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May 2009

**Repertoires of Domination in Decentralization:
Cases from Botswana and Senegal**

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Paper prepared for the Working Group on the Politics on Authority, Land, and Natural Resources at the Workshop on the Workshop 4, Indiana University, Bloomington, Indiana, USA, 2 – 7 June 2009.

Repertoires of Domination in Decentralization: Cases from Botswana and Senegal

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Abstract

Decentralization policies ostensibly change the distribution of authority between center and locality by empowering a variety of local actors and organizations, such as user groups, traditional authorities, or multipurpose local governments. While decentralization may empower some local actors, if implemented, it can threaten the authority of central or other local actors. Those who stand to lose from decentralization can be expected to defend their authority and access to resources as best they can. The set of acts more-powerful actors can perform as they make claims to defend – or entrench and expand – their interests may be described as repertoires of domination. Decentralization programs may alter the effectiveness of particular performances, but threatened actors have several alternatives in their repertoire. We develop the concept of repertoires of domination and illustrate their influence in Botswana and Senegal, where government officials, local elites, and commercial interests have used their repertoires of domination to limit the extent of local-level democratization achieved through the decentralization of natural resource management.

Introduction

By moving public decisions closer to the affected people and thereby increasing accountability of decision makers to concerned populations, decentralization promises improvements in efficiency, responsiveness to spatially variable conditions, and greater opportunities for citizen participation and empowerment. In theory, these outcomes hinge on *how* decentralization alters relations of authority and, especially, the allocation of power to broadly representative and downwardly accountable local actors. To enhance local democracy, decentralization must increase opportunities for local people to participate in binding forms of consultation (representation with accountability) and provide access to significant material resources and decision-making authority. Only then will local actors be transformed from subjects of non-local authority into citizens of a democratic local regime.

Cases of local democratization associated with decentralization have been documented (Crook and Manor 1998; Fung and Wright 2001; Heller 2001; Kulipossa 2004; Ribot 2004). Too often, however, decentralization does not empower local actors.

¹ The first author is very grateful for the Government of Botswana's permission to conduct research in the Botswana; financial support from the Fulbright Foundation, the Social Science Research Council, and University of New Orleans; institutional support from the University of Botswana, and help from respondents and friends in Botswana. Sincere thanks to the Dutch Royal Embassy in Dakar, in particular Franke Toornstra, for supporting the research behind the Senegal case study.

In numerous cases, the responsibilities of local actors increased but local authority over meaningful local decision making did not. Onerous requirements and inadequate local resources limit the capacity of local actors to claim or effectively exercise new powers that are formally within their reach. Even when decentralization does devolve meaningful authority to local actors, the recipients often are not accountable to a broadly defined local community (Agrawal and Ribot 1999; Agrawal and Gibson 1999; Agarwal 2001; Manor 2004).

This paper highlights the production of obstacles to democratization in decentralization policies. When threatened by decentralization, beneficiaries of the status quo draw upon repertoires of domination to defend against losses of authority and access to resources. A repertoire of domination is a set of claim-making performances available to actors who are seeking to defend, entrench, or expand their position of dominance. Repertoires mobilize diverse sources of power, informal as well as formal, social and economic as well as political and administrative. Dominant actors can substitute performances based on informal social, political, and economic power even if decentralization makes performances based on formal political or administrative authority less effective. Under these circumstances, decentralization may achieve little effective change.

We argue that repertoires of domination include numerous practices by which powerful actors can set in motion mechanisms or processes that slow, derail, or subvert the democratizing effects of decentralization. We develop the concept of repertoires of domination and examine their implications for local democratization through decentralization of wildlife management in Botswana and of forestry management in Senegal. In Botswana and Senegal, actions taken by law makers, agents of line ministries, powerful merchants, and prefects or district-level officials have stymied the emergence of locally accountable legitimate local authority, much less democratic local practice. The specific repertoires, or sets of routine claim-making actions, differ across the two cases and across sets of actors within each case, but, in both cases, they activate an overlapping set of processes that short-circuit the development of local-level democratization.

