

# THE INSTITUTIONAL PARADOX OF COMMUNITY BASED WILDLIFE MANAGEMENT

By Richard Hasler

Research Associate

Project for Land and Agrarian Studies, University of the Western Cape

[hasler@mweb.co.za](mailto:hasler@mweb.co.za)

## Abstract:

Over ten years of social and ecological monitoring and evaluation, planning effort, policy change, legislative reform, donor support and pilot design have taken place for community based wildlife management (CBWM) projects in Southern Africa. In the key experiences of Botswana and Zimbabwe practical achievements related to revenue generation and local institution and capacity building and policy reform have taken place. These changes have created the political and administrative space in which wildlife utilization has become an important land use strategy for local people living on communal lands. Devolution of management control of wildlife has however been disappointing and the overall institutional direction of the programs in the last ten years has not been “community based” but towards increasing ad hoc involvement of stakeholders who are not considered to be part of the local community. This involvement is primarily because of their claimed property rights and interests in wildlife and is seen in the region, as necessary pre-conditions for CBWM to evolve.

Paradoxically, in the attempt to achieve those social conditions under which CBWM can work (legislative and policy reform, capacity building, institutional development, direct local economic benefits and enhanced ecological value of local resources), planners, academics and practitioners have encouraged co-management regimes rather than community based management regimes. Powerful actors in stakeholder based wildlife management (SBWM) include: International Donors, Politicians, Governments, District Councils, NGO's, Associations, Convention on Trade in Endangered Species (CITES), Technical Committees, Private Sector Hunting / Tourism Operators, and CBNRM Forums.

Over the last ten years the assumption that co-management is a desirable proxy for community based management has become a tacit understanding or working assumption. The findings of this study suggest however, that powerful players may co-opt the process for their own, sometimes perverse purposes and instead of the hoped for “Political Ecologies of Scale” (Hasler 1995, 2000) occurring, where all levels of society benefit from the promotion of “win/win” good management practices at local level, “a political impasse of scale” may emerge. The paper describes a recent impasse period in Botswana, during which a confusion of jurisdictions arose. From a purely technical point of view, there is clearly a need to involve Governments and Donor agencies in CBWM and SBWM, because policy and legislative change and the devolution of benefits and management will not take place without their support. A fine balance of power therefore needs to be achieved to foster both CBWM and SBWM. This fine balance of power between the state and local communities, private sector and NGO's is elusive and paradoxical and does not yet exist for CBWM to flourish. The performance of the Ngamiland (Okavango Area) (CBNRM) district forum is evaluated as a possible institutional model for the region.

## INTRODUCTION

### Community Based and Stakeholder Based Wildlife Management: a Paradox

The visionary planners (for example (Martin R, 1986, Murphree 1993) whose work led to the coining of the phrase “community based wildlife management” surely did not have in mind a situation where some of the most fundamental decisions about wildlife management (Eg. which animals to hunt, where should we place our tourist lodge, how should we spend our money) at local level needed to be first mooted and agreed upon at village, district, national and international levels before any action could be taken, before any lodge built or rifle discharged, before any money spent or animal product sold. The locus of decision making is plainly not only at local level and as such the bureaucratic conundrum of community based wildlife management may cause hierarchical bureaucratic gridlock as different decisions about the resource are decided at different levels. For example, legal trade in animal products is determined internationally, quotas are largely determined nationally, bureaucratic control of fiscal and economic management is often determined at district and national level. Difficult local decisions about resource allocation and sharing within divided communities attempting to manage commonly held resources, pose a challenge fit for the most developed and resourceful societies. Yet the expectation is that some of the poorest and most marginalized groups in Africa (Eg. the Basarwe of Botswana and minority groups such as the Vadema (Mvura), and Vachikunda of the Zambezi Valley) living mainly on or near national boundaries are to create common property regimes to manage wildlife, a commonly held resource. Despite this expectation for decisions to be made locally, little autonomy of decision-making is available to communities to bring about these regimes. In the last ten years the most appropriate course has therefore been to try to involve those with know-how, power or bureaucratic fiat to achieve the goals of CBWM as proxy actors for the “community” and for the state. For the last ten years, local community based initiatives have relied on national wildlife agencies, NGO’s and others to take their projects forward: but can these agencies, who themselves have an over riding interest in wildlife, act faithfully on behalf of communities? In the two countries concerned, in the last ten years, I would argue that CBWM has largely manifested itself as Stakeholder Based Wildlife Management (SBWM)

The existence of SBWM in our discourse leaves analysts with two very clear alternatives: Either the initial goals and objectives of CBWM need to change to accommodate the reality of multiple and competing stake-holders or else policy makers need to reaffirm that community based wildlife management is the ideal which they wish to achieve and that the existence of SBWM is one step in the long process of achieving that ideal. In honesty to the local communities involved in this experiment, we need to recognize the status quo is that management control and decision making is left largely in the hands of the state and a set of proxy stake holders. CBWM might usefully be called what it really is: a form of co-management or stakeholder based management.

