

# Social Capital and Management of the Commons: *The Kalahan Case*



**I**t is frequently assumed that people who use common pool resources, or the commons, are concerned solely with their own interests. This is a misconception and completely ignores the existence of cooperatively managed resources in various social and historical settings. Studies have shown that forests, fisheries, pasture lands, wildlife and water resources can be managed and protected as common property by self-governing associations of local users. (Fikret Berkes [ed], Daniel Bromley).

However, protecting the commons requires a concerted effort by the community and institutions in order to ensure the sustainability of resource use. Just as importantly, social capital, which is embodied in informal norms and networks of trust and reciprocity, must be cultivated to promote collective action in community conservation efforts. The Kalahan Case offers clear evidence of this.

## Source

Francisco Magno, "Crafting Conservation: Forestry, Social Capital, and Tenurial Security in the Northern Philippines", A dissertation submitted to the Graduate Division of the University of Hawaii, December 1997, Published by the Institute of Philippine Culture (IPC), Ateneo de Manila University.

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## The Kalahan Case

In 1974, the Ikalahan/Kalanguya community in northern Philippines was granted exclusive rights through a communal stewardship agreement to use and manage 14,730 hectares of classified forest land for 25 years. The tenure is renewable for another 25 years.

Assisted by a non-government organization, the Kalahan Educational Foundation (KEF), along with village elders and barangay officials, established a forest management regime that sought to address both conservation and livelihood concerns. Their main objective was to help build the

capacity of the community to limit their livelihood activities to designated zones and thereby spare the primary forests from degradation.



- Logging in the primary forest was curtailed.
- Timber-cutting in the secondary forest was selectively allowed only for domestic construction purposes, with the further stipulation that harvested logs could not be sold to outsiders.

- Swidden farming was permitted but the size of the land devoted to such activity was severely restricted.
- Farmers were dissuaded from using chemical fertilizers and were instead encouraged to harness natural composting techniques.
- Wild fruits gathered by local people were purchased by the KEF and processed into jams and jellies thereby providing an additional income source to the community.
- Every household was asked to send a representative to participate in tree-planting activities which were regularly held to coincide with the onset of the rainy season.
- Boundary rules were erected, restraining resource access by outsiders who were also prevented from taking up residence in the community except in case of marriage and employment with the KEF.

The Ikalahan/Kalanguya community consists of six *barangays* or villages encompassing the western part of the municipality of Sta. Fe in Nueva Vizcaya province and the northeastern section of San Nicolas in Pangasinan province.

This community of around 530 families was the first local group to acquire legal tenure to public forest land in the Philippines.

Community rules regarding resource use were established by the KEF Board of Trustees whose members are elected by the villagers. The proposed rules were extensively discussed in village meetings before they were approved. The KEF then enforced and monitored compliance with the rules in coordination with the *barangay* council. Disputes concerning the use of resources were resolved either through the traditional *tungtungan* process presided over by village elders or through less elaborate mediation procedures conducted by the KEF and barangay officials.

As a result, the Ikalahan/Kalanguya community developed a sustainable forest-farm system where sustainable livelihood niches have been carved out of the secondary forests. Meanwhile, the old-growth forests have been maintained and large sections of the Kalahan forest zone are being reforested.

The Ikalahan/Kalanguya experience validates the belief that recognizing the land tenure rights of long-term forest occupants is essential in fostering resource protection. However, securing the people's tenure is only the initial step. Communities need to create strong institutions that will mobilize collective action towards the development of rules, norms, and practices governing the use of the forest without damaging its regenerative capacity.

Institutions play an important role in forging common goals and in facilitating their achievement. They are created not only to formulate rules but to enforce them. They are meant not only to structure relationships but to make them work.

## How to Make Institutional Management Work?

- Centralized, top-down development strategies may not work. While they could have positive macroeconomic results, they are also likely to have negative consequences for resource sustainability and socioeconomic equity. Instead, the strengthening of participatory and “local approaches” to development is recommended.
- The smallness of scale is also crucial in facilitating collective action. It has been argued that small groups are in a better position than large ones to monitor the behavior of fellow



### CALCULUS APPROACH VS. CULTURAL APPROACH

How can institutions affect individual actions and preferences? The major responses to this question have been termed by Peter Hall and Rosemary Taylor as the “*calculus approach*” and the “*cultural approach*”.

- In the **calculus approach**, the focus is on rational actors who rank their preferences and engage in strategic interactions in order to maximize their individual utility. These strategic calculations and exchanges operate through institutions which, according to Kenneth Shepsle, serve as the social glue which was missing from the behavioralist's atomistic conception of individuals. Institutions provide the strategic context in which optimizing behavior is pursued under the aegis of rules according to which participants are identified, prospective outcomes are determined, alternative modes of deliberations are permitted, and the specific manner in which revealed preferences, over allowable alternatives, by qualified players takes place.
- While the calculus approach looks at how individual behavior is governed by a “logic of exchange” where agents pursue self-interest within the constraints established by institutional rules, the **cultural approach** focuses on how individual actions are influenced by social preferences generated by a “logic of appropriateness” dictated by institutional templates. In this sense, institutions do not only affect players' strategies but shape their goals as well, aside from mediating social relations and structuring political situations. (Kathleen Thelen and Sven Steinmo, 1992).

members in such a way that mutual assurances and cooperation are cultivated. While the potential of generating collective action may be greater in small-scale societies, this is not guaranteed in the absence of strong institutional rules and conventions which nurture mutual trust and cooperative behavior.

- State support is also critical in helping forest-dependent communities resist encroachment pressures from outsiders. While it is possible that indigenous property regimes and local knowledge systems that are protective of the environment could persist over time even in the absence of State recognition, these traditional arrangements are nonetheless subject to constant threats of disruption. Studies indicate that forest-dependent communities, bereft of tenurial security, are often displaced from their natural resource base by powerful socioeconomic forces.
- The role of third-party intermediaries, such as NGOs, deserves to be underscored. Since local villagers often lack the experience necessary to face diverse cultural, bureaucratic and organizational demands, many community forestry projects could very well owe their existence to third-party intermediaries.



## Social Capital

Rule-breakers are sanctioned through the installation of effective information and monitoring systems. Hired forest guards and *barangay tanods* (volunteer guards) are deployed to monitor and put a stop to illegal resource activities.

Under KEF rules, sanctions for unauthorized timber harvesting may range from the payment of fines to the reforestation of the site where the violation took place.

The existence of sanctions, however, does not fully explain why people obey rules or join conservation activities. A major part of the reason that people cooperate in protecting resources is the presence of substantial stocks of social capital in the local community. Rules are complied with because violations carry not only the threat of punishment but also the shame of social disapproval.

In the Kalahan forest area, the high degree of mutual interchange fostered by social capital is exhibited in the voluntary assistance rendered by community members in cooperative activities.

Furthermore, the intensity of civic engagement in the area is manifested in high levels of attendance in community meetings.

The term “social capital” was initially used by Glenn Loury to refer to a set of social resources within a household or community which promotes the development of human capital. Incorporating the concept of social capital within a general theory of social action, James Coleman has depicted it as a productive collection of structural resources, embedded in social relations, which facilitates the achievement of certain ends that would not have been attainable in its absence. Forms of social capital include norms, obligations, information potential and voluntary associations which promote trust and cooperation.

To a large extent, where cultural norms of trust and networks of cooperation are well-established, people bound together in a net of multisided relations will likely coordinate their activities even in the absence of external enforcers. In the Kalahan forest area, social capital has created the conditions for the people’s active participation in community conservation efforts.

***Social capital*** consists of resources which are built on trust, reciprocity and mutual aid.

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# Customary Institutions as a Force for Conservation and Good Governance



*The processes and lessons presented in this paper are based on local experience in Gobi Gurvan Saikhan National Park in Mongolia's South Gobi Province, and in Altai Tavan Bogad National Park in the country's westernmost Province Bayan Olgi in the Mongolian Altai Mountains.*

*In the two parks, new partnerships in governance are emerging. Local herder communities, strengthened by resource right contracts with local authorities and currently developing their own institutions, are becoming catalysts for better governance. Involvement of non-government organizations facilitate cooperation between stakeholders.*

**M**ongolia is a country in transition. Since 1990 the people of Mongolia have been striving to develop new institutions and a regulatory framework appropriate to their country. The roles and responsibilities of institutions and their ways of working together are still being developed and tested. This is particularly true of local institutions charged with natural resource management.

## Source

Compiled by Sabine Schmidt, with Gantuil Sukhee, Saulehkan Bagiman, Munkhjargal, Keith Swenson, Gansukh G., Kamal Kar, Otgontsetseg A. "The Role of Herder Communities and Non-Government Organizations in Shaping the Governance of Two Protected Areas in Mongolia," a paper presented at the Mobile Peoples Workshop, Governance Stream, World Parks Congress, 2003, Durban.

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Government institutions fall short when evaluated according to the “good governance” principles of accountability, transparency, efficiency, rule of law and participation. Local governments, which are mandated to oversee the use of grazing lands, lack management and governance skills. The same goes for local park administrations in relation to Protected Area Management. However, due to the relatively small population size and a large national territory, these government institutions have not behaved as large bureaucracies but have in fact been accessible to citizens.



Mongolia’s livestock herders, notwithstanding the enormous challenges they face given the current socioeconomic changes, are not marginalized but rather highly esteemed as representatives of the country’s nomadic tradition. As a matter of fact, livestock herding is still a mainstay of the country’s economy.

According to Mongolia’s Law on Protected Areas, a National (Conservation) Park is divided into three zones, each with designated management and protection purposes and use limitations. The *Limited Use Zone* allows grazing, while the *Travel* and *Tourism Zones*, aside from allowing grazing, permit local people access to secondary natural resources, medicinal and food plants. This non-exclusionary use of National Parks reflects the importance accorded by the State to ensuring access by herders to resources on which their livelihood depends.

In the Mongolian context, management by local communities of natural resources and protected areas is the preferred option, not least because the resources of central government for park management are scarce and park administrations lack experience, skills and logistics support. The non-equilibrium drylands ecosystem of the Gobi for instance can sustainably be managed only by local institutions.

The procedure for establishing Protected Areas (PAs) in Mongolia starts with proposals by local citizens to their *Khural* (local parliament) which may forward such to the Ministry of Nature and Environment, from where the proposal may be put to the national parliament for final decision.

## **Evolution of the Gobi Gurban Saikhan National Park Governance**

In 1993, the Ministry of Nature and Environment (MNE) of Mongolia received proposals from two district governments and from the World Wildlife Fund (WWF) to put certain areas of the “Three Beauties of the Gobi” under protection as a National Park. MNE had requested WWF to support the development of a network of PAs. Prior to 1993, certain sites in the area

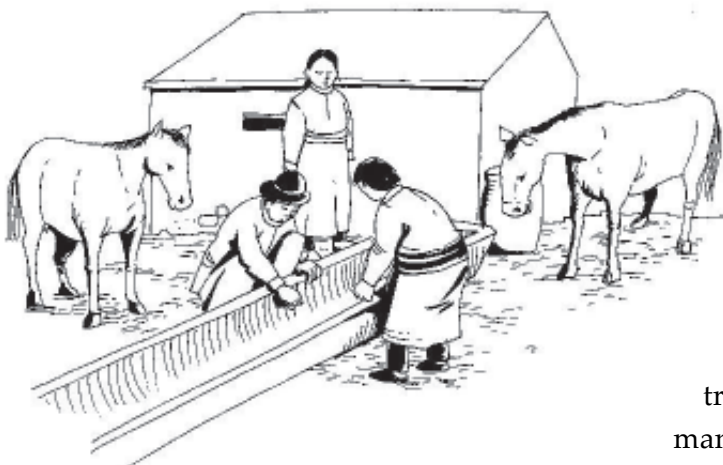
were already under protection and were being administered by the South Gobi Protected Areas Administration.

At this point, there was very little consultation with, let alone active participation from the local herder communities about managing the protected area. The park administration had full control of the area and enforced all regulations. These regulations were unknown to the resource users as they had had no active role in their formulation.

## Community Organization as the Driving Force to Improve Governance

In the years following the establishment of the park, which coincided with Mongolia's transition to democracy, local communities observed a lack of coordination of natural resource use, social services, and information. Participatory analysis of institutions found that local people had a low opinion of the relevance of government institutions.

Since 1998, local communities of the Gobi Gurvan Saikhan National Park (GGSNP) have been organizing themselves to develop sustainable livelihoods and to protect natural resources. Their emerging organizations, *nukhurluls*, are customary institutions adapted to socioeconomic and political changes and are becoming a driving force not only for local conservation initiatives, but for social change and better governance as well.