We begin by examining more closely the potential for democratization through decentralization and the obstacles to realizing that potential. Next, we develop the concept of “repertoires of domination” to describe the myriad tactics government officials and non-state actors use to limit meaningful shifts of authority associated with

decentralization. The following sections illustrate the interactions between repertoires of domination and decentralization policies related to wildlife management in Botswana and forestry management in Senegal. We conclude by drawing out the implications of repertoires of domination for the degree of democratization achieved through decentralization. Because repertoires encompass a fluid set of performances, efforts to improve the democratizing effects of decentralization by designing responses to particular tactics may have limited effects. Greater empowerment hinges on the introduction and sustenance of countervailing processes that effectively alter relations of authority at the local level as well as between the central government and localities. These processes promote local democracy by improving local representation and encouraging downward accountability.

Decentralization and Democratization

Programs of decentralization reshape formal institutional relationships with the putative goal of altering relations of authority and thus represent a form of regime change. Decentralization programs vary tremendously in the *substantive importance* of activities subject to decentralization, the *extent* of the effective powers conferred to local actors, and the *nature* of the newly empowered local authorities. Decentralization can contribute to democratization only if (1) the domains of authority (decision making and the means of implementation) transferred to local actors are substantively important and (2) local authorities are broadly representative and downwardly accountable. Few decentralization programs approximate these conditions; many fall far short. Nonetheless, decentralization programs alter both formal relations of authority and expectations about patterns of political interactions.

We are concerned with decentralization of natural-resource management. In agrarian societies, control over natural resources is tightly bound up with the production of forms of belonging and allegiance and the creation of public recognition and legitimacy (Berry 1993; Peters 1994; Boone 2007; Ribot et al. 2008; Poteete 2009). Consequently, changes in authority over land and other natural resources can reverberate broadly. Decentralization of natural resources would seem to offer the potential to transform a wide range of social, political, and economic relations, even when the scope and extent of formal changes are limited. Yet the literature is replete

with cases where decentralized natural resource management has had little effect or, worse, appears to undermine democracy instead of expanding it.

To some extent, these disappointments arise from choices of local institutions by central actors (Ribot 2003). Decentralized natural resource management often prioritizes benefit-sharing (Alden Wily and Mbaya 2001; Barrow et al. 2001) or increases in local responsibilities such as enforcement (Gibson and Marks 1995) over transfers of powers. Decentralization's effect on local behavior, however, is unlikely to change greatly unless local actors gain significant new powers (Agrawal and Ribot 1999). Local authority over management encourages more sustainable forms of natural resource use and has more significant implications for broader relations of authority, but many programs for decentralized natural resource management only transfer rights of access and use (Agrawal and Ostrom 2001; Alden Wily and Mbaya 2001; Hulme and Murphree 2001). Cumbersome procedures and failure to give local authorities access to adequate resources (or the means to generate such revenues) make local authorities dependent upon government agencies and donors. These conditions undermine the effectiveness of formal transfers of power and weaken downward accountability.

Institutional choices also influence the breadth of representation. Decentralization of natural resource management may occur as part of a multi-sector program of decentralization (e.g., Andersson et al. 2006; Larson 2002) or as a sector-specific policy (Alden Wily and Mbaya 2001; Hulme and Murphree 2001; Western and Wright 1994). Multi-sector decentralization programs usually work through a general-purpose local government. Sector-specific decentralization programs sometimes operate through general-purpose local governments as well, but they frequently create special-purpose bodies meant to represent local resource users or work through traditional authorities. Each of these institutional arrangements has very different implications for representation. Decentralization of natural resource management (or any other sector) would seem to offer the greater potential for democratization when it empowers general-purpose local governments, assuming that such governments are formed through democratic elections and are downwardly accountable.