## Stakeholder Based Wildlife Management: A proxy for the state?

The advent of SBWM should be interpreted as a crisis for community based wildlife management. Management control appears to have been placed in the hands of a set of ambiguous and sometimes irreconcilable interests pertaining to relationships between state, community, NGO's and private sector. Ironically it was the irreconcilable interests between state and local communities which first determined the need for community involvement. A very real danger exists that SBWM is merely the window dressing for the state, government or political party to continue controlling rural resources through civil society; that the state has never intended to properly devolve control to the community level but merely to involve the local level in decision making. As academics, planners, implementers and analysts associated with these programs we need to ask the difficult question whether local community involvement in them is merely a form of "perverse participation"( Kiss A 2000). If so we should be duty bound to expose it. This is particularly important now that trans boundary natural resource management initiatives and "Peace" parks have become fashionable on the borders of Zimbabwe Botswana and South Africa. It is also important because of the current political turmoil in Zimbabwe, where rural populations are subject to manipulation by an unscrupulous state/party alliance. The political and economic forces driving CBWM/SBWM are much more powerful than any grassroots attempts at CBWM and the local dimension is easily submerged by these other social forces. We need to ask ourselves who are the beneficiaries of these grand schemes? For example, in the case of the peace parks initiative is it the conservationist lobby and regional political processes concerning inter state dialogue that drives it? Is it a perverse political party agenda in Zimbabwe which determines outcomes in CBWM/SBWM? To what extent has Community Based Wildlife Initiatives become passengers on these larger vessels?

The synthesis of findings in this paper leads us to argue that while the key problem with CBWM was the lack of unambiguous legal and political power to implement it, the major problems with SBWM are:

- that one or more stakeholders may manipulate the process to achieve their own special interests.
- Another risk is that stakeholders without legislative authority may become sleeping partners, and
- that stakeholders may increasingly distrust each other rather than co-operate together.
- Numerous stakeholders with divergent interests may create a political impasse of scale.

These are the key problems that have emerged from the Botswana experience with Community Based Wildlife Management forums to date. The forums were (inter alia) an attempt to resolve the conflicting interests within CBWM. This paper hopes to share these policy relevant lessons and to show their relevance for Zimbabwe and other Southern African countries.

## **BACKGROUND TO THE RESEARCH PROBLEM**

In Southern Africa, community based wildlife management on communal land involves complex common property regimes characterised by ambiguous rights of access, control and use between state, private sector and local communities. These competing claims pose a critical problem for Community Based Wildlife Management (CBWM) and has effected its evolution from the outset.

The projects are based on the assumption that increased devolution of property rights to “communities” will result in increased local management and devolved economic benefits which will ensure the long term sustainability of wildlife resources and enhance rural livelihoods. This paper argues that local community rights over wildlife are in practice, subject to overriding state, government, political party or private sector interests which ironically thwart local stewardship of the wildlife resource, while purportedly aiding the development of the programs. A second key finding is that CBWM is a long term process that needs to be evaluated over the long term.

Community Based Wildlife Management Projects in Southern Africa were initiated in response to two main problems associated with a crisis in the management of wildlife (an ecological issue) linked to a rural development issue (a social issue). The first problem was that the state, which had since colonial times assumed the role of protector of wildlife on communal lands, was not able to perform this protective function efficiently by itself alone (Adams and McShane 1996). An alternative strategy from the colonial fortress conservation approach was therefore necessary and models for devolution of property rights, management and responsibility for wildlife created a paradigm shift towards community based wildlife management (Adams and Hulme 1999). This situation was exacerbated by a shortage of Government resources and manpower to address the alleged destruction of habitat, poaching and other land pressure problems in communal lands (Adams and Hulme 1999). The theoretical foundations for community based wildlife management draw heavily on the debates about common property resource management and a key working assumption is that communal property regimes are controlled by an identifiable group and are not privately owned or managed by governments. It is argued that communal property regimes set up effective rules about who may use the resource, who is excluded from the resource and how the resource should be used (see McCay and Acheson 1987; Berkes et. al 1991; Ostrom 1992; Freeman and Kreuter 1994; and Hasler 1996). CBNRM projects in Southern Africa therefore depend on the concept of “exclusion” as the state, the private sector, factions within the community and sometimes global interests also claim rights to determine how wildlife resources are used and managed.

## **COMMUNAL PROPERTY OR JOINT JURISDICTION?**

The paper suggests that we are not actually dealing with communal property (see definition above) at all but rather some form of joint jurisdiction or co-management regime between the state, the private sector, communities and NGO's. This is a key issue for planners as it makes enormous difference to outcomes whether one is planning a community based initiative or a co-management initiative. The former implies that actual devolution of management functions, decision making

and notions of “ownership” are devolved to local level. The latter implies that local level communities are one of many players involved in management of the resource. While CBWM is an ideal goal, in practice it is clear that Government, Private Sector, NGO’s, donors, global lobbyists and different factions amongst local people have very strong claims on how wildlife management will take place.

Millions of local people in the region are currently involved in such programs and are pinning their aspirations on success. Donor agencies, governments, and local authorities are all hoping that these experiments will provide a way in which both environmental and development issues might be addressed in remote rural areas. Fully understanding the complex bundles of rights exerted by the state, the private sector and local communities which determine the different outcomes of these initiatives is therefore a priority for policy-makers, practitioners, local people, governments and other interest groups.. The Ngamiland District Council CBNRM forum of Northern Botswana is a useful case study to illustrate this dynamic between the stake-holders.

## CONCEPTUAL FRAMEWORK

Some key principles for community involvement in wildlife management have been identified by Murphree’s (1993) work on the CAMPFIRE program and each one of these principles implies a devolution of authority over wildlife to the local level. The principles for successful community management of wildlife have been outlined as follows:

- Focused value for those who live with wildlife.
- Differential inputs must result in differential benefits.
- A positive correlation between the quality of management and the magnitude of benefit.
- The unit of proprietorship should be the unit of production management and benefit.
- The unit of proprietorship should be as small as practicable within ecological and socio-political constraints (see Murphree 1993).