By forming *nukhurluls*, communities combine the benefits of tradition and contemporary practice and knowledge. While young people, particularly younger women, lead the community initiatives, the elders provide support and share their wisdom and knowledge, which are rooted in traditional community life and resource management.

### THE SOCIAL ACTORS IN THE PARKS INCLUDE:

- Local communities of livestock herders;
- Local communities of citizens of rural center;
- Bufferzone Councils: representatives of the district citizens *Khural* (parliament), PA administration, local community and NGOs;
- Local, national and international enterprises in the tourism, mining and pharmaceutical sectors;
- *Sum* (district) and *Aimag* (province) Governments;
- Park Administration of Ministry of Nature and Environment;
- Ministry of Enlightenment;
- Local and national NGOs;
- National and international scientific community;
- Mongolian border guards.



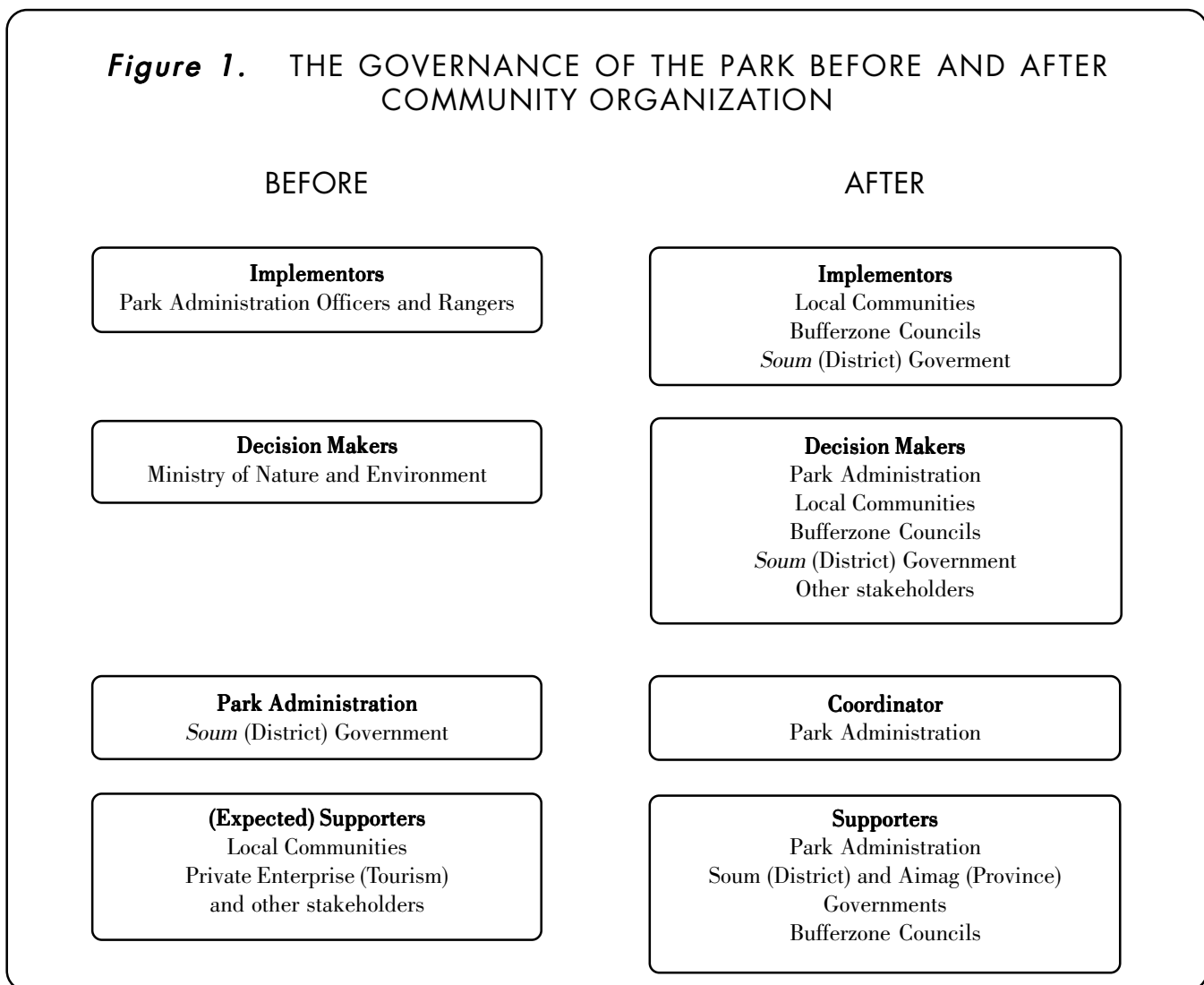
Today, certain areas of GGSNP are being managed by local herder communities, and local people are leading the development of resource conservation and sustainable use practices.

The sheer size of the park area, the few resources for monitoring and law enforcement available to the park administration, and the prominent role of herding in Mongolian society and culture have all created a favorable environment for the emergence of herder organizations and their acceptance as partners in governance and as local resource management institutions by government authorities. Local peoples’ participation in the governance of the park now seems an obvious strategy for all actors.

## Evolving Local Governance Models

The processes triggered by this experiment have turned the formal governance structure of the park around. While the National Park is formally a “Government-Managed Protected

**Figure 1.** THE GOVERNANCE OF THE PARK BEFORE AND AFTER COMMUNITY ORGANIZATION



Area”, the real governance structure of the parks is being shaped by social actors in the respective areas (Figure 1).

The Park Administration, which is given charge of the governance of the park, is coordinating the collaborative management of the park. All stakeholders and the local peoples are encouraged to take initiatives in nature conservation, community development and sustainable livelihood options in the buffer zone surrounding the park.

Bufferzone Councils have been established in each *sum* (district). Bufferzone Councils are established in order to ensure “broad community participation in appropriate Buffer Zone development, correct use and protection and restoration of natural resources.”

Bufferzone Councils are becoming important local institutions in the development of the park communities and in promoting cooperation between park administrations and the local government. Bufferzone Funds are providing better access to micro-credits and group credits, a crucial factor in developing sustainable livelihoods for households in rural Mongolia.

Tourism enterprises are taking an active role in the discussions on the use and management of the park. They are also helping to fund programs for protection and visitor management and are cooperating with local communities for the utilization of more local products and services.

Community organizations are benefiting from improved resource management and value addition to their products. They are initiating and implementing activities to prevent degradation of grazing lands, and to protect watersheds, wildlife, medicinal plants, native trees and bushes, historic values and sacred sites. Aside from improvements to their livelihood and the management of their natural resource base, social development — through community organization — is manifested in better access to services and information, and in cooperation with government and non-government organizations.

## EXPERIENTIAL LEARNING OF THE PRINCIPLES OF GOOD GOVERNANCE

In the Gobi, community leaders have identified what makes community organizations strong and effective. The identified success factors clearly reflect principles of good governance:

- Openness and freedom to express one’s thoughts;
- Clearly explained objectives;
- Equal rights among members;
- Joint decision-making, especially in money matters;
- Transparency;
- Effective monitoring and evaluation;
- Existence of penalties and incentives system;
- Close cooperation with *sum* (district) and *aimag* (provincial) government officers;
- Proper documentation of opinions in the work plan;
- Localized training so everybody can participate;
- Self-reliance and initiatives; and
- Inclusion of the poorest households.



## Lessons Learned

The role of community organizations as catalysts for better governance cannot be overemphasized. Drawing lessons from local experiences is vital to developing appropriate models of governance based on community-led conservation and collaborative management initiatives.

- Community organization has promoted better governance through experiential learning.
- Strengthened and empowered community organizations can exert pressure on government institutions.

### INNOVATIONS IN GOVERNANCE AND CAPACITY DEVELOPMENT OF THE IREEDUI

The *Ireedui* community group in Bayandalai Soum (District) has an impressive record of public awareness, nature conservation and social activities, and as a partner in the collaborative management of the Gobi Gurvan Saikhan National Park. Community initiatives that attest to the efficacy of their efforts include:

- establishment by local women of a mobile community center to serve the needs of herding households living far from the rural administrative center;
- development and agreement among member households on the norms for grazing management and on the use of local technology dungstoves in place of burning bushes as firewood;
- restoration of resources and initiatives to develop sustainable grasslands management, prompting the local government to grant (natural resource use) tax exemptions, and the park administration to support their efforts;
- drawing of a contract with the Park Administration and local district government that transfers land and resource rights to the group for 15 years. The contracted land extends across all management zones of the park, including the strictest protected special zone; and
- successful installation of a learning site for communities and government institutions to share best practice in organizational development, cooperation and local governance. (For instance, the Southgobi *aimag* governor sent all *sum* governors to *Ireedui* to learn from the herder community's experience.)



- The community organizations with the poorest socioeconomic profiles tended to make the greatest effort for natural resource restoration and conservation. Survival amidst adverse socioeconomic changes has pushed them to develop a strong organization, founded on cooperative efforts.
- Women have proven to be effective as leaders and facilitators of the organization.
- The need of nomadic herders to formulate a sustainable pasture management system and strategies for collective management and mobility has triggered the development of important processes – the improvement of governance and development of appropriate local governance models.
- The ongoing processes among civil society and government institutions make the parks important learning sites in a country that is developing a new institutional and legal framework for natural resource management. Governance models based on collaborative and community-led natural resource management are relevant not only in the Protected Area

context. They may also contribute to the sustainable management of the grasslands utilized by Mongolia's herders.

## Developing an Enabling Legal Framework for Better Governance

Policy and law makers have recognized the significance of the lessons learned and have formulated proposals for changes and amendments to legislation on Protected Areas, Natural Resources Management and Land Use in Mongolia that are due to be discussed by the *Ikh Khural* (national parliament).

The recommendations intend to provide a legal basis for the transfer of resource rights and responsibilities to local communities, for a greater role for community-appointed rangers, for more equitable benefit sharing and for the management of State and Local Protected Areas by local communities, NGOs or economic entities.

### THE CASE OF ALTAI TAVAN BOGAD NATIONAL PARK

After Community Leaders involved in community organizing and negotiations with the Gobi Park Administration shared their experiences with Kazakh herder communities in Altai Tavan Bogad National Park, new processes began in this Protected Area:

- dialogue among stakeholders and co-management agreements;
- community organizing and negotiation for resource use by local communities;
- emergence of Womens' NGO as process facilitator;
- empowerment of rural women; and
- formal cooperation agreement between the Womens' NGO and the Park Administration.

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# Impact of Customary Law on Land Rights and Natural Resource Management Practices



Prior to colonization, the Northern Kankana-ey, an indigenous people of the Cordillera Region in Northern Philippines, led a tight and intricate sociocultural life that was largely influenced by the people's rice-growing activities on the slopes of the Mountain Province. Spanish colonization had only a slight impact on this indigenous group. In contrast, the American Colonial Era (1900-1950s) in the Philippines, which was characterized by intensive exploitation of natural resources, caused a turnaround in Kankana-ey practices: from multifaceted village farming (home-gardens for medicinal herbs, small vegetable patches for home and small-market consumption, swidden farms) to commercial-scale vegetable farming, which the colonial and the subsequent post-independence governments, deemed most suitable and profitable for the site. The Kankana-ey people's encounter with the

## Source

Dr. R. Reyes-Boquiren, 1995. *"Natural Resource Management Practices and Property Rights: Interactions Between Custom Law and State Law"*; Marco, J. and Nuñez, E., Eds. *Participatory and Community-Based Approaches in Upland Development: A Decade of Experience and a Look at the Future*, 3<sup>rd</sup> National Conference on Research in the Uplands. De La Salle University Press, Manila, Philippines

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cash economy would have grave implications for this indigenous people's social fiber and their management of the ecosystem.

## **Basis of Property Rights and Resource Management Practices**

### ***Basis in Customary Law***

Customary law recognizes three types of land rights under two property regimes, as follows:

- 1) Common property regime: communal land rights and indigenous corporate group (the family, clan or ward) land rights; and
- 2) Individual property regime with individual land rights.

*Communal land rights* refer to rights that are equally enjoyed by all citizens of a community to resources within their defined territory which have not been claimed by any individuals or indigenous corporate groups. Citizens, in turn, are those who were naturally born in, have married into, or are otherwise permanent residents of the community. The resources over which citizens have equal rights include the forest, where no permanent improvements have been made, that is, the forest ground which can be cleared for cultivation or used as grasslands for grazing animals; and the products found therein: lumber, fuel wood, fruits, honey and the like.

*Indigenous corporate group land rights* refer to rights of a descendant group, family or group of families constituting a section of the settlement, such as a ward. Continuous occupation eventually legitimizes and transforms usufruct rights over a cleared swidden farm into ownership claims which are handed down from generation to generation. Such land is held in common by members of the group, and the benefits are shared by them.

*Individual land rights* include rights to residential lots, irrigated rice fields, and permanent swidden fields. These are transferred by inheritance or sale.