Local government jurisdictions rarely coincide with the boundaries of natural resource systems, however, and this mismatch can give rise to problems related to externalities or coordination across jurisdictions. When "local" governments encompass many communities, they may not be particularly accountable to the communities who rely most heavily on natural resources (Larson 2002; Poteete 2009). Although user

groups and other special-purpose bodies are designed to correspond to the boundaries of natural resource systems and represent the interests of local stakeholders, they are rarely formed through democratic elections, generally lack rigorous mechanisms for transparency or downward accountability, and are likely to ignore or downplay trade-offs across sectors (Manor 2004). Further, special-purpose bodies can fragment local authority and are generally viewed as rivals by other local agencies, committees, and councils (Manor 2004; Ribot 2003; Ribot et al. 2006). Lack of cooperation among local authorities weakens the local community as a whole vis-à-vis larger-scale actors, whether donors, external commercial interests, or the state.

Attribution of disappointments with decentralization to institutional problems suggests that improvements can be gained with greater care in designing these programs. This is a false hope, for governments typically do not introduce programs of decentralization with the goal of enhancing democracy. They may decentralize in an effort to reduce costs or conflicts between state and local actors (Bienen et al. 1990; Guha 1989; Scott 1998). Or they may decentralize in response to competition between central government agencies, electoral challenges, or international trends (Agrawal and Ostrom 2001; Alden Wily and Mbaya 2001; Barrow et al. 2001; Igoe and Brockington 2007; O'Neill 2003). Central government actors resist giving up meaningful powers, however, and design (and implement) decentralization programs in ways that intentionally limit meaningful devolution. If programs for decentralization frequently structure ostensibly representative bodies to be upwardly accountable and fragment local authority across numerous committees and agencies, it is because limiting local authority is an important goal (Ribot and Oyono 2005, 2006; Wunsch 2001). A focus on institutional design also diverts attention away from actors such as local-level officials, traditional leaders, and commercial elites who are threatened by decentralization. Although these actors are less directly involved in institutional design,² they can draw upon a diverse array of tactics to limit the effectiveness of decentralization and, especially, its implications for local democratization.

Any effort to enhance local democracy through decentralization must recognize and counter the diverse ways in which decentralization and democratization can be short-circuited. Several mechanisms can constrain (or foster) democratization, including collusion, discursive appeals, threats, bribes, delays, and selective policy

² Sometimes they *can* influence institutional design, either through participation in government-sponsored consultations with stake-holders or informal connections with policy-makers.

implementation. Case evidence suggests that the actions and events that can trigger these mechanisms differ considerably across cases. The sheer variety of tactics that powerful actors use to limit the democratizing effects of decentralization is a challenge for policy design and theoretical analysis. Recognition of the distinction between actions and events, on the one hand, and the mechanisms and processes that they set in motion, represents an important step forward analytically (Collier et al. 2004; Hedström and Swedberg 1998; McAdam et al. 2001). It is impossible to enumerate all of the *actions* used to resist a loss of power. After all, each mechanism or process of de-democratization can be activated by a variety of actions or events. On the other hand, there is a limited array of general mechanisms and processes that threaten democratic decentralization. By itself, however, the distinction between mechanisms and actions does not offer a strategy for identifying the actions likely to trigger general mechanisms in particular cases. For that, we need concepts and analytical tools that make it possible to recognize and make sense of both patterns and variety in context-specific actions and events, and to link a varied and fluid set of actions to a more limited set of general mechanisms. Below, we begin to develop these tools by building on the analytical framework developed by Charles Tilly in his work on repertoires and regimes (1978, 2006, 2007, 2008).

Repertoires of Domination: Turning Resistance on its Head

Charles Tilly developed the concept of repertoires of contention to address analytical challenges in the study of social mobilization (Tilly 1978, 2006, 2008; see also Tarrow 2008). In his early work on early modern Britain and France, Tilly observed that social mobilization in any given time and place involved a limited array of claim-making performances, and that the set of typical claim-making performances varied across locations and over time. Furthermore, the set of typical performances in a given place and time did not include all technically feasible possibilities. Tilly described sets of widely practiced claim-making performances as repertoires to highlight the limited range of observed performances in any given setting, the influence of prior exposure and practice (familiarity) on the set of typical performances, and on-going changes to the typical set of performances through innovation, creativity, and learning. Later, he associated repertoires with particular relationships in particular times and places (Tilly 2006, 2008). Thus, actors draw upon somewhat different repertoires depending on whether they are

making claims as workers vis-à-vis their employer, as voters vis-à-vis their elected representative, as clients of a government agency, or in some other relationship.