Most of the projects were designed to devolve property rights and economic incentives to local communities to foster responsibility and proprietorship for local wildlife resources. In practice and for many complex reasons including governance, administrative practice, land tenure, and cultural and political dynamics (Hasler 1996) there is an abiding reluctance on the part of governments, authorities, communities and the private sector to fully co-operate to devolve control and responsibility of wildlife to local level.

Some analysts portray this problem as caused by flawed assumptions within such programs (Boggs 1998; Patel 1997; Emmerton 1998), while others see it as a complex process of change over time ( Hasler 1998;) Whatever the cause it is clearly time to review the fundamental principles governing CBWM practice and to mesh the goals, the rhetoric and the practice. The experience of the Ngamiland CBNRM forum is important for evaluating the principles of CBWM.

## RESEARCH DESIGN AND METHODS

The research and write up for this and other papers took place between 2000-2002 while I was based at the Harry Oppenheimer Okavango Research Centre, University of Botswana and the University of the Western Cape, Project for Land and Agrarian Studies (mainly the write-up phase). The research focused on a comparative analysis of CBWM experiences in Botswana and Zimbabwe, but political and economic instability in Zimbabwe caused greater focus to be placed on Botswana's experience. Methods were multi-stranded including documentary research and participatory observation at local, and district level as well as key informant interviews at national level. Attendance at key focus group meetings through Botswana's national and district CBNRM forums and other district meetings provided key data. Research in Zimbabwe was more limited; key informant interviews took place at national level, documentary research and previous research experience was drawn on. The unit of analysis for Botswana was the Okavango Delta as a whole and the key data collection instrument was participant observation, key informant interviews and the debates taking place at the Community Based Natural Resource Management Forums (National and District) and other meetings hosted at District level in Ngamiland. In addition research visits were made to six community areas and all community areas in the delta were visited under the auspices of the CBNRM forum. In the case of Zimbabwe key informant interviews took place and secondary data was drawn upon. Several papers (Hasler 2000, 2001 and forthcoming) and a popular article drew on the research findings. The authors analysis of community based wildlife management has been a cumulative process which extends beyond the life of this particular research project. This paper is an attempt to synthesize some of this analysis and to investigate the usefulness of community based natural resource management forums.

## COMPETING CLAIMS TO WILDLIFE:

### **The Okavango Delta:**

#### ***Global Claims***

The Okavango Delta of Northern Botswana is a unique wetland and shared river basin involving catchments in the countries of Angola, Namibia, and Botswana. Historically wildlife migrated between the Delta and neighbouring countries but since the nineteen seventies animal disease control fences and border fences have curtailed much of this international migration.

Despite the nationally sedentary nature of much of the wildlife in Botswana, wildlife, particularly the big five game viewing animals, continue to be viewed as international assets and permission to trade in wildlife products, particularly valuable elephant products, is determined through the International Convention on Trade for Endangered Species (CITES) debates.

#### ***National Claim***

Competing with this claim to control wildlife is the Department of Wildlife and National Parks (DWNP) who have a mandate to manage wildlife resources on behalf of the head of state, the

legal owner according to the Wildlife Conservation Policy (1986) and the National Conservation Strategy (1990). The Department holds wildlife in trust on behalf of the people but grants rights to local communities to utilize wildlife quotas through the establishment of Wildlife Management Areas and Controlled Hunting Areas through the Wildlife Conservation and National Parks Act (1992).

### *District Claims*

Although the Department of Wildlife and National Parks controls quota allocation, local traditional land authorities such as the Tawana Land Board in the Okavango Delta control the allocation of the land and the leases under which different wildlife management regimes take place such as hunting concession areas within community wildlife management areas (WMA's). The role of the Land Board in giving permission/leases for carrying out wildlife utilization is recognized in the Wildlife Conservation and National Parks Act. The local land authority works in close co-operation with the district commissioners office and the local district council which also claim control over many development aspects of district life. The district council can claim 4% of the revenue accrued by communities.

### *National/District Administrative Practice*

Adding to the ambiguity of legal rights between national and district level is the joint directive from the Permanent Secretary of the Ministry of Commerce and Industry and the Permanent Secretary of the Ministry of Local Government, Lands and Housing, dated 20th November 1995. This "SAVINGRAM" or MEMO sets out the minimum conditions required before communities can be awarded a community wildlife off-take quota from the DWNP or obtain a lease for hunting and tourism from a land board. Communities are required to establish themselves as a representative legal entity but if they have not done so may request that a quota or lease be entered into directly between the land board and their commercial partner (joint venture partner). Most significantly for this paper, in January 2001 another SAVINGRAM was issued by the above authority withdrawing the right of communities to manage their own revenue and requiring them to administer funds through District Councils.

This illustrates the ambiguity of rights within SBWM and the insecurity of local rights in a context which had been praised by analysts as progressive. It illustrates that powerful stake-holders are capable of determining outcomes in CBWM, and the impact of the SAVINGRAM for regional policy is underlined in this paper. The Savingram was widely considered as thwarting progress in CBWM.

### *Local Claims*

In the context of these broader and ambiguous claims and changeable management conditions, local communities are granted rights to utilize wildlife in designated wildlife management areas. Community Trusts are set up in these areas which have a legally binding constitution and which are answerable to the broader community members. In Botswana, despite a generally progressive

policy and legislative context, key rights of communities are based on the SAVINGRAMS mentioned above. The CBNRM policy at the time of writing was still in draft form and legislation enshrining the rights of communities had not been clarified. CBWM to date has therefore been based on bureaucratic practice.

