to establish a business on communal land require a sort of lease called a Permission To Occupy (PTO) from the Ministry of Lands, Rehabilitation and Resettlement. All PTOs require the endorsement of the local headman and regional governor. Tourism PTOs also require a recommendation from the MET, which has taken a policy decision not to recommend new PTOs in emerging conservancies. This policy was adopted because the private sector was taking up prime lodge sites prior to conservancies being registered limiting the options of the conservancies to choose their own development sites and their own private sector partners.

Where conservancies have concluded contracts with the private sector they are becoming business entities themselves, with accounts reflecting expenditure on running costs and income from their contracts. At this stage conservancies have yet to re-invest income in new business opportunities, but this remains a future possibility. Private operators are increasingly becoming tourism and safari hunting partners of conservancies, providing capital, expertise and market access. *Torra* conservancy concluded a deal with a Namibian photographic safari company for an up-market lodge and currently covers 40% of its running costs. *#Khoadi //hoas* and *Sesfontein* conservancies are negotiating with established tourism concession holders on their land, now that the concession holders have agreed to government ceding its position as lessee to the conservancies. Generally private operators seem to accept the legitimacy of the conservancies. Profits appear to be high enough and there appear to be sufficient other important benefits for lodge operators to believe it worthwhile to work with communities (Ashley and Jones forthcoming). However, the time might come when conservancies are able to manage their own tourism businesses and will compete directly with the established industry.

Particularly in the *Sesfontein* Conservancy, individuals are beginning to recognise the possibilities for income generation through tourism and a number of small campsites and traditional villages are being developed, some with NGO support others with little outside assistance. This has led to some conflict where individual entrepreneurs see conservancies as seeking to prevent development and have resisted working through the conservancies (Davis and Jacobsohn 1999). NGOs argue that a reason for working through conservancies is that all tourism enterprises are taking place on communal land and if parcels of

land (even though small) are taken up by lodges, campsites and traditional villages there is an opportunity cost to other land users. There should thus be some form of fee or levy paid to the community in compensation for the loss of the use of this land. Another reason is that conservancies are trying to co-ordinate tourism development and ensure the sustainable use of the tourism resource.

Some conservancies are trying to resolve this tension between collective rights and interests and individual rights and interest by establishing tourism development plans. These plans will encourage the establishment of enterprises in a way that is ecologically and socially sustainable as well as ensuring that development is appropriate to the regional product being offered and supply does not outstrip demand. Conservancies in Kunene and Caprivi have agreed that they themselves should apply for all PTOs within their boundaries and that individual entrepreneurs should enter into mutually acceptable contracts with the conservancies (Davis and Jacobsohn Ibid.)

In Caprivi there is currently less conflict between individuals and conservancies. Much of the craft production is carried out in an organised manner with the Caprivi Arts and Cultural Association buying up and marketing the bulk of what is produced by individual craftsmen and women. The Rossing Foundation also has an arts and crafts outlet in Windhoek which buys crafts from Caprivi. IRDNC have assisted the development of the Mashi Craft Centre which markets local crafts from the Kwando River area in Caprivi.

Women are involved in weaving baskets from palm leaves and making mats. The community resource monitors (CRMs), assist women with techniques of harvesting palm leaves sustainably and cultivating their own palm trees in their backyards. In conservancies, local crafts markets are better organised, with the support of IRDNC. Due to lack of conservancy level natural resource management plans, traditional rules are controlling the harvesting of palm leaves in the conservancies. The natural resource management plans will have rules which regulate the harvesting of natural resources within the conservancy. These rules will be enforced by the CRMs and community game guards (CGGs) who patrol the conservancy. There are traditional rules to regulate harvesting of other tree resources, but these rules are not respected or implemented by any organisation.

In *Mayuni* conservancy, the entrepreneurs are individual households which harvest thatching grass to sell to a commercial thatching company from Okahandja some 1000km away from Caprivi (Katjiua 1998). The individual households harvest grass to sell to a local representative of the company, once the trucks arrive to collect the grass. There are no rules to regulate the harvesting of grass, however the traditional authorities continue to make people aware of the consequences of burning grass. Like the harvesting of tree products it is expected that with the development of a natural resource management plan, rules will be put in place to control harvesting.

Safari operators in Caprivi deal directly with the conservancy management committee (CMC) of the particular conservancy. In *Salambala* Conservancy where the management committee has been dealing with safari operators, communities were properly informed and consulted through their representatives and the traditional structures. In *Mayuni* Conservancy, safari operators are dealing with the chief and the traditional council (*khuta*), in the absence of a functional conservancy management committee.

Communities in this conservancy are not well informed about tourism developments in their conservancy, such as building lodges and campsites.

TRADITIONAL VS MODERN ADMINISTRATIVE STRUCTURES - WHO HAS THE POWER?

Although the power and authority of traditional leadership has been officially eroded, most rural Namibians, particularly older people, still respect chiefs and their headmen. Traditional leaders still play an important role in local decision-making in many areas. In Kunene region the traditional leaders find their previous roles threatened by the emergence of new institutions such as the regional council, regional and local development committees and conservancies. This has led to some friction over who controls decision-making.

To some extent, potential friction between traditional leaders and the regional council has been avoided because many councillors in Kunene Region are also chiefs or headmen. However the emergence of conservancies has led to a redefinition of the role of headmen in relation to wildlife use and tourism development. The success of the community game guard system developed in Kunene Region in the mid 1980s rested largely on the commitment and support of local headmen who did not want to see wildlife disappear from their land. They appointed men from the community (often ex poachers) to act as game guards on behalf of the headman and his community. The game guards reported to the headman, who would decide whether to deal with a poaching case himself, or refer it to government conservation officers. Community hunting of surplus game was allowed in Kunene Region based on quotas allocated according to headman's wards and the hunting permit was allocated to the headman. This game guard system and the community hunting helped boost the status and authority of the headmen.

However, with the emergence of conservancies, the responsibility for the game guards and decisions concerning wildlife use have shifted to conservancy committees often made up of younger people including women. Conservancy committee members benefit through receipt of travel and sitting allowances, training, attendance at workshops and exposure to other countries. In the *Torra* and *Sesfontein* Conservancies the headmen began to argue that they had started community conservation in the area but now all the benefits were going to others. In order to ensure their support for conservancies, the committees co-opted headmen as non-voting members of the committees and "patrons" of the conservancies who would act as a watchdog for the community (Jones forthcoming).

In the *#Khoadi //hoas* Conservancy a headman failed to gain a position on the committee in community elections. His response was to negotiate a private deal to sell game from the conservancy to a safari operator. The committee in turn responded by making the headman an honorary member of the committee.

In the *Sesfontein* Conservancy, at least one headman appears to view the emerging conservancy as a threat to his own patronage in terms of advising government where tourism development can take place

and in terms of developing his own enterprises. He has attacked the integrity of the conservancy committee publicly and given little support to conservancy formation.

Interestingly community members in *Torra*, and *Sesfontein* conservancies clearly believe that the wildlife belongs to them collectively (Jones 1999a and 1999b). In none of the conservancies did many respondents believe the wildlife belonged to the traditional leaders as represented by the King's Council. In Caprivi, the traditional structures and the modern administrative structures (i.e. the conservancy management committee) are integrated in all conservancies. The traditional structures have a representation in the conservancy management committee. At village level, the village representatives work in cooperation with the village headmen (*Induna ya Munzi*). However, the traditional structures command much more respect than the conservancy management committee in all conservancies.

In *Mayuni* Conservancy the traditional structure, the traditional council in particular, takes decisions regarding the conservancy activities such as tourism development, due to the immaturity of the conservancy management committee structure. Generally, people align themselves to the traditional structures which they are familiar with. The modern administrative structures are not well established and the village representatives themselves are not sure which villages they represent in *Mayuni* Conservancy.

In *Kwandu* and *Wuparo* conservancies, the management committees are in developing stage, and the traditional structures are part of the management.

Salambala Conservancy is the only conservancy within the study area which shows strong development of modern administrative structures. The administrative structures in *Salambala* conservancy are widely accepted and respected. These structures have not yet developed a natural resource management plan which will have rules regulating access, management and utilisation of resources. Traditional rules are still in use which links the administrative and traditional structures. However, traditional rules are not adhered to, and are not enforced as well. State rules are incorporated in the administrative structure and are not enforced by government institutions. Government institutions are mostly involved on invitation by the community administrative structures.

GRASSROOTS OR EXTENSIONS OF THE STATE - WHO MAKES AND ENFORCES THE RULES?

The CBNRM programme in Namibia is essentially a grassroots programme. The people who are in the management committee are local community members, appointed to represent villages within the conservancy. Decisions are taken by the elected management committee of the conservancy in consultation with village representatives and traditional authorities. The management committees take decisions about day-to-day administrative matters and purchases of small equipment for the running of the conservancy. Major decisions on issues such as benefit distribution and spending on major capital items will be referred to the community either at the conservancy AGM or at special meetings. The AGM and

special meetings are attended by conservancy members, and the constitutions of the conservancies set quorums for such meetings.

Although this is the general picture of decision-making, there is obviously differentiation in performance by individual conservancy committees. In Caprivi conservancies and in *Sesfontein*, the system of village representation facilitates communication and the flow of information between the committee and members. Village representatives on the committee are expected to report back to members after each committee meeting. In others such as *Torra* and *#Khoadi //hoas* representatives have been chosen on merit from the whole conservancy and so do not have a specific local "constituency". In order to help committees monitor decision-making and communication with members, facilitating NGOs carry out participatory conservancy management profiles with conservancy committees and commission attitude surveys among conservancy members.

The results of these surveys (see Annexe 1) indicate a high degree of ownership and awareness of the conservancies in general. They also reveal some areas where conservancy management committees need to improve their performance.

In Kunene region surveys (Jones 1999a and Jones 1999b) show that residents have a high degree of awareness of the conservancies and large majorities believe the committees represent their interests or are doing an average to good job. In *Torra* and *Sesfontein* participation by residents in conservancy activities is high, but in *#Khoadi //hoas* less than half of respondents said a member of their household had participated in conservancy activities. In all conservancies, residents said they needed more information and feedback.

Communities in *Kwandu*, *Mayuni*, *Wuparo* and *Salambala* conservancies in Caprivi believe "the conservancy belongs to the community, and is a community initiative to conserve" (Mosimane, 1997, 1998a, 1998b 1999a and 1999b). During the surveys conducted in Caprivi, communities showed a strong sense of ownership over the conservancies, and the traditional authority was also seen to have ownership of the conservancies. The involvement of non-governmental organisations in conservancy awareness and support to establish administrative structures sometimes made the community members believe that the NGOs own the conservancies. These perceptions change once the administrative structures become strong and independent, and NGOs become less involved in the activities of the conservancies.

The survey in *Mayuni* conservancy indicated lower levels of feedback and information to residents and just more than half said they were not represented by the management committee. This demonstrates that the flow of information from the management committee to the respective villages in the conservancy is not yet effective and well established. People do not yet have a say in the decisions and are not even aware of the activities of the management committee. The committee itself did not have clear understanding of the village representation and the activities they could embark on. The current constitution of the conservancy was developed by the chief and a committee tasked to develop the constitution.

Communities in the conservancies always refer to the existence of traditional rules which regulate the use and access to natural resources (Katjiua 1998, Mosimane 1998a, 1998b & 1999a, 1999b). Several traditional norms were mentioned as rules, and it was generally believed by the traditional authority that all members of the particular conservancy are aware of the rules. In *Mayuni* and *Wuparo* conservancies traditional rules are enforced through the anti-poaching units (APUs) formed by the traditional authorities and the management committees of the two conservancies. However, these rules in many cases were not adhered to and no cases could be mentioned where rules were enforced in all the conservancies in the study area.

The conservancy management committee is expected to have a natural resource management plan which will have rules regulating the management and utilisation of all resources within the conservancy boundaries. The rules from the administrative structures, in the natural resource management plan will be developed from the traditional rules and will also aim to include entrepreneurs in the conservancies in the study area. Rules will be developed through administrative and traditional structures, in consultation with residents in each conservancy, to make the rules specific to the resource and resource needs in the conservancy. The rules will be from grassroots administrative structures and the government only provides guidelines.

Neither the regional nor the central structures of the state have influence in the formation or management of conservancies, except for approving the applications for registration as conservancies. Non-governmental organisations are playing the leading role in facilitating conservancy formation and in some cases the driving force within the community is the traditional authority. Conservancies in the Caprivi study area were initiated by the traditional authorities. For example, in *Mayuni* Conservancy, where the administrative structures are not yet well functional the traditional authority takes decisions.

Generally, the regional councillors in their constituencies assist and encourage people to support formation of the conservancies. They view conservancies as a way of bringing development to their respective constituencies. The regional councillors have no official role to play in the formation of the conservancy. The regional governor has to approve the formation of conservancies in the region, through signing their application forms. This process is facilitated by the councillor of the constituency where the conservancy is being established.

Again, there have been exceptions. In the case of *Salambala* conservancy, the former (DTA) Governor of Caprivi refused to endorse the conservancy application because four families objected to the conservancy using a part of the Salambala forest as a core wildlife area. The central government took the view that the conservancy and the development of the core area had been approved by more than 2 000 residents and should not be held up by a small minority. The MET approved the conservancy without the governor's signature. It is a matter for speculation whether the Minister of Environment and Tourism would have so easily overridden a governor from his own party.

Wildlife hunting quotas in conservancies are set by the Ministry of Environment and Tourism in consultation with the management committee of the concerned registered conservancy. Only registered

conservancies qualify for a hunting quota. The quota is given directly to the management committee of the conservancy that applied for a hunting quota.

Loss of crops and livestock to predators are still high in almost all the Caprivi conservancies (Mosimane 1996, 1998b 1999a and 1999b). These problems sometimes make community members argue for more elephants to be hunted in order to reduce crop losses in the conservancies. Problem animals are reported to the community game guards (CGGs), who in turn inform the management committee of the conservancy and the game rangers of the Ministry of Environment and Tourism. The CGGs and ministry rangers then take a decision on how to control the problem animal.

WHERE DO THE BENEFITS GO? WHO MANAGES AND DECIDES ON THESE?

Any revenue from wildlife and tourism goes directly to the management committee of the particular conservancy. Once a conservancy has a hunting quota the management committee enters into an agreement with a professional hunter and money is paid directly to the management committee. No portion of the revenue from hunting and tourism is required to be sent to the central government (Christoffersen and Johnson 1997). The residents of the conservancies decide how the revenues should be distributed at conservancy AGMs. The management committee of each conservancy has to develop a benefit distribution plan in consultation with conservancy members. A portion of income will be kept for household dividends or community projects and a portion for running costs. A number of conservancy administrative and personnel costs, such as community game guards, community resource monitors and community development facilitators, are currently covered by facilitating NGOs. Those conservancies receiving regular income are beginning to take over these costs.

The management committee can also decide *how* the overall conservancy quota can be used. Some wildlife might be sold as part of a smaller trophy hunting quota, but some might be reserved for hunting by community members, while some animals could be sold live to game farms. The committee could also decide not to use any wildlife in a particular year.

In Kunene Region, the *Torra* Conservancy is the most advanced in terms of income generation. Through a joint venture agreement with a Namibian safari company, the conservancy earned N\$242 736 (US\$40 456) between 1996 and 1998 in fees and levies from the development of an upmarket tourism lodge. A further N\$419 297 (US\$69 882) went to local people in wages and N\$39 175 (US\$6 529) on the purchase of services such as laundry and firewood provision. In 1998 the company spent N\$16 502 (2 750) on training for local staff (Ashley and Jones forthcoming). The conservancy recently completed a benefits distribution plan which should be implemented this year. A recent survey (Jones 1999a) indicated that most residents wanted income to be spent on community projects rather than on households dividends.

The *Sesfontein* conservancy has yet to receive direct income from wildlife and tourism although residents earn wages from two lodges in the area and a number of local people run campsites and traditional villages. The conservancy committee is negotiating with existing lodges for the payment of fees and

levies once it is registered. Residents also favour the use of conservancy revenue for community projects (Jones 1999a).

The #Khoadi //Hoas conservancy negotiated a trophy hunting contract with a professional hunter for 1998, but the hunter failed to carry out any hunting and the contract was terminated. The conservancy committee is negotiating a joint venture with an existing tourism concession holder. A recent survey (Jones 1999b) showed that residents wanted conservancy income to be spent on community projects. Elephant damage in the conservancy is considerable and there is widespread fear of elephants. The conservancy plans to spend part of its future income on an Elephant Emergency Fund to compensate people for elephant damage.

Salambala Conservancy is in the process of finalising their benefit distribution plan in consultation with the community. The 1998/99 trophy hunting contract is worth N\$180 000 (US\$30 000) and by July 1999, the conservancy had earned N\$10 000 (US\$1 666) from the community campsite which opened late in 1998. In future the revenue will also be used for the operations of the conservancy, and the management committee will have to work out a formula of distribution. Presently, operational costs are carried by a grant from the LIFE Project, but for sustainability of conservancies the management committee will gradually take over some of the costs.

Due to the high population in the conservancy the management committee has decided they will invest the revenue from the conservancy in community projects identified by the community. A management committee member said, "households' dividends will be very insignificant, therefore this method of distribution is not considered". A decision has not yet been taken when to start considering projects from the community for funding, and how the rest of the money will be used. Households within the conservancy receive meat from the elephants shot by the trophy hunter in the area.

In *Mayuni* Conservancy a benefit distribution plan is not yet developed, revenues are currently being received by the traditional authorities. The traditional authority received an estimated N\$2 000 (US\$333) from the tourist lodges and hunting camp in their conservancy. The money is being utilised to pay anti-poaching staff working for the conservancy a stipend, but it is not clear what the rest of the money is used for. *Mayuni* Conservancy is in the process of registering with the government, to be able to benefit from a wildlife hunting quota they could sell for revenue.

The survey of 1999 indicates that crop damage by elephants remains a significant challenge for the conservancy. 56% of the survey respondents stated that within the past three years they have lost 75% or more of their crops to elephants (Mosimane 1999). A village *induna* said, "we are losing crops to wildlife each year, but so far we never received compensation, and people suffer as a result". There is unhappiness amongst people who suffer from crop losses by elephants and the fact that no compensation has been forthcoming from the traditional authority, the conservancy management committee or the government.

Wuparo and *Kwandu* Conservancies are not yet registered with the government, and have not yet been able to generate revenue. The conservancy has not yet developed benefit distribution plans.

COMMUNITY DIFFERENTIATION - ARE THERE SECTORS WITHIN THE COMMUNITY WHO APPROPRIATE THE VALUE?

There are always social, political and economic differences within a community, even though they have a homogeneous culture. In *Salambala*, conservancy formation was resisted by four families, who other residents said were driven partly by tribal and political motives. In Omusati Region, outside of the case study areas, a conservancy has been opposed by wealthy cattle owners, who fear loss of grazing. In both these cases, a feature of the conservancy has been the demarcation of land to be used for wildlife re-introduction leading to a loss of access to the land by various stakeholders.

At *Sesfontein* it has proved difficult to build and maintain consensus among different ethnic groups, people living in scattered villages and between people of the same ethnic group, but with allegiances to different headmen. The emergence of minority factions opposed to the conservancy for various reasons has delayed conservancy formation considerably. An application from the conservancy management committee is currently with government. It remains to be seen whether government follows a similar line as it did with *Salambala* and rules that the will of an overwhelming majority should prevail.

In the Kunene conservancies, conflict has begun to emerge between the youth and the conservancy committees (Jones forthcoming; Jones 1999b). In *Torra*, *Sesfontein* and *#Khoadi /hoas* young people have been encouraged to form their own youth development committees by the Ministry of Youth and Sport. These committees have no powers and no funding and are looking for something to do. They have been challenging the conservancy committees, questioning their representativeness and their actions. In *Sesfontein* a group of young people from one community allied themselves with the headman who was also challenging the conservancy (see section 9. above).

The conservancy management committees have responded to the challenge from the youth by holding meetings with them, specifically targeting them with information on the conservancy activities and in the case of *Torra* prioritising job-creation that targets the youth.

The role of women in community-based conservation in Kunene Region has changed considerably since the initial development of the game guard programme, which was based on the authority of male headmen and involved the appointment of male game guards. Early meetings to discuss wildlife conservation almost invariably involved men only and attempts to include women were rebuffed with the response that this was not culturally acceptable. Women might sit on the periphery of meetings but would not participate. However, with the shift in focus to institutional development that accompanied the conservancy approach, women have been playing a much more direct role in community organisation and decision-making (Davis and Jacobsohn 1999). They have taken on roles as "community development activators" with the primary task of ensuring that women are involved in CBNRM and conservancy decisions and activities. Women

are represented on all conservancy management committees in Kunene Region. Davis and Jacobsohn quote a woman from Caprivi on an exchange visit to Kunene communities: "The most important thing I learned was that women can organise and chair meetings. I have never seen a woman do that before." In Kunene there is little focus as yet on resources used by women, however in Caprivi, communities have appointed women resource monitors. The resource monitors play a role in community organisation but also monitor use of resources such as veld food and thatching grass. Women are also represented on conservancy committees.

The way in which income is distributed can have a significant impact on some sections of the community. Although most communities in Kunene seem to favour spending income on community projects, dividends which might be given to a specific poor household would mean more to the household, than money being given to a community project. Projects which might be funded from the conservancy might only benefit some people, and be irrelevant to other members of the conservancy.

The benefit in terms of employment and income derived from the conservancy to a member of a household will make a difference to that household. With high unemployment and lack of development in the study areas, people are looking to the conservancies for employment. Households deriving cash from the conservancy through employment or dividends, makes the conservancy programme more attractive to the particular household. Although cash earnings per household from CBNRM activities in Namibia have been relatively small they "are nevertheless *highly significant because much is earned by cash-strapped households for whom only a few hundred dollars can make a substantial difference*" (Ashley 1998: 17, original italics).

It is too early in the Namibian CBNRM programme to see how intra-community differences are being reflected in the receipt and management of benefits to conservancies and this is an area for which further research will be required.

CONFLICT OVER LAND AND BOUNDARIES

Although, the conservancy policy and legislation only confer resource rights, the approach is also linked to land access. The policy expects communities to define themselves and agree boundaries with neighbours. This often exacerbates existing conflict over land and resources and causes delays in conservancy formation. Disputes over boundaries between *Torra* and *#Khoadi //hoas* conservancies took a number of meetings and attempts at mediation before the conflict could be resolved. The dispute was over an area rich in wildlife resources. *Torra* was also involved in a dispute with another emerging conservancy which also needed mediation to resolve. Pragmatically *Torra* and the other conservancies pragmatically decided to leave out the disputed areas from their conservancy applications pending a later settlement. In *Sesfontein* it took nearly three years for the community to define itself. In the process, one group of people isolated geographically from the rest of the community, decided to form their own conservancy, despite being linked to the bigger community through a number of factors including traditional leadership.

A border dispute between the Kwandu and Mayuni conservancies threatened to delay conservancy formation but has also been pragmatically resolved.

In most cases conservancy formation is being based on social units of people who decide that they are a "community" because of historical ties, access to a certain area of land linked to headmanship, etc. However, communities also need to take into account the issue of appropriate ecological scale for managing certain resources. Elephant move over wide areas and most other important game species in the Kunene region move according to good rains. In *Sesfontein* this has been made more difficult because previous ethnic administrative borders cut through the area that people believed encompassed one "community". Some people living in certain villages have not shared the same sense of "community" and were reluctant to join the conservancy.

A process of conservancies expanding and shrinking can be expected to continue as communities over time find the appropriate social scale at which community organisation is desirable and practical and the ecological scale at which resource management is necessary and practical. It can also be expected that in the north west in particular, conservancies will join together to manage highly mobile resources such elephant (Jones forthcoming).