Repertoires of contention, then, refer to routine patterns of claim-making that vary by relationship and setting. The use of repertoires may be – and arguably often is – strategic. But repertoires are not just strategies. As responses to specific situations, the hypothetical set of possible strategies must be specified for each situation. Description of an action as a strategy makes no claim about the form of behavior likely in other situations or contexts. Even if strategic behavior is thought to be widespread, its manifestations could take infinitely diverse forms. By contrast, to call something a repertoire involves an assertion that a similar set of performances is enacted in a variety of situations and contexts that are perceived by the actors to be similar in some way.

Characterization of sets of claim-making interactions as repertoires is attractive for several reasons. First, it acknowledges the availability of multiple forms of claim-making within a given setting and relationship. Second, there is no expectation of a correlation between structural or institutional conditions and outcomes. Instead, multiple tactics may contribute to similar outcomes. Third, conceptualization of claim-making in terms of performances and repertoires draws attention to possibilities for creativity, improvisation, and variability in the quality of performances (see also Alexander and Mast 2006). Repertoires are formulaic ways of doing things, but with scope for variations on a theme. Even if several actors share the same repertoire, they may display differences in creativity and skill in using that repertoire to press their claims. Fourth, the expectation that repertoires are context-specific makes it possible to make some sense of both the diversity of observed repertoires and the extent to which elements of repertoires appear in multiple settings.

Tilly developed the concept of repertoires of contention in a general manner that encompasses claim-making by any set of actors, whether within the state or outside, whether powerful or marginalized. Nonetheless, most applications of the concept focus on the repertoires of actors mobilizing to challenge the status quo. Such studies do discuss responses to or means to suppress mobilization. They typically have not used the concept of repertoires to do so. Studies framed in terms of repression appreciate the performance value of shows of force, yet also have not taken up the concept of

repertoires to understand routine responses of the powerful to threatening forms of mobilization (Davenport et al. 2005).³

A few scholars have described the behavior of powerful actors in terms of repertoires. Peluso (1992), for example, refers to both repertoires of control used by the Indonesian state and repertoires of resistance used by Indonesian villagers in their responses to state policies. She describes numerous repertoires of control but does not develop the concept explicitly.⁴ Salvatore (2000) introduces and elaborates the notion of “repertoires of coercion.” Repertoires of coercion, like repertoires of contention, differ across institutional contexts, according to the intended target of coercion, and the broader political opportunity structure. Salvatore (2000) draws a sharp distinction between coercive actions that rely on the use of force and market relations, which he characterizes as relying on incentives and persuasion. Yet, repertoires play out in diverse realms of social interaction, including markets (as in the Senegal case).

We define “repertoires of domination” as the sets of routine claim-making actions available to actors as they seek to gain, expand, or defend positions of dominance vis-à-vis particular types of other actors. As such, they represent a sub-set of repertoires of contention defined by the goal of domination. Like other types of repertoires, repertoires of domination vary across settings and relationships and are influenced by familiarity, socially constructed meanings and norms of appropriate behavior in particular types of relationships, and the political opportunity structure. Repertoires of domination, like other repertoires of contention, involve performances in diverse realms of social interaction and draw upon diverse resources such as capital and market access, social identity and status, formal and informal authority, technology, and knowledge.⁵

Our concern with efforts to establish, extend, or defend positions of dominance (authority) directs our attention to a broad array of actions. Unlike repertoires of resistance, which usually take the form of collective action or mobilization, the number of actors engaged in repertoires of domination may be as few as two: at least one

³ This literature also tends to focus narrowly on the state and its proxies (but see Ferree 2005). In fact, non-state elites also hold positions of dominance and play an important and active role in reproducing their dominance (Migdal 1988; Ribot and Peluso 2003; Scott 1990).