### **Basis in State Law**

In contrast to customary practices, State law assumes the supremacy of the Regalian Doctrine, a colonial State law which declared all natural resources as State property. While it theoretic-



cally recognized prior vested rights, as in the case of the Kankana-ey, the Regalian Doctrine nevertheless prevented the exercise of such rights over the forests.

The colonial governments under Spain and the United States differed in their enforcement of the Regalian Doctrine. The Spanish colonial government recognized indigenous people's rights to land in several ways: (1) by not allowing *natives* to be removed from one settlement to another; (2) by ensuring that the grant of farms and lands to Spaniards would not injure the *natives*; and (3) by accepting long and continuous possession as proof of ownership in lieu of title deeds.

In contrast, the colonial government under the United States not only strengthened the position of State law vis-à-vis customary law regarding land use, access and control, but also laid down the political, cultural, economic and social infrastructure to facilitate resource exploitation. From 1900 to 1946, for instance, the Cordillera witnessed an unprecedented scale and intensity of resource extraction by the mining and commercial logging industries.

The policy on land registration was later drawn up to regulate ownership and utilization practices. However, it failed to address the need to recognize the vested rights of the indigenous population, on one hand, and to ensure social justice, on the other, as private business corporations and enterprising individuals (among them American prospectors, soldiers and officials) began laying claims to mining areas and forests in the Cordillera.

From 1946 to the 1990s, the Constitution of the Philippine Republic has upheld the principle of the Regalian Doctrine by declaring all lands of the public domain — excluding agricultural land — as State-owned, and therefore inalienable.

In addition, certain laws have aided the opening up of forests and the conversion of portions of the same into agricultural land.

The Forest Reform Code (1974) retained the exclusion from alienation and disposition of all lands of the public domain with an 18 per cent slope or greater. Presidential Decree 1559 (1978) was more definitive: *kaingeros* (shifting cultivators), squatters, cultural minorities and other occupants of public forests shall be ejected. The Cordillera Organic Act prohibited the

## INDIGENOUS PEOPLE'S RIGHTS ACT: A LANDMARK LAW

The 1997 Indigenous Peoples' Rights Act (IPRA) establishes procedures for the recognition of individual and communal ownership of "ancestral domains" and "ancestral lands". Among the salient features of the IPRA are:

- Recognition of the principle of indigenous peoples' ownership and control of their territories;
- Acceptance of the exercise of customary law in the adjudication of disputes and for community decisions regarding resource management and land allocations;
- Establishment of the principle of "free and informed consent" before lands can be alienated or transferred;
- Provision for bureaucratic obstacles in the way of third parties wishing to exploit indigenous lands;
- Insistence on full participation of indigenous peoples in the establishment of protected areas and watershed management regimes on their lands.

alienation and disposition of lands of the public domain for the benefit of nonmembers of indigenous communities.

## **Interaction of Customary and State Law: Impact on Ecosystem Sustainability**

### EVOLUTION OF LAND RIGHTS BASED ON CUSTOMARY LAW OF THE KANKANA-EY

- The first phase in land access for use is to locate and settle in or use an open access area (viz., area not yet claimed by anyone).
- By clearing the land and improving it in the course of use, prior usufruct rights are established. On communal land, such rights revert to the community when not maintained or utilized by the one who has use rights.
- Possession rights and eventually private ownership rights are achieved over cleared and/or transformed land through continuous use over a long period. Residential land, rice fields and established swidden farms are considered privately owned by individuals, and are handed down equally to offspring or close kin (where there are no children) as such. All other types of land (according to use) are maintained as communal land.
- Offspring who decide to marry or reside elsewhere retain their inherited land. This holds true until the fourth oldest remembered generation. Henceforth, parents decide whether to give a share of the land to offspring who marry or relocate to another village, or the offspring may decide to give up his/her inheritance, in favor of other siblings/offspring.
- Acquisition of land happens through purchase, mortgage, or by clearing vacant land.
- Land is alienated from the family or clan by selling or mortgage to non-relatives. Alienation of land from the family through either selling or mortgage was increasingly resorted to since the 1950s. The common reasons for selling or mortgaging land include: expenses for burial, education, distance of the cropping area from the settlement, out-migration by the owner.
- Communities had dynamically evolved their own natural resource management systems and rights for land access, use and control, according to land availability, relative to population size and intensiveness of utilization.
- Only among permanent cropping settlements are concepts of boundaries and territory long established, as a result of resource competition with neighboring villages primarily over forest land, forest products, and water sources. Such concepts of territory and boundaries evolved as elements of custom law. In comparison, the concept of boundary is established in accordance with State law in open access areas.

Customary and State law have converged in two areas: the protection of common resources, *i.e.*, forests and watershed, for the greater good; and the recognition of private individual and corporate ownership rights to land. Generally, however, the interactions between the two systems have not proved to be complementary from the perspective of ecosystem sustainability.



The following trends appear to substantiate this observation:

- The opening up of land for vegetable farming presaged the gradual shift from subsistence production to production for the market. Road construction since the 1930s has been accompanied by the massive clearing of trees. At about the same time, two big logging firms started commercial operations. Massive *kaingin* was encouraged by the continuing spread of commercial vegetable farming.
- The conversion of subsistence-based land use systems into commercial vegetable production systems has undermined the local subsistence economy. High-input, import-dependent and intensive cropping has replaced subsistence farming, while uninformed land use conversion practices have resulted in massive soil erosion, forest fires, land use conflicts, and decline of the indigenous system.
- Commercial vegetable gardening has completely transformed the landscape into a “cabbage and potato patch”, and led to the gradual degradation of the watershed. The clearing of more and more forest cover for vegetable-planting purposes has also caused the lowering of the water level, soil erosion and flooding. Changes have also been observed in the climate and temperature.

On the other hand, customary law itself has not adequately protected the integrity of the ecosystem. Several factors and trends explain how forest resources had been depleted notwithstanding the existence of customary and State laws meant for their protection.

- ☛ Trees are being cut not just for domestic use, but also for commercial purposes. Officials and residents have been lenient, and political will has proved to be weak. Customary law has not been effectively enforced by traditional leaders.
- ☛ Both community residents and nonresidents are cutting trees for various reasons and without proper guidance in forest utilization.
- ☛ The communities are not replanting trees often or quickly enough. Forest fires are taking place more from carelessness rather than from an intentional or willful act.

## Impact of Agricultural Commercialization

The shift to agricultural production under government sponsorship and foreign assistance has led to greater productivity, but has had the following social impact:

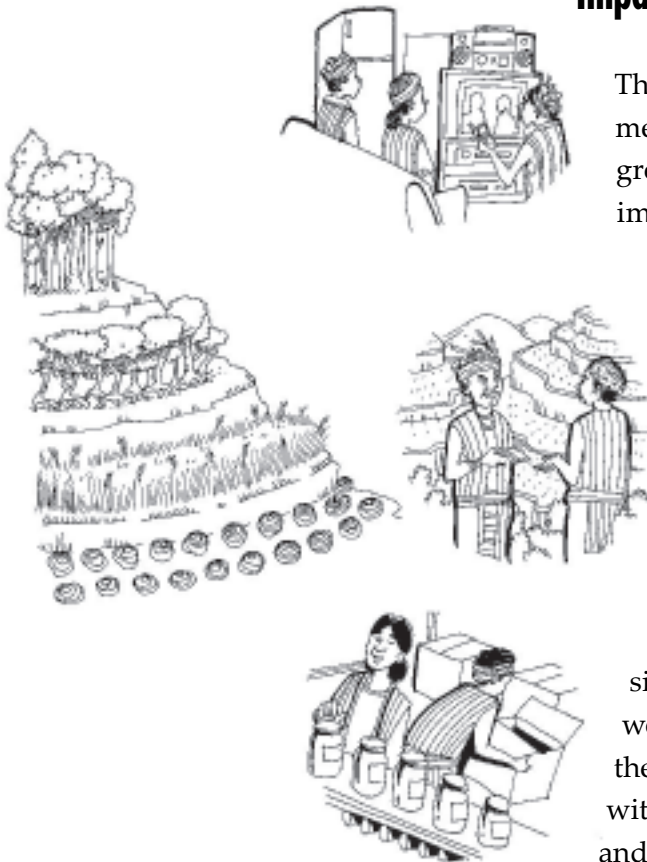
### *Changes in Lifestyle*

Agricultural modernization has resulted in marked changes in housing and living conditions, mobility, and trading. Until the mid-1970s, most Kanakana-ey households obtained their basic needs from what was naturally provided by the local ecosystem: rice, fruits, local materials for housing, and even the setting for simple community gatherings. Only a few items were bought outside (*e.g.*, sugar, coffee, salt). Since the 1970s, however, and particularly in the 1990s, with cash readily to hand, canned food, bottled drinks and liquor, concrete and galvanized iron sheets for

housing materials; and appliances such as radio and television sets, video players, and refrigerators became part of everyday life among the people.

Consequently, lifestyles also began to change rapidly. Community aspirations were gradually replaced by mainstream choices, such as education in urban centers, among others.

Mainstream political structures began to ease out traditional indigenous institutions for community decision-making. The council of elders, with their consensus-seeking methods for deciding matters affecting the whole community, was subsumed under the formal structures and procedures of the colonial and the post-colonial State.





Other important village institutions with defined functions were soon relegated to performing ceremonial functions and the settlement of local disputes.

Eventually, the rituals became infrequent; and the circles for social interaction were eventually lost due to the migration of the employable village members to more urbanized places.

### ***Effects on Community Solidarity***

Community concerns, such as the maintenance of irrigation systems, which used to be addressed communally or collectively have become projects to be managed by organizations or the village council. The nature and requirements of intensive cultivation have introduced the concept of paid labor and wage relations, and changed cooperative interactions among community members irrevocably. Thus, the spontaneity of community labor for the common good has been lost.

## **A Return to the Traditional in the Resolution of Present-Day Issues**

Despite the changes that have taken place in the last 90 years on the ecosystem and culture of the Northern Kankana-ey villages of the Cordillera Region, the very essence of their indigenous way of life has not been completely lost.

The integration of community village elders into today's mainstream political units as holders of knowledge and source of authority is an indication that the country has learned, albeit slowly, the value of indigenous cultures and knowledge systems in coming up with ways to manage resources sustainably. Whether or not these trends eventually lead to a reconsolidation of the northern Kankana-ey communities would have to be decided by the Kankana-eyes themselves.

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# Restoring Traditional CBNRM in Sub-Saharan Africa



**P**re-colonial Africa was characterized by creative and varied ways in which communities managed natural resources under a variety of tenure arrangements (*i.e.*, private, common property, communal). Africa's colonization by Europe changed all that when the people's rights to the land and resources were taken away from them. The local communities felt alienated from their former practices, while the colonial administration proved unable to manage the resources at all levels. The result was a weakening of the resource base. Post-Colonial Africa and subsequent development approaches did not improve the situation.

Murphree (1996) identifies four phases in the evolution of natural resource management in Africa, as follows: conservation *against* the people; conservation *for* the people; conservation *with* the people; and conservation *by* the people. The first three are, in fact, historical phases,

## Source

Dr. James C. Murombedzi. "The Evolving Context of Community-Based Natural Resource Management in Sub-Saharan Africa in Historical Perspective."

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while the last, conservation by the people, is viewed as the broadly desirable objective of current policy initiatives in sub-Saharan Africa. (See Table 1. *Development Approaches in Sub-Saharan Africa*)

**Table 1. DEVELOPMENT APPROACHES IN SUB-SAHARAN AFRICA**

Period	Attributes	Outcomes
1950s Modernization	Industrialization is key to economic growth  Indiscriminate use of natural resources in the name of development	Strengthening of centralized and bureaucratic State with a disregard for local concerns
1970s Agricultural/Rural Development	Focus on agricultural development and integrated rural development programs with large-scale international loans for capital	Centralized State empowered through credit; direct government action and centralized planning
1980s Structural Adjustment	Large national debt, weak and poor governments, weaker and poorer societies, unemployment, poverty, market-driven economy	Stagnation, devolution and democracy

## Key Issues in CBNRM in Sub-Saharan Africa

While programs of community participation in natural resource management are still evolving in Africa, attempts are continuously being made to characterize, categorize and define the commonalities among these programs. Meanwhile, a wide range of issues have come to the fore.