ATTITUDES TOWARDS CBNRM AND THE GOVERNMENT

Recent surveys in Kunene Region (Jones 1999a and 1999b) have shown that generally residents are positive towards the conservancies and by implication to the CBNRM process. In some areas, however, the conservancy committees need to improve the flow of information to members and need to involve them more closely in major decision making, if positive attitudes are to be maintained. Attitudes to the conservancies and CBNRM process will also depend upon whether significant benefits in some form or other are perceived by residents.

In parts of Kunene Region where the community game guard programme had been operating for many years, attitudes to government have been reasonably positive. There has been fairly good cooperation between the community and government in managing wildlife and this is reflected in the increase of wildlife in these areas. The development of conservancies is helping to formalise some of the arrangements between community and government. Particular individuals working within the MET in Kunene are providing considerable support to the conservancy programme and have developed good relationships with communities. In the *Torra* Conservancy residents and MET officials are jointly developing a wildlife management plan.

People in the Caprivi study area were hostile to the government conservation authorities before conservancies were formed. There was no direct benefit to them and they were not compensated for losing crops and livestock to wildlife. Government game rangers were not there to assist people to control problem animals, but were quick to arrest someone poaching illegally. This picture changed somewhat

when community game guards began operating in the region in the early 1990s, but for a number of reasons relations deteriorated again. However, the situation is changing with the formation of the conservancies although problem animal control remains a major challenge to the community, leading to dissatisfaction with government for not dealing with the issue.

Crop and livestock farmers in *Mayuni*, *Kwandu* and *Wuparo* conservancies have negative attitudes towards wildlife and not the CBNRM programme in particular. This is due to lack of compensation for farmers who lost crops or livestock. Problem animal control by community game guards (CGGs) has not managed to reduce the problem to a significant level. These conservancies are not yet registered to receive revenue from trophy hunting, and as a result little benefit from conservancies such as employment has been forthcoming. The conservancies have not yet developed strategies to compensate people who lost crops and livestock to wildlife. But, people remain positive about the benefit they can derive from the conservancies. The CBNRM programme is viewed positively, and people would like to see development in their conservancies. Some people start to blame the government for slow process of registering the conservancies, as the main reason for lack of compensation.

The attitudes of people towards the CBNRM programme are very positive in *Salambala* Conservancy. These can be attributed to developments that took place in the conservancy, such as employing local people to fence the core wildlife area, building a community campsite, receiving their first hunting quota and having wildlife trans-located to the area from government parks. People are positive about development and are awaiting to derive more benefits from the conservancies.

Attitudes to CBNRM are starting to take shape around the effectiveness of the conservancy management committee, elected by the community. The government and CBNRM programme facilitators are less visible in communities where administrative structures such as the conservancy management committees are well developed and functional.

CONCLUSIONS

The communal area conservancy approach in Namibia is relatively new and the first conservancies have only been operating for about 18 months. Conclusions about many of the issues concerning power relations in CBNRM therefore have to remain somewhat tentative at this stage. It is likely that new conflicts internal to conservancies are likely to emerge as substantial benefits begin to accrue and when trade-offs have to be made over land uses when detailed land use plans are developed. It is also possible that there will be further conflict between conservancies and other institutions, such as regional councils or regional development committees in future. However, from the evidence available so far some initial conclusions can be drawn:

Proprietorship

The Namibian policy and legislation gives communities strong proprietorship over wildlife and tourism resources. This proprietorship includes decision-making on how wildlife can be used (or not used) and how tourism can be developed (or not developed). The state sets wildlife quotas although this is not provided for in legislation and the state can withdraw the rights that are given to conservancies. Communities retain 100% of income derived from wildlife and tourism and have total discretion as to how the income should be used. There is currently no pressure from state institutions to appropriate any of this income. Proposed legislation is likely to give communities similar proprietorship over areas designated community forests.

The strong proprietorship gives communities secure tenure over wildlife and tourism as resources, providing some of the key conditions for sustainable management. Proprietorship is also important in strengthening the position of local communities vis a vis outsiders such as the private sector. If policy and legislation do not give communities proprietorship over the assets of tourism and hunting (the land and the wildlife), then communities are in a weak bargaining position with the private sector, and there is little incentive for most operators to negotiate with the community (Ashley and Jones forthcoming).

Representation and decision-making

Residents generally have a high sense of ownership over the conservancies and believe the conservancy management committees represent their interests. There is a relatively high degree of involvement in conservancy activities. In Caprivi, in some cases the danger exists that traditional authorities who have been the driving force may not give up control to developing conservancy committees. *Salambala* is a good example of where the traditional authority has been involved in the formation of the conservancy but has given the management committee space to operate on its own and develop accountability to the community. In *Mayuni* conservancy residents are less well informed of conservancy activities and the traditional authority remains a powerful influence. In Kunene Region, conservancies have developed with less involvement of traditional authorities but have pragmatically co-opted them when conflicts have emerged. The potential for conservancy committees to become more accountable to community members appears greater where traditional leadership supports the development of conservancies, but does not drive decision-making.

Development of a community coalescent authority structure

There are many individual actors within a conservancy who may make temporary alliances with other individuals in order to further their own interests. It is too early to say whether conservancies can develop into Murphree's "coalescent authority structure" which can reconcile the different interests. However, it would appear that the promise of some form of financial benefit at individual and community level, along with gaining control over wildlife and tourism have provided sufficient incentive for residents in seven communities in Namibia to organise themselves collectively in a way they have not done before. They

have set up a democratic and accountable community structure which can take decisions on natural resource use as well as represent the community's interests to outsiders including government. The opportunity costs in this process of organisation have been high in terms of time and energy spent on many meetings, workshops, negotiations and conflict resolution. The framework exists for conservancies to develop into "coalescent authority structures", but much will depend upon continued recognition from government and support from facilitating NGOs. It will also depend upon the extent to which management committees remain responsive to members and keep them informed of conservancy activities. Conservancies will also need to deliver a diverse stream of benefits which go beyond the financial, in order to satisfy the diverse needs of community members.

Enforcement of resource use rules

Enforcement of conservancy rules, which are neither traditional nor formal laws is a major challenge. A good example is *Salambala* conservancy where four families refused to move from the proposed core wildlife area. Although authority has been extended to local grassroots level, enforcement of this authority is not yet clearly defined. In the *Salambala* example, the four families have ignored directives from both the traditional authority and the central government. Neither the regional councils nor the traditional authorities seem able to enforce rules made by the conservancies due to a lack of clarity on their roles and responsibilities. The ability of conservancies to enforce such rules needs to be strengthened in policy and legislation. The ability to enforce rules will also depend upon the accountability of the conservancy management body to its members. Individuals in conservancies recognise that wildlife and tourism are largely common resources that require collective decision-making for their sustainable use. If management committees act autonomously and undemocratically, and against the interests of the majority of individuals, conservancy members will ignore resource use rules and wildlife will revert to 'open access' as the common property institution loses credibility.

Flexibility

A strength of the Namibian policy and legislation is its flexibility. The conservancy legislation enables communities to define themselves and does not impose artificial boundaries, thus allowing communities to decide who is included or excluded from resource use and receipt of benefits.

It also allows communities to elect their committees in different ways, shape their own constitutions (beyond certain prescribed provisions) and develop accountable structures that suit their own circumstances and cultures. This flexibility enables communities to accommodate local conflict and find local solutions.

Flexibility also leads to more time-consuming processes and makes more demands upon support agencies which need to facilitate communities identifying and thinking through key issues and coming to a decision. The disputes over land and boundaries described in section 13. have led to considerable delays in conservancy formation. However, the main implementing NGO, IRDNC, believes that it is important to

work through such key issues before conservancies are registered. According to Davis and Jacobsohn (1999:24) "Intervention by outsiders to speed up the process could result in the sort of problems created by the arbitrary colonial boundaries inherited by independent Africa". Communities are being asked to redefine themselves following the removal of arbitrary and artificial boundaries created by the social engineering of *apartheid*. This is bound to take time and result in conflict. So far most communities have been pragmatic and have found ways to resolve the conflict. Even so, most of those involved in the Namibian CBNRM programme believe there is a need for some form of outside mediation which can help break deadlock situations.

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ANNEXE 1

RESULTS OF ATTITUDE SURVEYS CARRIED OUT IN CONSERVANCIES IN KUNENE AND CAPRIVI REGIONS

A. Kunene

In *Torra* conservancy (Jones 1999a) 97% of respondents said they had heard of the conservancy and 91% said they were members. 82% of households have a member or members who have participated in conservancy activities. A majority (63%) of residents believe the conservancy committee represents their interests. 43% said they were well-informed about the conservancy and its activities, 32% receive only a little information and the rest are not well informed or receive no information.

In the *Sesfontein* conservancy (Jones 1999a) 98% of respondents were aware of the conservancy, and 87% said they were members although participation in conservancy activities was lower than in *Torra* (52%). 82% said the conservancy committee represents their interests. 16% said they were well-informed about the conservancy and its activities, 40% said they receive only a little information, 30% said they were not well informed and 14% said they received no information.

In the #Khoadi //hoas conservancy (Jones 1999b) 79% of respondents said they were members of the conservancy and 46% said a member of their household had participated in conservancy activities. 46% said the conservancy committee was doing an average job and 35% said it was doing a good job. However, 69% said they receive little information about the conservancy and its activities and a further 17% said they were not well informed. Only 37% had attended a conservancy meeting over the past 12 months.

B. Caprivi

In the survey conducted Mosimane in 1997 in *Salambala*, at village level 88% of the respondents knew their village was represented and 78% received feedback about the conservancy activities monthly from the representative. When asked to whom the conservancy belonged, 92% of respondents answered "the community". The survey findings indicate the conservancy information flow was good and people felt that they were part of decision making in the conservancy. Concerning the process of developing the constitution, the 1997 survey indicated that 62% of the conservancy members said that they have provided input into the drafting of the constitution. The communities have a sense of ownership of the conservancy and constitution, since they were consulted when the constitution was developed and their ideas were incorporated by the management committee (Mosimane 1997).

The 1999 survey in *Mayuni* indicated that 54% of the respondents said they were not represented in the management committee and only 55% of the respondents said they received feedback from representatives after each meeting (Mosimane 1999a). This demonstrates that the flow of information from the management committee to the respective villages in the conservancy is not yet effective and well established. People do not yet have a say in the decisions and are not even aware of the activities of the management committee. The committee itself did not have clear understanding of the village representation and the activities they could embark on. The current constitution of the conservancy was developed by the chief and a committee tasked to develop the constitution. In the 1999, survey, 60% of the respondents said they were not consulted when the constitution was developed. The current conservancy management committee said they only approved the constitution. The community was not much involved in the development of the constitution, therefore lacks knowledge of what it entails. However, there is strong community knowledge of (93%), and support for (92%) the *Mayuni* Conservancy. This shows that the community does have a strong sense of support and ownership of the conservancy (Mosimane 1999a).

The 1999 *Wuparo* survey, shows that 68% of the respondents said they are represented in the management committee, and 58 % said they received feedback after every conservancy meeting (Mosimane 1999b). The findings illustrate that the flow of information in *Wuparo* Conservancy is fair. The conservancy has developed a constitution, with community consultation and was approved by the community. There is ownership of the conservancy with 95% of the respondents saying they want a conservancy. When asked to whom the conservancy belongs 87% said "to the community" (Mosimane 1999b). The survey results show a strong sense of support and ownership of the conservancy. The

community generally feels they are part of decision making, since their villages are well represented in the management committee.

In *Kwandu* Conservancy, the 1997 survey states that 64% of the respondents said they receive feedback from the management committee after every meeting, and 95% said they were represented in the management committee. The results indicate, strong representation but feedback to the community is a bit weak. When the respondents were asked to whom the conservancy belonged, 96% said the "community" and 82% said a conservancy is a community initiative to conserve. All respondents (100%) in the survey said they want a conservancy, which demonstrates support and ownership of the conservancy (Mosimane 1997).

ANNEXE 2

NGO ACTIVITY WITHIN CBNRM IN NAMIBIA

An NGO, Integrated Rural Development and Nature Conservation (IRDNC), pioneered community-based conservation activities in pre-independence Namibia. IRDNC directors Garth Owen-Smith and Margaret Jacobsohn worked in the mid 1980s on developing a community-game guard programme and a pilot project on returning benefits from tourism to Himba pastoralists in Kunene Region. IRDNC now facilitates the formation and operation of conservancies in Kunene and Caprivi. A consortium of three international NGOs (World Wildlife Fund US, Management Systems International and World Learning) and one local NGO (the Rossing Foundation), administers the USAID-funded Living in a Finite Environment (LIFE) Project. LIFE provides funding and technical support to Namibian implementing organisations including IRDNC. The Rossing Foundation has its own CBNRM training and education programme. The Namibian Community-based Tourism Association (NACOBTA) represents the interests of tourism enterprises in communal areas, and the Namibia Nature Foundation provides a number of services within the national CBNRM Programme. An NGO umbrella organisation, the Namibian Non Governmental Organisation Forum (NANGOF) houses the secretariat to the CBNRM Association of Namibia (CAN) which is a collaborative grouping of all those involved in CBNRM including government agencies. The LIFE programme steering committee (consisting predominantly of Namibians) has also played a significant role in advocacy and policy formulation at national and international level.

Of the three case study conservancies in Kunene Region, *Torra* and *Sesfontein* have received considerable facilitation from IRDNC, while the *#Khoadi //hoas* conservancy has received only limited funding and technical support from the LIFE Project. In Caprivi, IRDNC has provided support to all four conservancies. LIFE has provided funding to IRDNC and the conservancies and LIFE technical support assisted IRDNC facilitators in the development of the *Salambala* Conservancy. The Rossing Foundation has played a leading role in supporting the development of the local crafts industry in Caprivi as part of CBNRM activities, and LIFE has supported IRDNC's work in encouraging a thatching grass industry in Caprivi for women.

EMPOWERING COMMUNITIES TO MANAGE NATURAL RESOURCES:

WHERE DOES THE NEW POWER LIE?

FISH RIVER CASE STUDY: EASTERN CAPE, SOUTH AFRICA

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INTRODUCTION

Regarding community-based natural resource management (CBNRM), a period of chaos is reigning in large sections of the former Ciskei. Local government structures and village structures are taking very little responsibility for resource management. In order to comprehend this level of chaos it is necessary to have insight into past political upheavals in the area, as this has impacted negatively on rural people's interaction with their natural resources. Compounding this, social and economic pressures at village level together with the lack of clear government policy have an impact on the effectiveness of CBNRM.

The former tribal authority in the Ciskei was marked by incompetence and corruption and this left the Ciskei with an underdeveloped infrastructure, limited agricultural development and almost no management of natural resources. The collapse of the bantustan institutions left an enormous vacuum in rural administration both at a district and village level (Palmer, 1996). The rise of the local government in the mid 1990's in most villages in the area represented a serious challenge to the tribal authority. At village level, structures such as resident associations took over the responsibility of allocating communal land. However, like all institutions, they have been subjected to the pressures of social, economic and political change. Under the prevailing conditions it has been very difficult for resident associations to exercise any effective authority concerning natural resource management.

CBNRM has become a catch all term for many different approaches and models of natural resource management from joint management initiatives with government on state owned or communal land, to

common property arrangements on community owned land. This paper highlights the issues and problems being experienced by two rural community structures attempting to implement natural resource management regimes in the Fish River area of the former Ciskei. These communities also border the Great Fish River Reserve Complex. Their relationship with the reserve is investigated in terms of co-operation and benefits derived from joint activities.

THE STUDY AREA

The study area borders the Great Fish River Reserve Complex, (GFRC). The reserve was formed in 1976 and covers 45000-ha of former white owned farmland. The reserve as it currently stands is surrounded by nine village settlements, accommodating approximately 20 000 people at an approximated 70 people per square kilometre. (Fabricius & Burger, 1997). All these villages are characterised by poverty; environmental degradation; very low or non-existent levels of economic activity; a heavy dependence on urban earnings and welfare payments; high unemployment; poor infrastructure and a desperate lack of basic services. Despite the existence of the reserve almost no community benefits have accrued to the communities.

The nine villages represent different histories of land occupancy and land tenure frameworks. These influences have had an impact on the distribution of people, the distribution and types of settlement, land tenure systems and land management, and ultimately the use and abuse of resources (Ainslie, 1994).

Ndwayana, Qamyana, and Gwabeni, are situated along the south-eastern border of the reserve (See Map 1). These villages were not subjected to any betterment policy and consequently the settlement pattern is one of widely dispersed groups of dwellings (Ainslie, 1998).

Glenmore is situated on the southernmost tip of the reserve - it is a resettlement community¹. It was established between 1979 and 1986 on South African Development Trust (SADT) land. Environmentally the area surrounding Glenmore is the most exploited. On the eastern and northern boundaries there are two villages, Sheshegu and Ncgabase, which underwent betterment², and as result residential plots are marked out and land is allocated for fields and commonage.

¹ In terms of the Ciskei Proclamation 187 of 1972, the Ciskei was declared a self governing state. In pursuance of its project of ethnically constituted 'states', the South African State proceeded to relocate large numbers of Africans into areas demarcated for the development of self-governing ethnic enclaves. Throughout the 1970s and early 1980's, the implementation of these plans involved both the removal and resettlement of 'black spot' areas (Ainslie, 1998). Glenmore was established for surplus farm worker families and people from communities in formally white designated areas in the Algoa region.

² In the late 1930's there was increasing concern about the condition of the land in the homeland areas, because its deterioration was having palpable effects on the capacity of these areas to support their inhabitants. The early Betterment Proclamations of the 1930s were intended mainly to save the land by means of planned settlement and conservation measures: under the charge of native commissioners residential patterns were to be reconstructed, pastures fenced, stock limitations imposed on the basis of carrying capacity, arable land was to be demarcated, and contour planning (Boonzaier *et al*, 1988). This necessitated the removal of scattered African homesteads into villages which resulted in millions of families being forcibly moved (Beinart, 1994). Betterment reflected an intention to intervene in the rural areas in much more fundamental and systematic ways than had been in the past.

On the north-eastern boundary of the reserve are a group of former farm worker's families collectively referred to as the Masakane community. These families have continued to occupy land on eight farms without formal permission for the last twenty years. These farms were formally owned by white farmers and were bought out by the previous government to consolidate the formation of the Ciskei homeland. Land in the former homelands is state-owned and held under a modified communal land tenure system. Resources are subjected to common property management regimes (Ainslie, 1998). This study focuses on experiences documented in the Gwabeni community and the Masakane community. Many of the issues discussed apply to both areas. Where experiences differ these are discussed separately.

The area is characterised by Valley Bushveld (Acocks, 1988) vegetation that consists of extremely dense, semi-succulent thorny scrub forest in its natural state. The mean annual rainfall is 434 mm with peaks in October and March (Palmer, 1988). It is interspersed with grassland on the high lying areas. Valley Bushveld is only found in the Eastern Cape. It is highly sensitive to grazing pressure by livestock and is slow to recover if a threshold amount of woody vegetation is removed through over utilisation. In those areas that have been heavily exploited mass invasion of prickly pear (*Opuntia ficus-indica*) is common. The natural vegetation around Gwabeni is marked by widespread deforestation and over grazing. This is largely a result of high population densities of both humans and livestock (Ainslie, 1998). The farms currently occupied by the Maskane community situated on the north eastern border of the reserve have historically been better managed and geographically have more grassland type vegetation. The stocking capacity is thus potentially higher, although the ecosystem is still sensitive.

The communities in the study site are equivalent to peri-urban settlements. Hence, families are more or less integrated into the wider economy as they have come to depend on cash or food from family members in urban centres and commuters with jobs in the nearby towns; migrants employed further afield; state pensions; casual labour and the informal sector for their livelihoods (Palmer, 1996). Reliance on food or income generated from crop production is virtually non-existent. Families do, and aspire to, invest in small and large stock. As a result large numbers of livestock are evident in the area.

The Maskane communities are in a better position than the other villages in the area regarding access to grazing lands. They have continued to graze their stock since the 1980's on the formerly owned white farms. This has provided them with access to large tracts of grazing land and some of the families have thus managed to accumulate large herds of stock. There is a greater reliance, in this community, on income generated from stock sales at the local stock sales held every two months in the area (Cocks *et al*, 1997).

Poorer families of both communities are however reliant on the natural environment for the harvesting of natural resources such as fuel-wood, construction poles, thatching grass, food supplements, and medicinal plants. The majority of these families are not solely reliant on these resources because they make use of alternatives such as paraffin and gas for cooking purposes and brick and corrugated iron for construction purposes if and when their economic status allows. The harvesting of fuel wood and grazing are the most common forms of resource exploitation.

Figure 1: Map of the Great Fish River Reserves and adjacent villages and farms

The GFRC incorporates the Double Drift Reserve, Andries Vosloo Kudu Reserve and the Sam Knott Nature Reserve. In 1995, the Double Drift Reserve was still under the management of the Ciskei Nature Conservation and Tourism Board (CONTOUR). The Andries Vosloo Kudu Reserve and the Sam Knott Nature Reserve were both managed by East Cape Nature Conservation (ECNC). The dual management of the area has had significant implications for the way the reserves are managed and thus the relationships between reserves and their neighbours.

On the Andries Vosloo Kudu Reserve and the Sam Knott Nature Reserve an orthodox approach to conservation was adopted by limiting the impact of people on the natural system to re-establish a pristine environment. This approach proved expensive with low levels of public accountability. CONTOUR's approach on the Double Drift Reserve has been geared towards tourism and income generation, but this was accompanied by authoritarian and non-involvement attitude towards neighbouring communities. Besides the two different reserve-management structures the reserves also have different categories of neighbours. The two ECTB managed reserves border exclusively on white owned commercial farms in the former Cape Province (Ainslie, 1995).

In 1996 under the new dispensation, these structures changed and the Andries Vosloo Kudu Reserve and the Sam Knott Nature Reserve fell under the management of the Department of Economic Affairs, Environment and Tourism (DEAET) and Double Drift Reserve fell under the East Cape Tourism Board (ECTB). At present they are still run separately but a mandate has been received from the MEC to amalgamate all the reserves in the region and for them to be managed by an over arching board. Once this has been formed it is the intention of the board to implement the Great Fish River Complex Management plan, which outlines the need to increase the involvement of local communities. Currently a management committee has been established to manage the three reserves which meets on a monthly basis (pers. comm. Hahndiek, 1999).

In 1996, in accordance with the restructuring of nature conservation departments new community liaison programs were adopted and community liaison officers (CLO's) were employed by ECTB. The CLOs responsibilities were to improve relations between reserve management and surrounding communities. Unfortunately, many of these officers received inadequate training, and little financial support or supervision. Most of their efforts were concentrated in environmental education programs with school children. The few attempts made to initiate projects in neighbouring villages never got off the ground due to the lack of community support, capacity and a lack of resources and contacts.

The ISER as a local research institution operating in the area took it upon itself to access funds to facilitate the co-operation between the reserve and neighbours as well as to offer assistance to the CLOs in participatory methods, capacity building and organisational development work in rural communities. This decision was reinforced by growing international recognition of the need for neighbouring communities to support the existence of protected areas if those areas are to survive.

After nine months in consultation with reserve authorities, local communities and farmers neighbouring the reserves, the Inxuba Conservation and Economic Forum (ICEF) was launched in 1995. The ICEF have

developed and adopted a constitution and a code of conduct governing the daily interactions between the reserve staff and neighbours. The ICEF executive comprises of three village representatives, two commercial farmers, two senior reserve officials and two reserve CLOs.

The ICEF meets monthly to address development issues and tensions that may occur between the reserve and the surrounding communities.

APPROACH AND METHODS USED IN THE CASE STUDY

The information represented in the study has been collected from a number of sources. The Institute for Social and Economic Research (ISER³), at Rhodes University, has a long history of being involved in the area and numerous reports have been written on the area. In addition, a thesis entitled, "Management of Natural Resources in a Rural Settlement in Peddie District", undertaken by Ainslie (1998) was an important source of information.