Despite this ambiguity, Local Communities in the Okavango Area have earned considerable amounts of money and increased employment in Botswana as illustrated below by the following examples:

### ***Revenue***

Revenue accrues from land rental to safari operators, hunting quota fees and other revenue.

### **Sankuyo Tshwarango Management Trust**

This trust has a projected income of over 1.076 million pula (approximately US\$180,000) per year between 2001-2006 mainly for accumulated land rentals and sale of quota. Earnings had more than tripled since the 1997 figure of Pula 285,000 was paid to them for land rental.

### **Okavango Community Trust ( OCT)**

This trust which represents several villages and earned Pula 446,000 (approximately US\$100,000 at that time) in 1996 and has a projected income of 1.2 million per annum between 2001-2006.

### **Cgaecgae Tlhabololo Trust**

This trust earned 265,000 from quota fees in 2001.

### **Okavango Kopano Mokoro Community Trust**

This trust earned Pula 680,000 in 1999 but in 2000 to 2002 average earnings were over 1.1 million pula per year.

From the time of inception of CBWM 55 jobs were created in Sankuyo, 23 jobs in Xaia Xai, 75 jobs in Ukwhi and 100 jobs in NG32, while 49 jobs were created in Mababe.

Unlike the CAMPFIRE program in Zimbabwe where household dividends from wildlife have been distributed with great ceremony, direct benefits to households in Botswana is rare. Nevertheless if such benefits were to take place in the Okavango Delta average benefits per annum range from P1570 to P11867 per household, depending on where they were located. The earnings have been used mainly for community projects such as the purchase of brand new Toyota Land Cruisers to transport local committees to meetings, building of offices, providing latrines and other infrastructural projects normally addressed by government.

In Zimbabwe, the claimed rights over wildlife at international and national level are similar to Botswana in that international trade agreements such as CITES influence how the resource is marketed and used. One difference is that in the case of Zimbabwe, political turmoil of recent years makes claims at national level open to more overt political manipulation particularly on



conservancies held on commercial farming areas. Another big difference is that in Zimbabwe during the life of the CAMPFIRE, the 1982 Amendment to the Parks and Wildlife Act, ensured that Appropriate Authority over wildlife on communal land was devolved to the District Council level who were legally empowered to manage district wildlife resources on behalf of producer communities. A management fee and a levy amounting to fifty percent of the income accrued at local level could be claimed from local communities during this phase of the program and many critics claimed the empowerment of the District Council over the local communities was a key flaw in the CAMPFIRE project. District wildlife committees were key voices for local decision making. These institutions consisted of district development committees with representatives from local ward wildlife committees. District Councils entered legally binding agreements with safari operators concerning concession leases in communal lands. By empowering politically driven District Councils over communities, Zimbabwe differed from its neighbours Botswana and Namibia who both introduced Community Trusts as the key local institution. In Botswana local community trusts liaised with "Technical Committees" consisting of district based government officials to advance joint venture agreements between private sector and communities. Only recently in Zimbabwe has new legislation been mooted to allow for greater control of resources by local traditional authorities and the creation of community trusts to deal with direct benefits from joint venture agreements and other forms of wildlife management. The impact of this at the time of writing is yet to be seen.

Revenue accruing to communities in Zimbabwe during the period 1989-1999, therefore did not go directly to communities as in Botswana. During 1999 for example, 18 Districts, received a total of Z\$105,581,246 (US\$2,753,958) in income. Z\$51,444,942 of this was disbursed to communities while the rest was allocated mainly to the wildlife management and council levy. Actual benefits per household ranged between 4 and 17 US dollars.

From 1997 to 2002 the macro-economic climate in Zimbabwe changed radically, with the exchange rate in 1997 being 13 to the US dollar and the value at the time of writing (2002) almost 2000 to the US\$. The fact that hunting revenues which are the backbone of revenue generation in CAMPFIRE are set in US dollar amounts provides a hedge against the depreciation of the currency. In Zimbabwe it is argued that the tourism industry has almost collapsed in Zimbabwe but the hunting industry has not suffered to the same extent.

For over ten years analysts have called for more devolution of rights from District to Ward level in the CAMPFIRE project as they believe this will solve many of the problems in the program. If we are to learn anything from the case of Botswana, the state or other stakeholders will find ways to continue controlling management despite any further devolution.

## **FORMAL AND INFORMAL PROPERTY RIGHTS**

Statements from key informants indicated that it is not simply the formal legally binding rights that are important for Community Based Wildlife Management but that other systems of rights are as important or more important in terms of devolution of management to local level.

Informants claimed that autochthonous rights, ie. the rights of the original inhabitants of an area, often underplay conflicts arising at local level between different factions within communities. For example, the rights and norms associated with the ancestral spirits and traditional authority on the case of communities in the Mid-Zambezi Valley or the rights of indigenous Basarwe (Bushmen) in the Okavango Delta. These cultural rights of control of wildlife are not necessarily recognized in law and in the case of the Kwhai community in the Okavango Delta actually clashed with the existing legal dispensation. This community attempted to set up their own tourism and hunting pilot project outside of the broader CBNRM project taking place in the district but were thwarted because of legal technicalities. One technicality that seriously held up the Kwhai village was its insistence that a criteria for benefiting from local resources should be cultural identity of beneficiaries., namely only Basarwe should be qualified to benefit. This was cited as against the constitution of the country which prohibits discrimination on grounds of ethnic identity. In Zimbabwe, during the last ten years cultural practitioners such as chiefs and spirit mediums who controlled wildlife in the pre-colonial period have not had legal rights over wildlife. More recently the state, through the Traditional Leaders Act has shown an interest in involving chiefs more closely in natural resources management but it is yet to be seen whether this is purely a political ploy to enhance state and party control of remote areas. Other informal rights which impinge on wildlife management are those of the cattle lobby in Botswana and the rights of war veterans in Zimbabwe.