### **Tenure Reforms and NRM**

In the post-independence period, virtually every country in Sub-Saharan Africa attempted to reform its indigenous land tenure systems. This was done on the assumption that indigenous tenure systems were outmoded. Bruce (1998) observed that land reforms attempt to redistribute *rights to land*, and not the land itself. Since land tenure comprises a bundle of rights, tenure reform consists of removing some of those rights from the bundle and awarding them to others, and adjusting the relative powers and responsibilities among the State, communities, and individuals. (See Table 2. *Levels of Control Over Resource Use*)

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*The broad African picture remains one of struggle by rural peoples to find acceptable livelihoods on a deteriorating resource base without the rights they need to unleash their abilities to sustainably use the resources of the micro-environment in which they live.*

— Murphree, 1996

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**Table 2.** LEVELS OF CONTROL OVER RESOURCE USE

Level of Control	Attributes	Control Processes	Outcome
State control	<ul style="list-style-type: none"> <li>• Centralizing policies/legislation</li> <li>• State Resource Management Agencies</li> <li>• Centralized decision-making</li> </ul>	<ul style="list-style-type: none"> <li>• State policing/enforcement</li> <li>• Budgetary Provisions (usually inadequate) for resource management</li> </ul>	<ul style="list-style-type: none"> <li>• High-intensity “State vs. local” conflict</li> <li>• Unregulated/illegal resource use (poaching)</li> <li>• State and stratified citizen benefits</li> <li>• Pressures for devolution</li> </ul>
State control with community ‘involvement’	<ul style="list-style-type: none"> <li>• State Resource Management Agencies</li> <li>• Some devolution of resource rights to State defined “Local Level” (usually Local Government)</li> <li>• Limited landowner participation in decision-making</li> <li>• Limited rights devolved to landowners</li> <li>• Disaggregation of land and resource tenure</li> </ul>	<ul style="list-style-type: none"> <li>• Joint State/local policing/enforcement</li> <li>• Local and State budgetary provisions (usually inadequate)</li> <li>• State definition of land use</li> </ul>	<ul style="list-style-type: none"> <li>• Low-intensity “State vs. local” conflict</li> <li>• Reduced unregulated/illegal resource use</li> <li>• State-local benefit sharing</li> <li>• Impetus for more devolution</li> </ul>
Landowner control	<ul style="list-style-type: none"> <li>• Most robust in private/leasehold tenure systems</li> <li>• Comprehensive and landowner rights</li> <li>• Locally determined and competitive resource use</li> <li>• Local landowner resource management capacity</li> <li>• Aggregation of land and resource tenure</li> </ul>	<ul style="list-style-type: none"> <li>• Self-policing</li> <li>• State and other assistance with enforcement</li> <li>• Production of locally relevant benefits</li> <li>• Local landowner definition of land use</li> </ul>	<ul style="list-style-type: none"> <li>• Intra-community conflict</li> <li>• Local institutional development to regulate conflict</li> <li>• Direct local resource management</li> <li>• Adaptive resource management</li> <li>• Local innovation</li> </ul>

Efforts to introduce reforms have often produced disappointing results. This failure has shifted attention to models that attempt to build on indigenous tenure systems, and the need to create a supportive legal and institutional environment. This includes the explicit recognition of indigenous tenure rules, legal protection of land under indigenous tenure, and provision for conflict resolution mechanisms. This *adaptation* paradigm, which allows different levels of community participation in the management of specific resources, has influenced recent land tenure reforms in sub-Saharan Africa. It has also initiated the process of devolving specific rights to resources and resource use.

In general, however, African governments have continued to mistrust communities with natural resources, and legislative reforms have tended to limit the extent to which communities themselves actually control and manage their resources.

### ***Local Institutional Development vs Traditional Authority***

The history of Africa has shown how successive colonial and post-colonial governments attempted and succeeded in destroying local-level resource institutions. This problem is recognized in most attempts to (re)institute community-based resource management. As a result, local institutional development has become an integral part of most CBNRM models and initiatives in Africa. However, such efforts have tended to focus on creating new and formal institutions, and to ignore the remnants of traditional resource management institu-

tions, to the detriment of CBNRM initiatives. On the other hand, the nonrecognition of government-appointed officials by the community meant that traditional leaders have retained their authority over land and natural resources.

*An important lesson from these tenure reform initiatives is that it is difficult to create new institutions ex nihilo (from nothing). Rather, institutional innovation has to rely on traditional systems and hierarchy.*



### ***Translating Rights into Reality***

It is not sufficient for the State to create an enabling policy and legislative environment (through the devolution and protection of communities' rights to resources) to encourage communities to manage their resources. Rights only become real when they translate into programs designed to enforce the enabling laws. Another issue is that the passing of new resource rights results in a complex interplay of formal and informal institutions in the context of the social reality of the affected communities. Active agents will have to press their claims and struggle to make their rights a reality.

## **Towards Conservation by the People**

Given these conditions, conservation efforts need to move beyond the current stage, where people are involved in conservation, to the point where communities become the primary managers of resources to which they have strong and inalienable rights.

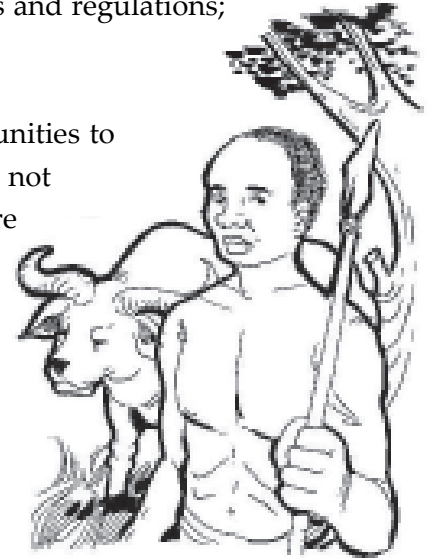
To do this, however, several conditions have to be met:

1. Communities should have clear and unambiguous rights to land and resources;



*The embeddedness of traditional leadership in the social and cultural life of rural communities provide incentive for the participation of local communities in the task of resource management.*

2. The government must provide policy guidance and assistance and enforce locally agreed rules and regulations;
- and
3. The private sector must assist communities to develop marketing skills, and should not impose modes of resource use that are not in line with the communities' overall production and consumption strategies. This can be complemented with research to develop ecologically, economically and politically appropriate and socially acceptable modes of resource use.



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# From State to Household Forestry: *Forest Policy Reform in Vietnam*



**U**ntil the early 1990s the management, exploitation, processing, and distribution of Vietnam's forest resources were controlled exclusively by the State. From the 1950s to the 1960s, the government nationalized large tracts of land in the midland and upland regions of Northern Vietnam. Land with a slope above 25 degrees was designated for forestry purposes and put under the management of State Forestry Enterprises (SFEs). Local people were barred from using forest resources. By the early 1990s, there were 412 SFEs. Close to 350 smaller SFEs, which usually managed a few hundred hectares, were placed under the authority of provincial and district governments.

However, State forestry proved to be a disaster for Vietnam's forest resources. By the late 1980s such resources had rapidly declined. Between 1973 and 1985, the country's forest cover was cut at the rate of 300,000 hectares, or three per cent, per year.

## Source

Thomas Sikor, "Forest Policy Reform in Vietnam: From State to Household Forestry," pp. 18-37 in: Mark Poffenberger (ed.), *Stewards of Vietnam's Upland Forests*, Asia Forest Network, Berkeley, 1998.

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## Problems under State Forestry

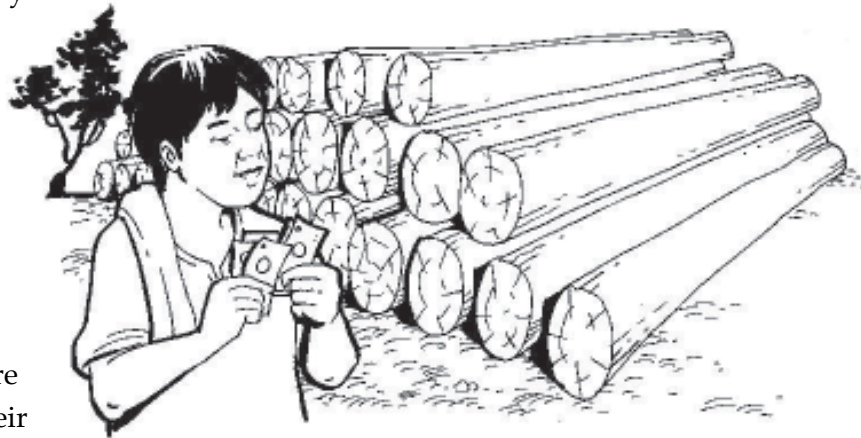
Forestry management by the State proved to be unsuitable due to the following reasons:

➤ *Unresolved conflicts between local people and State forest enterprises over control of the forest*

Because State forestry did not accommodate local subsistence needs and livelihoods, it was impossible to get the cooperation of the local people in forest administration.

➤ *Mounting external demand for forest resources and land*

The demands of a rapidly developing Vietnam exerted strong pressure on SFEs to optimize timber productivity rather than managing forest resources for future production (MOF 1991a). As the SFEs were largely autonomous, their day-to-day operations often exceeded the approved harvesting levels.



➤ *Inadequate investment funds and innovation*

The central government preferentially allocated capital to industry and infrastructure projects. Barely three per cent of investment outlays went to forestry. The capacity of the forest sector to generate funds also proved limited. For instance, in the period 1986-1990 the forest use charges collected amounted to only 20 per cent of the estimated total investment in the forestry sector. The capital shortage therefore restricted afforestation efforts and forest management. Similarly, highly centralized research and training severely limited the capacity of the forestry sector to react to changing circumstances and to adapt technical recommendations to heterogeneous local conditions.

➤ *Conflicting interests between local and central levels of the forest administration*

The sharing of responsibility and power among the different levels of the forest administration reinforced tendencies to overcut and otherwise use the forest unsustainably. Authority over production planning, forest protection and silvicultural management was divided among different levels of administration in a way that obstructed the enforcement of planning targets and protection regulations by the central office. The sale of wood products also proved too lucrative for local authorities and SFE managers to resist.

## Household Forestry

The Tropical Forestry Action Plan, the Forest Resources Protection and Development Act, and the First National Forestry Policy signaled a radical break with State forestry in 1991. The new policy designated households to replace SFEs as basic management units for forest and forest land.



### FORESTRY MANAGEMENT UNDER THE STATE

- About 22 million people lived on or close to forestland in 1986, of which only one million were employed, on a temporary basis. It therefore forced the rest to find alternative sources of subsistence and income.
- The small number of forest personnel did not help the enforcement of boundaries. There were 7.4 hectares of forest and 17 hectares of forest land per forest worker and 46 hectares of forest per permanent worker. In effect, agriculture continued to expand into such forest land. Fuelwood became a free commodity, whose use was constrained more by the costs of collection and transportation, than by State regulations.

### Major Policy Reforms

Since 1993, the new Land Law and accompanying implementing laws have provided for the transfer of forest land to households under long-term land use rights. State authority over forest resources is now limited to specifying land use categories and the right to recover land under narrowly defined circumstances.

Land allocation takes two forms, depending on the condition of the forest land. Barren land and land with planted forest are to be transferred to rural households (MOF, 1993) for their management and protection, while the remaining natural forests are expected to stay under the authority of SFEs or State entities, which contract former employees and farmers living in surrounding villages for their management and protection (MOF, 1993). Households receive a regular salary from the State unit for the management of the forest.

Current reforms are likewise redefining State control over forest land. Forest land has been classified

as land for production, protection, and special purposes, such as nature or wildlife preservation (MOF, 1991), with their corresponding management and use regulations.

The changing role of the State has also led to attempts to reform the SFEs. The Ministry of Forestry envisions four different kinds of SFEs to complement household-based forest operations in the future (Nguyen, 1993):

1. Forest service enterprises would support afforestation, management, and protection activities undertaken by households, but would also extend into other rural support services (agricultural extension, etc.);



2. Forest exploitation and processing enterprises would purchase, process and market the processed product;
3. Forest industry groups would explore and open up new marketing possibilities; and
4. Environmental protection enterprises would be responsible for the management of national parks and watershed reserves.

While the first three types of enterprises are intended to become financially independent, the last will mainly be financed through the State budget.

As a further step to increasing the autonomy of the SFEs, the government has transferred authority over most of the centrally managed enterprises from the central to provincial and district levels. The government has also created various organizations to provide specialized services in forestry and rural development to households to complement the reformed SFEs. Funding is now being given out on a per project basis rather than as periodic budgetary allocations.

## Initial Outcome of Policy Implementation

The drastic change in policy from State to household forestry has yet to be fully implemented by the Vietnamese government. Land allocation, State enterprise reform, and the development of new support organizations will continue in the coming years. Yet, the implementation of the new policy in some areas has produced first experiences.