The author has had an active involvement in the area for the past four years on a number of projects: Gender, Households and Environment Project (1996), Cultural Resource Pilot Project (1997), Masakane Land Acquisition Project (1997), and Mid Fish River Sustainable Development Project (1998).

THE POWER OF THE CENTRAL STATE – LEGAL AND POLICY FRAMEWORKS

The Communal Property Association (CPA) act (1997) developed under the Land Reform Programme proposes to provide communities with legal status to collectively acquire, hold and manage property in terms of a written constitution. The act requires a land holding group to draft a constitution which sets out the rules governing access to and management of the jointly owned land (White Paper 1997). The establishment of CPAs has been more advanced along the Wild Coast in the former Transkei. The former areas are receiving strong state intervention through the Wild Coast Spatial Development Initiative (SDI) and funding to establish these structures. In the former Ciskei no CPA's have been established as yet. The probability of this occurring is unlikely as current studies presented at the Land and Agrarian conference in Broederstroom (1999) reveal that CPA's are not being promoted as a viable option. The establishment of the CPA's in many cases are being promoted because of the requirement for legal entities in order to promote ecotourism initiatives between the private sector and rural communities. The constitutions hastily drawn up by these associations often have very little meaning for its members and are therefore ineffective, particularly with regards to management issues.

³ The ISER is a research institute of Rhodes University, under its umbrella is the Development Studies Unit (DSU) which has a record of building up the capabilities of communities and individuals, institutional development and strengthening. Much of the work done by the DSU and the institute is guided by national and local development priorities. The ISER is the only institution that has been involved in the study area.

Apart from the Communal Property Association (CPA) Act, the proposed Land Rights Bill promised to offer communities more statutory power. Under the new directorate this bill has been indefinitely postponed (pers. comm. Kingwill, 1999) and at this stage it is not yet known what guidelines are being proposed by the Department. In the interim no alternative institutional support is offered to rural communities to manage natural resources and even extension services have been put on hold.

The Department of Agriculture under the National Party dispensation drafted the Ciskei and Transkei Agricultural Development Act whereby extension officers in the Department were responsible for providing assistance in management issues surrounding communal grazing areas. This act was annulled in 1996 (pers comm. De Kock, 1999) and much attention is being given to the drafting of new bills. In the interim the department has provided very few services to rural communities.

The Department of Forestry (DOF) recognises two management categories of indigenous forests: *State Forests*, managed by the government, and *Headmen Forests* on communal land managed by tribal authorities. DOF plays an advisory role for *Headman Forests* and tribal management structures are expected to abide by the same regulations as *State Forests* regarding protected plant and animal species. In the Grahamstown/King William's Town area there only two DOF officials have been appointed to fulfil this function. There is obviously inadequate to have any impact on the ground, however this lack of capacity is acknowledged by the Department (per. comm. Mr Harrison, 1999).

A number of *Headmen Forests* are situated in Zingcuka/Cata catchment north of the study site. *Headmen forests* were demarcated during the 1950's in marginal forest areas where protected species such as *Podocarpus* spp. (Yellowwoods) were located. Formerly village headmen were given the authority to issue permits for the felling of selected number of protected tree species each year. DOF officials undertook regular inspections of these forests as part of the management procedure (pers. comm. Mr Speins, 1999). The current status of these forests and their management in the former Ciskei is uncertain, both at DOF and at a community level, because headman are no longer recognised authorities. In the former Transkei however, headmen forests are still (in principal) managed by tribal authorities.

Further to this East Cape Nature Conservation (ECNC) (formerly Cape Provincial Administration) ensure that certain plant species listed under the Nature Conservation Ordinance of 1974 enjoy "protected status" irrespective of land ownership and management practice. Collection or removal of these plants require special permits from ECNC. The present act regulating plant collecting is implemented at provincial level and permits are issued at a region level within each province where capacity is limited to the extent that application of this requirement is ineffective. The DEAT has recently received funding from international sponsors to develop legislation in accordance with the Convention on Biological Diversity (pers comm. Dr Wolfson 1999).

In summery, village structures lack capacity, statutory power and government support to regulate the illegal harvesting of resources from indigenous forests and communal areas.

LOCAL GOVERNANCE STRUCTURES – THE OLD, NEW AND EVOLVING: HOW DO THEY RELATE TO ONE ANOTHER?

The past political upheavals experienced in the former Ciskei have impacted negatively on the ability of local governing structures to implement successful resource management regimes. In 1972 the Ciskei was declared a self-governing state. This led to the introduction of tribal authorities that became responsible for the allocation of land and its management. Later, various government departments such as the Department of Agriculture and Department of Public Works shared the responsibilities of land and natural resource management, albeit on an ad-hoc basis. The Department of Agricultural introduced policies to control the number of livestock and funded community-based conservation projects such as manual noxious weed eradication and erosion control. These funds tended to be directed at members of Sebe's Ciskei National Independence Party and excluded those communities who opposed the bantustan system (Ainslie, 1998). The Public Works Department provided fencing and poles to rural communities on the same stipulations

In 1990 Sebe was ousted in a military coup and was replaced by Gqozo as head of state. Gqozo suspended the already unpopular headmen but did not transfer their powers to the ANC aligned SANCO⁴ resident associations at village level. This led to intense political activity and resistance against Gqozo and his party (The African Democratic Movement - ADM). He soon reintroduced the headmen system coupling rural resource access with membership of the ADM (Ainslie, 1998). Conservation projects similar to those introduced under Sebe were implemented and these were also politically linked. This had the effect of politicising issues surrounding natural resource management and has resulted in eroding the sense of care that rural people had towards their natural resources.

With the unbanning of the ANC in 1990, the polarisation of the ANC aligned resident associations and the ADM, supporting tribal authorities became acute. This resulted in violent clashes in some villages in the study area. The overwhelming electoral success of the ANC in April 1994 led to the collapse of the ADM and the tribal authorities, and with it the *de facto* replacement of the tribal authorities with the ANC- aligned SANCO resident associations in the rural areas (Palmer 1996).

The resident associations have attempted to take over the responsibility for the management and allocation of land within their respective communities although they have not been granted any legal authority to do so and have to work through the following process. For example, matters concerning the allocation of land are brought to the attention of the resident association by community members. The issue is discussed at community meetings, if an agreement is reached the resident association then takes the matter up with transitional rural council (TRC) representatives⁵, who then refer it to the local magistrate

⁴ This is the acronym for the South African National Civic Organisation.

⁵ The TRC consists of 15 seats, which includes representatives of interest groups from the following categories: (i) farmers, land owners; (ii) farm labourers; (iii) women and (iv) traditional leaders. These interest groups need to be recognised by M.E.C. for Housing and Local Government. In the study area the traditional leaders have not associated themselves with the TRC. In the study area they do not have much political support although the older generation view them as symbolic customary leaders (pers comm. Dr Manona, 1999).

and the Department of Agriculture (DOA). Extension officers from the department are then sent to survey the land and register the allocated sites.

This procedure only applies to the allocation of land. Issues surrounding management are mainly dealt with by the resident association but because they lack authority these issues are seldom addressed. The transitional rural council (TRC) consists of representatives who are elected according to proportional representation of each political party in each selected ward. The TRCs are officially recognised as legal bodies, but they do not have executive powers and therefore function more as an advisory body to local district councils who do have executive authority. TRC representatives seldom address management issues in communities as they are often removed from the communities that they represent, and they lack capacity and access to resources. The same applies for the district councils who are even further removed from local communities (pers. comm. Dr Manona, 1999). See Figure 2 for details of the procedures.

The Department of Provincial and Local Government is proposing that the transitional rural councils and transitional local councils be amalgamated as one institutional body. This raises the concern that urban issues may receive preference over rural issues and which could have a negative impact on NRM (pers. comm. Dr Manona, 1999).

Chiefs and headmen in the area still have respect from the communities where they reside but they are not involved in the daily administration functions within their communities. Resident associations are performing the administrative functions except for a few isolated areas in the northern parts of old Ciskei. The past political struggle against bantustans has resulted in tainted affiliation to tribal authorities in the area (pers. comm. Dr Manona, 1999).

The past state interventions such as resettlement villages, betterment policies, the formation of the homelands, and lack of tenure security, together with the current lack of direction concerning local government has had a major impact on rural peoples interaction with their natural resources. These interventions have affected the local patterns of resource use and undermined the legitimacy of local institutions. It is in this complex political environment that the newly formed Resident Associations have to establish authoritative administrative strategies. Unfortunately many of these associations are experiencing strong internal social and economic pressures further impeding natural resource management issues at a community level.

Figure 2: Local institutions responsible for land and resource management in the Fish River area.

COMMUNITY-BASED SOCIAL INSTITUTIONS FOR RESOURCE MANAGEMENT: ARE THERE ANY IN EXISTENCE AND HOW DO THEY RELATE TO LOCAL GOVERNANCE STRUCTURES?

The Masakane Resident Association is making an attempt to implement control over the use of their natural resources. They are, however, struggling to exercise authority due to their lack of tenure security. The association was established in 1993 to co-ordinate efforts to acquire formal ownership of the land that they currently occupy and to establish a formal settlement along the main transport route in their area. Issues surrounding resource management were also placed on their agenda.

One of the most difficult issues the Masakane Resident Association has to deal with is the invasion of livestock from Middledrift. Middledrift is a densely populated settlement which neighbours the farms currently occupied by the Masakane community (See Map 1). The environment surrounding Middledrift has been severely overgrazed and poorly managed. In the past Masakane residents were employed by the Department of Agriculture to control the number of livestock grazing on their farms, particularly those from neighbouring communities. Under the new dispensation this authority has fallen away and the Masakane community have unsuccessfully tried to sustain control.

People from Middledrift and Sheshegu also harvest fuel wood, both wet and dry contrary to regulation, from the Masakane farms. The resident association has made several attempts to prevent the harvesting of fuel wood as it is becoming difficult for families living in the area to harvest sufficient amounts for their own needs. Recently, a man from Middledrift was caught cutting the fence and drawing his wagon in to harvest fuel wood. Masakane residents witnessed this and confiscated his wagon and reported his activities to their Resident Association. The association has written a formal complaint to the Middledrift Resident Association requesting that the culprit is fined and the fence repaired. The association has received no funds from the government to implement any management projects in the area since 1994.

Despite their tenure security the resident association of Gwabeni has not been effective in implementing NRM programs. One of the most inhibiting factors has been the previous commercialisation of conservation programs in the area. The former government set a precedent by employing destitute people on their conservation programs. These programs have had the effect of demotivating local communities from engaging in voluntary management programs (Ainslie 1998). The majority of residents in the villages are unemployed and they therefore continue to live in the hope that additional funds will be made available to fund such projects. Local resident associations lack funds to fund such projects. Consequently very little hands-on activity is being engaged in at village level.

There is very little support from local government structures regarding resident association's attempts to manage their resources. This has largely stemmed from the confusion created by the amalgamation of former homeland administrative bodies into the new Eastern Cape Province. This process has been fraught with difficulties and as a result the provincial government has been slow to address issues relating to management of natural resources. The current administrative body responsible for the study site, Amatola District Council, unfortunately is not able to affect much control over its enormous jurisdiction due to lack of capacity.

WHERE DO THE ENTREPRENEURS AND PRIVATE SECTOR FIT IN?

In the Great Fish River Complex there are very few entrepreneurial activities associated with the use of natural resources. The most visible activity is the selling of prickly pear fruits (*Opuntia ficus-indica*). During the summer months women are seen harvesting and selling prickly pears along roadsides. In recent years the reserve management has issued permits for harvesting from the reserve. This has resulted in outsiders from as far afield as Alice and Middledrift taking advantage of the permit system. The

permit costs R20 per season. On a much smaller scale entrepreneurs are harvesting *Aloe* sap and selling it to middlemen who then re-sell it to companies in East London for the production of *Aloe* based products such as patent medicines.

Occasionally entrepreneurs from Gwabeni village sell fuel wood for R40 a pick up load. Entrepreneurs have been reported harvesting medicinal plants from the area. In the veld there is evidence of this but not on a massive scale. Informal markets in nearby towns (Peddie and King William's Town) are being supplied medicinal plants from the study site although on a small scale.

Under the proposed plans for the Fish River Spatial Development Initiative, the Fish River Reserve Complex has been earmarked for tourism potential and programs have been initiated to promote maximum community empowerment and participation in the tourism sector. Unfortunately, delays have occurred due to the emergence of historical land claims⁶ being made on sections of the reserve. It is however the intention of the SDI steering commission to begin implementation once the claims have been settled through the Heath Commission (Cocks, 1999). It is anticipated that this will occur in the latter half of 1999 and it is expected that this would increase the potential for entrepreneurs in the area as well as the involvement of the private sector.

The advancement of ecotourism activities associated with the Fish River Reserve Complex has also been hindered by administrative problems. The Fish River Reserve Complex currently comprises three independently run reserves. Attempts are being made to amalgamate the three reserves and manage them as a single entity. This process has suffered from legal constraints due to the different management bodies which has delayed the amalgamation of the reserves into a co-management endeavour between communities, the private sector and nature conservation bodies. The SDI steering committee does however have an agenda to facilitate the amalgamation of the three reserves. A new management plan for the reserve complex has been drafted by ECTB in which it is proposed to increase opportunity and benefits to communities.

WHERE DO THE BENEFITS GO? WHO MANAGES AND DECIDES ON THESE?

In the study site very few benefits are being derived or being allocated to communities because of the above mentioned reasons. Currently very little financial benefit is being derived from the Fish River Reserve Complex. A development levy was introduced by the ECTB to fund development projects in the surrounding communities. Overseas and local hunters are charged a R40 fee for each animal shot during the hunting season. The levy was implemented four years ago and as yet these funds have not been accessed because of the need for the formation of a section 21 company to administer the funds. It is being proposed that ICEF be developed as such a company. This process has been delayed because of problems experienced in amalgamating the three reserves. Recently funds have been accessed from ECTB for the funding of local development projects such as fencing, a local school and a proposed craft

⁶ Historical land claims are being made in the reserve because under its formation certain people lost access to land that they formally owned.

project in the study area. CLOs made these recommendations to the reserve management and the proposals were accepted. It is however envisaged that the section 21 company will have control over the allocation of development funds to the surrounding communities.

COMMUNITY DIFFERENTIATION

Communities in the study area do not represent homogenous but rather heterogeneous entities that are becoming increasingly more stratified along social and economic lines. Some families are well integrated into the wider economy as they receive incomes from fixed employment opportunities, whereas other families are solely reliant on state pensions or income generated through the informal sector. The wealthier residents are able to substitute natural resources with alternative options. The 'rural elite' therefore have considerably less incentive to contribute to the sustainable management of these resources. The transaction cost in managing these resources is often higher than the value of the resources to them. As a result the 'rural elite' tend to disengage themselves from attempts to manage natural resources, thus making co-operative resource management difficult (Ainslie, 1996). Furthermore, the poorer resident's immediate needs for water, fuel wood, edible plants, and medicines take precedence over long-term interests, such as the sustainable management of the local resources. Incentives for co-operation aimed at resource management therefore become virtually impossible. This sentiment is clearly expressed in the following quote: "These [wealthy] people think they can exist on their own, especially once they've got their pay cheques. When we spoke about dams being expanded, reservoirs being built [in Gwabeni], they said they've got their own tanks (Ainslie, 1998).

The integration of rural communities into the wider economy has the additional consequence of removing the middle-aged generation from the village, as they are generally urban workers. This is affecting effective community based management as the absent residents continue to have a vested interest in their rural homes. The senior residents present in the village feel obliged to consult the absent members because of their higher economic status and therefore enhanced authority in their communities. Thus issues and decisions surrounding natural resource management is often postponed until absent residents are present. This occurs, during festival holidays, usually twice a year (Ainslie, 1998). The senior residents often feel incompetent to make these decisions because of their low education level.

Effective community based resource management is also impeded by gender differences in the study area. Women are generally not involved in decisions surrounding NRM as they do not hold powerful positions in the village resident associations. Women are however more involved in the harvesting of natural resources such as fuel wood, thatching materials, wild vegetables, herbs and fruit and are therefore in a more informed position to comment on NRM. Senior men, because of their positions in the resident associations, tend to dominate the decisions around natural resource management, most often emphasising livestock issues.

CONCLUSIONS

The Fish River case studies reveal a number of difficulties associated with community based nature resource management. At a village level, local structures are struggling to enforce control surrounding NRM because of their lack of statutory power and lack of capacity. The Land Rights Bill drafted by the Department of Land Affairs would give community structures more statutory power to enforce such decisions. This bill under the new directorate has however been indefinitely postponed. Moreover, local village structures are experiencing their own internal social, economic and political pressures that are also hindering effective NRM programs from being implemented.

Due to the lack of support from government departments village structures are not being empowered through appropriate capacity building processes, such as extension services, (DOA) and environmental education (DEAET). The lack of capacity of the DOF and ECNC to regulate the harvesting of resources from state forests and other areas is having a negative impact on NRM. Further to this the lack of current direction concerning local government has had a major impact on rural peoples interaction with their natural resources.

In the current political environment no single government department has taken responsibility for authority and without formal guidelines communities are unable to motivate their own existing management programmes. It is important to note that the lack of institutional regulations over natural resources suits a large majority of families and individuals and they are exploiting the situation to their own benefit.

The proposal to amalgamate the transitional rural councils and transitional local councils as one institutional body, together with the effects of ecotourism and an amended government policy would create new power struggle relationships.

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DISCOVERING POWER RELATIONS IN A SOUTH AFRICAN CBNRM CASE STUDY: THE MAKULEKE COMMUNITY OF THE NORTHERN PROVINCE

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CASE STUDY AREA

In 1969 the Makuleke community of the Northern Province was forcibly evicted from approximately 25 thousand hectares of land in the north-westernmost corner of South Africa, the so-called Pafuri Triangle (Harries 1987). They were resettled some 60 km to the south in the emerging homeland of Gazankulu. The removal formed part of the homeland consolidation processⁱ, but also contributed to the establishment of a military *cordon sanitaire* between South Africa and the then Rhodesia at a time when their civil war was gaining momentum. Most importantly the removal allowed for the incorporation of circa 20 thousand hectares of Makuleke land between the Limpopo and Luvuvhu Rivers into the Kruger National Park (KNP) (See figure 1).

In 1996 the Makuleke lodged a claim for restitution of their land under the new South African Constitutionⁱⁱ and land claims legislation. Two years later, in April 1998, the Makuleke and the South African National Parks (SANP) announced what they called a 'world class agreement' (Steenkamp 1998b). In terms of this agreement the Makuleke regain ownership of their land which nonetheless remained an integral part of the KNP as a contractual national parkⁱⁱⁱ. The community also gained exclusive commercial rights to the land. An intensive commercial planning process is currently underway to develop the tourism potential of what is now called the Makuleke Region of the Kruger National Park.

The political message that emerged at the official signing ceremony shortly afterwards was that a *harmony of interests* had been reached between the SANP and the Makuleke. Also in the SANP's principal negotiator's later publication on the land claim negotiations (De Villiers, 1999) and eventual agreement, little of the hard bargaining, micropolitics and power play that characterised the process was evident. The existence of a conflict of interests between the Makuleke and SANP that continues to exist in spite of the

settlement, appears to have been passed over in favour of a new image of harmony and co-operation (Steenkamp, 1999).

Ironically the notions of harmony prevalent in CBNRM can often be directly related to power. Critical studies of CBNRM have accordingly tended to focus on the power relations that exist between government and conservationists, on the one hand, and neighbouring people, on the other. In this paper an attempt is made to investigate how:

- CBNRM interventions as such can contribute to the development of such power relations;
- Further how state interventions aimed at setting up 'accountable' community-based structures for resource management have the potential of setting in place new power relations also on a community level.

An attempt is made in other words to look at the *unintended consequences* of conservation-related development interventions in rural communities. This is viewed furthermore within the general development paradigm reigning in South Africa and which expresses itself especially within CBNRM.

In this regard the dynamic around the Makuleke land claim, unfolding over a period of some five years, is of particular interest. Three distinct processes can be identified:

- A 'CBNRM' development intervention at Makuleke under the auspices of Transform^{iv}, a joint venture between the Federal German technical aid agency, the GtZ (Foundation for technical Co-operation^v), and the Settlement Support Directorate of the DLA (Department of Land Affairs).
- The concurrently running land claim negotiations between the Makuleke and the SANP under the auspices of the Land Claims Commission. The Commission is an independent statutory body which was supplied through another DLA directorate, Restitution^{vi}.
- A largely independently running organisational development process that took place at Makuleke with the support of the NGO-like structure FoM (Friends of Makuleke). After resolution of the land claim this developed into a major technical planning process aimed at developing the commercial potential of the Pafuri for the benefit of the Makuleke.

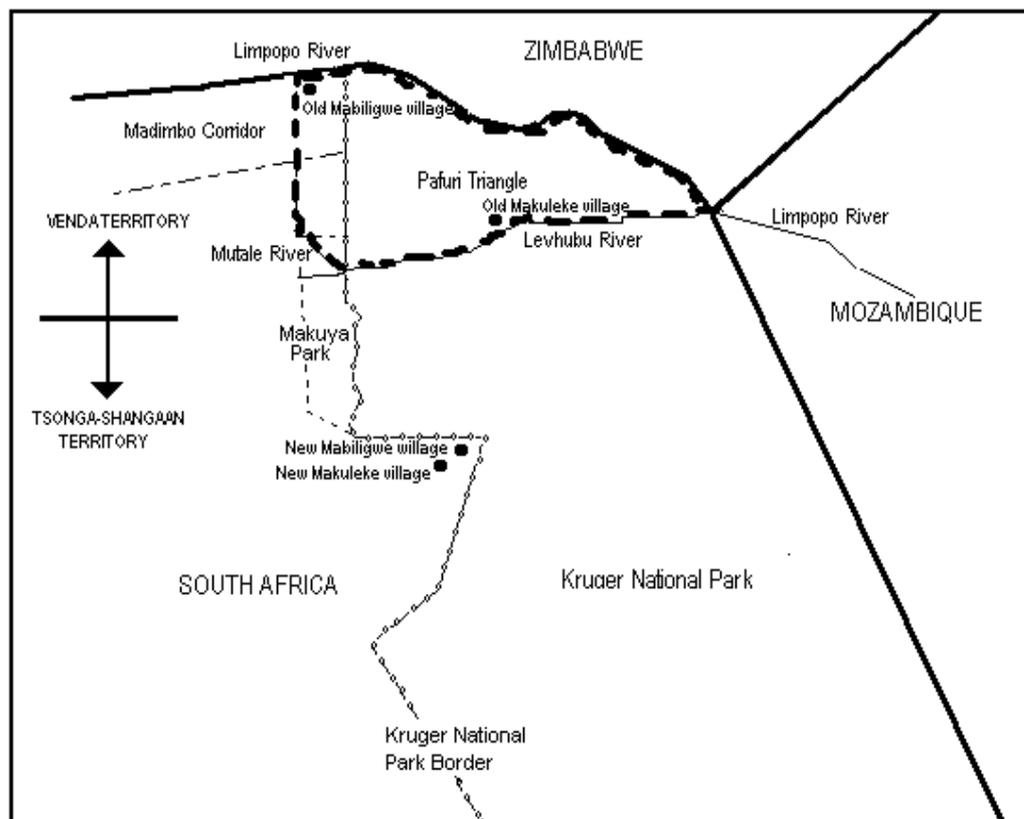
Over the period under consideration these three processes impacted upon one another. As a result of the high stakes involved in the Makuleke land claim, control over a portion of a schedule-1 national park, these interactions tended at times to become particularly conflictual. This caused some of the fault-lines underlying people and parks initiatives, the role of the state, aid agencies and civil society to become unusually evident.