⁴ Ribot (1998) uses repertoires of resistance to refer to a whole set of tools by which people resist other people who control. He points out that these repertoires are not just used against the state, but can be used in response to any actors worthy of resisting (e.g. actors who control access to valuable resources).

⁵ Salvatore’s (2000) concept of repertoires of coercion may be considered as a sub-set of repertoires of domination. It is not our intent, however, to develop a typology of repertoires of domination.

claimant/performer⁶ and at least one target. Indeed, we expect repertoires of domination to include many solo and small ensemble performances in relatively intimate settings. If we were to ignore smaller-scale and less-public performances, we would miss many important forms of claim-making within repertoires of domination, including coded threats, bribes, coercion, and collusion. Although these actions involve fewer actors and occur in less-public settings, they are still claim-making performances. In fact, uncertainty about what exactly happened can feed rumors and suspicions that may contribute more effectively to domination than more public performances in some circumstances (see Ribot 1999b).

We argue that decentralization rarely generates democratization because powerful actors are able to use repertoires of domination effectively to maintain their positions. Because repertoires involve actions in multiple realms of social interaction and draw on a variety of socio-political, material, and normative resources, they represent sources of flexibility and creativity in responding to challenges. It is impossible to respond to a repertoire element by element. Through a whole array of acts by powerful actors within and outside of the state, obstacles are erected to block decentralization reforms. In the next section we illustrate how repertoires of domination were deployed in response to the decentralization of natural resources in Botswana and Senegal.

Decentralization and Local Authority in Botswana and Senegal

Botswana introduced its Community Based Natural Resource Management (CBNRM) program for wildlife management in 1989. Decentralization of forestry management in Senegal occurred in 1998 within the context of a broader program of decentralization to rural councils that began in 1996. Decentralization has the potential, at least in theory, to deepen local democracy in these long-standing electoral democracies. We begin with Botswana, where the structure of decentralization is wanting in many respects. We then discuss Senegal, where the decentralization is well-structured in law and the failure to empower elected local authorities occurs in implementation (or non-implementation). In both cases, actors threatened by decentralization drew upon defensive repertoires to fetter the transfer of significant powers over natural resources to local authorities. We describe the origins and main

⁶ The claimant would be claiming a position of dominance or benefits associated with such a position.

features of the sector-specific decentralization policy or program for each case. We then illustrate how repertoires of domination are performed to slow, halt, or reverse the development of local authority and democracy. Although the specific practices are diverse and rooted in local contexts and relationships, an overlapping set of mechanisms is at work in the two cases. These mechanisms include (de)legitimation; misrepresentation and obfuscation; the fostering of dependency; threats, bribes, sabotage, and coercion; cooptation, fragmentation, and isolation of rivals; coalition-building and collusion; and deflection of attention.

Botswana: Decentralization of Wildlife Management

In the late 1980s, USAID encouraged Botswana to decentralize the management of wildlife as a way to address poaching, antagonistic relations with residents of wildlife areas, and other problems associated with centralized management (Blaikie 2006; Taylor 2002). Inspired by the early enthusiasm for decentralized wildlife management in Zambia and Zimbabwe, USAID argued that rural residents would be more supportive of conservation measures if they received tangible benefits from wildlife. The Community Based Natural Resource Management (CBNRM) program was launched as a pilot project in the Chobe Enclave in 1989 and then spread to other areas. Many of the most wildlife-rich areas in Botswana are now under community management. Between 1989 and 2007, Botswana's CBNRM program conferred significant control over wildlife revenues to small-scale communities in selected wildlife-rich areas. The CBNRM policy of 2007 provided a formal legal basis for community management, but also partially recentralized control over wildlife revenues.