- Land allocation has failed to produce the rapid improvements in the productivity of land use achieved in agriculture (Nguyen, 1993). The land allocation process itself has progressed at a slow pace. Rural households and organizations that had received forest land before 1990 have used only 29 per cent of it for productive purposes. By the end of 1992, less than one per cent of all forest land allocations had been recorded in formal land use rights certificates (Vu, Nguyen, and Warfinge, 1993);

Households or individuals receiving land are given the right to exchange, transfer, lease, mortgage, and pass on the land for inheritance. They usually receive use rights for a period of 50 years. By August 1992, about 800,000 households had obtained land use rights for parcels of forest land.



### **The Viet Nam**

**Agricultural Bank (VAB)** has provided households with credit for agricultural and forestry production since 1991. In 1994, the VAB extended loans to between two to three million households. Preferential interest rates were granted for investments in mountainous areas and into afforestation.

- Forest protection efforts, which are the responsibility of the upgraded Forest Protection Departments, have achieved mixed success;
  - Credit to households for forestry through the Viet Nam Agricultural Bank has been limited;
  - The new project-based funding has received much criticism for its limited success to meet the goals envisioned by the original policy;
  - Conflicts between local people and State enterprises over the control of forest resources and land and over local innovations in forest management may be reduced; and
- The new policy quickly produced impressive reforestation results on household farms in regions that are relatively wealthy, have access to national wood markets, and are benefiting from national and international support programs.

## **Challenges to Household Forestry**

Discrepancies between the intended outcomes of the new policy and its actual effects have quickly become apparent. These discrepancies have also been attributed to the same forces that made State forestry unsustainable. But forest policy reform is changing the intensity and geographical distribution of the impact of these forces.

1. *The allocation of forest land to households is reducing conflicts between rural people and State enterprises in some areas, but increasing them in others.*

Allocation of land use rights increases people's control over forest land and facilitates more intensive and long-term use where government perception of appropriate land use matches people's interests in the use of forest land.

2. *Different local interests in the use of forest and forest land*

Individualizing forest management favors individual interests over those of the community in the exploitation of forest resources. Forest land allocation has also led to the concentration of forest land in the hands of those who command more resources and have access to political power and social networks. Forest land is becoming a base of capital accumulation for some better-off households, while increasingly excluding access by less well-off households.

### 3. External demands on the forest and forest land

Economic liberalization is inducing a significant increase in “spontaneous” migration to the centers of industry. This migration is in turn fuelling booms in construction and industry which put enormous pressure on forest areas that are more easily accessible from urban and industrial centers.

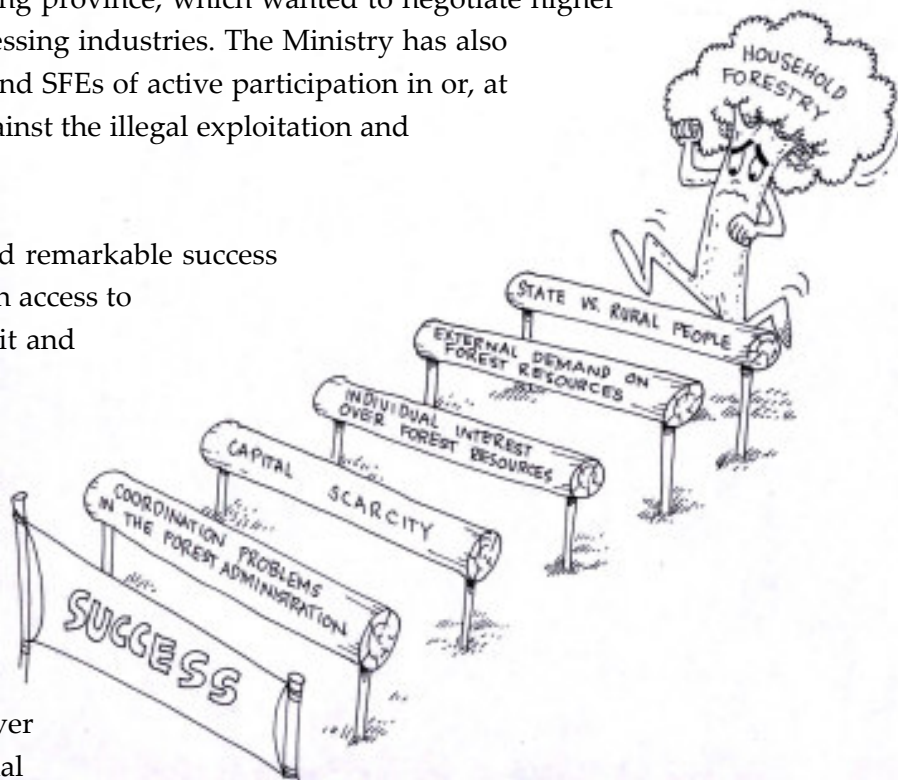
### 4. Capital scarcity

International loans and grants have substantially increased the capital available for forestry investment. Yet, few private investors would willingly forego the higher returns from urban/industrial and agricultural projects in favor of forestry investment. The prospects for forestry investment are even more limited in not-so well-off regions, as people do not produce the surplus necessary to invest in forestry. However, investments in tree plantations pay off in regions where the trees are grown as part of a highly commercialized agricultural crop system. The closure of VAB branches in remote regions is proof of their unattractiveness to investors.

### 5. Coordination problems between different levels of the forest administration

Increasing administrative power over the forest at the provincial level has at times led to provincial actions that do not match the objectives of the central government. An example of this is the strong opposition from the Ministry of Forestry to a logging ban imposed by the authorities of Tuyen Quang province, which wanted to negotiate higher prices from their wood processing industries. The Ministry has also implicated local authorities and SFEs of active participation in or, at least, neglect of measures against the illegal exploitation and trade in forest products.

Household forestry has produced remarkable success in relatively wealthy regions with access to national wood markets and credit and extension support programs. In other regions, however, the challenge is to use the opportunities opened up by the new policy to find solutions for forest management. Among such opportunities is the growing control by local people and local governments over forests, and the decline in external



demand on forest resources in remote regions, which is helping promote flexibility in forest management in accordance with local conditions. These opportunities can be the basis on which to tackle the continuing problems of forestry in remote regions: the conflicts between State agencies and local people over land use; conflicts between different local interests in forests; the lack of investment; and finding the appropriate roles for the different levels of forest administration. Supporting innovative capacities at the local level can facilitate an adaptive process of trial and error to find management solutions for sustainable forestry in Vietnam. Local forest management systems already practiced by ethnic minorities may point to sustainable management practices and regimes.



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# *Campesino* Communities and Land Use



**T**he bond between *campesino* communities and property is an old one. The concepts of property that are held by the *campesinos* today originated in a series of titling processes involving indigenous people's properties that started about 150 years ago and were built on older principles of land use and possession (cf. Glave, 1992; Diez, 1998).

The *campesinos* view the history of their land as a series of struggles and claims, and defense or recovery (it should be noted, not acquisition) of their "ancestral" land — a process that has been marked by conflict and lawsuits with haciendas, cooperatives, other communities and the State.

Most of the *campesinos* in the Peruvian Andes are grouped into communities. Majority of the decisions regarding production are taken within the family, but the communal organization regulates the general process.

## Source

Alejandro Diez Hurtado, "Interculturality and communities: Collective property and individual property", In: Debate Agrario No. 36, December 2003.

Alejandro Diez Hurtado, "Comunes y haciendas. Procesos de comunalización en la sierra de Piura." Cusco, CBC-Cipca, 1998.

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The community is generally the guarantor of each family's access to land. However, its capacity to influence the decisions of each family as well as to control access by the families varies according to the type of land.

The community plays a very important role in two "political" functions connected to property and access to resources: (i) it is the first level of authority in settling conflicts among its members; and (ii) it is responsible for defending the land, in whole or in part, against third parties.

The present *campesino* communities have a management committee with a president, secretary, treasurer and other officers, all of whom, according to the law, must be reelected every two years. There is also a communal assembly, which is the highest level of authority. All community members registered in the communal register can take part in the assembly.

With regard to ownership and usufruct (both for the settling of conflicts and in collective representation with the outside), other organizations and authorities often participate. Water users' committees, livestock farmers' committees, community farms, associations of landless *campesinos* and even rural self-defense groups may carry out some functions of regulation, control and defense, and must therefore be taken into account. In many communities, State authorities, especially lieutenant governors and *no letrado* justices of the peace (a non-professional, honorary, local official) are incorporated or included in these functions.

The very existence of the communities is a kind of "republican pact" between community members and the State. Communities of indigenous people were legally recognized by the State in the 1920 Constitution, a recognition later ratified in the 1933, 1979 and 1993 Constitutions. In all these charters, the Peruvian State granted indigenous communities the status of juridical persons and set itself up as guarantor of the ownership of their lands.



## Ownership vs. Usufruct

While the distinction between ownership and usufruct may be clear in abstract terms, the two concepts are blurred in practice. Both refer to certain degrees of availability and use of the land; the difference is that usufruct excludes the possibility of sale and transfer.

However, many community members still transfer their usufruct rights, under the guise of both "sale" and inheritance. Such transactions are always within the limits imposed by the

## DIFFERENT LAND TYPES

One central element in considering the issue of *campesino* property is the production practice that allocates some portions of land either for family use or collective use based on the production cycle. This practice is sanctioned by custom and is not only subject to norms, but is supported by a series of communal institutions which decide who can use each piece of land and when, in some cases stipulating penalties against offenders.



Collective and family rights of access and usufruct depend to a large extent on the specific form of production and use of each individual portion of communal land. Broadly speaking, four types of “production zone” with relative rights of ownership and appropriation can be distinguished in *campesino* societies:

- **Irrigated lands** are those where rights of exclusive access for individuals and families are more developed. The “owners” farm them as family undertakings and can transfer or inherit them without submitting to communal control. They are usually located in the lowlands and tend to be of better quality and more productive. Formal ownership of the land is maintained and some communal pressure may be exercised through control of the use of water or irrigation systems — which is usually effective in fostering communal participation in general.
- **Drylands** are those where production depends on climatic variations and the availability of water. They usually have marked slopes and are scattered about various sections of the communal land, possibly subject to a rotation system of irrigation under communal control. Depending on the geographical zone, the community can regulate turns for use of the land and sometimes also the crops that may be sown, and the dates to start sowing and harvesting, when the land is left free for collective use.
- **Rangelands** are generally “collectively” owned and are used for the extensive grazing of livestock. Greater communal control is exercised over these lands, through charging for grazing or rental rights and leasing out individual plots. Rangelands are usually found in high places and are the least productive of the lands. These lands are considered more “communal” in terms of ownership than others whose ownership is shared with the families. For the use of these lands, the community usually charges grazing rights according to how many heads of livestock each community member owns.
- **“Publicly used” lands** are those which may belong to any of the previous types of land and which correspond to land considered “communal” but is treated as private property for uses of collective interest. These lands may be worked directly by those holding position during their term in office, or may be rented out to some community members for them to farm.



collectives. (Most communities only allow intra-community transfer.) Thus, while community members recognize community ownership, viewing themselves as “holders” or “usufructuaries” of the land where they work, they nonetheless consider themselves “owners” of these lands.

The collective ownership of the *campesino* communities presumes a certain fiction of equality among their members. In practice, the lands allocated to families tend to be unequally distributed. Not everybody has equal access to lands with collective usufruct — generally rangelands — from which community members with more livestock benefit particularly.

However, those who do not have real access to the lands are nevertheless equal owners of the whole communal territory in law. This results in the disparity between “formal owners” (in principle all the community members) and usufructuaries (who consider themselves “owners”). This problem is exacerbated by two factors: (1) the lack of precision of the communal land registers, which are not kept up to date and moreover do not include all the community members who have “rights” over the communal territory; and (2) the emigration in recent decades, as a result of which a large section of the population is not resident in the communities but retains their “rights”.

The dynamics within communities hinges on a series of tensions that are inherent to them and springs from the distinction between the individual and collective spheres. All communities show signs of a permanent tension between the rights of families, the rights of the collective and the rights claimed by various factions and groups within them.