Most of the data used in this paper was collected in the course of participant observation in the Makuleke land claim and community development processes. As a member of FoM the author was directly involved in the Makuleke's negotiation team (1997-1998) in the course of the negotiations and acted as facilitator in the community development process at Makuleke (1996 to 1999). The remaining data was obtained from

archival searches and interviews with key role players. Acronyms used in the text are provided at the end of the article.

Table 1 Time line	
1994	The Makuleke are approached by the private sector about the possibility of erecting a community-owned game lodge in the Pafuri Informal discussions take place between the Makuleke and the SANP with respect to a community lodge in the Pafuri Triangle
1995	The Ecotourism Project is launched and obtains support from the technical aid agency, GtZ and the DLA, in a joint venture dubbed Transform
1996	The support to the Ecotourism Project is terminated Tensions develop between the Makuleke and Transform The Makuleke lodge their land claim through the Legal Resources Centre
1997	Friends of Makuleke is founded The Makuleke requests Transform not to involve themselves in their land claim The Makuleke commence formal negotiations under the auspices of the Land Claims Commission
1998	The Makuleke Agreement is signed granting the community ownership of the Pafuri Triangle The commercial development planning process commences
1999	The commercial development process is initiated.

Figure 1: Extent of the Makuleke land claim



THE POWER OF THE CENTRAL STATE – LEGAL AND POLICY FRAMEWORKS

The South African state, its policies and the legal framework have changed significantly in the aftermath of the country's first non-racial elections in 1994. The most relevant aspect in the case of the Makuleke is central government's land tenure reform programme. This is a powerful and empowering set of legislation which includes land tenure upgrade (in terms of which people are given formal rights to land with they already occupy), and land restitution (in terms of which people are able to reclaim land lost as a result of apartheid removals)^{vii}.

Several of the 54 thousand claims being dealt with by the LCC related to conservation land and put access to prime game viewing land within realistic reach of previously marginalised communities of people like the Makuleke. One of the stated policy objectives of the land tenure reform process was to change existing power relations between the landowners and the landless (Hanekom). In the Makuleke case the landowner was the state, here represented by the South African National Parks (SANP)^{viii}, the custodian of the land concerned. The SANP therefore negotiated directly with the Makuleke in an attempt to achieve a settlement outside of the Land Claims Court. They could not however do so in isolation as the interests of a number of other government departments were affected^{ix}. Additional roleplayers of importance were the Department of Land Affairs (DLA), the Department of Environmental Affairs & Tourism (DEAT) and, most important of all, the National Land Claims Commission (LCC)^x.

The SANP, supported by the DEAT and a lobby within DLA (DLA 1995) which had come out against the Makuleke land claim. From a conservationist perspective the claim stood in direct conflict with plans for the development of a transfrontier conservation area into Zimbabwe and Mozambique, and expansion of the KNP into the Madimbo Corridor (Hall-Martin & Lorimer, 1995)^{xi}. The SANP accordingly argued strongly that the Pafuri Triangle remained a part of the Kruger National Park (KNP) with its Schedule 1 protection in the National Parks Act^{xii}. The Makuleke land claim was nonetheless formally submitted in the second half of 1996 and the formal land claims process commenced in November that year.

In the preceding year it was still considered a strong possibility that the Makuleke will be able to negotiate the right to operate a lodge in the Pafuri area without going the formal land claim route. As early as 1994 the Makuleke, using the possibility of a land claim as leverage, had initiated preliminary talks with the SANP about establishing a community-owned lodge on park land. 1995. This idea, dubbed the 'Ecotourism Project', quickly attracted political and NGO support (Derek Hanekom - Minister of Land Affairs; GEM - Group for Environmental Monitoring) and lead to the launching of the Transform programme. The Makuleke thereby became one of three pilot projects^{xiii} that were now to receive technical support from the GtZ acting in partnership with the DLA: Settlement Support. The objective of the Transform intervention at Makuleke was to build the community's capacity to participate actively in natural resource management and the proposed game lodge venture.

TRANSFORM's institutional position was somewhat ambiguous. It reported directly to the office of the Minister of Land Affairs, Derek Hanekom, who had taken a personal interest in conservation and development issues. At the same time it had the DLA as its implementation partner. The institutional ambiguities as well as an apparent disagreement between the Minister and a faction in his own

department (Anon. DLA official. 1999: pers. com.)^{xiv} about the Makuleke land claim appeared to contribute toward difficulty on the GtZ's part so secure full DLA commitment for the programme (Anon. DLA official. 1996: pers. com.)^{xv}. A year after the initiation of the process the DLA is supposed, in fact, to have instructed the GtZ not to continue to support the Ecotourism Project and associated training activities at Makuleke (Anon. GtZ official. 2000: pers. com.).

Ironically the lack of DLA commitment did not result in stronger GtZ/Transform support for the Makuleke. Transform appears in fact to have entered the development process at Makuleke with a distinct bias toward the conservation objectives and park development plans of the SANP. This was epitomised by the strong emphasis placed on bufferzone development around the KNP and resulted in the eventual invitation extended to the SANP to participate formally in the Transform Steering Committee (Steenkamp 1999). Through Transform the SANP was, among others, able to participate directly in development planning exercises at Makuleke. Not surprisingly the SANP appears to have used these opportunities to promote their own interests. *Inter alia* this contributed to the suspension of Transform support for the Makuleke's Ecotourism Project and the reorientation of the available funding toward broader community development objectives. It further meant that the Makuleke entered hard negotiations with the SANP without strong technical support for their position, thereby significantly weakening their bargaining position (Steenkamp 1999).

These events significantly weakened the Makuleke's ability to promote their own interest vis-à-vis the well-resourced SANP. The SANP's strategic objective was to of the KNP which meant that the Makuleke interests were to be merged with those of other neighbouring communities. This position was partly driven by the fear that a successful Makuleke land claim would set a precedent that would "tear the park apart (Robinson. 1996: pers. com.)^{xvi}. The SANP accordingly wanted a solution that could be replicated with other neighbouring communities. This meant that the Makuleke would be accorded no special status as a result of their land claim and set the scene for the hard negotiations that followed.

After Ferguson (1990: 276), one could argue that the unintended consequences of the TRANSFORM intervention was to create a 'de-centred' system of power. Anonymous sets of interrelations, such as between the GtZ and other roleplayers like the SANP and DLA, were created that acted as "powerful constellations of control" and which impacted negatively on the interests of the Makuleke. This is highly ironic in light of the Minister's original intention to provide the Makuleke with restitution related support and Transform's intention to 'empower' the community.

After a year's tough distributive bargaining it was evident that a deadlock had been reached between the SANP and the Makuleke. Though the Makuleke had made the key concession with respect to the ongoing conservation status of the land, the SANP negotiators were unwilling to concede ownership of the land as this would have been in contravention of their objective of maintaining the schedule-1 status of the land. Interestingly there was opposition to the hard-line position held by the SANP negotiators from within the SANP itself. A strong lobby within the SANP Board of Trustees held a more 'progressive' position on the land claims issue and had by the end of 1997 developed a new SANP policy on land claims. It was only after a strong intervention on their part, combined with rumours of a ministerial and presidential inquiry into

the land claim, that the SANP negotiators adapted their bargaining position sufficiently for a negotiated settlement to be reached (Anon. DLA official. 1999: pers. com.).

Particularly the strong position taken by the LCC on the Makuleke's right to restitution served to swing the positions taken by DLA and DEAT, thereby making this transition viable. In this regard the independence of the commission as the implementing agent of the Restitution of Land Rights Act was essential in that it, contrary to the Transform process, explicitly recognised conflicts of interest and structured the process accordingly. This made it possible for the Makuleke to maintain a strong bargaining position against what appeared to be an unassailable SANP position.

MAKULEKE AGREEMENT

In terms of the agreement the Makuleke regains ownership of the Pafuri Triangle (renamed 'the Makuleke region of the KNP'). The land may however only be used for conservation purposes in addition to which the Makuleke are obliged to enter a 50-year contractual park agreement with the SANP, renewable after 25 years. Even should the contractual park relationship were to come to an end, the state will continue to have an obligation to ensure that effective conservation management takes place.

This means that the Makuleke region will be declared a schedule 2b national park and is to be managed through a Joint Management Board (JMB) as an integral part of the KNP. The KNP will furthermore remain responsible for the day-to-day management of the land, but as an agent of the JMB. Decision making in the JMB is to be by consensus with a series of deadlock breaking mechanisms.

In exchange The Makuleke gain exclusive commercial rights to the area and a variety of other cultural and use rights. There would furthermore be no 'human exclusion zones' and the Makuleke could theoretically identify any activity in the area as 'commercial'.

The relationship between the JMB partners, for a variety of reasons, is interesting.

First of all, it can be described as an agreement between equals. The agreement thus transcends the traditional skewed power relations between parks and people.

Second, the state's vested interest, namely biodiversity conservation, is made explicit and is protected through various conservation guarantees that have been built into the agreement.

Third, clear boundaries have been imposed between the partners, making it easier to untangle SANP and Makuleke vested interest. There will, for example, be no SANP involvement in the community development or commercial aspects. Structurally the agreement leaves little scope for the desire to 'control' in order to achieve conservation objectives.

Fourth, the agreement can be described as flexible, a characteristic that makes it possible to aim at the development of a meaningful long-term relationship – but one that presupposes ongoing negotiations between the two 'partners'.

The agreement, in other words, is structured in such a manner that ongoing negotiation between the Makuleke and the NPB becomes inescapable.

An unusual alignment of forces within and outside of the state combined with facultative legislation, therefore made it possible for the Makuleke to assert their rights versus the conservation imperative of the state. The 'Makuleke Agreement' as it came to be known was described by various observers, including the SANP, as a 'unique' or 'world class' agreement that compares favourably with 'internationally known' CBNRM cases like Uluru and Kakadu in Australia (Koch 1998; Steenkamp 1998a, b, c.; 2000).

The negotiation of this agreement has been a huge success for conservation," said a WESSA spokesperson. "This sets an excellent precedent for land claims in other important conservation areas - Cooper, 1998: 7)". Apart from isolated comments in the media, like "Goodbye Kruger National Park" in a letter from a distraught conservationist, surprisingly little negative sentiment was heard.

At this point it may be useful to investigate more closely the conflicting principles that were involved in the generation of this outcome:

- The key operating principle of the Transform process was that of technical planning - the production of logframes which are then co-ordinated with resource inputs. Transform further conducted this planning in an undifferentiated multi-stakeholder forum in which no or little distinctions were made between the actual 'stakeholders' and mere 'role players' in any particular situation. The underlying, partly explicit, assumption here is that technical and neutral planning can overcome whatever conflicts of interest may exist. This is why it was possible for the SANP to participate in a community level planning process, why the community development planning eventually came to reflect the SANP's strategic development plans for the KNP and why existing power relations were tilted in favour of the SANP.
- The key operating principle of the LCC, in contrast, was that of negotiation and bargaining. This points at an explicit acceptance of a fundamental conflict of interest between the Makuleke and the SANP. The LCC furthermore structured their process to reflect this situation - formally mediated negotiations between two conflicting parties. They also acted deliberately to enforce a level playing ground between the two, among others by insisting on the Makuleke's right to appoint their own advisors. The direct effect thereof was to tilt the balance of power back towards the Makuleke.

Structurally the Makuleke Agreement had secured the Makuleke exclusive and independent commercial rights in the Pafuri. It also reflected a key principle underlying the Agreement, namely to that the 'SANP's hand was to remain on the other side of the fence'. Whereas the Agreement provides for Makuleke participation in the conservation management of the Pafuri, it precludes the SANP's involvement in the development process at Makuleke. The 'SANP's hand' was to remain 'on the other side of the fence', avoiding thereby a conflict of interests in which the SANP would be able to influence through direct and indirect means as in the case of Transform the development process in ways thought favourable to their interests.

Vested interest has also been clearly separated so as to avoid a situation where, for example, the SANP is able to impose their will onto the commercial development process because they fear a negative impact on their biodiversity conservation interests. They are however able to countermand commercial activities

should these go beyond the negotiated environmental framework within which the Makuleke are supposed to exercise their rights. The principle underlying the Makuleke agreement and the functioning of the JMB (Joint Management Board) is that a conflict of interests exist between the community and the SANP and that ongoing negotiation will be needed to deal with these.

What emerges clearly from this discussion is the appropriateness of a *bargaining model* as opposed to a technical *planning model* of CBNRM. This does not mean that no planning takes place under a bargaining model, merely that planning itself is recognised as a form of bargaining. Under these circumstances it becomes possible to avoid the hidden power relations embedded in the technical planning regimes so prevalent in CBNRM.

THE ROLE OF THE EXTERNAL AGENCIES: THE PRIVATE SECTOR, NGOs and AID AGENCIES

Role players external to the community and the state played an interesting role in the broader process around the Makuleke land claim. Over the period under consideration a wide range of parties were involved ranging from the private sector, to NGOs like the LRC (Legal Resources Centre), the EWT (Endangered Wildlife Trust) and the PPF (Peace Parks Foundation), and NGO-like structures like FoM (Friends of Makuleke). Of these the LRC and FoM had the most substantial impact on the process.

The private sector however acted as an important catalyzer, setting in motion a series of events that was to shape things to come. In 1995, well in advance of the Makuleke land claim, the community was approached by two private sector parties. The first intended to prospect for diamonds in the Madimbo Corridor, among others on the section claimed by the Makuleke. The other wanted to use the Makuleke land claim as leverage to gain access to the KNP for the development of a game lodge in partnership with the community.

The initial excitement about the prospects of a diamond mine and expectations of up to ten thousand jobs petered out in the wake of a very public environmental controversy around the Madimbo Corridor and the failure of the prospectors to turn up any diamonds. It nonetheless harboured consequences for the Makuleke. In his quest to gain support for mining in what was considered to be an environmentally sensitive area, the private sector party had also mobilised the interest of other communities in the area. At least in part as a result of this three communities initially lodged objections to the Makuleke claim.

The game lodge operator's proposal for the development of a jointly owned game lodge venture on what used to be Makuleke land inside the Pafuri Triangle, however, led to the establishment of the 'Ecotourism Project'. This is the project that eventually obtained support from the GtZ/Transform through GEM and the Ministry of Land Affairs. Private sector involvement with the Makuleke proposal was met with intense suspicion by the SANP and other roleplayers. At the time the SANP was faced with a variety of proposals from private sector parties attempting to gain access to the KNP and this one was perceived as yet another opportunistic attempt. Allegations of vested interest and manipulation of the Makuleke, directed also at other members of FoM^{xvii}, continued to emerge through much of the land claims process. These

suspensions are reflected even years after the negotiations had been concluded when the SANP negotiator alleged in a publication that Makuleke expectations about the tourism potential of the Pafuri had been inflated as a result of the private sector's participation (De Villiers 1999).

Following advice from the LRC (Legal Resources Centre) the Makuleke had however suspended their negotiations with the SANP on the establishment of a game lodge and lodged a full land claim. Private sector participation in the process was finally put on ice with the initiation of formal land claim negotiations and became relevant again only long after the settlement of the claim and the completion of a commercial planning process. As time passed and the prospects of a quick settlement with the SANP became bleaker, the entrepreneur became one of the members of FoM, acting in other words as an advisor to the community. His position on the Transform Steering Committee was nonetheless not to last and he was eventually asked to withdraw because of the alleged conflict of interests involved. This step was not necessarily inappropriate, but highly ironic in light of the SANP's continued participation in the process.

It should be clear that the involvement of the private sector in the process fell on ambiguous terrain. It was clear that the mining intervention *did* lead to exaggerated expectations about employment and set up conflict between different communities in the region. As such it had a negative impact on the Makuleke's interests which was exacerbated by their being drawn into the resulting environmental dispute. Fact of the matter was however that the involvement of the game lodge operator stood the Makuleke (and the SANP) in good stead. The experience and insights gained as a result contributed directly toward the Makuleke's acceptance of conservation as the ongoing land use form in the Pafuri, thereby making possible a negotiated settlement between themselves and the SANP. It also contributed greatly toward the development of Makuleke capacity in the field and the continued availability of the game lodge operator as a technical consultant to the Makuleke acted as a counterbalance to the overwhelming expertise available to the SANP in the negotiations.

With respect to private sector involvement the 'unsaid' is however more interesting than the 'said'. The fact that the private sector was asked to withdraw from the Transform Steering Committee whereas the SANP was not implied that:

- Vested interest was 'wrong', or that it would automatically lead to 'unacceptable' behaviour,
- The other parties involved, such as the SANP, had no vested interest.

This points at an underlying paradigm in which the administrative process of the state is somehow seen as being value and interest free. Such a position can only be maintained in the context of a technicist perspective on planning in which 'rational' planning somehow does away with conflicts of interests between the state and, in this instance, rural people. It appears to link up also with the simplistic notion that the state necessarily acts *in* the interests of the community, from which it follows that any party appearing to act in contradiction of the state's position is necessarily acting *against* the interests of the community.

Simplistic or not, this dynamic exerts pressure towards the exclusion of parties whose involvement in a process is either insufficiently entrenched or not sanctioned by the state. Whereas, for example, the position of the LRC (Legal Resources Centre) as the Makuleke's legal advisor was unassailable, that of FoM (Friends of Makuleke) as their technical advisors was not. FoM had no access to funding and for some time stood in direct opposition to Transform, particularly in light of a judgement that Transform was acting against Makuleke interests.

The conflictual interaction between FoM and Transform was accompanied by intense micro-politics and translated, in effect, into a battle for what could be described as the 'gate keeping' position (without the negative connotations being intended) at Makuleke. The interesting aspect here is that technical planning became the locus of a power struggle between FoM, on the one hand, and Transform, on the other. Whereas the LRC's services were crucial in securing the return of land ownership to the Makuleke, FoM provided the Makuleke with equally important technical tourism and conservation related expertise.

The fact that the SANP initially had an effective monopoly on conservation expertise, made it difficult for the Makuleke to challenge superficially 'scientific' positions that impacted negatively on their interests. Without support the mere weight of SANP capacity would probably have sufficed to push the Makuleke into accepting an option which minimised their benefits. In this regard technical planning played an interesting role. Transform insisted that the tourism development planning of the Pafuri should be done by 'independent' technical experts brought in from the outside. From this perspective FoM could not fulfil this function as a result of a vested interest that existed on the part of one of its members in his capacity as a prospective business partner for the Makuleke.

This position belied the fact that such planning had a direct impact on the interests of both the Makuleke and the SANP and, as such, in itself constituted a negotiation process. Whatever planning took place could accordingly not reflect a neutral, technical position, but had to contribute to a Makuleke *bargaining position* vis-à-vis the SANP. The planning could in fact not be neutral and had to reflect vested interest. Whether such vested interest should however reflect also those of the private sector party was a moot point. Convinced that the Makuleke were being misled by the FoM roleplayers Transform nonetheless attempted to intervene directly on the ground at Makuleke, after which they were requested by the Makuleke not to involve themselves in the land claim any longer.

The alliance between the Makuleke and FoM, in other words, withstood the pressure. This was due largely to internal problems experienced by Transform and explicit support from the LCC for the principle that the Makuleke could choose their own advisors, even if this would happen to be the private sector. As future events were to show this was not the last time that technical planning was to constitute the *causus belli*^{xviii} between FoM and other state-based actors. After the dispute with Transform had dissipated it was also evident that a permanent and clear structural arrangement would have to be developed, especially as more interest in Makuleke was likely to develop after the settlement of the land claim. This was achieved by making a distinction between 'process' and 'project' level involvement at Makuleke.

- 'Process' referred to strategic, overhead planning - anything that had a major potential impact on the Makuleke's interests, especially with respect to their commercial rights in the Pafuri. This domain was restricted to FoM participation only.
- 'Project' referred to clearly defined subsidiary activities, such as the conservation training project facilitated by the EWT (Endangered Wildlife Trust) or the women's small business project facilitated by Transform. Whereas donors and funders were allowed to participate freely on this level, they were expected to maintain an arms-length relationship with respect to 'process'. By the same token the institution of yet another multi-stakeholder forum, in which the various donors and state agencies combine to co-ordinate a development intervention, was actively discouraged so as to avoid the power relations that may emerge as a result.

The project-process distinction made it difficult for any third party to intervene in the core planning process and the position occupied by FoM still acts as a kind of a firewall against the implementation of any 'crypto-conservationist' interventions. This has also proved to be a highly effective mechanism for mobilising and co-ordinating the input of the external resources needed for commercial development in the Pafuri^{xix}. The commercial development process has since progressed rapidly with up to 16 companies, most of the established players in the industry, expressing an interest to participate in the tender for the game lodge opportunities in the Pafuri.

There are also draw-backs to the structural arrangement developed at Makuleke. The formal power relations inherent in FoM's position were counterbalanced by the principle that the community is able to appoint whosoever they wanted to onto this structure. FoM nonetheless retains a very powerful position, one that is shored up by its demonstrated ability to mobilise external resources. The informal power relations emerging from this situation are more difficult to manage and much depends on the relationship of trust that had been developed over a period of up to six years. Another drawback of this arrangement is that it also exposed FoM to renewed criticism that a self-serving and self-perpetuating monopoly had been created. Currently however the advantages of this structure outweighs the potential problems in that it serves to maintain a clear distinction of community interests vis-à-vis those of the state-based actors. This has contributed toward the development of the JMB as a truly hard institution able to manage the interaction between the Makuleke and the SANP in a professional manner.

With respect to power relations there are two interesting aspects to the situation described.

- The first is the remarkable rapidity with which certain state-based actors assumed the worst about the relationship between the Makuleke and FoM. On the part of the SANP this can at least be partly explained in terms of a history of being placed under pressure by the private sector for access to particularly the KNP and ongoing suspicions that FoM somehow represented commercial interests. As time passed the pressure directed at FoM however achieved certain racial undertones, all its members being white males, and an attempt was made to replace FoM with another set of consultants. Structurally, it seems, FoM is located on the faultline between bottom-up and top-down planning, often bearing the brunt of the state'-based actors' dissatisfaction when events on the ground do not reflect the pictures they have built up in their minds.

- The second is the durability of the relationship between the Makuleke and FoM, and the deliberate manner in which they set out to cultivate it. This too appears to be at least in part structurally determined as they are, interestingly, thereby following a pattern set with land reform processes also elsewhere in the world: 'peasants' seeking external alliances. Though this is rapidly decreasing as the Makuleke's own capacity grows, the relationship with FoM clearly serves to balance out the powerful external actors with whom they have to deal. By implication dependency of FoM is perceived as preferable to dependency on any of the state-based actors.

FoM, therefore, is located on the nexus of the power relations between the community and various external roleplayers. This exposes it to periodic bouts of pressure whenever community interests stand in conflict with those of the state. Without this mechanism, it is here argued, the traditional power relations between the state, particularly with respect to the conservation authorities, would have been easily re-established, thereby undermining the core principles of the Makuleke agreement. The irony of the situation is that FoM came into being almost entirely by default. The weakening of Transform and the existence of a counter-pole in the LCC, created scope for the development of a new and unforeseen institution.

COMMUNITY-BASE INSTITUTIONS FOR RESOURCE MANAGEMENT: HOW DO THEY RELATE TO LOCAL GOVERNANCE STRUCTURES?

Introduction

A number of institutions play a role at Makuleke. This includes local government, the tribal authority, the Makuleke Communal Property Association (CPA) and a plethora of smaller CBOs like civics and associations. All of these are, directly or indirectly, involved in some or other form of resource management.

Local government and the CBOs

Under the previous government traditional tribal authorities^{xx} effectively fulfilled a local government function, administering the land and acting as a conduit for development funding. Under the new regime it is however local government (the district councils) that had been granted significant powers to co-ordinate and implement development planning, whereas it simultaneously weakened the role of the tribal authorities^{xxi}. An example here is the RDP (Reconstruction and Development Programme)^{xxii} housing scheme, currently being implemented at Makuleke as an extension of the main village. The condition attached to this project, as elsewhere, is that the area will be removed from the control of the traditional authorities and fall directly under local government. At Makuleke this has the potential of creating an institutional disjunction that, though this may not be apparent at the moment, could still have far-reaching consequences.