#### **BOTSWANA CATTLE LOBBY**

Cattle production is an integral part of the cultural life in Botswana and the entire country is divided up into fenced cattle production areas with disease control measures implemented to safeguard the export drive to the European Union and other States. The cattle Lobby has a powerful voice in parliament and CBNRM activities threaten the expansion of cattle production areas and pose a threat to cattle disease control as foot and mouth and other cattle diseases are carried by wildlife.

#### **ZIMBABWEAN POLITICAL RHETORIC**

In Zimbabwe a major threat to wildlife management is the potential loss of habitat that can occur from increased areas opened up to shifting and subsistence agriculture and cattle production. Current political rhetoric and the activities of groups purporting to be “war veterans” in reclaiming the land has brought about a collapse in the economy and particularly the collapse of commercial agriculture as we have known it. Unemployment is at record high levels with estimates of over 60% of existing jobs being lost since the crisis started in 2000.

#### **BY-PASSING LEGAL RIGHTS OF COMMUNITIES**

Legal rights of communities over wildlife in both Botswana and Zimbabwe are inherently ambiguous. In Botswana at the time of writing the Community Based Natural Resources Management Policy is still in draft format and therefore a coherent set of legislation defining

rights of communities is not yet evident. As has been pointed out, the program relies on administrative practice through the issuance of memorandum between government departments which can determine in ad hoc fashion how revenues will be distributed. The primary cause of ambiguity is the context of multiple legislation affecting community based wildlife management.

In Zimbabwe for most of the history of the CAMPFIRE project legislation empowered the District Council as the appropriate authority over local ward and village wildlife and this has caused numerous conflicting interests to emerge between the district and the village level. In both countries a key factor is the competing pieces of legislation which govern control of land and natural resources. Communal Land is controlled by Land Boards in Botswana and by the State in Zimbabwe. International agreements (such as the RAMSAR agreement on the Okavango Delta) and the existence of world heritage sites in the Zambezi Valley impact on the rights of communities. Legislation governing other resources such minerals, forests, fish, wildlife often clash with the rights which communities may claim. In general if states wish to by-pass the rights of local communities they may be able to find a mechanism to do this through these other existing controls over local resources. In the case of Zimbabwe the rule of law is in any case being challenged. Ambiguity of property rights is the order of the day and this leaves disempowered rural people in an even more vulnerable position.

## **POLITICAL ECOLOGIES OF SCALE**

The argument for joint jurisdiction or co-management regimes (Berkes 1989:10) is that of the win/win situation associated with neo-liberal economic theory. Purportedly, the state wins because communities have an incentive to manage wildlife resources well, private sector gains from more effective management and local people benefit directly from the resource. To design and orchestrate involvement of communities in wildlife management necessarily involves actors from international, national, district and local levels. Positive outcomes arising from the alliances formed to allow for community involvement have been called "Political Ecologies of Scale" (Hasler 1995,2000). There is however a negative side to the alliance building which needs to be recognized.

## **POLITICAL IMPASSE OF SCALE**

A political impasse of scale occurs when joint jurisdiction or co-management regimes are attempted but one or more stake-holders co-opts the process for their own purposes. Alliances between and within the loci of decision making at global, national, district and local levels breaks down and distrust between and within sectors is enhanced. The distrust may lead to a collapse of the joint jurisdiction regime.

## EXTENT TO WHICH RIGHTS MAY BE WITHDRAWN BY THE STATE

The Case of Botswana warrants some description in regard to the extent to which community rights may be withdrawn or qualified by the state. Botswana's NRMP project started in the early nineties and was supported by USAID and the Botswana Government and one of its objectives was to enhance community based wildlife management on designated wildlife management areas (WMA's) and Controlled Hunting Areas (CHA's) on communal land controlled by the Tawana land Board in and around the Okavango Delta.

District Based Technical Committees comprised of Government officials from relevant departments (Department of Wildlife and National Parks, Land Boards, Department of Land Use Planning and others) were mandated with the task of preparing and advising communities on how to get community constitutions recognized for the community based wildlife management enterprises. Community Trusts were formed which were legally responsible to their constituents for management decision making. Communities were advised that the best way to kick start their enterprises and utilize the potential of their areas was to enter joint venture arrangements with private sector hunting and tourism ventures which were already in operation. The idea was that local communities would be able to benefit from the marketing and entrepreneurial expertise of the private sector, and that the private sector joint venture partners would engage in training the communities on various aspects of the operation. The relationship between the communities and the private sector proved to be strained at best. The main reason for this was that although generous amounts of money were accruing from wildlife revenues paid in the form of lease fees from private sector joint venture partners few direct household benefits were accruing to households and to individuals. Instead community trusts, tended to horde the money in bank accounts and then spend it on large capita intensive schemes such as purchasing brand new Land Cruisers to facilitate transport between the village and the local town. Individuals complained that such purchases only benefited members of the Community Trust but did not benefit individual members of the community. Other community development projects included the provision of household toilets or the building of community offices. As most people in rural Botswana consider the State responsible for development of their area such infrastructural improvements were widely considered as an extension of state munificence rather than their own development initiative. This lack of ownership of the community development projects of the Trusts led to disenchantment with the mainly expatriate or white private sector and to allegations that Hunting and Tourism operators within the area were merely exploiting their resources and that local communities were not benefiting. This dissatisfaction with the private sector in the case of several community areas led to threats of court action and to litigation