CBNRM affects areas designated for community management by the Department of Wildlife and National Parks (DWNP). To take advantage of CBNRM, residents of an eligible area must form a legally registered community-based organization (CBO). Within each district, a multi-department Technical Advisory Committee (TAC) oversees the formation of CBOs through a series of community meetings (Cassidy 2000; Thakadu 2005). Once legally registered, a CBO may lease land from the Land Board and gain legal rights over particular uses of wildlife resources from the wildlife department (e.g., photo safaris, hunting quotas). The community may choose to manage those resources directly, sell or auction access and use rights to members or non-members, or form a joint venture partnership with a safari operator to manage and market its wildlife resources. Joint venture partnerships provide small-scale

communities with greater access to international tourist markets and are encouraged by government officials. Before a CBO can enter a joint venture partnership, however, it must develop a management plan that meets criteria set by the Land Board, the wildlife department, and the TAC (Cassidy, 2000; Twyman, 2001). These bodies also oversee the process of soliciting and selecting tenders for joint venture partnerships.

From 1989 until the adoption of the 2007 policy, revenues generated from wildlife resources in community-managed areas flowed directly to the CBOs. International tourism, virtually non-existent in the late 1980s when CBNRM was launched, expanded rapidly in the 1990s and is now Botswana's second largest economic sector, after mining (ARCA Consulting 2000; Mbaiwa 2005a; Stevens and Jansen 2002). Negotiations with tour operators yield a variety of concessions for CBOs, including employment opportunities for community members, training and educational opportunities, targeted investments in infrastructure and local businesses, and assistance with day-to-day challenges (e.g., ploughing, transportation related to funerals). Some communities run smaller-scale tourism initiatives, such as cultural activities, hiking trails, and camp sites (Flyman 2001; Gujadhur and Motshubi 2001). The government expected revenues generated through CBNRM to support operations, allow reinvestment in the resource base and tourism infrastructure, and provide direct benefits for members, but CBOs had considerable discretion over the allocation of these funds. Their investments in water development, small businesses, and community services often reflected locally set priorities that would not have been met otherwise.

The CBNRM policy of 2007 affirmed the possibilities for community management of wildlife through leases from the Land Boards and the allocation of hunting quotas from the wildlife department. But it also greatly curtails the financial autonomy and discretionary authority of the CBOs (Poteete 2009). It reduces the CBOs' share of revenues generated from wildlife resources in their areas to 35 per cent and diverts the other 65 per cent into a National Environment Fund for disbursement as grants to CBOs throughout the country. This replacement of more or less unconditional revenue flows with conditional grants represents an important if partial re-centralization.

Although the 2007 policy marks a sharp change in direction in some respects, it also institutionalizes processes that had been underway for years. The 2007 policy reinforces existing regulatory aspects of CBNRM and attempts to mollify its many opponents. CBNRM conferred supervisory roles upon the wildlife department, the Land Boards, and the TAC. As these agencies exercised their regulatory powers, they

subverted CBNRM and transformed a policy of formal decentralization into a means of expanding or entrenching power relative to both rival agencies and local communities. CBNRM also faced serious challenges from commercial interests, the districts, rival bureaus, and national-level politicians. While these actors opposed the devolution of wildlife management and revenues to CBOs, they did not represent a united front with shared goals. Private sector tour operators chafed at the costs and inconveniences of doing business in community-managed areas. The North West District Council wanted to keep wildlife revenues in the district, but with itself as an intermediary between tour operators and CBOs. Wildlife-poor districts called for nationalization and redistribution of wildlife revenues so that they could get a share. Meanwhile, the Ministry of Agriculture opposed the spread of commercial wildlife activities because it limits the expansion of livestock development. National-level politicians responded to CBNRM in divergent ways, depending on their constituencies, involvement in the wildlife sector, and assessments of the electoral stakes.

Each of these powerful actors drew from a rich repertoire of actions to subvert or reverse the democratizing effects of CBNRM. A dispute involving the Land Board, a CBO, a safari company, senior government officials and politicians underlines the array of actors aligned against the devolution of authority to local communities, the depth of the repertoire available to each type of actor, and the manifold ways in which particular mechanisms and processes of capture or recapture may be activated.