The new legislative regime and the creation of a new tier of government has contributed toward considerable ambiguity and complexity on the ground. This was enhanced by the fact that role of traditional leaders are simultaneously protected by the constitution and are further regarded as

indispensable in some parts of the country whereas they are rejected as archaic and redundant in others (Ntsebesa, 1999). "The aim is not to destroy or harm viable and representative institutions. Popular and democratic tribal systems are not threatened by the proposed measures" (Thomas *et al.* 1998). This ambiguity contributes toward sometimes severe tensions between local government and the traditional authorities in most parts of the country.

The ambiguity created is compounded by the fact that local government rarely has the capacity to wield their new powers effectively, especially in the case of the Northern Province which is one of the poorest regions of the country. To deliver development with any measure of success local government has to do so in co-operation with the 'structures' on the ground. Given formal government policy this cannot take place exclusively in collaboration with the tribal institutions. Instead 'accountable' community-level multi-stakeholder structures are created that are supposed to bring all the relevant structures, including traditional authorities, together in a 'representative' and 'accountable' institution^{xxiii}. These, then, are supposed to give local government, and any other state-based actors, something supposedly 'tangible' to work with, enabling them to better impose whatever agenda they might have onto the ground.

Often a multiplicity of such structures exist on a village level, partly as a result of multiple and often uncoordinated interventions on the part of different government departments^{xxiv}. These institutions are, furthermore, generally 'soft' and 'flat' committees. The often highly differentiated positions within these structures^{xxv} are counterbalanced by a lack of real institutional differentiation, i.e. they tend not to have institutional depth with a delegation of authority to subsidiary organs or individuals. Often the real lifespan of such committees is quite short. A simple issue such as the absconding of the chairperson, for example, could lead to the structure becoming dormant (Makuleke environmental club member 1998: pers.com.). Alternatively perceived vested interest on the part of any particular community member could lead quite simply to an assertion that the structure *does not exist*.

These tend, in other words, to be highly flexible, amorphous structures and it is not surprising to come across examples where the same structure has different names depending on what external force is being engaged at any particular point in time. In spite of the fact that such structures often have little substance on the ground, they can nonetheless have surprisingly long life spans in the minds of people. They can be resuscitated as occasion demands, becoming, in so many words, 'faces to the outside', as opposed to the inside. The purpose of 'structures' is in fact often simply to secure access to external patronage - opportunistic responses to external opportunities that may present themselves.

Given the policy framework the establishment of such 'accountable' structures explicitly undermines the power relations that exist on the ground. As 'virtual' structures the composition of these community institutions are consequently not necessarily contiguous with the real power relations existing on the ground. Ironically the real patterns of power on the community level become *intangible* when working through such structures, vesting in a decentred network of relationships, rather than in the formal logic of the institution. This makes it exceedingly difficult for an external agency to 'penetrate' the community in a meaningful way and remarkably easy for powerful community interest groups to elude the pressure from the top.

Depending on the setting, resistance from the *de facto* community power structures may suffice to render such 'accountable' institutions obsolete^{xxvi}. Makuleke too sports a diversity of CBOs, such as women, youth and farmers associations, and the civics, but when a 'community development forum' was set up at the instigation of local government, the move was perceived to be a top-down imposition. As a result the structure was for all intents and purposes stillborn, resuscitated only when a local government official visits the villages, and serves as testimony to the relative weakness of local government in this instance.

The state, in other words, has somewhat of an ephemeral presence in communities like the Makuleke and failed to meaningfully 'penetrate' the social network at Makuleke. They played no role in the land claim or in the subsequent commercial development planning process around the Pafuri. It was in fact the state that was, in so many words, absorbed by the power structures on the ground. The Makuleke had succeeded in developing an unusually degree of centralised organisation, originally revolving mainly around the chieftaincy and the tribal authority. At the previous local government elections it was this structure that set out to nominate the winning candidate for the regional councillor. Traditional authorities, like that at Makuleke, are often locally entrenched and socially sustainable institutions with not insubstantial control over people and natural resources. This may change as local government's capacity increases and as the full implications of the development facilitation act unfold.

The Makuleke and Mhinga tribal authorities

The real conflict that existed at Makuleke was therefore not with local government, but with the Mhinga tribal authority. The Makuleke have historically recognised the higher social ranking of the closely related Mhinga Chieftaincy, but have simultaneously also insisted on their independence as a separate chieftaincy. Up to their removal in 1969 they had also lived out this independence with nine headmen reporting to Chief Makuleke.

From a Mhinga perspective, one that was supported by successive governments, Makuleke was however no more than a headman falling under the Mhinga Tribal Authority (Harries 1987). This jurisdictional claim translated also into an attempt to extend Mhinga interests into the Pafuri by insisting that the Makuleke lodged their land claim through the Mhinga tribal office. In the face of Makuleke refusal to comply, the Mhinga proceeded to lodge a much larger claim for the upper third of the KNP which included the Pafuri. The counter claim substantially weakened the Makuleke bargaining position versus that of the SANP and resulted in substantial delays being incurred.

The Makuleke considered the Mhinga counter claim to be somewhat ironic. In 1969 it was Mhinga Tribal Authority policemen that had accompanied the government trucks that carted them and their limited possessions down to modern day Makuleke. The Mhinga Chieftaincy had colluded with the SANP and the then Department of Bantu Affairs (succeeded by the DLA) to have the Makuleke removed, something well documented by the historian, Patrick Harries (1987). Fortunately for the Makuleke this irony was also not lost on the Land Claims Commission who eventually rejected the Mhinga claim and declared the Makuleke community as the rightful claimants^{xxvii}. The Mhinga-Makuleke chieftaincy dispute remained however a powerful thread running through much of the land claims process^{xxviii}.

Given the weakness of the state and the high degree of Makuleke support for their chieftaincy it is however the community-based institutions at Makuleke that have thus far managed to maintain their position versus that. Until recently the real power at Makuleke was reflected by the membership of the 'tribal authority executive'. This structure emerged in the early 1990s at a time where the civic associations in South Africa were generally embroiled in bitter conflicts with the traditional authorities which were perceived by many to be mere extensions of the apartheid state. At Makuleke representatives from the civic structures however approached the tribal council^{xxix} with a suggestion that the 'traditional' and the 'modern' joined forces. This resulted in the establishment of a "tribal authority executive" with representatives from both sectors.

Accordingly it was also the tribal authority executive that acted as the applicant in the Makuleke land claim. This situation changed halfway through the negotiations when the Land Claims Commission insisted that a proper 'land claims committee' was to be *elected* in accordance with the land claims legislation. In spite of this election there was an almost seamless transition from the tribal authority executive to the new 'land claims committee'. All the original tribal authority executive members, with some additions, were elected onto the new body and the chief continued to exercise his customary function as chairperson of the land claims committee. Though some changes in membership did take place, it should be apparent that the intervention on the part of the state was, for all intents and purposes, again absorbed by the cultural dynamic on the ground.

As the land claim progressed the land claim committee was re-elected to form the executive committee of a formal 'communal property association' (CPA), the entity that was to hold the community's rights in land. This step merely served to solidify the land claims committee as an institution and now intensified the structural conflict that came into being with the establishment of the tribal authority executive.

The communal property association and the tribal authority

In terms of a somewhat ambiguous distinction the tribal council was still responsible for 'tribal matters' whereas the CPA was to deal with 'land claim related' issues. This dualism was reinforced with the conceptualisation of the tribal authority as a 'traditional' structure - 'without a constitution', and the CPA as a 'modern' structure - 'with a constitution'; Alternatively the former was seen as dealing with 'internal issues' and the latter with the growing interaction with the 'outside' world. The CPA executive in particular appeared keen to maintain this distinction. In reality the opposite was happening.

Exactly what constituted 'tribal matters' and what 'land claim related' issues was, and still is, not at all that clear and distinctions between 'inside/outside' and 'modern/traditional' could increasingly not be maintained in the face of change. Thus it was the CPA, rather than the tribal council^{xxx}, that decided whether the researcher from the 'outside', Jana Urh the co-author of this paper, was allowed to participate in a female initiation ceremony, a function that clearly fell within the ambit of the traditional authority. In this instance the 'outside' had become synonymous with the 'inside'.

The most important factor determining the relationship between these two structures is that the CPA has usurped the position previously held by the traditional authority with respect to the state. Under the previous regime it was the tribal authority that was able to access resources for development through the state, represented in this instance by the now defunct homeland government. The CPA now has a significantly enhanced ability to access significant resources from the state - and the NGO community - an ability that tilts the balance of power heavily in its favour.

The true power of the CPA, and thereby the degree to which its interests conflict with those of the traditional authority, will become evident only when a land tenure upgrade takes place. As part of the land reform process at Makuleke the DLA will upgrade the community's collective tenure at Makuleke, placing the land on which they reside and use for agricultural purposes under the control of the CPA. This will mean that decisions about resource use at Makuleke, as is the case with Pafuri, will also fall under the CPA, rather than the tribal council. These are powers that were previously clearly vested in the tribal council and under these conditions the tribal council cannot but lose further influence and power.

This process will be assisted by the fact that the Makuleke chieftaincy, in spite of what appears to be strong local support, is formally still only a headman under Mhinga. This places the chieftaincy in a difficult position and undermines its power relative to that of the CPA. Support does however appear to exist on the part of the CPA executive for the idea to delegate local authority to the tribal council thereby maintaining its 'traditional' role, but in this they are caught up in a catch-22 situation. With the Makuleke 'headmanship' formally subject to the Mhinga chieftaincy, such a step could merely provide Mhinga with a backdoor to exercise formal control over Makuleke land. As was demonstrated with the launching of an irrigation scheme at Makuleke in the early 1990s, such a situation harboured significant risks that the Makuleke may lose control over the already limited land at their disposal^{xxx}.

The success of the land claim and the establishment of the CPA had, in other words, created a fire-wall between Makuleke interests and Mhinga designs - while simultaneously formalising the structural conflict of interests that had previously existed between the tribal authority executive and the council. It should also be evident that the state's intervention through the Land Claims Commission had resulted in a weakening of the 'traditional' structure at Makuleke in favour of the 'modern'.

The hybrid decision-making system that was developing at Makuleke nonetheless depended on what appears to have been an unusual degree of internal consultation and negotiation. Thus no major decisions are taken before holding a general community meeting, a tradition well entrenched in the Makuleke's collective identity. This arrangement also displayed a remarkable degree of resilience, in spite of occasional disruptive internal conflict. "They always bounce back" as an observer commented. This was indicative of a degree of institutional 'hardness' uncommon in these rural settings, a characteristic which appears to have its roots in their removal and subsequent power struggle with the Mhinga tribal authority which forced the Makuleke to subject internal struggle to collective interests.

The characteristics of institutional hardness displayed are matched by structural differentiation. The Makuleke not only have the usual 'representative' committee characteristic of current day CBOs, but have over the last five years developed a semi-independent 'implementation office' responsible for day-to-day management of the CPA's affairs. As was the case with the CPA, the establishment of an independent implementation function came about mainly as a result of external demands. Implementation as an institution grew in fact from the establishment of a *Transform office* at Makuleke where one member of the then tribal authority executive was employed by the GtZ. It is of some interest that a dispute soon arose as to whether this person was finally responsible to Transform or to the tribal authority executive. The outcome, again, was a Makuleke insistence on 'independence' resulting in the Transform office effectively becoming a *tribal authority executive office*.

A further hardening of the basic bipolar structure that had come into being was promoted by two factors:

- First, the experience with Transform demonstrated that a conflict between external roleplayers can easily disrupt the community-level decision-making process, something which made them vulnerable to interventions from the outside. It was accordingly agreed that all formal contact with external agencies would be channelled through the implementation office. This was a highly significant step which made it possible for the collective executive committee to control access to external resources and reduce the chances of individuals manipulating these relationships for personal benefit.
- Second, from the perspective of the external service provider, FoM, an implementation structure was needed that had sufficient hardness to allow for the effective delivery of services, particularly with respect to the commercial development planning that followed the settlement of the land claim. Due to the highly technical nature of these processes, often subject to time constraints, they had to take place *in spite of whatever* conflicts may or may not exist on the community level at any one point in time. For this reason the implementation officer actually resigned from the CPA executive, thereby becoming its 'employee' and further entrenching the CPA's emergent board-CEO like dicotomy.

Implementation's power as an institution grew with the commercial planning process and the efforts to invite investments from the private sector. As the commercial development has direct implications for the conservation management of the land, this process also required ongoing contact with and negotiation with the SANP through the JMB (Joint Management Board) of the Pafuri. This was and still is a complex process requiring a high degree of technical expertise which was provided by FoM as part of the Makuleke delegation to the JMB. The direct consequence of the commercial planning process was that implementation's own technical expertise grew and with it its power relative to the executive committee. The implementation officer and his two assistants today hold significant power, both formally and informally.

Conclusion

The general picture that emerges is that of a multiplicity of institutions claiming some or other form of jurisdiction on the ground; the new overlapping with the old, thereby creating potentially significant contradictions and conflicts of interests. Over the period in question the CPA, and within it the implementation office, developed to become the clearly dominant institution in an unusually centralised representative system.

The contrasting description of 'powerful' state-based actors versus the 'weakness' of the state in this context may have been evident to some. The state *is* powerful in that it is able to set framework conditions within which processes have to unfold, the empowering land restitution legislation serving as a point in case. It powerful also in the sense that it is able to exert significant pressure on other non-community roleplayers like FoM. But it becomes weak in that it is less able to shape events on the ground in its own image. Whatever initiatives are launched by the state are reinterpreted and mediated by forces beyond its control, such as the cultural dynamic that exists within rural communities such as the Makuleke. It is in the unintended consequences that the powerlessness of the state becomes evident.

The objective of hardening the CPA structure, an item on the agenda of the *external* roleplayers, here serves as an example. From the perspective of the state the CPA needed a certain degree of organisational hardness so as to ensure that they are able to act within the CPA constitution. From a FoM perspective hardness was needed to make it possible for the Makuleke to deal with the state and the private sector in a manner that maximises their interests. To a large extent this has been achieved at Makuleke, especially if one takes into consideration that they had only a few years ago been a remote and isolated rural community.

COMMUNITY LEVEL POWER RELATIONS

Developing such a degree of institutional hardness in a deep rural setting is however not as straightforward as it seems, in addition to which it comes at a price. The relevant question here is how 'modern' the 'modern' actually is and to what extent the cultural dynamic existing on the ground actually reinterpreted the formal structures imposed by the state. This is not merely an interesting theoretical question, but has direct implications for how community-based institutions are supposed to work.

The new institutional framework imposed by the state, with the support of parties like FoM, can be characterised as a formalised and technical western-style framework based on a complex and 'modern' constitution. Such a constitution however crucially it harbours within it a largely unseen and unnoticed cultural baggage with respect to how organisations are supposed to work - the cultural 'glue', as it were, that keeps western institutions together and functional. In short, the CPA constitution outlines a form of organisation that is culturally foreign to most people living at Makuleke.

Even within the relatively well informed executive committee, for example, the separation of the board-like executive and CEO-like implementation functions could occur only at the cost of ongoing internal strife and competition. In general the ongoing low-intensity conflict generated persistent pressure towards *flat* organisation and militated against the *deepening* of organisational structure. Ongoing pressure was exerted towards collapsing implementation into the executive committee. The voluntary establishment by the CPA of an 'executive committee forum' to accommodate community leaders that were excluded from CPA membership as a result of DLA budgetary requirements^{xxxii}, as another example, immediately tended towards collapsing the real executive committee and the forum into a single flat structure.

The general dynamic exhibited appears to be linked to an implicit objective of maintaining a *balance of power* between the participating parties. This affected especially the implementation officer whose post was turned into a veritable hotseat. Though insisting on the maintenance of formal institutional rules and boundaries, the implementation officer simultaneously, and unconsciously so, responded to the pressure by according to himself attributes of chiefness: social distance and a display of power. The behaviour of the people involved in the supposedly western-style institution clearly transcended the formal western institutional rules inherent in the CPA constitution.

A key issue driving much of the pressure appears to have been the regulation of individual access to resources. In practice the implementation officer was actually placed in a position of having to mediate the access to external resources on the part of the executive committee members. This dynamic actually placed the implementation officer in the same position of the head of state in an aid dependent country. His function became that of balancing out the various sets of interests with respect to their access to the resources so as to maintain the state as a going concern.

The informal structure of the CPA, in other words, looks somewhat different from the formal. The real structure at Makuleke was not that of a Board and a CEO, but has the implementation officer standing at the apex of the organisation as the most powerful figure in the institution. Interestingly his explicit objectives in dealing with the dynamic described were to maintain the 'hard' pre-conditions attached to the grant and the 'hard' rules governing the Makuleke CBO as per its constitution. Having received intensive training in project management he had internalised the concept of institutional 'hardness' and had conceptualised his role as acting within those institutional rules. At the same time, however, he was using a culturally entrenched mechanism to maintain institutional differentiation and his ability to impose the rules.

Problematically however the implementation officer was *not* a chief and his power not derived from a chiefly position. It was derived instead from his close personal relations with the FoM advisors and, largely through FoM, the access to the significant resources that had been mobilised for the commercial development process. As part of the 'balancing' process this in turn exposed FoM members to similar pressure.

The real chief's role in the process is of equal interest. We have seen how the state's intervention had weakened the position of the tribal authority and how the CPA was progressively assuming functions previously falling under the control of the tribal council. The irony of this situation was that the chief was nonetheless *elected* as the chairperson of the CPA. This was not merely a matter of a 'popular' vote - it was from the outset inconceivable that he would not be elected into that position. This move had the effect of providing the CPA with the culturally entrenched legitimacy of a traditional institution without thereby subjecting it to the tribal council. The chieftaincy, in turn, was provided with a means to perpetuate its position in spite of the weakening of the formal tribal authority structure. In spite of the state having determined the nature of the community-based organisation needed to access resources from the outside, the chieftaincy had survived within that institution.

The local cultural momentum had 'hollowed out' or 'transformed' the institution enforced by the state in its own image. In spite of its 'western' constitution and organisational rules the CPA was becoming more and more like yet another tribal council. The chieftaincy had, in so many words, 'absorbed' the state as opposed to the state penetrating the community.

This still leaves unanswered issues around the relationship between the CPA and the tribal authority, on the one hand, and the general community, on the other. The scene is set by the formal institutional requirements of the CPA legislation which not only divorces the CPA from the traditional authority, but provides it with a 'proper' and relatively complex constitution which is theoretically available to all members. In practice the constitution is however a restricted document. This is due to the fact that printing up to 10 thousand copies is prohibitively expensive in addition to which it is currently available only in English. Regardless of the intentions of the Makuleke leadership, this automatically excludes a large section of the Makuleke community, especially women and more vulnerable constituencies, from informed participation in the CPA.

Contrary to popular perceptions of the Makuleke as unusually 'homogenous', their composition is actually surprisingly diverse in addition to which it is internally stratified like most rural communities in South Africa. Characteristically professionals such as teachers, policemen and other government employees constitute a small but visibly wealthier and influential group at Makuleke who effectively monopolise the ownership of shops and access to resources such as the plots in the nearby irrigation scheme. In one instance a businessman even succeeded in gaining access to a double stand within the main Makuleke village for agricultural purposes^{xxxiii}

Though the economic elite appears to have real influence and standing in the community, they are not necessarily contiguous with the political elite. This is at least in part because economic success generally presupposes lengthy periods of absence from Makuleke. As a result membership of the political elite is somewhat amorphous depending not only on wealth, but also on individual personalities, lineage and chance selection to participate in processes. Characteristically truly influential individuals tend to be active in various community structures above and beyond the CPA. An influential CPA member like Gibson

Maluleke, for instance, serves also on the Farmers Association ExCo and on the board of the local high school. Livingstone Maluleke, headmaster of the local high school, serves also as the elected local councillor for the region. Another CPA member Gilbert Nwayila, a wealthy cattle farmer, also sits on the Farmers' Association ExCo thereby forming part of a complex and often fragmented network of power-generating relationships^{xxxiv}.

The effect of the institutional reforms at Makuleke over the period under consideration naturally had an impact on this influential network of relationships at Makuleke. As discussed further above decision making at Makuleke originally took place in the tribal council, a structure in which only adult males were able to participate. The internally initiated reform of the tribal authority in the early 1990s had two key effects.

- Tribal council meetings were opened up for the participation of the youth (but still excluded women). This was a new mechanism that enhanced the transparency of the institution and reduced the pressure emanating from the politically very active youth of the time.
- The simultaneous establishment of the tribal authority executive, including key representatives from the civic organisations, meant however that a new platform for decision making had been created that included the leadership figures from both camps. Though this structure reported back to the council, it was not subjected to the transparency generating mechanism of open participation to which the council was now subjected.

Whereas participation was now increased (on the level of the Council), it was simultaneously reduced (on the level of the Executive Committee). The organisational changes subsequently imposed by the state effectively enhanced the standing of the tribal authority executive as an even more independent institution. Some changes were nonetheless evident.

- First, the main decision making body at Makuleke now also contained women as demanded by the legislation.
- Second, the transformed executive committee was now *no longer accountable to the tribal council*, but had to report back to general community meetings. At first these appear to have been called by the tribal council on behalf of the CPA. Later, however, it appears that the CPA began to differentiate its meetings from those of the council and now merely informed the council of its intention to call a general community meeting. This meant that the only mechanism now available to enforce accountability was the annual general meetings (and any other ad hoc general meetings) and elections as defined in the CPA constitution *that are called by the CPA itself*^{xxxv}.

This process has naturally created certain structural tensions in the Makuleke body politic. In spite of its weakness the tribal authority continues to be used as a platform by community members, especially the youth, trying to get information about the CPA's affairs. This is possible because of partly overlapping membership of the two structures, but does not constitute an adequate channel of communication between the CPA and the broader community.

Ironically under these circumstances, there is a growing feeling on the part of council members that they should be able to hold their meetings without the youth. This may at first appear strange as it makes little sense to alienate the youth when the council is already in such a weak position relative to the CPA. The changes relate however to underlying perceptions as to what constitutes power and it is these that clash directly with the technical western style democracy imposed by the CPA legislation. Those in favour of restricting access to their meetings justify their position by stating that the youth "just go and talk to everybody in the community" about the decisions made in the council. The underlying principle, therefore, is that power is dependent on the ability to keep decision making *secret* and it is from this perspective logical that some council members want to shore up their declining power by restoring the exclusivity of their meetings.

Secrecy appears to act as a signal that one is dealing with the distribution of resources. It is here significant that much of the tension in the CPA revolved around the supposition that implementation was not making enough information available to the ExCo. The closed nature of the CPA meetings are as a matter of course then also interpreted by other community members as a signal that the *CPA ExCo members* are dealing with the distribution of resources.

This dynamic is underlined by the perception on the part of some parties that the CPA constitution, or even the minutes of the ExCo meetings, are 'confidential documents', not in other words for general distribution, a notion standing in stark contradiction with the modern CPA constitution. Again therefore local perceptions clash with the hidden cultural baggage of the western institutional framework that had been imposed on the ground and resulted in this framework being *re-interpreted* using a very different cultural point of departure. The result is not however a clean reversion to traditional process, but an uncomfortable *melange* in which the institution that has developed nonetheless displays significant characteristics of hardness.

The main cost of the hardness that has been developed relates to the relationship between the CPA executive and its membership. As the executive committee and implementation, through workshops and seminars, gain control over their 'modern' institution, a conceptual gap is created between themselves and the unworkshopped majority at Makuleke. The harder the institution becomes the greater will be the gap. Structurally this creates a great risk that especially vulnerable interest groups in the community will be unable to access the benefits derived from the restitution of their land. Some voices will remain unheard unless a concerted effort is made to reach them. Ways also have to be found to create stronger linkages between the CPA process and the diversity of community interest groups in existence.