**Table 1.** FAMILY RIGHTS AND COMMUNAL CONTROL ACCORDING TO TYPE OF LAND

Type of Land	Family Rights	Communal control
Irrigated Land	Almost absolute	Indirect via control of use
Dryland	Limited by collectivity	Control of turns, types of crop, and dates of sowing and harvesting
Rangelands	No family appropriation	Charging of grazing dues, rental of ranges

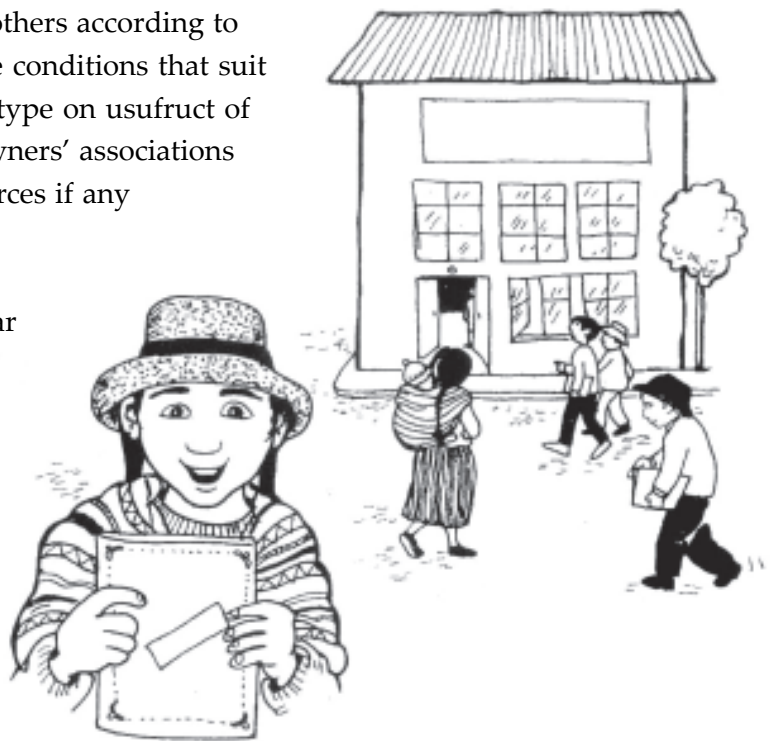
A. Diez

## Which land should be titled and why?

Irrigated lands should be individually titled. This approach would free family lands from possible communal pressure, guarantee security of ownership and facilitate transfer. Produ-

cers would be able to associate freely with others according to their interests, in the manner and under the conditions that suit them best. Some restrictions of a collective type on usufruct of the land could be retained in the form of owners' associations with functions of control of collective resources if any exist.

Although there may be no definition or clear policy on the matter, the process of communal titling should be accompanied by a proposal for a redefinition of the communities' functions, reinforcing their role as guarantors of family rights of usufruct over communal lands.



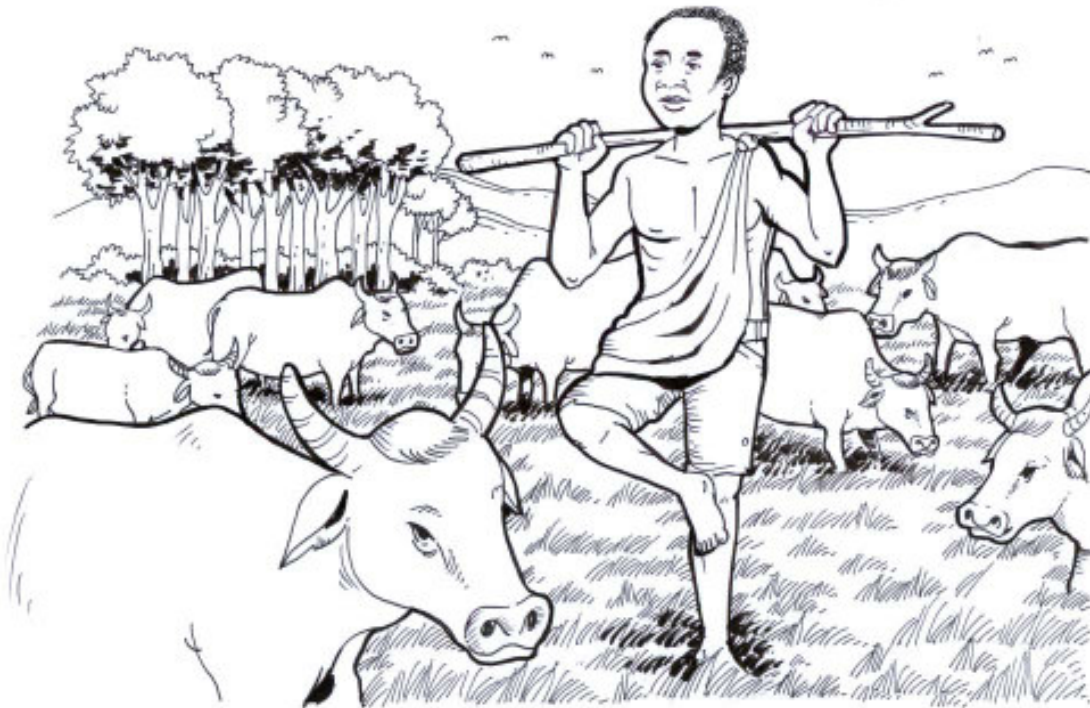
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# Collective Management of Rangelands under Different Tenure Systems



**R**angelands have been subject to a wide range of tenure arrangements, with different structures for regulating their access, use, and management. These include many customary and tribal institutional arrangements that have functioned for a long time. Each of these property rights regimes and institutional options is associated with different costs for achieving various goals, such as poverty reduction, equitable access to resources, and sustainable use and management of those resources. This article considers the benefits and costs of alternative tenure and institutional arrangements and the impact of existing legal and policy frameworks on the sustainability and equity of pastoral production systems under three categories of landownership.

## Source

Tidiane Ngaido and Nancy McCarthy,  
"Institutional Options for Managing  
Rangelands," International Food Policy  
Research Institute

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## 1. State Ownership

Proponents of State involvement maintain that only an external authority can enforce the best use of, and investment in, common pool natural resources. Defining the "best" use rates and

investments, however, requires a good deal of information on local conditions. In most cases, government agencies responsible for State rangelands have only limited knowledge of agroecological conditions, and even less understanding of local rules of use and management. These information-related problems increase the costs of enforcing management decisions by government agents.

Collective action is less likely to take place under State tenure because pastoralists may fear that their claims on returns to investments they make now on State land will not be recognized in the future. Nonetheless, a number of different institutional arrangements has been introduced to manage some of these costs, including the granting of common use rights to communities or cooperatives, grazing licenses, and leaseholds.

**a. Common Use Rights for Pastoral Communities**

Some governments provide tacit recognition of pastoral communities' use rights and their potential for informally operating grazing networks. This tacit recognition, however, gives pastoralists only a limited role in management and investment decisions and an even smaller role in deciding on the evolution of property rights. Users often do not have the right to reallocate common land to alternative activities like cropping or reserves. This limits the capacity of pastoralists to respond to local conditions. By appropriating pastoral resources and limiting the role of local-level pastoral institutions, State ownership has often fostered land use conflicts and led to the breakdown of collective action within and across pastoral groups.

**b. Common Use Rights for Pastoral Organizations**

In theory, the State and local organizations could work together to create and enforce use rules and investment activities. But in practice, the costs of negotiating such rules have often been prohibitive. In most West African countries, pastoral cooperatives have mainly been involved in distributing subsidized feeds. This type of cooperative fosters collective action between members because they are certain to reap the benefits of their investments and control access to improved pastures. However, concerns about potential conflicts between cooperative members and nonmembers remain. In the Sahel, most of the pastures exclusively used by members of pastoral organizations reverted to common pastures, open to all community members, at the end of the projects.

In central Tunisia and Morocco, State institutions, generally forest services, are entrusted with the responsibility for improving and managing the resource. After the improvement, rights holders purchase grazing or cutting licenses. The revenues generated are used to pay off improvement costs. Theoretically, these ranges will revert to communities once improvement costs are recuperated. In practice, however, such transfers have often not taken place.

### c. Grazing Licenses

As part of a strategy designed primarily to reverse rangeland degradation, government-managed grazing reserves issue grazing licenses. In the best-case scenario, the government has a well-defined and well-funded investment strategy. Grazing reserves are opened for grazing during specific periods of the year, and any herder can buy a license, whether or not he or she is a member of



the tribe or community that held traditional claim to the reserve area. Pastoral communities contribute little to the management of these reserves, and the main collective action of community members has often been to hinder State licensing policies. The approach has also been widely criticized because of the high costs of fencing and guarding reserves and the lack of community participation in improving and managing these reserves.

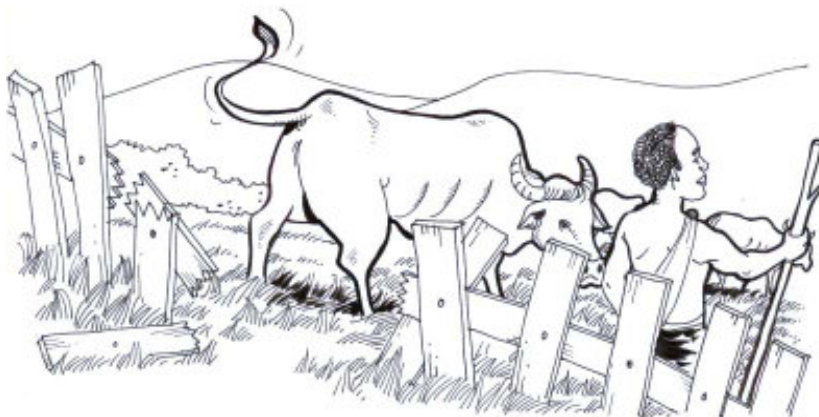
### d. Individual Leaseholds

The practice of granting long-term individual leaseholds on range resources remains limited. In Botswana, leaseholds have, in some cases, led to increased livestock production and improved rangeland conditions, but the policy has been strongly criticized on equity grounds. In many cases, people with previous claims to resources have been dispossessed or denied further access without compensation. This situation has led to additional pressures on the now smaller common pool resource base, increasing range degradation and leading to conflicts between large and small herd owners. Widespread individual leaseholds increase the vulnerability of pastoral communities during droughts by limiting their capacity to move and negotiate access to neighboring pastures. There is very little collective action under this system.

In summary, State ownership often does not promote community stewardship and limits collective action and incentives for members to manage their resources effectively and make long-term investments. Competing claims between pastoral communities and States

have created situations of confusion and open access, leading many

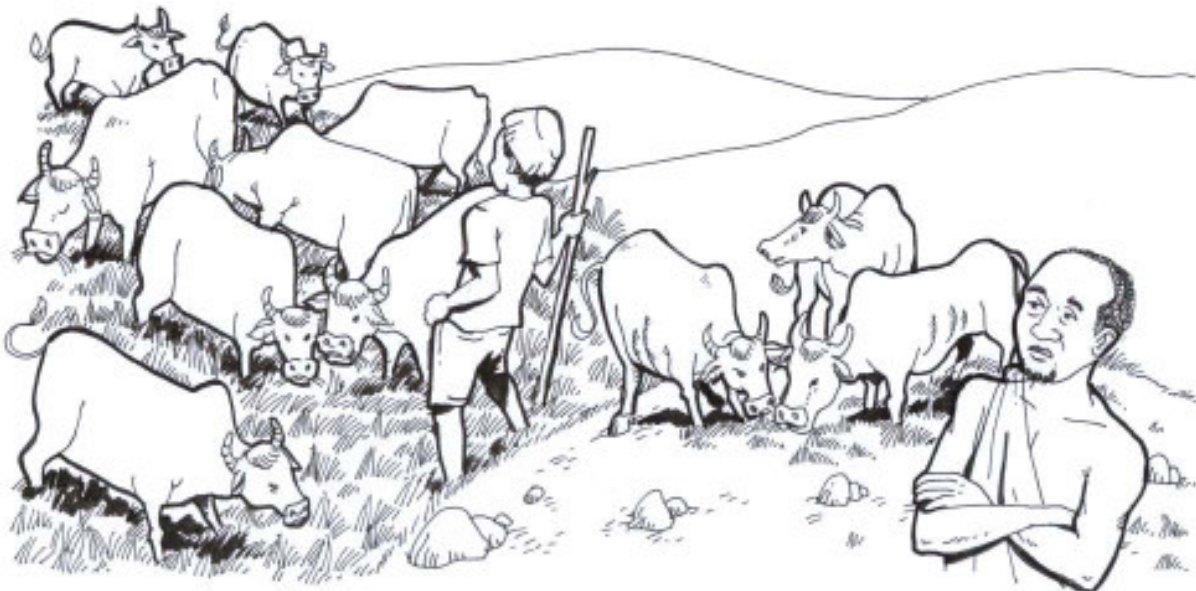
pastoralists to challenge the State and traditional range management rules and activities and in some cases to appropriate common rangelands illegally.





## 2. Individual Ownership

In pastoral areas of central Tunisia, individual private property rights have fostered the transformation of pastoral and nomadic systems into agropastoralist systems. Privatization has led to the wide-scale adoption of fodder crop production, including cacti and shrubs. The efficiency of this option, however, depends on the performance of land, purchased input, credit and output markets, and legal and institutional provisions to reduce land fragmentation. Obviously, the potential for misappropriation of land by the politically powerful and equity issues are of utmost concern. Also, such a system is likely to reduce herd size, mobility, and collective action within and between pastoral groups, and consequently pastoralist households may become vulnerable to drought.