## MISTRUST

Dissatisfaction and mistrust about CBWM in Botswana was exhibited within several domains: These can be summarized as mistrust amongst factions within the community (often between autochtons and new comers), rifts between the community and the community trusts or committees, rifts between the community and the private sector, rifts within the private sector, between different operators competing for community areas or between different industries

(hunting and tourism) within the private sector. Mistrust also included rifts between the Private Sector and the Government, the Community and the Government and within the Government itself. Non Governmental Organizations were also mistrusted by Communities, Private Sector and Government.

#### DENIAL: A RIVER IN AFRICA?

The competition and conflict arising from different claims on the wildlife resource was often explicitly denied by people in Botswana, but some stakeholders realized that there was a burning need to address the issue and to build trust. Senior Government Officials and NGO's recognized this need, particularly after the USAID support to the NRM (Natural Resources Management) project ended in 1998.

At District level in the town of Maun, informal discussion between key role players from the local district council, private sector (hunting) representatives, NGO ( IUCN/SNV CBNRM support program) and the Okavango Research Centre took place in 1998 and 1999 about a means to address the problem of distrust and lack of communication between the stake-holders. The USAID project had mainly reinforced Government capacity to deal with CBWM but no institutions existed where all stakeholders with interests in CBWM could meet and discuss their different perceptions, problems positions and plans. The lack of communication between the various actors was identified as problem by community representatives, NGO's government representatives and by the private sector at the first and second meetings of the forum.

Botswana's constitution, history and political culture reinforce a democratic ideal and therefore it was possible for a district institution to emerge as a pilot institution, with the potential to be a model for the country and the region as a whole. In fact the Ngamiland CBNRM forum did act as a model for the national CBNRM forum organized by IUCN. This and the fact that forums were subsequently included as a desirable by the draft CBNRM policy illustrates the impact which this fledgling institution had.

#### THE NGAMILAND DISTRICT COUNCIL CBNRM FORUM

This forum had two planning meetings in 1999 during which its mission statement, terms of reference, chairmanship and secretariate were established. Subsequently it has had 6 regular meetings. The mission statement is as follows:

The CBNRM Forum aims to bring together all stakeholders to discuss problems experienced at local level, in order to foster an enabling environment for CBNRM implementation. This will be achieved through promoting openness, transparency, respect, trust understanding and information sharing. The CBNRM forum should advise and assist stakeholders where necessary and mediate on potential problems.

The Terms of reference for the forum included:

1. To build trust and transparency between CBNRM stakeholders
2. Identify appropriate stakeholder roles and responsibilities
3. Information dissemination
4. Encourage stakeholders to play a larger role in resource management particularly in quota setting and resource monitoring.
5. Establish stakeholder codes of conduct
6. Undertake conflict mediation and liase with appropriate authorities on resolving problems and issues when necessary.
7. Contribute to District CBNRM strategy and Vision. ((Training and capacity building of all stake-holders and identifying needs, learning and applying lessons from other CBNRM experiences, Promoting debate on key assumptions driving CBNRM, address weaknesses and discuss and implement solutions.
8. Influence Government Policy relating to CBNRM and regulating district CBNRM strategy.
9. Establish Secretariate within North West District Council Tourism Office
10. Establish rotating chairmanship between Government, Private Sector, Communities and NGO's.
11. Hold CBNRM forum on a bi-annual basis.

The third regular meeting of the CBNRM forum was conducted on March 29<sup>th</sup> 2000 and this set the tone for subsequent meetings. The meeting provided a platform for discussion for stakeholders from communities, Government, Private Sector and Ngo's. Between fifty and seventy people attended each meeting , and the bulk of representatives in each meeting came from the community sector. The meetings were designed using participatory methodologies and each person was expected to play an active role. The key activity in the first two meetings was the establishment of the forum. The next two meetings dealt with the identification of priority areas for action planning. Six areas were identified by each stakeholder group. Stakeholder groups were divided into Government, Private Sector, NGOs and Communities. Stakeholders were then asked to produce action plans concerning their first three priority areas and at subsequent meeting report back was held and then further action planning and identification of priority areas took place.

Amongst other things the Private Sector indicated:

- the need to establish mutual trust and respect between stakeholders,
- Necessity to review the tendr process (determined by the DWNP and the problem of the 1,1,3,5, year tender periods which did not at the time provide a long term investment view for the private sector.

- The role, membership and responsibility of the Technical Committee:

NGO's called for:

- guidelines, regulations, legislation and code of conduct for joint ventures.
- Strengthening of services by Government, NGO's private sector and communities.
- Co-ordination of activities between stake-holders.

Some key issues raised by Community Trusts for the forum were:

- Land Tenure
- Delay in allocation of land by land board
- Inability of land board to keep promises
- Technical Committee issues ( see below)

TC creates conflict between the Board of trustees and the community members

TC does not allow the board of trustees to participate in the wildlife quota setting

TC works with the private sector and not with the communities in joint venture partnerships

Some key issues raised by Government were:

- Training of both communities and extension workers is inadequate (Education issue)
- Qualifications need to be stipulated.