One part of the solution is to find a formal way of integrating the traditional authority with the CPA. Another part revolves around the need for a 'guarantor' of sorts with respect to the formal rules of the CPA. It should be clear that additional rules and guidelines are needed to ensure that the CPA that emerges at the end of the day is structured and acts in a way that reflects the formal conditions imposed by the legislation. Though the CPA is theoretically accountable to the DLA, having to submit their yearly audited accounts for their perusal, there is little indication that the DLA is really interested in fulfilling this function^{xxxvi}. The state has actually *failed* to lay down clear guidelines and will probably fail to provide sufficient monitoring and evaluatory inputs in future.

The problem therefore is not that the CPA is an 'extension of the state', but the fact that it is *insufficiently* integrated into the state. The legislation gives it significant *attributes* of local government, but few guarantees as to the ongoing constitutionality of its activities. The legislation in fact provides the CPA with significant *protection* from the state without simultaneously setting in place practical mechanisms to ensure accountability beyond the formal requirements of the CPA constitution. The state has in fact been absorbed rather than the other way around and the dynamic described demonstrates the relative powerlessness of the state in the face of the cultural momentum on the ground. In effect the community is expected to deal with a culturally foreign institutional mechanism without sufficient support.

CONCLUSIONS

This paper provided an assessment of the power relations that developed around a land claims process involving a piece of high profile conservation land. The high stakes involved make this an unusual case with a set of dynamics peculiar to the situation. At the same time one could argue that it was exactly because the stakes were so high that the faultlines underlying the various sets of relationships became more evident and that these can be extrapolated to other CBNRM situations. We would like to argue, therefore, that the Makuleke land claim could be seen as a broad canvas caricature of the challenges faced by CBNRM initiatives in other, superficially simpler, settings.

The power relations inherent in the Makuleke land claim was assessed on a number of levels ranging from central government down to the decision making on the ground. With respect to state-based actors it was argued that a *bargaining model* was more useful than a *technical planning model*, particularly in situations where one is dealing with competition for control over natural resources between the state and a rural community of people. A bargaining approach was though more appropriate in that conflicts of interests were made explicit, thereby reducing the impact of hidden power relations.

It was also argued that the involvement in bargaining processes of third parties, such as the NGO-sector, is essential in tilting the balance of power more in favour of the community structures and that this presupposes some kind of (friendly) adversarial role between the NGO-sector and the state. Along this line one could further argue that the benefits of their involvement outweighs any possible threat posed by their vested interest - even in cases where the private sector is involved. This is simply because none of the

parties involved, including the state, can claim not to have vested interests and because conflicts of interests can be dealt with in a properly structured bargaining process.

An entrenched and level-handed bargaining process presupposes however the development of a high degree of institutional hardness on the part of the community structures involved in which both the state and the NGO sector can play constructive roles. The development of such hardness however presupposes that the community becomes less amenable to the mere imposition of ideas by the state thereby requiring a significant degree of political maturity on the part of the state-based actors and a redefinition of their role in processes of this nature.

Against this background the practical lessons that can be learnt from the Makuleke process are straightforward:

- Situations where a single party, such as Transform, is active from the policy-level through to implementation on the ground should be avoided as such interventions, perhaps inevitably, gains characteristics of blue-print planning. The multi-stakeholder forums generally set in place, becomes the locus within which the horse-trading between the powerful takes place. Logframes, furthermore, often serve merely to consolidate control on this level and ignore the vested interest on the part of the participating parties (everybody wants to 'help' the community). Given the confluence of funding and supposedly 'neutral' technical planning multi-stakeholder process may accordingly end up strengthening existing power relations between state-based actors, such as the conservation authorities, and the 'beneficiaries'.
- CBRM interventions accordingly have to be structured in a manner that gives explicit recognition to *conflicts of interests*, particularly between communities and the conservation authorities. No amount of philosophy and expressions of goodwill toward the communities will do away with this need. A 'negotiation model', rather than a 'technical planning model', is far more appropriate as a basic operating principle when dealing with interactions between rural people and conservation authorities. Under these conditions it becomes easier to do away with structurally determined power relations between state-based actors and communities.
- Both state-based actors with statutory independence, like the land claims commission, and civil society groups like the LRC and FoM, can play significant roles in levelling the playing field between communities and conservation authorities. As the attacks to which especially FoM was exposed indicates, it is also however an ambiguous and often adversarial role. Maintenance of this role is nonetheless crucial to make it possible for independent community-level planning process to take place and to mediate the impacts of top-down planning.
- The need for such a third party is indicated also by community responses to the power as demonstrated in the case of the Makuleke. The cultural momentum that exists on the ground, for example, may make short thrift of attempts on the part of the state to impose new 'accountable' structures on the ground. These institutions are not only culturally reinterpreted and transformed, but

the interventions on the part of the state often generate consequences running contrary to what was intended in the first place. To deal with this ongoing, 'soft-touch' facilitation is needed to deal with the contents of local decision-making. For this to be successful such facilitation has to be backed up by the state acting as a guarantor of the rules.

On a more obscure level a number of additional factors can be pointed out. CBNRM practitioners have to recognise that their field does not deal with 'harmony' between conservation and people. It deals, instead, with a highly conflictual and fragmented terrain in which notions of 'harmony' and 'good neighbourliness' often serve merely to disguise the interests of the powerful. Technical planning is furthermore not 'neutral' as it impacts directly on various sets of vested interest, including those of the communities. The balance between people and parks is thrown further out of tilt in that it is the conservation establishment that generally disposes over the technical skills needed for the planning process.

These aspects of the development industry have been adequately criticised elsewhere, and represent in fact a well-established branch of development studies. For some or other reason these perspectives have however been slow to catch on in CBNRM, something which relates, perhaps, to yet another set of power relations.

- First, relatively speaking surprisingly few social scientists, particularly social anthropologists, appear to be involved in CBNRM decision-making. In stead, riding on the jetstream of interdisciplinarity, a large number of botanists, zoologists and geographers occupy the field. Sometimes methodologies and research tools developed in the natural sciences are used to study people, in some instances generating bizarre results and recommendations and contributing to a culture in which social scientists find it difficult to have their perspectives accepted.
- Second, another element here is the increasing prevalence of business expertise in CBNRM, which is a prerequisite for making the much-vaunted benefits of ecotourism work. This too appears to have contributed toward an emphasis on tight time-frames and short term outputs, something which jars against the emphasis placed by the social scientist on the slow and incremental process needed for sustainability.
- Third, CBNRM operates within a paradigm dominated by donor funding, logframes and technical planning. Here too the logic of the social scientist, particularly that of the anthropologist, is all too readily regarded as obscure and resources tend automatically to flow towards the technical expert. A technicist paradigm is prevalent in much of CBNRM, with social sustainability featuring as little more than a blip on a logframe. Thus, almost inevitably it seems, 'development' proceeds without adequate consideration of the social process.

These factors represents yet another aspect of the framework of power relations that develop around situations such as that at Makuleke and which make it difficult to implement the 'lessons' described above. A subsequent, and perhaps related, problem here is that too little attention is given to CBNRM 'failures'.

Resources and capacities flow instead in the direction of the 'success stories', while an almost embarrassed silence reigns about the 'failures'. At closer investigation many (I am tempted to say 'most') of the success stories, however, turn out to be little more than successful new *funding opportunities* where one is able to demonstrate short-term, measurable results. Once the social sustainability proves to be lacking, predictably from the perspective of the social anthropologist, the funding moves on to the next 'success story'. The CBNRM movement thereby run the risk of being seen as a dependency generating, donor driven merry-go-round in which the lessons are actually *never learned*.

In the Makuleke case a remarkable degree of independence and locally entrenched decision making power has been developed. The Makuleke have also demonstrated that they have the ability to deal with the complex organisational issues that have emerged from their interaction with the state and other external parties. At the same time the development of the commercial opportunities of the Pafuri presupposes a significant degree of donor funding, technical planning and expert inputs.

These factors cannot but exert substantial pressure on the structures at Makuleke, the discourses within those structures and within the community as a whole - particularly with respect to the relationship between the 'hard' CPA and 'soft' community dynamic. It is the degree to which a social perspective on the process is able to assert itself in spite of the conditions determined by the framework of donor funding that will determine the longer-term success of Makuleke.

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ACRONYMS USED IN THE TEXT

CAMPFIRE	Communal Areas Management Programme for Indigenous Resources
CBNRM	Community-based Natural Resource Management
CPA	Communal Property Association
DEAT	Department of Environment Affairs and Tourism
DLA	Department of Land Affairs
ExCo	Executive Committee
EWT	Endangered Wildlife Trust
FoM	Friends of Makuleke
GEM	Group for Environmental Monitoring
GtZ	Gesellschaft fuer technische Zusammenarbeit
JMB	Joint Management Board
KNP	Kruger National Park
LCC	Land Claims Commission
LFA	Logical Framework Analysis
LRC	Legal Resources Centre
NGO	Non-Governmental Organisation
PPF	Peace Parks Foundation
RDP	Reconstruction and Development Programme
SANP	South African National Parks
TRANSFORM	Training and Support for Resource Management
WESSA	Wildlife and Environment Society of South Africa

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ENDNOTES

- i. The removal coincided with a hectare-for-hectare land swap between the NPB and the then Department of Bantu Affairs. Some 24 thousand ha were excised from the KNP and added to the emerging homeland of Gazankulu. The Makuleke were settled on some 6 thousand ha, whereas the rest of the land was used for the resettlement of other ethnic Tsonga-Shangaan speakers from the predominantly Venda-speaking region in the north. All of the land was placed under the control of the Mhinga Tribal Authority.
- ii. After drawn out negotiations the previous government under the National Party and the African National Congress (ANC) agreed on the contents of a new Constitution. South Africa's first non-racial elections were held in terms of this Constitution in 1994 and led to the establishment of a Government of National Unity with the ANC as the majority party.
- iii. In terms of the National Parks Act the Pafuri Triangle used to form part of a schedule 1 national park, the highest level of protection possible under South African law. For the Makuleke to gain ownership the land had to be deproclaimed as conservation land and reproclaimed as a schedule 2b national park: i.e. protected in terms of an agreement between the land owner and the South African National Parks.
- iv. Training and Support for Resource Management.
- v. Gesellschaft fuer technische Zusammenarbeit.
- vi. Some time after the resolution of the Makuleke claim the LCC lost this statutory independence and was integrated with the DLA department restitution.
- vii. The legislation uses the 1913 Land Act in terms of which hundreds of thousands of black South Africans were forcibly removed as the cut off date for land claims.
- viii. For the duration of most of the land claim negotiations the SANP was actually still known as the National Parks Board (NPB). For simplicity's sake the name SANP will be used throughout.
- ix. Central Government departments such as Water Affairs & Forestry, the South African National Defence Force and Mineral & Energy Affairs participated peripherally in the negotiations and will not be mentioned further below.
- x. At the time of the negotiations the LCC was a statutory body with a fair degree of independence. During the period in question it was provisioned by the DLA, even though it reported directly to parliament. The resultant ambiguity was resolved after the Makuleke land claim when the LCC came to operate more clearly under the direct auspices of the DLA. The scope of the land tenure reform process and the resources and capacities that would be needed for the envisaged changes to materialise, appears to have been vastly underestimated. By the end of 1998 a staggering 54 thousand land claims had been registered with the Commission [National Office of the Department of Land Affairs. 1998. Annual Report. CTP Book Printers. P. 17.] In 1999 the LCC was integrated with the DLA, thereby losing its independent status.
- xi. The Madimbo corridor is home to various vulnerable species of fauna and flora and forms part of the NPB's plan for a proposed Transfontier Park aiming to link up conservation areas of Zimbabwe, Mozambique and South Africa." NPB Media Release (14/11/95) [NPB Archives. B53/1. Prospektering en Myne: Madimbo Corridor. Vol. 1.]
- xii. The highest level of protection possible in South Africa. The status of Schedule-1 land can be changed only by means of a two-thirds majority in parliament.
- xiii. The other two projects revolved around the Richtersveld National Park, Northern Cape Province, and a disputed conservation area at Kosi Bay, Kwa-Zulu Natal Province.
- xiv. This is born out by stark differences between the Minister's public statements about the Makuleke land claim and those held in the Department of Land Affairs. The existence of tension was confirmed in an interview with a senior DLA official.
- xv. The official's statement ("Those Germans like to do their own thing".) is indicative of the tensions that existed already at that time.
- xvi. At the time Robinson was the CEO of the SANP.
- xvii. FoM had four members, two of which were members of a tourism development consultancy with the Makuleke's prospective private sector partner.
- xviii. A public dispute was to develop around a Makuleke proposal to sell an elephant hunt to a safari operator. This was thought to threaten a South African application to the upcoming CITES conference in Nairobi to have elephant downlisted so as to be able to resume controlled trade in ivory. The KNP would thereby have been able to sell their ivory stockpiles. National interest clearly clashed with local interests

and FoM, as the 'gate keeper', was again put under pressure.

^{xix.} After the settlement a range of external agencies now threw their weight (and money) behind the commercial development planning at Makuleke. These included the GtZ, Peace Parks Foundation, an Italian conservation NGO named Legambiente, the Endangered Wildlife Trust, Ford Foundation and the Maputo Corridor Company, to name but a few.

^{xx.} Established under the Bantu Authorities Act of 1951.

^{xxi.} Development Facilitation Act of 1995.

^{xxii.} After the 1994 elections the Government of National Unity launched the Reconstruction and Development Programme which aimed to bring development to previously disadvantaged areas. So-called RDP-committees were accordingly established in some parts of the country.

^{xxiii.} Attempts on the part of local government to stabilise their penetration of the community by means of such forums is a mirror image of what occurs on a slightly higher level, as evidenced by the overarching co-ordinating multi-stakeholder committee put in place by TRANSFORM to manage the Makuleke and two other projects.

^{xxiv.} This is supposed to be addressed by the Development Facilitation Act in terms of which development interventions have to be channelled through Local Government. This depends however entirely on the capacity of Local Government to exercise these powers. The emphasis on Local Government is counterbalanced by the Spatial Development Initiatives launched by Central Government over the last two years. These are highly centralised development interventions that are criticised for reinforcing the fragmented and sectoral development strategies of the past.

^{xxv.} Eg. Chair, vice-Chair, Secretary, vice-Secretary, etc.

^{xxvi.} These statements do not imply a value judgement that the 'agenda' on the part of local government is necessarily and inevitably harmful to the interests of local people. In some instances local level power relations exist that are demonstrably inimical to the interests of especially the more powerless sections of a community. It does however imply that, for good or for bad, such structures have implications as to the power of local government vis-à-vis that of local structures.

^{xxvii.} In terms of the land claims legislation chieftaincies are at any rate not able to claim. The Makuleke themselves had to lodge the claim through a Communal Property Association. Discussed further below.

^{xxviii.} This dispute has not been resolved. The Makuleke-Mhinga dispute was heard by the Ralushai Commission on Traditional Leadership and the recommendations are still outstanding.

^{xxix.} The Tribal Council is the decision making body of the tribal authority. It consists of the Chief (Hosi) with his two Headmen (Indunas), two or three appointed Councillors and a free assemblage of men from the three Makuleke villages.

^{xxx.} Though the council was 'consulted', the first line decision lay with the CPA.

^{xxxi.} The irrigation scheme, launched on Makuleke land, made available 150 large plots for occupation. Makuleke residents managed to get use of only three to six of these plots, the remainder being handed out to people from further afield.

^{xxxii.} The DLA makes settlement grants available to resettled communities which are based on per capita calculations. Formally, therefore, the entirety of the Makuleke community could not become members of the CPA, as a substantial section of the community did not previously live in the Pafuri. The Makuleke removal formed part of a large-scale apartheid restructuring of the ethnic settlement pattern of the Northern Province and many Tsonga-speakers were resettled from Venda 'territory' onto Makuleke land. In accordance with the land claims legislation the Land Claims Commission classified these people as Category-B claimants who could join the CPA only after the Category-A claimants (i.e. the people that had actually lived in the Pafuri) had made a decision to that effect. As this could only take place after the land claim had been settled, a decision was made to invite these members to participate in what was called the executive committee forum. This was though necessary to avoid unnecessary conflict.

^{xxxiii.} Stating the social differentiation as a fact should not be interpreted as a value judgement. This is a common pattern throughout rural South Africa and not at all restricted to Makuleke.

^{xxxiv.} Co-incidentally all three of these members fall into the Category-B claimants and are therefore not currently members of the CPA executive. They nonetheless continue to play a role in the Executive Committee Forum, a structure that was set up to accommodate. Category-B members until such time as they were formally invited to become full members of the CPA.

^{xxxv.} The CPA continues, however, to involve the council in this process on an informal basis

^{xxxvi.} Interview with DLA officials on issues relating to the sustainability of the CPAs made it clear that the DLA cannot or does not want to expose itself too much to ongoing involvement with the CPAs.

**EMPOWERING COMMUNITIES TO MANAGE NATURAL
RESOURCES:
WHERE DOES THE NEW POWER LIE?
A CASE STUDY OF DURU – HAITEMBA, BABATI, TANZANIA**

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ABSTRACT

Recent approaches to community-based natural resource management appear as diverse as their varied implementing agencies and natural resource settings; yet they rest on a set of common assumptions about community, natural resources and the relationship between them. This paper focuses on power relations between actors and how these set the framework for resource management in Duru-Haitemba. As one of the few remaining tracts of miombo woodlands, Duru-Haitemba woodlands had been targeted for gazettement. However the exercise faced “local discontent”. The discontent has its origin in the “generalised narrative”. Before the coming of colonial powers the community lived in balanced harmony with nature. But when this harmony was disrupted, it led to disequilibrium and hence degradation. A range of factors may be called to account, including: technological change; the breakdown of traditional authority; social change; urban aspirations and the intrusion of inappropriate state policies. What is required, is to bring community and environment back into harmony. This requires either the discovery and rebuilding of traditional collective resource management institutions or their replacement by new ones. At the local level there are two factions competing for power: the elites and the traditionalists. The primary concern of traditionalists is “ritual”. Elites tend to hijack community-based processes and forcefully occupy the political space opened by decentralization. Besides of the power struggles at the micro level, another challenge is on the part of the government leadership at the macro level. Government officials usually have very mixed feelings about community actions. Increasingly though, these officials have come to realize that community action can substitute for the expensive need to put government officials into the field. The paper points out the fact that, community-based natural resource management seems plausible way to cut down public costs of managing resources. However, it remains an arena of power struggle between three actors: local communities, field agents and supervisors. This “triangle” of relationships constitute the social arena marking out the actual “locale” of community based natural resource management in Duru-Haitemba.

INTRODUCTION

Recent approaches to community-based natural resource management (CBNRM) appear as diverse as their varied implementing agencies and natural resource settings, yet they rest on a set of common assumptions about community, natural resources and the relationship between them.

One fundamental assumption is that a distinct community exists. While definitions vary, approaches commonly focus on the people of a local administrative unit, or of a cultural or ethnic group (IUCN/WWF/UNEP, 1991:57). Such communities are seen as relatively homogenous, with members' shared characteristics distinguishing them from "outsiders". Sometimes social difference within communities is acknowledged. Kajembe and Kessy (1999) commenting on this, had this to say "whereas socio-cultural background can aid group cohesion, of more importance is the socio-economic homogeneity or stratification".

The fabric of rural society in Tanzania is undergoing rapid change as indicated by rising crime rates and the breakdown of age old norms of behaviour. All evidence shows that differentiation is increasing in the country as a result of economic reforms. Normally explicit efforts are made, using participatory rural appraisal methods to understand these changes (Kessy, 1995).

Equally fundamental is the assumption of a distinct, and relatively stable natural resource, e.g. forests which may have succumbed to degradation, but have the potential to be restored and managed sustainably. The community is seen as the appropriate body to carry out such restoration and care and is envisaged as being capable of acting collectively towards common pool resource interests (Ostrom, 1996).

The tendency to subscribe to obviously oversimplified assumptions is not confined to CBNRM initiatives. It is now well recognized that most development programmes and projects that succeed in mobilizing funds and other resources rely on sets of simplified assumptions about the problem to be addressed and the approach to be taken which provide what Hoben (1995) calls "a cultural script for action".

Such assumptions are frequently linked together with what Roe (1991) has termed "development narratives": stories about the world that frame problems in particular solutions. It is partly through narratives or what others have theorised as development discourses (Escobar, 1995; Apthorpe and Gasper, 1996) or received wisdom (Leach and Means, 1996) that assumptions are stabilised and rendered unquestionable, so that they gain power and persistence in policy arenas despite the frequent absence of empirical data to support them.

This paper focuses on power relations and how these set the framework for resource use in Duru – Haitemba village forest reserve, Babati, Tanzania.

STUDY AREA

Babati district

Babati is one of the ten districts of Arusha region. Rainfall varies from 500 to 1200mm per year. The altitude varies from 950 to 2450 metres above sea level.

Around 300,000 people live in Babati district. Most live mainly by agriculture. The main crops grown are food crops: maize, beans and pigeon peas. Up to 80 percent of the households own some livestock and some households live mainly by livestock- keeping. These are mainly the Maasai pastoralists. Other ethnic groups include: the Iraqw, Gorowa, Mbugwe and Rang'i.

Excluding parks and game reserves and some private large scale farms the land area of Babati District is around 380,00ha. Most of this is village land. There is only one urban settlement with around 25,000 people. The rest of the population live in 79 villages. There are two kinds of forests in the district: forests in the National Forest Reserves and forests within village lands.

Duru – Haitemba village forest reserve

Duru-Haitemba forests are typical dry miombo woodlands located within the Rift Valley, about 20 km south of Babati township. The forests have an area of about 90 km² or 9 000 ha; and they consist of small woodlands named after adjacent villages.

The woodlands occur along a series of related high ridges of up to 1850m. The ridges undulate and the peaks along them give an impression of being distinct hills. There are about sixteen forested ridges and thirty or more hills. The woodlands are under full ownership and protection of eight registered villages. About 145 species of trees and shrubs including climbers and creepers have been identified in Duru-Haitemba forests. The dominant species include: *Brachystegia microphylla*; *Brachystegia spiciformis*; *Julbernardia globiflora* and *Albizia versicolor*.

Socio-economic characteristics of the adjacent villages

There are eight registered villages adjacent to Duru-Haitemba forests (Table 1). All eight villages were included in this study.

Table 1: Socio-economic characteristics of the study villages

No	Village	Sub village	Households	Population	Area (ha)
1	Gidas	4	694	3445	4250
2	Bubu	5	355	2430	4690
3	Ayasanda	5	326	2931	1460
4	Endanachan	4	445	2503	2130
5	Riroda	9	705	4506	4610
6	Endagwe	6	501	3112	4300
7	Duru	5	308	2816	3720
8	Hoshan	3	402	3520	2290
TOTAL		41	3736	25263	27450

Source: Kajembe and Mgoo (1999).

METHODS

Data collection

Data were collected mainly using Participatory Rural Appraisal (PRA) techniques. In each village, participants in PRA exercises were under four categories namely: 5 old men, at least two of them were ritual leaders; 5 members from the village government; 5 women and 5 youths (boys and girls). This group of twenty members from each village went through the following exercises. Firstly, resource mapping in relation to village set up. The maps showed the village boundaries, major infrastructure and perhaps more important the location of Duru-Haitemba forests. The maps were like magnets drawing people into tense disagreements until a compromise was reached in relation to the items on the maps. Secondly, venn diagramming was carried out to indicate the importance of different institutions and how they relate to each other.

Besides the PRA exercises, semi-structured interviews (SSI) were also conducted. SSI is defined as guided conversation in which only topics of relevance are predetermined and questions or insights arise as a result of the discussion and visualised analyses (FAO, 1989).

Similarly a number of published and unpublished documents were consulted at the Babati District Council and at Sokoine University of Agriculture.