Khwai and the Tsaro Lodge

The village of Khwai was created to accommodate people displaced by the creation of the Moremi Game Reserve in 1963. The wildlife department later designated Khwai and the surrounding area as a Wildlife Management Area (WMA) and several companies constructed safari lodges in the area on land leased from the Land Board. There is a long history of hostile relations between the residents of Khwai, government agencies, and the safari companies (Bolaane 2004; Mbaiwa 2005b; Taylor 2000). The residents of Khwai never accepted the Reserve, the restrictions on natural resource use associated with the area's status as a WMA, or the presence of safari companies. In part to defuse this situation, the government decided in 1995 to transfer a wilderness area to Khwai as part of its expansion of CBNRM; lodges in the area were to be transferred from safari companies to Khwai upon expiration of existing leases. We focus on contestation over

the degree of autonomy claimed by Khwai and opposition to the transfer of the Tsaro lodge.

Khwai has clashed with the wildlife department, the Land Board, and other officials from the outset. Residents of Khwai cast themselves as victims of dispossession with historical rights that preceded any government policy. They defined their relationship with the government as one of negotiation in which the terms of government policy held no special status. Government officials adopted the role of neutral agents charged with the implementation of policies and enforcement of regulations to which Khwai, like all other communities, must conform. As officials resisted the autonomy claimed by Khwai, they insisted that they were simply guarding against discrimination, poor business practices, and violations of procedures. These stances denied Khwai's role as a victim of historical displacement and discrimination or its claim to prior rights based on historical presence.

Khwai initially formed a CBO that limited community membership to BaSarwa, the ethnic label for the people who had been evicted upon the creation of the Moremi Game Reserve and the most marginalized ethnic category in Botswana.⁷ Taking up the role of defenders against ethnic discrimination, the Land Board and the wildlife department refused to transfer management rights until the Khwai Development Trust (KDT) adopted an ethnically neutral constitution (Bolaane 2004; Mbaiwa 2005b). Officials did not acknowledge the relevance of historical discrimination against the BaSarwa or the possibility that an ethnically neutral constitution might result in a CBO dominated by relative newcomers to the area.⁸ After KDT became operational in 2000, it could not engage in tourism or other commercial activities until the Land Board approved its management plan. KDT did not want to delegate tourism operations to a single company through a joint venture partnership. Instead, it proposed to manage the area itself and to auction off its wildlife quota animal by animal (Boggs 2004; Mbaiwa 2005b). Official regulations allowed for self-management and auctions, yet the Land Board balked. Posing as the defender of good business practices and enforcer of existing policies and plans, it asked for details and insisted on adherence to a management plan

⁷ The BaSarwa are also known as San. Although widely referred to as an ethnic category, the term encompasses a variety of mutually incomprehensible language groups.

⁸ In fact, the CBO chair elected in 2003 is an immigrant from Maun (the district capital) and a *motawana*, a member of the locally dominant Tswana group (Mbaiwa 2005b, 151). People must reside in Khwai for 5 years before joining the CBO.

developed for the area in 1996, before the area's transfer to community management.⁹ The Land Board eventually allowed KDT to conduct an auction in 2000, but continued to press for more familiar arrangements.¹⁰

KDT had barely begun to exercise its management rights when the lease to outsiders for the Tsaro lodge expired in 2001. Before its expiration, the lease had been transferred several times. Upon approval of each transfer, the Land Board informed the new tenants that the lease would not be renewed when it expired. The lease clearly stated that all physical improvements must be handed over without compensation at the end of the lease. Nonetheless, when the lease expired, the current tenant, Chobe Holdings (Pty) Ltd. lobbied aggressively for an extension and for compensation for fixed investments. The company pressed its case with national politicians, the Land Board, and KDT. In its appeals to national politicians, Chobe Holdings adopted a posture of surprise and claimed wrongful injury despite its own reasonable behavior. The company cast the Land Board in the role of an irresponsible and biased agency and depicted KDT as lacking in authority, capacity, and sincerity. The company adopted more rough-and-tumble roles in its relations with the Land Board and KDT. It challenged the authority of the Land Board by violating the terms of its lease, seeking favoritism, mobilizing political pressure, and threatening disruptions in public relations with international tourists. It tried to bully KDT with threats and acts of sabotage.