## 3. Common Property

Common property rights make tenure more secure, but the communities must bear all costs of making, monitoring, and enforcing rules regarding rangeland management. Managing access to and use of resources can be difficult, particularly when benefits and costs are not equally distributed. Common property rights are generally granted to a fixed and well-defined group for rangelands with well-defined boundaries, thereby limiting flexibility and herd mobility.

Nonetheless, under community ownership, local institutions may keep their traditional roles of managing the resources, deciding how to allocate resources between pastures and croplands, and deciding on the nature of the rights to be allocated to members and nonmember. These opportunities may empower local institutions and provide them with the capacity to



mobilize collective action and sustain the livelihoods of their communities. Landowning communities may enter contractual arrangements for improving their resources.

Achieving efficient, equitable, and sustainable rangeland management depends on the costs and benefits of alternative systems. These costs and benefits, in turn, depend on agroecological, sociocultural, and economic characteristics. The conservation and management of rangelands require not only tenure security, but also an understanding of local livestock production and risk management strategies and factors that promote collective action, which can then be integrated into national policy formulation strategies and project designs.

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# Development of Common Property Institutions in South Africa



In South Africa's Reconstruction and Development Programme (RDP), land reform is envisaged as the driving force for rural development in general. The document outlines the goal of redistributing 30 per cent of agricultural land from whites to blacks within five years, as well as the restoration of land which was forcibly appropriated after 1913. The RDP land distribution policy focuses on:

- Assisting groups and individuals to acquire land through the land market, with substantial grants and subsidies from the State;
- Establishing a program to achieve security of tenure for landholders, including tenants, while recognizing and supporting new forms of customary and communal tenure and new forms of common ownership; and
- Providing settlement support for those moving back to their land or onto new land.

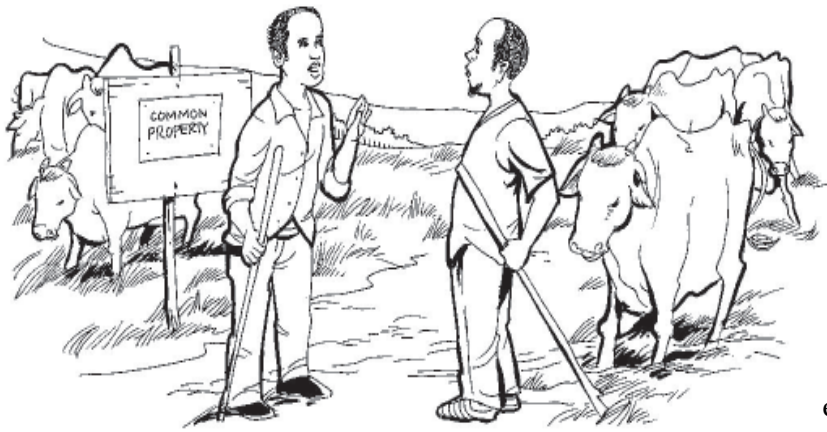
Land reform is seen as proceeding in tandem with the restructuring of agriculture, to open opportunities for black farmers, particularly small-scale ones. Thus a crucial aspect of land reform is the nature of the farming systems which the beneficiaries are likely to adopt (livelihood systems which combine agricultural and nonagricultural income).

## Source

Ben Cousins, "A Role for Common Property Institutions in Land Redistribution Programmes in South Africa," Gatekeeper Series No. 83, International Institute for Environment and Development.

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Livestock production on communal rangeland is likely to be a central feature of these livelihood systems. The focus of this article is therefore on the design and development of common property institutions (CPIs) for the management of natural resources, particularly communal grazing land, within South Africa's land redistribution programs.



## Rationale and Vulnerabilities of Common Property

Under common property, the use rights of individuals can be delineated and regulated so that resources are not overexploited. Such common property arrangements are potentially equitable, economically efficient, ecologically appropriate and sustainable.

A minimum definition of common property provides that group membership rules are well defined and nonmembers are excluded from common resources. Such arrangements are adequate when there is not too much pressure on resources. But with population growth, technological change, national economic integration, and the decline in the political legitimacy of local institutions, intensified controls and their enforcement become necessary.

When common property rules break down or fail to evolve to fit changing conditions, several outcomes have been observed:

- Increased resource degradation as the property regime slips towards open access;
- "Spontaneous enclosure," or privatization; and
- Capture of the commons by groups of commercial producers who may pursue private accumulation strategies in the name of community development.

## Critical Issues

Four critical issues must be confronted in any attempt to work with common property regimes:

1. Ecological dynamics;
2. Socioeconomic structure/definition of user groups;
3. Effective management strategies;
4. An enabling policy environment.

### 1. Ecological Dynamics

Three key points have emerged from recent rethinking of rangeland ecology:

- a. *High stocking rates on communal rangeland often make economic sense and are usually below (a highly variable) ecological carrying capacity.* Thus, external interventions to force down stocking rates against the will of livestock owners will be resisted and are thus both unnecessary and unlikely to succeed.

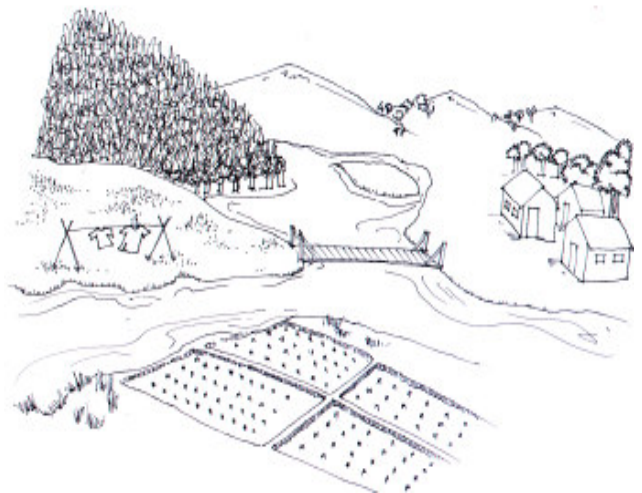
Herd movement as a management strategy should be accepted and facilitated, rather than suppressed. Herders should be encouraged to coordinate the movement of their herds and to agree on access to key rangeland resources at different times of the year and in different years. Meanwhile, institutional mechanisms for negotiation, mediation and conflict resolution must be designed in the event of conflict. Due to spatial heterogeneity at the local, regional and national levels, “co-management” with government agencies and State legal authorities will probably be appropriate, even as the importance of building strong local institutions is affirmed.

- b. *There is a distinction between equilibrial and non-equibrial systems.* In equilibrial systems, there is direct feedback between animal numbers and vegetation states, successional processes can be identified, and conventional notions of carrying capacity are relevant. Exclusive forms of common property, with clearly defined and enforced boundaries among user groups, are appropriate to equilibrial systems.
- c. *In non-equibrial systems, the use of patchy environmental resources would be more appropriate as a strategy, as would nonexclusive forms of tenure.* These allow coordinated access to the heterogeneous patchwork of resources on a large scale, within a framework of a great deal of temporal variation. One form that this could take is “key resource” or focal point management and tenure, in which clear rights and duties are defined for only those patches that are critical for system functioning, and not for large territories containing resources of low productivity, which are difficult to restrict to exclusive use.

## 2. Socioeconomic Structure and the Definition of User Groups

Membership criteria in common property regimes must be clarified, including the rights and duties of absentee members of rural communities and other groupings.

The *size of the user group* is critical, since transaction costs are lower in smaller and more cohesive groups. However, where environmental heterogeneity is marked, this must be balanced by the need to include access to a variety of resource patches.



*Agreement on rules and guidelines for resource use* is also required. This is more likely where there is cultural homogeneity and shared value systems. Thus in resettlement situations, attention should be given to promoting and facilitating the emergence of community identity. *A clear focus on resource management* can assist this process, since the need to elaborate a collective management regime is itself a powerful catalyst for communal institutional development. Congruence between institutions for resource management and other institutions (*e.g.*, local government) may also be helpful.

Potential conflicts between uses of a resource and between different categories of users can be defused through *negotiating rules* which embody compromise solutions. However, this requires that the complexity of various uses and categories of users be recognized and expressed within the institutional process.

The “capture” of common property regimes by powerful elites is a potential problem. External authorities or agencies, or those at high levels in an institutional hierarchy, can act to *lend support to the interests of the less powerful and wealthy* but only if the increasingly differentiated structure of rural economies is recognized and understood.

### **3. Effective Management Strategies**

In the South African context, the critical issues for developing effective management structures are:

#### **a. Co-management: The Role of the State**

The State has a definite role to play in creating the conditions for effective local management. This role requires the State to classify territorial rights, adjudicate boundary disputes, and provide technical assistance to local groups. State policies can also help improve the economic incentives for collective action (*e.g.*, by offering preferential marketing rights to groups managing common pool resources). More importantly, government can assist in enforcing resource management rules which have broad local support but cannot be made effective because community authority is not in itself strong enough.

However, co-management arrangements should aim at defining *an enabling, facilitative and backup role for the State*, rather than replacing or undermining local institutional capacity.





**b. Institutional Innovation**

A second possibility is to create new institutional arrangements which combine elements of traditional or customary institutions with newer, more formal arrangements initiated by the State. Despite the impact of colonialism and economic integration, the former often remain meaningful to rural communities. Thus, elements of customary institutions that are appropriate in contemporary circumstances should be retained, strengthened and given legal recognition. Customary institutions for regulating resource use are often kinship-based, are also territorial in nature, and may be combined with formal institutions set up by the State in hybrid or “mixed” institutions. One example is to retain customary authorities on elected bodies but in an *ex-officio* position. However, such arrangements are effective only to the extent that the “mixed” institution has legitimacy and exercises real power over resource management.

**c. Resource Management Rules**

Operational rules govern the way that a common pool resource is used. Apart from membership rules, these involve the definition of jurisdictional boundaries and the partitioning of resource use (*i.e.*, limiting where, when, and to what degree resources can be exploited by group members). These rules must take adequate account of technical and ecological realities. They should also be clear-cut and unambiguous, so that all members can know and agree on them.

Additionally, the fewer rules there are, the more likely it is that they will be followed and that infringements will be interpreted as such.





**4. An Enabling Policy Environment**

What kind of policy environment and support services are conducive to the establishment and effective functioning of common property regimes? Perhaps the most important aspects of such environments are:

- An *appropriate legal framework*, giving legal identity to common property arrangements which evolve at the local level, but without imposing rigid and restrictive structures;
- *Support services* which assist communities and groups to design their own appropriate institutional arrangements, using a facilitative and process approach;
- *Appropriate rule enforcement procedures* at higher levels in the institutional hierarchy to back those which prove ineffective at lower levels;
- *Democratic processes* which guarantee the rights of the less wealthy and powerful (including women and youth) to effective participation in decision-making;
- *Institutional mechanisms for conflict resolution* within and between user groups, through negotiation, mediation or arbitration; and
- *Training in skills, such as literacy and record keeping*, which are needed for efficient local administration and organization.



**Table 1.** A CHECKLIST FOR DESIGN OF COMMON PROPERTY REGIMES IN LAND REDISTRIBUTION PROGRAMS

<p><b>User group issues</b></p> <ul style="list-style-type: none"> <li>✓ Have rules for user group membership (entry and exit) been clearly defined?</li> <li>✓ Is the size of the user group appropriate in relation to the resource base?</li> <li>✓ Do institutional arrangements and/or organizational structures provide a voice for the less powerful within the group?</li> <li>✓ Do institutional arrangements promote the emergence of a “community identity”?</li> </ul>	
<p><b>Resource management rules</b></p> <ul style="list-style-type: none"> <li>✓ Do rules clearly establish the conditions for collective decision management rules making over resources (e.g., the right of the group to establish limits on individual use)?</li> <li>✓ Have jurisdictional boundaries been clearly defined? In non-equilibrial ecosystems, have boundary issues been sufficiently clarified?</li> <li>✓ Are operational rules easy to understand, unambiguous, and easily enforceable?</li> <li>✓ Have the number of rules been kept to a minimum?</li> <li>✓ Do rules make provision for the monitoring and punishment of infringements?</li> <li>✓ Do rules take into account potential conflicts between different uses of the resources, and between different categories or groups of users?</li> <li>✓ Do rules establish the organizational form for decision making (e.g., elected committees)?</li> <li>✓ Does the user group have the right to modify and adapt the operational rules?</li> </ul>	
	<p><b>Authority and Enforcement</b></p> <ul style="list-style-type: none"> <li>✓ Has authority been allocated to the appropriate level(s)?</li> <li>✓ Have relationships between the user group and government agencies, legal and customary authorities been clearly defined?</li> <li>✓ Do institutional arrangements have a recognized legal identity?</li> <li>✓ Have mechanisms been designed for negotiation, mediation and conflict resolution, within and between user groups?</li> </ul>
<p><b>Resources</b></p> <ul style="list-style-type: none"> <li>✓ Do partitioning rules take adequate account of ecological and technical realities?</li> <li>✓ Is there sufficient flexibility over boundaries in non-equilibrial systems?</li> <li>✓ Do rules take into account the spatial and temporal variability of resources?</li> </ul>	

Questions of common property management are likely to be important within land reform programs in South Africa, and in relation to communal rangelands in particular. Given the fundamental transformations in the economy and society which have affected customary tenure systems in the region over the past 150 years, critical issues related to incentives for rural groups to engage in collective action, and appropriate structures of authority, have come to the fore and must be dealt with.