Data analysis

Data collected from the communities through PRA techniques were analysed with the help of the local people and immediate feedback was given. Data collected through SSI were subjected to content analysis. Content analysis is used to analyze in detail the components of discussions in an objective and systematic manner (Kajembe, 1994). In this method, the recorded dialogue with the respondents is broken down into smallest meaningful units of information or themes and tendencies. This helps the researcher in ascertaining values and attitudes of the respondents.

RESULTS AND DISCUSSION

The generalised narrative about the balanced harmony between local communities and nature

As one of the few remaining tracts of miombo woodlands in Babati district, Duru – Haitemba woodlands had been targeted for gazettement in 1990/91 as a government forest reserve. In 1992 the Swedish funded regional forestry programme paid for an expensive inventory, survey and boundary demarcation, process that proceeds formal gazettement. However, the programme faced “local discontent” (Wily and Haule, 1995). Discussions with local people around Duru – Haitemba forests revealed that the discontent has its origin in the “generalised narrative”.

Before the coming of colonial powers, so the narrative goes, the community lived in balanced harmony with the woodlands. Either population levels were so low that the environment was little disturbed, or “community institutions” including ritual ones such as “haymanda” served to regulate resource use so that society and environment remained in equilibrium. Table 2 shows that “haymanda” ranks second overall, besides the fact that its powers has been eroded by the colonial and post colonial governments.

Under the “haymanda” system non-members are not allowed to enter the sacred forests and none is allowed to cut any tree. Violating such norms, one has to offer an oxen as a sacrifice. The narrative argues that when the harmony was disrupted, it led to disequilibrium between people and woodlands and hence degradation. A range of factors may be called to account, including: technological change; the breakdown of traditional authority; commercialization; modernity; social change; new urban aspirations and the intrusion of inappropriate state policies.

What is required, the narrative suggests, is to bring community and environment back into harmony: “policies that bring human numbers and life-styles into balance with nature’s capacity” (IUCN/WWF/UNEP, 1991:10). This requires either the discovery and rebuilding of traditional, collective resource management institutions (Ostrom, 1996) or their replacement by new ones, such as the village environment committees so often associated with CBNRM strategies.

Power relations in CBNRM

Kajembe and Kessy (1999) argues that natural resource management initiatives by the colonial government undermined local institutions for sustainable resource management. Though in Duru-Haitemba there are still remnants of traditional institutions, the “haymandas”, but these are not very effective under contemporary socio-economic conditions. Thus, CBNRM facilitators in Duru-Haitemba to a large extent are trying to formulate new local institutional structures popularly known as village forest committees (Table 2).

Discussions with key respondents, in the study area revealed that there are two factions competing for power at the village level: the elites and the traditionalists. Power is defined as the ability of actors to exercise their will in a manner that is contradictory to others (Lukes, 1981). Elite groups normally tend to cooperate with higher level state apparatuses such as foresters at the district level, in establishing externally sponsored institutional structures such as “forest committees” whereas the traditionalists (e.g. the custodians of rituals) sought to reconstruct the forest committees as entities performing predominantly ritual functions.

It seems many decisions in Duru-Haitemba villages are being taken outside of the formally recognized “loci” for decision-making and the most important decisions are made by loosely bounded groups of individuals or factions. It is competition for power which establishes a ‘faction’ (Kajembe, 1994:128). A faction is not a legitimate agent within an administrative structure. It may be a ‘locus’ for decision-making but the rules, if there are any, which govern it are not prescribed by institutional framework in which it operates. Its criteria of membership and decision-making are necessarily informal.

In Duru-Haitemba, the traditionalist faction is fully organized. Its primary concern is “ritual” but also retains an outward form of the state powers. At Ayasanda village the leader of “haymanda” is also the chairman of the forest committee.

The predominant characteristic of traditionalists political practice, however, is a tactful non-compliance with orders of the village government. The end result of which is the insulation of some households from the demands of the state (the village government is an extension of the central government). “Traditional” in one sense refers to what actually existed at some earlier and distant time, while in another sense it refers to modes of “behaviour” or “institutions” which are regarded as such by members of the traditionalist faction.

Members of the traditionalist faction certainly regard many of their “institutions” as traditional, that is as things which the people have always been doing (Kajembe, 1994:129).

Table 2: Institutions and their relative importance in the study villages

Institution	Rank									
	Gidas	Bubu	Ayasanda	Endana- chan	Rirda	Endagwe	Duru	Hoshan	Total	Rank
Village government	2	3	2	3	3	3	2	3	21	3
Forest committee	1	2	3	1	1	2	1	2	13	1
“Haymanda”	3	1	1	2	2	1	3	1	14	2
Land Management programme (LAMP)	5	5	4	4	5	4	4	4	35	4
Forest Department	4	4	5	5	4	5	5	5	37	5
Department of Agriculture and Livestock	7	8	8	9	9	8	9	8	66	8
Mosque	9	9	9	8	8	9	8	9	69	9
Church	8	7	7	6	7	6	6	6	53	7
School	6	6	6	7	6	7	7	7	52	6

The elite faction is composed by wealthy and articulate members of the community. As more opportunities become available to citizens for participation, local elites can become dominant. Locally based dominant actors tend to hijack community based processes and forcefully occupying the political space opened by decentralization (Agrawal, et al. 1999). Under such a situation, local elites strengthen the relations of “domination and control” in which the poor and the marginalised such as “traditionalists” become even much worse off.

Experience from Duru-Haitemba reveals that communities are stratified (Kajembe and Mgoo, 1999). In all stratified communities, interests of some actors are represented only inadequately. Because of hierarchies and problems of representation and accountability in most communities, it is important to create institutional structures of presentation and accountability that can undermine existing asymmetries and prevent new ones from becoming entrenched.

In this sense, decentralization in natural resource management cannot ever be taken as an accomplished fact but only as process in the making (Kajembe and Kessy, 1999).

The study further revealed that in the village government there are two key positions: that of a chairman and that of the village executive officer (VEO). Unlike the VEO, who is an appointee of the district council, the village chairman always sees the retention of his rather authoritative position as a result of maintaining electoral support from the villagers. His participation in rituals, asserts his particular claim to the position.

The decision-making practices of the ritual institutions such as “haymanda” seem to be analogous to those of formerly recognized village government committees such as forest committee, so the traditionalists in Duru-Haitemba have succeeded in organizing a parallel administration. The jurisdiction of the traditionalist’s administration, however is exclusively ritual.

This complex interaction between administrative office and ritual leadership is not unique to Duru-Haitemba. Kajembe (1994) in a study carried out in Dodoma, reports that complex interaction between administrative office and ritual leadership has characterized Dodoma since the first colonial administration was established.

Besides of power struggles at a micro level, another challenge is on part of the government leadership at the macro level. Government officials usually have very mixed feelings about community action in natural resources. Officials tend to be better educated, more worldly, and more exposed to modern ideas than the community members in remote areas. Therefore, many people in the government sincerely believe that they are better prepared and better organized to lead communities in natural resource management activities, or to regulate these activities (Ascher, 1995).

However, increasingly, government officials have come to realize that community action can substitute for the expensive need to put government officials into the field (Wily, 1995). Many government officials have also realized that moving decisions away from national and provincial capitals often leads to better decisions (Ascher, 1995). What local people may lack in education and sophistication is often outweighed by their more intimate knowledge of local conditions (Kajembe and Wiersum, 1998).

Yet, while governments have become increasingly interested in (or resigned to) decentralizing their own authority over natural resources and relying on communities management they can not simply withdraw completely (Ascher, 1995). The basic lesson from Duru-Haitemba is that the government must steer between withdraw and dominance. This is for four reasons:

- First, the government is usually the ultimate “arbiter” of user rights when they are contested beyond the boundaries of single user communities. When a community’s claim to natural resource user rights is challenged or ignored by others, the government often has to decide whether, and how, to intervene in the dispute. When user rights seem to clash and the possibility of violence arises, government is often obligated to get involved because of its responsibility for keeping public order.

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- Second, the government is sometimes the only institution strong enough to keep outsiders from encroaching on the rights of established resource users. These users are often economically weak and few in number, thus requiring help if powerful outside forces, such as commercial loggers try to gain control over the resources.
 - Third, communities cannot always resolve all their disputes internally even though it is important that they try to do so to whatever degree possible. Some disputes have to do with basic issues of rights that are too crucial for either side to give up without a fight – unless the government intervenes to prevent violence. Some issues involve legal interpretations, examination of historical documents such as title deeds and intercommunity agreements and other judicial functions that only the government can perform.
 - Fourth, in many cases the past neglect of natural resources has left a huge need for investments to restore the resource base. For these initiatives to be successful, the government often must finance the operations.

The field agent as a power broker

The discussion so far has shown that in CBNRM initiatives there are two camps, namely: the local communities and the government officials. At the local level we have seen that there are power struggles between the “elites” and the “traditionalists” but when it comes to facing government officials the two usually, tend to stand as one group. But again within the government, we need to distinguish between two sub-groups, the decision makers or supervisors who usually reside at the headquarters and the field agents. As Kajembe (1994), laments, field agents operate at the “social interface” between the local communities and the decision-makers or supervisors. Experience from Duru-Haitemba showed that it is the field agent at the local level, in this case the divisional forest officer, who plays a central role in transforming policies from the district level. The most important aspect of an effective field agent is the type of “social relations” that he/she builds with the community. His ability to establish smooth working relations is judged by the community’s willingness to accept different interventions. Also the field agent is supposed to be “the closest friend and supporter of the community”. This means, the field agent should be able to explain to the community what is expected from them and the benefits they will get to persuade them to participate accordingly.

In a detailed study on the social interface between bureaucrats and rural people in western Mexico, Arce (1993) positions the ‘field agent’ as a “manipulator of circumstances rather than a controller of standardized forestry services”. Also as Lekkané dit Deprez and Wiersum (1993), argues “the identification of the forest agent as operating at the interface of the national context and local level interests implies that these persons are operating in a dualistic social environment: the meeting point of local village environment and government institutions”. This is a very different interpretation from seeing the “field agent” merely as a link between the government institution and the local population. He is the primary target when the local people question the legitimacy of certain government interventions.

From the point of view of the rational, knowledgeable farmer the “field agent” is not the “real bridge” to the village, but merely the lowest echelon of the system. As Lekanne did Deprez and Wiersum (1993) commented in the case of Sahel “He, the field agent, is not seen as someone who listens to the needs and priorities of the people, but as essentially the implementer of commands from the top, with any possible room for manoeuvre and discretion in implementation being normally used for his personal gain”.

Consequently, the behaviour of the field agent could be characterized as a strategy to arm oneself against uncertainty, manifesting itself in a variety of coping strategies (Kajembe and Malimbwi, 1996).

After being given work task and monthly salary, it is assumed by the district officials at Babati that the field agent will perform his tasks as expected. However, this process does not happen in practice because the field agent may be committed to conceiving and organizing his field activities according to the demands and problems of the local people and yet, at the same time, also has to perform duties within the existing administrative structure and as a matter of fact he is expected to further the interests of the externally sponsored agent (i.e. the Babati District Council). Thus he faces difficulties in dealing with the wide-ranging and flexible problems and demands of the local people within the rigid district administrative framework in which he is expected to function.

Therefore, the field agent’s performance is influenced by three basic factors:

- The attitudes and expectations of his supervisors at the district level;
- His own domestic pressures; and
- Local people’s demands and expectations.

The field agent is an important “intermediately actor” or “power broker” between local communities and the district authorities and organize his activities to suit different situations, and changing circumstances. An important internal factor that constrains the effectiveness of a field agent is his own domestic commitments. The socio-economic condition of the field agent, particularly his low salary, leads to financial pressures from the domestic front due to his responsibility towards his kinfolk who are usually dependent on his earnings. Therefore, the economic and social status of the field agent itself is an obstacle to the development of CBNRM initiatives in Duru-Haitemba.

During our discussions with the divisional forest officer of Gorowa Division who is in charge of the Duru-Haitemba village forest reserve in terms of facilitation, we came to appreciate his perceptions and explanations on what he called his “internal world”.

He is aware that for his own survival, he should avoid the temptation of breaking his links with the local community. He categorically said “my living environment is surrounded by local people, their human and social struggles for survival, as well as by unavoidable moral bonds”. This is my “internal world” in which my involvement may even become counter-productive depending on the particular local situation I am

confronted with. He specifically said that sometimes it is difficult to report even those people who encroach and graze in the forest. He said "I have to maintain good relationship with the local people". Observations in the field revealed that even when the field agent visits the district headquarters, his self-effacing behaviour follows a set pattern: He remains silent at meetings and tries to avoid communication so that he can keep his "internal world" more or less independent from the links with his supervisors. In his responses to his supervisors' questions, he tries to create confusion about the actual situation at the grassroots level, so that the actual situation remains unknown.

CONCLUSIONS

The study showed that community-based natural resource management is a plausible way to cut down public costs of managing resources, however, it remains an arena of power struggle between three actors: local communities (including local leaders); field agents and government officials or supervisors.

This "triangle" of relationships constitute the social arena marking out the actual "locale" of community-based natural resource management in Duru-Haitemba. The triangle refers to the totality of social processes within which the three actors attempt to establish "power bases" for negotiations over resources and development discourses.

This study tried to open windows into these social realities and to observe how the strategic actions and interactions of the various actors shape the outcome of the CBNRM initiative in Duru-Haitemba. In short, there are often confrontations, bargaining and negotiations between these social actors.

Therefore, the success of CBNRM initiatives in Duru-Haitemba depends on the ability to balance the power among these actors. This is where the challenge lies.

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**EMPOWERING COMMUNITIES TO MANAGE NATURAL
RESOURCES:
WHERE DOES THE NEW POWER LIE?
CASE STUDIES FROM MUMBWA GAME MANAGEMENT AREA
AND LUPANDE GAME MANAGEMENT AREA, ZAMBIA**

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INTRODUCTION

The Administrative Management Design for Game Management Areas (ADMADE) and the Luangwa Integrated Resource Development Project (LIRDP) are the two models for community-based natural resource management (CBNRM) which are implemented in Zambia (IIED, 1994; ULG, 1995; Rhine, 1995; LIRDP news, 1997; Hachileka et al., 1998).

The ADMADE programme is the national programme being implemented in more than 20 game management areas. It places emphasis on active participation of local communities in wildlife management.

The LIRDP is an integrated approach to resource management implemented in the South Luangwa National Park and Lupande game management areas. From 1st January 1999 the LIRDP was transformed into South Luangwa Area Management Unit (SLAMU) in view of the proposed transformation of the

Department of National Parks and Wildlife Service (NPWS) into a non-civil service organisation called the Zambia Wildlife Authority (ZAWA).

This report examines the two models in order to ascertain where the new power lies in terms of decision making which pertains to resource management in game management areas in Zambia.

The study cases are Mumbwa game management area where the ADMADE programme has been operational since 1987, and Lupande game management area where the SLAMU/LIRDPA has been operational since 1988.

CASE STUDY AREAS

Mumbwa game management area (GMA) is located in Mumbwa District about 270 km west of Lusaka along Kaoma-Lusaka road. The total area of Mumbwa GMA is 3,395 sq. km. The Kafue National Park (22,400 sq. km) in the north and west, the Mumbwa-Namwala road on the east and the provincial boundary in the south border it. The total population estimate for Mumbwa District is 127,895 of which 6,097 live inside Mumbwa game management area (Central Statistics Office, 1990; Simasiku, 1995). The average family size is 6.2. School places are limited thus construction of schools and teacher's houses are a priority. There are three traditional chiefs with portions of chiefdom in the game management area namely Chief Chibuluma, Chief Kabulwebulwe and Chief Mulendema. The vegetation is predominately miombo woodland characterised by mean annual rainfall of 1000 mm and highly leached soils of low nutrient status. Mumbwa game management area is well endowed with natural resources such as wildlife, forestry and fisheries (Simasiku, 1995). Luba local forest reserve is located inside the Mumbwa GMA. Forest products include timber, honey, fuelwood and charcoal. Subsistence fishing takes place on the Kafue River located on the western boundary with Kafue National Park. Tourism is underdeveloped. The major source of revenue is from consumptive utilisation of wildlife through safari hunting, resident hunting and non-resident hunting. Agriculture is one of the means of subsistence for local people.

Lupande game management area is located in Mambwe District in Mfuwe area of Eastern Province of Zambia. It is bordered by South Luangwa National Park (9050 sq. km) on the west, Chipata-Petauke district boundary in the south, and Chipata-Lundazi district boundary on the north and east. The total population is estimated at 35,000 people for Lupande GMA. There are 9,355 households with an average family size of 6.0. (Central Statistics Office, 1990; LIRDPA news, 1997; Hachileka et al, 1998). Social infrastructure in the form of road network, schools, and health centres is inadequate. The total area of Lupande GMA is 4080 sq. km. There are six (6) Kunda chiefs namely Senior Chief Nsefu, Chief Kakumbi, Chief Malama, Chief Jumbe, Chief Msoro and Chief Mkhanya in the area. The natural vegetation is dominated by mopane woodland characterised by a mean annual rainfall of 700 mm and sodic soils, which hinder proper development of agriculture. Even though the area is endowed with forestry, fisheries, water resources, and wildlife resources only wildlife is a major source of revenue for the area. Both tourism and consumptive utilisation of wildlife resources in the form of safari hunting and resident hunting generates revenues for the area.

Figure 1: Map of Zambia case study sites.

APPROACH AND METHODS USED IN THE CASE STUDIES

The methodology used in the study was a consultative approach involving interviews with key informants, literature reviews, and the author's experience while working as a researcher and consultant in Mumbwa and Lupande game management areas.

THE POWER OF CENTRAL STATE: LEGAL AND POLICY FRAMEWORKS

The policy and legal framework within which Mumbwa and Lupande game management areas operate is full of contradictions (Chilomo, et al, 1995). In the game management areas the Department of National Parks and Wildlife Service (NPWS) has jurisdiction over only wildlife and does not have authority over other natural resources such as fisheries, forests, water, and land. The Departments of Agriculture, Land, Forestry, Water Affairs, and Fisheries have control over other resources. Each of these departments has

its own pieces of legislation guiding the administration of the various natural resources. Such numerous pieces of legislation have culminated into conflict in terms of the management and utilisation of resources.

According to the National Parks and Wildlife Service Act no. 10 of 1991, wildlife is state property. The Wildlife Policy of 1993 recognises the fact that wildlife is state property, but that user rights are bestowed on landholders. This means that the local people who reside in the game management areas are allowed to retain revenues generated from wildlife utilisation. In the National Parks and Wildlife Service Act no. 10 of 1991, there is provision for the creation of integrated resource development committees (IRDC) to facilitate the participation of local people in the management of wildlife in the game management areas. On the other hand, the Forestry Policy and Act do not have any provisional framework for community-based forestry management in the game management areas (Chilomo, *et al.*, 1995). The Local Government and Housing Act of 1995 firmly places local control in the hands of district councils rather than chiefs and other lineage leaders. The district councils do not pass by-laws to control natural resources. The power to control the natural resources is given to central line ministries and departments and not the councils.

The Zambia Wildlife Authority Act no.12 of 1998 has recognised the conflicts and has proposed the establishment of community resource boards (CRB) in game management areas. Once established the CRB will be given the mandate to administer the game management areas under the terms provided by the Ministry of Tourism through the director-general of the Zambia Wildlife Authority. The functions of the CRB include promoting and developing an integrated approach to management of the human and natural resource in the game management area or open area within its jurisdiction. The Zambia Wildlife Authority Act does not have power and measures to deal with forestry and fisheries conservation. There is bound to be further conflict arising from the integrated approach. The danger is that revenues generated from wildlife utilisation could inadvertently be extended to manage other natural resources not generating sufficient revenues. This is likely to result in the thin spread of the revenue resources and eventually undermine wildlife conservation.

LOCAL GOVERNANCE STRUCTURES AND COMMUNITY-BASED INSTITUTIONS FOR RESOURCE MANAGEMENT: HOW DO THEY RELATE TO ONE ANOTHER?

Local governance structures

Before 1991 there was one party participatory democracy and no separation between the functions of the ruling party and the local government. The lowest level of organisation was the “unit” comprising of 25 households. The chairperson and secretary were elected from 25 households. The next tier of organisation was the “section” comprising of chairpersons, secretaries and other committee members from the various units. The section chairperson and secretary were elected from section members. The representatives from the sections formed the “branch”. The chairperson and secretary were elected from the branch members. Representatives from the branch then formed the ward committee. The chairperson of the ward was the councillor who was elected through local government elections. The secretary of the

ward was elected from the members and was usually the party cadre of the ruling party. The councillors from the wards formed the district councils. The district council governed the district and formulated by-laws. The district secretary carried out the administration duties. The head of district council was the district governor appointed by the president. As a result the district council structures were politicised and were used as a means of mobilising the people for political activities.

After 1991 there was a deliberate move to separate the ruling political party and local government structures. But, the ruling party still dominates most levels of local government. The lowest level of organisation in the district to cater for the people at the grass root level is the resident development committee (RDC). The communities staying in a particular area elect representatives to this committee according to a constitution developed by the local people. One of the functions of the resident development committee is to identify development projects according to local felt needs. The elected members from various resident development committees send representatives to the ward development committee. The ward development committees approve the development projects from the resident development committees. The ward councillor passes on the approved projects from the resident development committees to the district council. Sometimes, the councillors take the approved development projects from the resident development committee to potential donors for consideration for funding. The councils do not have financial and material resources to bring any meaningful development into the areas. Consequently, the elected councillors have been perceived as having failed to bring development to their respective wards in the game management area. The district council structures such as ward development committees and resident development committees are virtually non-existent in both Mumbwa and Lupande game management areas (Table 1).

Table 1: Comparison of old and new local governance structures

OLD STRUCTURES	NEW STRUCTURES
DISTRICT COUNCIL Chairperson: district governor Secretary: district secretary Membership: ward councillors	DISTRICT COUNCIL Chairperson: councillor Secretary: district secretary Membership: councillors
WARD Chairperson: ward councillor Secretary: party member Membership: representative from branch	WARD DEVELOPMENT COMMITTEE Chairperson: ward councillor Secretary: party member Membership: representative from RDC
BRANCH Chairperson: political member Secretary: party member Membership: representative from section	NONE
SECTION Chairperson: political member Secretary: party member Membership: representative from unit	RESIDENT DEVELOPMENT COMMITTEE Chairperson: elected member of community Secretary: elected member of community Membership: local people
UNIT Chairperson: political member Secretary :party member Membership: 25 Households	NONE

Community-based institutions for resource management

In Mumbwa GMA the community-based institutions for resource management comprise the wildlife management authority and wildlife management sub-authority (Chilomo et. al, 1995; Hachileka, et al 1998; Tilley, 1994; Rihoy, 1995; Table 2). The wildlife management authority membership consists of the district secretary as chairperson, the warden whose is from NPWS as secretary, unit leader, chiefs, indunas, members of parliament, district representatives of the line ministries operating in the game management area and any prominent personalities. The WMA adopts annual programmes and budgets for wildlife management and community development projects in the game management area. Below the WMA is the wildlife management sub- authority, which caters for the needs of the local community in the chiefdom. Sub-authority members comprise of the chief as chairperson, councillors, indunas, representatives of line ministries operating in the area, and the unit leader as secretary. The unit leader is a government officer from NPWS trained to administer the ADMADE programme in a game management area. In Mumbwa GMA there are three sub-authority corresponding to the three chiefs.

There is no institutional mechanism to cater for local people at village level. The indunas and headmen do not adequately represent the felt needs of the local people.

In Lupande game management area community-based institutions for resource management operate at three levels namely: local leaders committee (LLC), area development committee (ADC) and village action

groups (VAG's) (LIRD News, 1997; Times of Zambia, 1999; SLAMU news, 1999; Hachileka et al, 1998; Table 2).