(Minutes of 3rd CBNRM forum 2000)

The CBNRM forum was and continues to be successful in bringing the different stakeholders together and in addressing the needs of stakeholders. For example, the tender process was reviewed, a code of conduct was designed, and the work a day problems of implementation were continually under the scrutiny of the forum. The sixth meeting of the forum took place in April 2002. The forum's strength is that it is well supported by most of the stakeholder groups and the community sector had a large representation. It therefore afforded an opportunity for very frank discussion between the grass roots implementers of the program. It also enabled the building and reinforcement of relationships between individuals and groups.

One weakness in the forum was the poor representation from the private sector who were mainly represented by the one or two powerful players in the hunting industry. The photographic and tourism sector often did not attend the meetings and therefore the forum did not address a conflict of interests between hunting and photographic/tourism. Since this rift is mirrored in international affairs concerning wildlife management, trade in wildlife products, and in the manner in which NGO's solicit support for conservation projects, this was a key weakness.

## UNILATERAL DECISION MAKING CURBS THE PROCESS

Government played and continues to play a crucial role in enabling the forums to take place but the influence of Government bureaucracy became problematic after the second Savingram or memorandum in January 2001 decreed that all funds should be administered through district councils despite the existence of legally constituted community trusts. Effectively, this decree stopped institutional development for CBWM dead in its tracks because it was an order given without any consultation or discussion with any other stakeholders. It was a way of stating that “Government is in control “ and it illustrated the total impotence of civil society and forums in the face of government bureaucracy. The effect of this decree on the forum was that all action planning that had taken place was set aside to discuss the government directive. ( 5<sup>th</sup> meeting of the CBNRM forum) . During this meeting it was agreed that the forum would write to the minister raising objections and asking for explanation. No response occurred until many months later at a special meeting of the National CBNRM forum chaired by IUCN but still there was no clarity about the situation. The decree appeared to be non-implementable. As the CBNRM policy document was still in draft form at the time of writing this paper, there is still is not clarity on this issue.

What was behind the SAVINGRAM and the government decree?

The overt reason for the issuance of the SAVINGRAM was the financial mismanagement at local level by community trusts but clearly many other factors came into play. A primary background factor was the cattle lobby and its interests. As has been raised earlier CBWM may threaten the cattle lobby because it proposes an alternative type of land use. Within the nation of Botswana Popular support for CBWM does not exist as it does for cattle production and wildlife is perceived as a national asset not a village, household or individual asset. Equity concerning the distribution of benefits from CBWM is problematic.

CBWM draws most of its revenue from hunting and the earnings from tourism and eco tourism are much less. The expansion of the tourism industry into hunting areas is therefore subject to the success of CBWM and this conditionality is problematic for the industry. It was also argued that CBWM had become a political hot potato because situations had occurred where historically neighbouring communities were not benefiting equally. In some cases one community area which happened to border on a wildlife area would earn large amounts of revenue while other contiguous areas would earn nothing ( for example the community area of NG32 and the village of Sherobe. Another reason put forward was simply bureaucratic inertia.

## STAKEHOLDER BASED WILDLIFE MANAGEMENT AND DEVOLUTION

As pointed out in the first paragraph in this paper there are multiple loci of decision



making at multiple levels involved in SBWM and CBWM. Devolution is therefore a meaningless term unless it refers to a specific aspect of decisionmaking .as multiple claims exist on controlling wildlife. For example, at International level, the 2002 CITES debates afford Botswana the opportunity to sell its stockpile of ivory but the privilege is not offered to Zimbabwe because it is deemed to be politically and economically unstable. Decisions on trade are therefore decided at international level and are not devolved to national level. Such decisions have direct impact on local projects.

At national and district level Botswana's government Savingram placed the rights of community trust in question and undermined a stakeholder dialogue process through the CBNRM forum. At local level, questions about the management of funds sometimes divide the beneficiaries of the programs. Stakeholder Based Wildlife Management can therefore be crippled by the co-opting of processes by powerful groups at any level. This is a key weakness in the Stakeholder forum approach, and it is not recommended as a technical blue print for CBNRM development in the region, but as a mechanism for dialogue. It is recognized that such forums can play an important role, but measures need to be designed to ensure that they are not instrumentalized by powerful actors for their own purposes. The best course of action is to seek a balance of power between groups and to entrench and specify local community rights.

#### KEY ASSUMPTIONS ABOUT DEVOLUTION OF PROPRERTY RIGHTS

Botswana's NRM project devolved legal rights over wildlife to local community trusts but faces severe implementation problems. In CAMPFIRE areas, Zimbabwe first devolved legal rights to Rural District Councils and it is assumed that further devolution of legal rights to local village or ward wildlife committees will enhance the program. But in the case of Botswana, despite very large earnings from wildlife utilization, direct benefits to households do not occur and therefore there is no direct link between household benefits, stewardship of the resource and devolution of rights.

The Botswana material also indicates that despite the existence of community trusts, certain rights over the management of revenue can be withdrawn by the state or by other powerful actors. This indicates that the link between devolution of property rights and good management of the resource on the ground is tenuous, at best. The Botswana material indicates that the presence of these other stake-holders is a long term process and current changes should probably be measured in terms of impact over fifty years or more. (see table below).