Any conflicts that arise can largely be addressed by approaching common property problems with an adequate understanding of the central issues involved, and by making institutional development a prime concern of development agencies. This also reinforces the need for an approach to land and agrarian reform which lends active support to local level processes of decision-making and institution-building.

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# Governance of the Commons under a Privatization Regime



**B**y far the biggest threat to common pool resources (CPRs), or “commons”, throughout Africa is privatization, which is broadly defined to include not only the transfer of CPR ownership into private hands but also other forms of institutional reorganization like “marketization”. Marketization refers to the promotion of private sector-like behavior in organizations, such as public and community groups.

**Common pool resources** are natural resources used by different users at the same time, such as forests, grazing areas, fisheries and game, for which exclusion or partition among users is difficult or costly, but the use by one person reduces the availability for others.

The privatization of CPRs results in exclusion for many and control for a privileged few. It changes not only the patterns of ownership and tenure security, but also the role of the State and the agenda with respect to the public good. Protecting common interests and the public good against private interests has therefore increasingly become a matter of concern. The State should play a central role in balancing interests, redressing injustice, and governing markets.

## Source

Thea Hilhorst, Lorenzo Cotula & Munyaradzi Saruchera, “Promoting Common Property in Africa: Networks for Influencing Policy and Governance of Natural Resources [Co-Govern],” A Report of the First International Workshop, Protea Hotel, Sea Point, Cape Town, South Africa, October 6 – 9, 2003.

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## Considerations for Effective CPR Governance

### *Relations among stakeholders*

The mainstream view of tenure systems for CPRs underlines the importance of well-defined relatively small user groups and clear boundaries for the resources. But given the reality of multiple use, fuzzy boundaries and overlapping social identities, an alternative perspective has emerged which focuses not on the content of rules but rather on providing a framework for processes such as negotiation, contestation and cooperation. The trend is towards promoting multiple stakeholder platforms based on negotiation and dispute settlement, but the experience in this regard is still limited.



### *Risks of community-private sector contracts*

Being represented by people with limited experience in the workings of the market, communities entering into contracts with private entities are more likely than not to end up with the short end of the stick. In such negotiations, investors are bound to push communities to agree to certain uses for their natural resource base which they may later regret. It is therefore important that communities build their capacity to negotiate while they still have control of most of their assets.

NGOs can help the communities secure better deals by providing essential information and specialized advice on the issues at stake. But such practice is not yet prevalent, and many communities are vulnerable to exploitation.



### *Benefit-sharing*

The best way to forestall such problems is to agree beforehand on how decisions will be taken on matters like how income from the CPRs would be used or allocated. For instance, the income could be used towards maintaining the natural resources, replenishing the general reserves, putting up a community development fund, or distributing dividends to members. Conflicts are bound to arise if the mechanism for deci-



sion-making is unclear or not generally accepted, and if financial management is not transparent.

National policies and investments may yield benefits for the community. The question then is how these benefits should be shared beyond the community. Taxation is one option. But the counter argument to this is that the benefits come at a cost and that when divided among all community members, the actual gain is rather low. However, when public actions increase the value of the land considerably, then a one-off value taxation may be appropriate.

### ***Assessment of effects and impact***

Monitoring of CPR management systems needs to include the process as well as the outcome or impact. Process indicators should include the level of community empowerment, institutions and structures established, equity in decision-making, and conflict management and behavioral change towards CPRs. Impact indicators evolve around the sustainability of resource use and the importance of the benefits from resource use in terms of poverty alleviation and community development.

### **Next Steps**

New practice, innovation and even failures should influence policy. However, the issue is how to determine

## **NEW LEGISLATION IN SELECT AFRICAN COUNTRIES**

New legislation on CPR management has been introduced or is being discussed in several countries.

**South Africa** embarked on land reform involving redistribution, restitution (for those dispossessed of their land after 1913), and tenure reform (to provide greater security in communal areas). The last aspect is still hardly addressed while redistribution and restitution are behind target. Most claims for restitution are in urban areas. Also, land reform seems to benefit mostly emerging commercial farmers and is less clearly contributing to the alleviation of poverty.

**Kenya** is in the process of developing a new constitution and a new land policy. This is an opportunity to raise awareness for CPRs, which used to be ignored, and to propose an adequate legal framework based on the principle of subsidiarity which will give local people the option of developing their own models.

Kenya was at the forefront of land privatization but problems with this policy option have made it unsustainable. As a result, there is more interest in alternatives to privatization. The new government of Kenya is paying more attention to pastoralism as an important economic sector. In the case of pastoral land, the proposal is to make community property possible, in the form of a corporate title.

In **Mozambique**, community user rights are strengthened by the new forestry law which should stimulate sustainable management and investments. Communities are also entitled to 20 per cent of the logging tax from concessions in their areas. They can use the areas given out in concessions to harvest products needed for subsistence but need a license if they intend to sell.

## IMBALANCE IN PRIVATE SECTOR-COMMUNITY DEALS

An interesting experiment is underway in southern Africa, where rights over wildlife, initially granted only to large-scale commercial farmers, have recently been extended to the communities. Private entrepreneurs doing business in the lucrative tourism and hunting industry now have to strike deals with the new owners — the communities.

However, most community members have limited knowledge of and experience with this industry and are not familiar with entering into contractual arrangements with the private sector. In the process of setting up community-private sector partnerships, many communities have actually “signed away their rights.” Without access to information, markets, capital and entrepreneurial skills and capacity, communities — despite having stronger rights — are on an unequal footing with the private sector.

In some cases, the devolved power proves to be weaker than the authority that is already being exercised by community leaders. In Ghana, for example, where a new policy on decentralized forest management is being prepared, communities are already managing forest resources informally. The local earth priests play an important role in allocating land and use rights. Therefore, the government’s proposal for co-management would actually lead to a reduction of existing rights.

Ideally, national governments, while retaining sovereign control, should create an environment for local governments and the multi-stakeholders to negotiate the management terms. Governments should also protect the public good and balance public and private interests. Governments can also play a crucial role in facilitating deals between the communities and the private sector through information dissemination, advice and “protective legislation.”

picture. Building capacity to deal with markets and having a political voice are as important to sustaining these endeavors.

best practice and for whom, and how best to spread best practice especially among policy makers.

It is important to connect with policy makers and to find out which issues they are interested in and how the experience of local people could be made relevant to them. Field visits, the use of mass media (particularly radio), well-targeted publications, advocacy, etc., are some options.

There is no single blueprint for CPR management as the type of resources involved, the users and the issues at stake vary widely. Policy makers should provide a framework while devolving authority to local decision-makers who would then work out the nitty-gritty of defining resource use, rights, regulations and sanctions.

Developing tenure and management models which allow for community ownership also raises questions about the public good, the organization of society and economy on “local” terms and how to ensure equity and protection for all. Would these result in a “social economy” that is more balanced and resilient? What policy support is needed to assist such developments legally and financially? What room for maneuver exists for communities: can they resist; should they buy in; or will they lose out?

Securing and firming up local people’s rights is very important but is only part of a bigger

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# Promoting Linkages in CBNRM



**C**ommunity-Based Natural Resource Management (CBNRM) starts with communities as the focus and foundation for assessing natural resource uses, potentials, problems, trends and opportunities, and for dealing with adverse practices and dynamics (Little, 1994). However, effective operational linkages, both horizontal and vertical, are just as important in the management of natural resources. Community-based groups should be able to extend their influence beyond their local domains, as well as their access to “outside” resources (e.g., authority, expertise, funds, and personnel). At the same time, the cooperation of other communities and higher level actors or external entities such as local or district governments, NGOs and/or academic institutions must be secured.

Linkages, through broad coalitions for example, can bring multiple perspectives and capabilities into CBNRM. They can facilitate the reform of policies and institutional arrangements, as well as help resolve and manage conflicts in countries where such linkages have been established.

## Source

Norman Uphoff, “Community-based Natural Resource Management: Connecting Micro and Macro Processes and People with their Environments.” *A paper presented at the International CBNRM Workshop, Washington D.C., May 1998. Cornell International Institute for Food, Agriculture and Development (CIIFAD), Cornell University, USA.*

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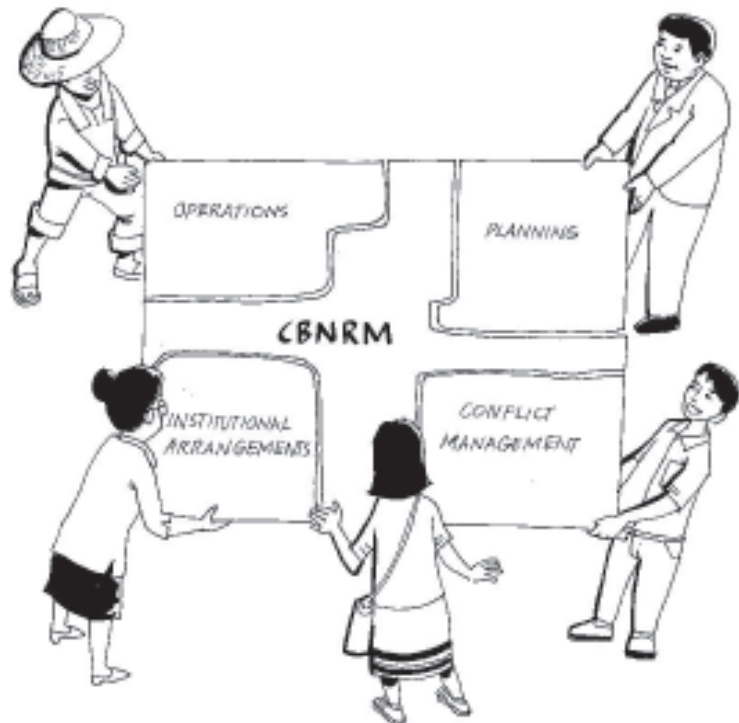
Each participating organization contributes according to its comparative advantage and organizational objectives. Coalitions represent conjunctions of public, private and middle-sector activities, although private-sector involvement comes mostly from nonprofit rather than for-profit organizations. The involvement of State institutions is often informal, neither committing nor compromising public authority. Rather, State institutions harmonize their exercise of authority with what “civil society” institutions and community representatives think would be most beneficial. In this way, CBNRM may be evolving interesting new forms and exercises of public authority.

Operational linkages should be considered not only in management, but also in planning processes. Planning requires the involvement of multiple actors at various levels, especially those that require spatial or geographic spreads for scaling up, such as in environmental planning. It is important that various stakeholders are involved in the visioning process which would ultimately set the directions and priorities the program would take.

Some experiences where operational linkages have brought about multi-stakeholder partnerships in protected area management or have contributed to resolving and managing resource use conflicts, are reflected here.

## Consortiums in CBNRM

Linkages that have taken the form of broad coalition-building in support of CBNRM are being formed all over the world. They are grounded in community level activities and initiatives but have a larger view and strategy, both in terms of geographic area and diversity of partnerships. They purposely support actions at local and national levels and beyond.



## CBNRM Goals as Basis for Linkaging

Coalitions and partnerships in support of CBNRM can use the following goals as their basis for coming together as a group.

- *Preservation and protection of natural resources, i.e., preserving biodiversity and maintaining the renewability of particular flora and fauna that are endangered within vulnerable ecosystems;*

- **Improvement of income, security and well-being of communities that are associated with and dependent on natural resources.** This could include the preservation of the *cultural identity* and *integrity* of indigenous peoples;
- **Sustainability and viability of the management system**, which includes the ability to evolve and adapt to changing conditions, and keep operating costs down;
- **Promotion of equity** in the distribution of benefits from the system of management. Benefits should be acceptable to all, and should incorporate gender concerns.
- **Promotion of participation and empowerment** of the communities involved, as well as building the capabilities of other stakeholders in their various roles in CBNRM.

The same criteria can be used for evaluating CBNRM programs and projects.

Linkages in CBNRM are an important mechanism to enhance the participation of a larger and more representative grouping in order to share expertise and information as well as generate influence and material support. Broad coalitions and support networks are effective ways to bring the “local” to the “global,” and vice versa.

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