The local leaders committee is the highest local community management body in Lupande GMA. Membership includes six chiefs, SLAMU personnel, district secretary, councillors, and members of parliament. The chairmanship revolves among the six chiefs and SLAMU provides the secretarial support. The main functions of the LLC include monitoring and collating audited financial and projects reports from VAG's and ADC's for submission to NPWS.

Below the LLC is the area development committee (ADC) consisting of representatives from the VAG's such as chairperson, secretary, and elected members. There are six (6) area development committees corresponding to the six (6) Chiefs namely Kakumbi, Mkhanya, Malama, Msoro, Jumbe and Nsefu. The SLAMU personnel provide secretarial services while the chiefs are chairpersons. There are plans to elect the chairpersons and allow the chiefs to be patrons. One of the main functions of the ADC includes co-ordination of development activities initiated by VAG's.

The village action group is the lowest level structure representative of the local community. The activities of the village action group are guided by the constitution developed by the community members. One of the main functions of the VAG includes allocation of wildlife revenues to projects or household cash at general meetings. The local community elects the chairperson and secretary of the village action groups. At the moment there are 42 village action groups in Lupande GMA (LIRD news, 1997; Times of Zambia, 1999, SLAMU news, 1999). The village action groups comprise of about 200 households.

The community-based institutions for resource management in Lupande and Mumbwa game management areas differ considerably (Table 2). The community-based institutions for resource management executive and administrative functions are either parallel or similar to the district council administrative structures. The only way the council participates in resource management is through representation by the district secretary and councillors. The community-based institutions for resource management established in Lupande and Mumbwa GMAs have undermined the authority of the district councils. Under the proposed Zambia Wildlife Authority (ZAWA) the wildlife management authority and local leaders committee shall be replaced by the community resource boards (CRB) as a way of rationalising and harmonising the two approaches to resource management in game management areas. There are no elaborated institutional structures below the CRB. The community resource boards are supposed to cater for other natural resources such as fisheries, forestry, and water in addition to wildlife resources.

Table 2: Relationship between local governance structures and community-based institutions for resource management

DISTRICT COUNCIL	LUPANDE GMA	MUMBWA GMA
DISTRICT DEVELOPMENT COMMITTEE Chairperson: councillor Secretary: district secretary Membership:	LOCAL LEADERS COMMITTEE Chairperson: chief Secretary: SLAMU/LIRD Membership: councillors, chiefs, SLAMU staff, district secretary, and members of parliament.	WILDLIFE MANAGEMENT AUTHORITY Chairperson: district secretary Secretary: warden/NPWS Membership: unit leader, chiefs, members of parliament, district professions from line ministries, indunas, councillors
NONE	AREA DEVELOPMENT COMMITTEE Chairman: chief Secretary: SLAMU/LIRD Membership: representative from VAG's	WILDLIFE MANAGEMENT SUB-AUTHORITY Chairperson: chief Secretary: unit leader/NPWS Membership: councillors, indunas, headmen, representative of line departments and ministries
WARD DEVELOPMENT COMMITTEE Chairman: councillor Secretary: elected Membership: representative from ADC	NONE	NONE
RESIDENT DEVELOPMENT COMMITTEE Chairperson: elected Secretary: elected Membership: local people from community	VILLAGE DEVELOPMENT COMMITTEE Chairperson: elected Secretary: SLAMU/LIRD Membership: 200 households	NONE

Data source : Billings, 1994; Tilley, 1994; Kapungwe, 1995

Figure 2: Organogram indicating relationship between wildlife management structures and local government in Zambia.



Figure 3: Hierarchy of traditional structures in Zambia.

ARE NGO'S AND OTHER EXTERNAL AGENCIES INVOLVED: WHAT ROLE DO THEY PLAY?

The roles of the NGO's and external agencies in the resource management in the game management areas are not clearly defined.

In Mumbwa GMA the WWF-US and USAID funding has been confined to capital cost such as construction of offices at Nalusanga ADMARE unit headquarters, a vehicle for community development and resource management, hammermills and field equipment (Tilley, 1994). The current expenditures have been met from revenues generated from wildlife resource utilisation.

In Lupande game management area NORAD spends more money than the Zambian government. For instance in 1998 the cost of operations was as follows: 8% from the Zambian government, NORAD support 52%, culling of hippo 6%, tourism 31% and other sources contributed 3% (SLAMU news, 1999). The high donor inputs have made the approach unsustainable. The phase IV of LIRD/SLAMU from 1999 to 2002 is aimed to make the approach sustainable and be self-sufficient by 2002. NORAD is expected to spend about US \$ 2.0 million to make the approach sustainable. In addition NORAD will spend US \$ 1 million for construction of the LIRD/SLAMU headquarters in Mfuwe.

A local non-governmental organisation called Wildlife and Environment Conservation Society of Zambia (WECSZ) is running a wildlife camp in Lupande GMA in partnership with a private tourist company and the local community. One third of the bed night earnings goes to the community development account administered representatives from WECSZ Chipata branch and the local community. There is a cordial relationship between LIRD/SLAMU and WECSZ. The local NGO is not represented at any level of community institution.

WHERE DO THE ENTREPRENEURS AND PRIVATE SECTOR FIT IN?

Safari hunting companies deal directly with the Wildlife Conservation Revolving Fund through signing the agreement of hunting after being selected by the National Tender Board. A chief is the only member of the local community on the selection panel and the rest are government officials. Hunting licences and permits are issued at the Wildlife Conservation Revolving Fund headquarters in Chilanga. Monitoring of hunting activities is done by wildlife police officers and village scouts controlled by government. The Department of National Park and Wildlife set the hunting quota even though the allocation to various uses is done in consultation with local communities. There is a special quota for the director that he can use according to his discretion. Special licences are used by the Minister of Tourism freely and in some cases indiscriminately.

Tour operators deal directly with the Department of National Parks and Wildlife Service and Zambia National Tourist Board. The operator seeks consent of the chief to annex a piece of land from traditional land before being issued with title deeds. The tour operator selects a piece of land where the business is to be conducted. Once the chief has given consent by signing on the proposed site plans, then the proprietor forwards the plans to the district council. If the council approves, the venture it is passed on to the Department of National Parks and Wildlife Service and Zambia National Tourist Board. If NPWS and ZNTB approve the business plans, then the plans are forwarded to the Commissioner of Land. Once the title deeds have been issued, the community has nothing to do with what the tour operator does with the piece of land. The operator has no obligation to give revenues to the community except in certain circumstances when a token of appreciation is given to chiefs.

In Lupande game management area craft entrepreneurs are mostly local people who display a lot of handcrafts that include straw hats, mats, and baskets woven from palm leaves. Accessibility to forestry resources is open to any one who has the skill to weave. The Department of Forests is virtually non-existent in the area.

Mumbwa game management area residents are mainly subsistence farming although new settlers engage in commercial farming (Chilomo et al, 1995). Other notable activities include timber logging, wild honey collection, charcoal burning, and hunting as source of revenue for the household. Revenues from forest products in the form of levies are retained by central government and do not directly contribute to community development. There is rampant illegal exploitation of forest resources because the Forest

Department does not have the personnel and money to enforce the rules and regulations. There is a provincial Forest Action Programme funded by FINNIDA which focuses on capacity building for community forestry in Mumbwa game management areas. The project is in its preliminary stage and waiting for an appropriate legal framework for community forestry.

TRADITIONAL VERSUS MODERN ADMINISTRATIVE STRUCTURES: WHO HAS THE POWER?

Parallel to the modern state administrative local governance structures is the traditional ruling system which consists of the chief who controls a particular area with the help of indunas and headmen. The headmen in turn control several households depending on area. The only support the government gives to the traditional system is allowances to chiefs. The district council structures have failed to bring development to game management areas. The community-based institutions for resource management such as ADMADE and SLAMU/LIRDP have been seen as avenues for bringing development into game management areas. The community-based institutions for resource management control the use of the wildlife resources and revenue sharing, whilst traditional structures through the chiefs and headmen have power and control over customary land and the local people. The traditional leaders perceive the modern administrative structures as a way of undermining their authority to control people, especially that it is being advocated the chief should relinquish chairmanship. The chairpersons should be elected from among ordinary people in the area. The people who are advocating for the removal of chiefs from the community-based institutions for resource management are government officials. The chiefs would be patrons of the proposed community resource boards. The central government still retains the power to determine the mode of participation of the local people in resource management in the game management areas. The community-based institutions are accountable to the Ministry of Tourism through the Department of National Parks and Wildlife Service. The power has not been devolved from the central government to the district councils and traditional leadership. The community-based institutions for resource management have undermined the authority of the district councils and traditional authority.

GRASSROOTS OR EXTENSIONS OF THE STATE: WHO MAKES AND ENFORCES THE RULES

In Mumbwa game management area which is under ADMADE, the unit leader plays two conflicting roles in wildlife management. (Chilomo et al, 1995; Kapungwe, 1996). On one hand he performs the duty of community extension officer through conducting sub-authority meetings and co-ordination of community development projects. On the other hand, he is a law enforcement officer enforcing the rules and regulation on behalf of the state. In some cases villagers are arrested. Consequently, the unit leader is seen as an extension of the state whose functions are to arrest and pacify local people. For two and half years under the ADMADE programme, a community development assistant was employed to support community capacity building and implementation of community programmes, but this position was discontinued in 1992 (Hachileka et al, 1998).

In Lupande game management area which is under SLAMU, it is the community liaison officer who facilitate the community activities with the help of the assistants (LIRD News, 1997; Hachileka, 1998). The warden and rangers with the help of wildlife police officers and village scouts are in charge of law enforcement.

The central state and not local communities or district councils formulate the rules and regulations being enforced. Consequently, the attitudes and perceptions of the local community towards wildlife officers are negative and sometimes even hostile. The community programmes have focussed on community development projects and not on conservation awareness campaigns and training in participatory skills for both the community and wildlife officers. Conservation awareness campaigns should be intensified as a means of sensitising the local communities and improving the relationship between the community and wildlife officers. There is a need for training in participatory skills for local people, wildlife officers, and community liaison officers as a way of building capacity for effective local community participation.

WHERE DO THE BENEFITS GO? WHO MANAGES AND WHO DECIDES ON THESE?

ADMADE endeavours to guarantee that revenues generated from hunting activities are returned to Mumbwa game management area through the Wildlife Conservation Revolving Fund (WCRF) established in 1983 (Lewis and Carter, 1993; Tilley, 1994). Disbursement of funds from the WCRF to GMA is done through a formula devised by the ADMADE directorate based in Chilanga. Revenues retained by WCRF and returned to Mumbwa GMA are shared as follows:

- 40% is set aside for wildlife management in Mumbwa GMA and is disbursed monthly. The wildlife management costs include salaries and allowance for village scouts, food rations for scouts on anti-poaching operations, management meetings, and motor vehicle running costs.
- Twenty five percent (25%) is retained for WCRF and ADMADE administration costs at Chilanga and regional command headquarters.
- The last 35% go to the community development fund for development projects. The community development revenue is solely used on community development projects and not household dividends. Usually the development projects have tended to cluster around chiefs' palaces (Chilomo, et al, 1995). Projects that have benefitted from the community development fund include: 14 schools, 9 hammermill shelters, 7 rural health centres, and 23 teachers' houses (Hachileka, et al 1998). A bookkeeper, appointed by the Wildlife Management Authority with approval of Wildlife Conservation Revolving Fund financial manager, manages community development and wildlife management funds on behalf of the local community. There is only 6,097 people living inside Mumbwa GMA. If the principle of "the unit of production is the unit of benefit" is applied these are the people to benefit from the revenue generated from wildlife utilisation in Mumbwa GMA. Currently, even those villagers who reside outside the GMA benefit from the proceeds so long as they reside in three chiefdoms namely Chibuluma, Kabulwebulwe and Mulendema.

Under SLAMU all the revenues which accrue from hunting in Lupande GMA go to community where as all revenues from the South Luangwa National Park go to the park management (Hachileka et al, 1998, SLAMU news, 1999, Kapungwe, 1995). The revenues retained by the community is shared as follows:

- 4% to the area development committees,
- 6% the chiefs of the area,
- 10% to the local leaders committee, and
- 80% goes straight to the village action groups.

The members of the village action groups decide on what to do with the money retained by the village action group. The options include allocation of equal dividends to individual households and contributions from the individual households to identified community development projects. A total sum of K267 million earned in 1995 was paid to the communities in 1996 (LIRDP News, 1997). Local communities allocated K129 Million for community development projects; K9 million for administration and 9,355 households received a total of K129 million cash, which amounted to K13, 800 per household. In 1998 the community revenues was K500 million which is 40% more than 300 million in 1997. Since 1996, fifty-two (52) community-based projects had been implemented (Times of Zambia, 1999).

The SLAMU approach to revenue sharing has contributed to raising awareness of wildlife conservation, increased accountability and transparency of local institutions, and increased democratic principles. The SLAMU system of revenue sharing has given more power to villagers to decide on what to do with revenues. NORAD mainly funds the wildlife management in Lupande GMA, which is unsustainable. In Mumbwa GMA a share of revenues has been set aside for resource management. The ADMADE programmes in Mumbwa GMA have raised a lot of suspicion as the local leaders in the management authorities decide on behalf of the local community at the village level. In ADMADE the power to decide on what to do with the revenues is trapped by local leaders and government officials.

COMMUNITY DIFFERENTIATION: ARE THERE SECTORS WITHIN THE COMMUNITY WHO APPROPRIATE THE VALUE?

In Mumbwa GMA there are no grassroots structures to facilitate active participation of local people in decision-making on issues pertaining to resource management and community development. Emphasis has been place on the traditional leadership especially the chiefs. As a result most of the local people are highly marginalised in decision-making process. There is low participation of women in ADMADE programmes because of the emphasis on law enforcement in the strategy of wildlife resource management which favours men.

In Lupande GMA emphasis has been placed on community participation at the village level by targeting the households. The men who are the major head of the households control the dividends at the household levels. There are very few female-headed households in Lupande game management area. The democratisation process that has been advocated at the village action group level is likely to lead a

situation where the 'community elite', elected by the local community, trap the decision- making process. The 'community elite' is usually close to the chiefs and traditional leadership.

ATTITUDE TOWARDS COMMUNITY BASED NATURAL RESOURCE MANAGEMENT PROGRAMMES AND THE STATE

In Mumbwa GMA, Chilomo et al. (1995) observed from discussions with villagers in the three chiefdoms that they did not identify themselves with the ADMADE programme in terms of ownership as indicated by statements, like 'we have benefited a lot from ADMADE. For example we have built a school and we have a hammermill, but is it possible for ADMADE to help us with fertiliser, in the absence of lending institutions. ADMADE is like our father, we desperately need fertiliser for our maize or else we shall perish from hunger'. They did not seem to appreciate the fact that the decision to construct schools instead of buying fertiliser was theirs. The NPWS officials argued that emphasis is placed on community development projects because the money is not adequate to be distributed as household dividends so that people can spend the money on their felt needs such as fertiliser. Household dividends would have been made easier if emphasis has been placed on the 6,097 people who reside inside the GMA rather than focus on the chiefdom areas as the unit of benefit. Wildlife officers feel that the 6,097 people residing in Mumbwa GMA are 'encroaching on the wild animals rightful territory'. The local people believe that it is their right to live inside the GMA with their 'God-given animals as they has always done from time immemorial'. Interviews conducted by Chilomo et al (1995) indicated that more people are likely to move and settle in GMA because they claim 'the soils in GMA are more fertile than elsewhere'. It is not right to exclude local people from living in the GMA. It is important to note that such conflicts between the needs of wildlife and immediate felt needs of people are likely to intensify in GMA as the economic status of local people gets worse under the present economic structural adjustment in Zambia. Wild animals like elephant destroy crops. Local people are not usually compensated against the crop loss. In Mumbwa GMA the only method of problem animal control is elimination after being given permission from senior officers in Chilanga. Local communities have a negative attitude towards village scouts and wildlife police officers despite schools and clinics being built from wildlife revenues.

In Lupande GMA the local people do not identify themselves with SLAMU/LIRD, as the programme is perceived as a NORAD and NPWS initiative and not their own. In certain instances when there are clashes between the wildlife officers and villagers especially after arrest of villagers suspected of poaching (SLAMU News, 1999). Subsistence poaching in the form of snaring is still a problem in Lupande GMA. From 1988 to 1996 an average of 88 wire snares per year were confiscated (SLAMU News, 1999). In 1997 and 1998 the number of snares confiscated were 713 and 628 respectively. Since the communities receive all the revenues from hunting and decide on what to do, it is assumed that such a mechanism could change the attitude towards poaching. The rise in snaring is a silent protest to SLAMU /LIRD programmes that have not addressed their perceived felt needs. In Lupande wild animals like elephant are destroying people's crops. The problem of crop damage by animals is being addressed by the construction of electric wire fences to deter crop damage. The method of elimination is being discouraged.

LESSONS LEARNT FROM EACH CASE STUDY AND POLICY IMPLICATIONS

Lessons from Mumbwa Game Management Area under the Administrative Management Design (ADMADE) for game management area programme

- There is no community-based institution for resource management to cater for the people at village levels. The wildlife management authority is for stakeholders at the district level whereas wildlife management sub-authority caters for stakeholders at the chiefdom level. Government officials and traditional leaders have trapped the power to make decisions. There is the need to establish an institutional framework which caters for the needs of local people at the grassroots level.
- Local people are hostile towards wildlife officers namely the unit leader, village scouts, and wildlife police officers. There is need to establish community outreach programmes which can disseminate conservation awareness information among local communities; members of local villages and wildlife officers as way of enhancing participation of all stakeholders in resource management.
- There is inadequate funding to cater for the accomplishment of development projects because funds cater for people residing inside the GMA and those residing outside the GMA. Consequently, the revenues are not enough for household dividends. There is the need to utilise the principle of “unit of production is the unit of benefit” by focussing on the 6,097 people residing inside the GMA and not focus on the chiefdoms as the unit of benefit.
- There are land use conflicts between agricultural activities, wildlife and forestry. There is a need to take an integrated development approach to natural resource management programmes. The integrated approach will cater for the needs of all stakeholders and address their concerns.
- There is a lack of adequate participation of women in resource management. A deliberate policy should be formulated which will be gender sensitive regarding the membership and composition of social institutions and recruitment of village scouts.
- Safari hunting companies sign contracts with the Wildlife Conservation Revolving Fund and not local community-based institutions for resource management. The of signing of contracts should happen between the private sector and local community institutions.

Lessons from Lupande game management area under the South Luangwa Area Management Unit (SLAMU) /Luangwa Integrated Resource Development Project (LIRD)

- All the revenues from hunting are retained by community institutions such as local leaders committee, area development committees and village action groups and very little is allocated to wildlife management which is the base of the revenues for community. There is the need to invest in wildlife

management by persuading the committees to put aside some money for resource management rather than depending on donors like NORAD to finance the resource management activities.

- The increased incident of subsistence poaching through snaring or muzzle loading guns can be interpreted as a means of expression by local communities towards not appreciating the co-management arrangements practised in the game management area, and that community based natural resource management is not working properly. There is the need to improve on community out-reach programmes by disseminating wildlife conservation information to the communities, and to improve education to wildlife officers on community participation.
- The role of the NGO's is not clearly defined. Local NGO's such as the Wildlife and Environmental Conservation Society of Zambia operate on a gentleman's agreement with local communities and the SLAMU officials.
- According to the Zambia Wildlife Authority Act no 12 of 1998, the community-based institution for resource management in GMA is the community resource board (CRB) which is equivalent to the present local leaders committee under SLAMU. Under ZAWA, there is no clearly defined social institution to cater for people at the chiefdom level where area development committees operate, or at the village level where the village action groups are constituted. Furthermore, the local governance and traditional structures have been side-lined. There is the need to harmonise and rationalise the traditional structures, local government structures and community-based institutions for resource management as a means of increasing the participation of different stakeholders in natural resource management in game management areas.

CONCLUSIONS

The community-based institutions should be gender sensitive. There is inadequate participation of the women and children in natural resource management programmes. The emphasis has been put on law enforcement, which favours men in the form of village scouts. Men dominate meetings. Yet, it is the women who uses most of these natural resources such as game meat and fish as relish, fuel wood as source of energy for cooking, and baskets woven from forestry products for carrying various household goods. A certain number of committee positions should be reserved for women. The future leaders are the present children. Previously, the Nyamaluma Conservation Camp used to cater for school pupils but now caters mainly for village scouts.

In the GMA, the unit of management and unit of benefit should be clearly defined. The unit of management should be clearly defined so that it is easy to know the costs of resource management and who should bear these. At the moment some areas have focussed on chiefdoms while others have focussed on the household as the unit of benefits. Distribution of the benefits should be improved so that the benefits reach the intended target, the local people and not the government officials, traditional leaders, and 'community elites'. To ensure sustainability of the resource, some of the revenues generated from utilisation of the resources should be allocated to resource management. In some areas the cost of resource management is met from donor funds.

There should be an increase in the levels of local participation in planning, implementation, monitoring and evaluation of community-based natural resources programmes. The levels of participation can be increased through capacity building and conservation awareness campaigns. Conservation awareness campaigns should be intensified as a means of sensitising the local people and as a way of improving relationships between the local people and wildlife officers and reducing subsistence poaching by local communities. There is lack adequate participatory skills among the local people, project staff and wildlife officers. Most of the people co-ordinating the community activities are either wildlife officers with military backgrounds or natural scientists. NGO's can take part in capacity building and they can be perceived as non-partisan in the eyes of the local people.

The present policies, legal frameworks and institutional arrangements favour the state in terms of decision-making and not the local community. Wildlife is a state property. What is required is an enabling framework which will devolve power from the state to local institutions of decision- making as a way of empowering local communities to manage natural resources in game management areas.

The role of different stakeholders should be clearly defined as way of improving the relationships amongst stakeholders participating in community based natural resource management programmes in Zambia. According to the Zambia Wildlife Authority Act no. 12 of 1998 the community resource board is the only legal institution recognised that can cater for people at a district level. The CRB advocates for an integrated approach to managing resources in the GMA.

The principles of community-based management which has been developed for wildlife management should be extended to other natural resources such fisheries and forestry.

Devolution of power from the state to the local people has not been successful. The community- based institutions established by the Department of National Parks and Wildlife Service and Ministry of Tourism undermined the district councils and traditional leadership authorities. The state still negotiates contracts and signs with private sector on behalf of the community. The state still devises the modes of sharing of benefits with little or no consultation with local community. A system is evolving under SLAMU where local structures are being strengthened and given power to decide on the resource management and revenue sharing. While many improvements in the ADMADE and SLAMU are anticipated in the years to come, the programmes have reopened the door for local communities to participate in and benefit from management of their wildlife resource. Formulation of appropriate policy, legal, and institutional frameworks is the best way of empowering local communities to manage resources in a sustainable way

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ACRONYMS

LIRD	Luangwa Integrated Resource Development Project
ADMADE	Administrative Management Design for Game Management Areas
GMA	Game Management Areas
SLAMU	South Luangwa Area Management Unit
IRDC	Integrated Resource Development Committee
NPWS	National Parks and Wildlife Service
WDC	Ward Development Committee
ADC	Area Development Committee
RDC	Resident Development Committee
WMA	Wildlife Management Authority
WMSA	Wildlife Management Sub-authority
LLC	Local Leaders Committee
VAG	Village Action Group
ZAWA	Zambia Wildlife Authority
WWF-US	World Wildlife Fund-United States of America
USAID	United States Agency for International Development
NORAD	Norwegian Agency for Development

WCRF	Wildlife Conservation Revolving Fund
WECSZ	Wildlife and Environment Conservation Society of Zambia
ZNTB	Zambia National Tourist Board
CBNRM	Community-based Natural Resource Management programme
CRB	Community Resource Board
PFAP	Provincial Forest Action Programme
FINNIDA	Finland International Development Agency