#### NEED FOR MODIFICATION OF MURPHREES PRINCIPLES

The Botswana experience indicates that there is a need for a modification of the principles put forward by Murphree. Specifically it is important to state that in practice numerous stakeholders determine outcomes in CBWM and that mechanisms for the communication

between stakeholders need to be established within specific country district and local contexts. There is no blue print for this, and the CBNRM forums are only one mechanisms to bring about dialogue. The principle involve is:

- the degree of state, private sector and NGO control over management should diminish over time in direct proportion to the quality and nature of management of local CBWM projects.

Time is a key factor that has been omitted from the principles and a possible projection of the weighting of Government , Private Sector and and community roles in co-management (SBWM) and community based management is portrayed below:

## CONCLUSION

The paradox of institutional development for community based wildlife management is that a phase of co-management is a necessary requirement before Community Based Initiatives can be established. During the co-management phase, powerful actors may co-opt the process for their own purposes, and there is a risk that this can halt the longer term devolution of management responsibility to local communities. It also raises the question whether Community Based Initiatives are indeed achievable, as multiple jurisdictions and multiple stake-holders continue to determine how wildlife resources are used, managed, owned and controlled through stakeholder based management.

Policy makers therefore need to clarify their documents in this regard and to be clear about the exact responsibilities which communities will have in regard to the management of wildlife vis a vis other stake-holders. Also the wording of the policies needs to be reviewed so that they more accurately reflect reality. This paper argues that Community Based Wildlife Management is essentially Stake-holder Based Wildlife Management. The key weakness in SBWM is that this leaves the opportunity for the state, the private sector and for other players to manipulate the process. Mechanisms for dialogue, conflict resolution and the action planning amongst stake-holders such as the Ngamiland CBNRM forum may be useful institutional models for the region, provided they are weighted sufficiently with local level community representatives.

## BIBLIOGRAPHY

Adams J. and McShane T. (1996) The Myth of Wild Africa Los Angeles, University of California Press.

Adams J. and Hulme D. (eds) (1999) Community Conservation Research in Africa: Principles and Comparative Practice, Draft Papers, Institute for Policy and Development Research, University of Manchester.

Berkes, F. P. George and R.J. Preston (1991) Co-management: The Evolution in Theory and Practice of the Joint Administration of Living Resources. *Alternatives* 18(2): 12-18

Bromley, D. and M. Cernea (1989) The Management of Common Property Natural Resources: Some Conceptual and Operational Fallacies, World Bank Discussion Paper, No. 57.

Emmerton L. (1999) The Nature of Benefits and the Benefits of Nature Community Conservation Research in Africa, Draft paper, Institute for Policy and Development Research University of Manchester.

Freeman, M.R. and U.P. Kreuter (1994) Elephants and Whales: Resources for Whom? United States: Gordon and Breach Publishers.

Group for Environmental Monitoring (1995) People and Parks National Conference Proceedings, September 15-17 1995, Johannesburg

Gakahu C. G. and B.E. Goode (1994) Ecotourism and Sustainable Development in Kenya Wildlife Conservation International, Nairobi.

Hardin (1968) "The Tragedy of the Commons", Science, Vol.162,pp. 1234-1248.

Hasler (forthcoming) Political Ecologies of Scale and the Okavango Delta; Hydro-politics, Property Rights and Community Based Wildlife Management Paper presented at International Association for the Study of Common Property, Victoria Falls July 2002

Hasler (2001) The Hydro-politics of the Okavango Delta: Property Rights and the Management Implications of Competing land and water use, Botswana Notes and Records Vol32

Hasler (2000) The Okavango Delta and the End of Progress: Global Transformation and Community Based Wildlife Management, Botswana Notes and Records Vol.31

Hasler R (1999) An overview of the Social Economic and Ecological Achievements of the CAMPFIRE program, International Institute for Environment and Development, Wildlife and Development Series, London

Kiss A (2000) Crumbs, Christmas Trees, Committees or Control: Buying Constituents for Conservation in proceedings of Biodiversity Conservation and Use, A seminar via internet, The World Bank Institute, Environment and Natural Resources Group. June 20-July 21 2000  
[www.worldbank.org/dwform-biodiversity.html](http://www.worldbank.org/dwform-biodiversity.html)

Lawry, S. (1990) "Tenure Policy Toward Common Property Natural Resources in Sub-Saharan Africa", Natural Resource Journal, Vol. 30, pp. 403-422.

Maine H. (1894) Ancient Law 10th Edition, New York, Henry Holt.

Martin, R. (1986) The Communal Areas Management Program for Indigenous Resources. Zimbabwe: Department of National Parks and Wild Life Management.

McCay, B.J. and J.M. Acheson (eds) (1987), The Question of the Commons: The Culture and Ecology of Communal Resources University of Arizona Press, Tucson Arizona.

Murphree, M.W. (1993) Communities as Resource Management Institutions, International Institute for Environment and Development, Gatekeeper Series Paper No 36, London

Murphree M.W. (1997) Congruent Objectives, Competing Interests and Strategic Compromise, Centre for Applied Social Sciences, University of Zimbabwe.

Murphree M.W. (1998) Synergizing Conservation Incentives: From Local -Global conflict to compatibility, Community Conservation Research in Africa: Principles and Comparative Practice Draft Papers, Institute for Policy and Development Research, University of Manchester

Ostrom, E. (1992) Property Rights Regimes and Natural Resources: A Conceptual Analysis Land Economics, vol 68, no3 249-62