The company first pressed its case in a letter to Jacob Nkate, a local MP and cabinet member.¹¹ The letter opened with appeals to precedence, informal business norms, and the establishment of informal property claims through investment. First, the company noted that the fifteen-year leases for tourism in community-managed areas are much shorter than the 50 to 99 year leases for other commercial sectors. Second, the company argued that a "benevolent landlord" would give rights of first refusal to the current leaseholder even in the absence of a legal requirement to do so. Third, it noted that it had invested substantially in refurbishing the lodge. These arguments attempt to establish the company's role as a responsible business that had been wrongfully injured and thereby legitimize its claim for an extension of its lease.

⁹ Copy of letter dated 17 April 2002 the Land Board Secretary to KDT in TLB/B/11/28 I (65).

¹⁰ The companies disliked the animal-by-animal auction and lowered their bids after the first year; by 2002, KDT agree to auction off the entire quota to a single company (Boggs 2004).

¹¹ Copy of letter dated 19 November 2001 found in Tawana Land Board file: TLB/B/11/28 I (42).

The company simultaneously pursued other tactics. Its letter to Nkate had dismissed KDT as lacking both the capacity and authority to make decisions. It nonetheless launched negotiations with the community in an effort to get partial compensation for fixed improvements. KDT rejected this idea. This outcome is consistent with the general view within Khwai that safari companies in the area were disrupting their way of life while extending few employment opportunities or other benefits to local residents (Mbaiwa 2005b). Yet, in its correspondence with government officials, the company portrayed the community as failing to negotiate sincerely.¹²

The company also criticized the Land Board. It argued that the Land Board had provided inadequate notice of the termination of the lease. When a local newspaper published an article on the conflict, the company accused the Land Board of going to the press.¹³ With these complaints, Chobe Holdings suggested that the central government should over-rule local authorities because they had discredited themselves. The cabinet did suspend the eviction and discuss the matter, but decided to uphold the terms of the lease and proceed with the transfer to KDT. Chobe Holdings did not give up. While disputing the termination of its lease, the company continued to book clients.¹⁴ The company then argued, successfully, for a delay in vacating the premises to avoid disruptions for the tourists. According to the Land Board, in an act of sabotage, Chobe Holdings trashed the premises before it finally left. Afterwards, in another letter to Nkate, the company again posed as the wrongfully injured party and demanded financial compensation for physical improvements on the property.¹⁵ The central government again backed up the Land Board.¹⁶

The Khwai Development Trust gained management authority over the Tsaro Lodge in January 2002, but had to gain the Land Board's approval for its management plan before it could reopen the lodge. By June 2002, the lodge had not yet reopened and Ian Khama, then Botswana's vice president,¹⁷ entered the drama as a defender of national interests in keeping tourist facilities operational. Khama suggested that KDT

¹² Copy of letter dated 29 November 2001 found in Tawana Land Board file: TLB/B/11/28 I (46).

¹³ Copy of letter dated 8 December 2001 found in Tawana Land Board file: TBL/B/11/28 I (53).

¹⁴ Copy of Savingram dated 25 January 2002, from the Tawana Land Board to the Permanent Secretary of Jacob Nkate's ministry, found in TLB/B/11/28 I (60).

¹⁵ Copy of letter dated 18 February 2002 found in TLB/B/11/28 I (61).

¹⁶ Copy of letter dated 28 February 2002 from the Permanent Secretary of Jacob Nkate's ministry to Chobe Holding (Pty) Ltd in TLB/B/11/28 (63)

¹⁷ Ian Khama became President of Botswana in March 2008.

should partner with Chobe Holdings to manage the lodge and speed its reopening.¹⁸ In subsequent internal correspondence with the Land Board, the vice president repeatedly demanded that Chobe Holdings be given the right of first refusal before launching an open bidding process for management of the lodge.

The Land Board plays the role of a guardian of policies and procedures for land administration, including procedures associated with the transfer of management responsibilities to CBOs. Guardianship has two sides. In its relations with politicians and safari companies, the Land Board poses as a *guard* against infringements on the rights of CBOs. In its relations with the CBOs, however, the Land Board construes guardianship as *supervisory authority*. In the Tsaro lodge dispute, the Land Board insisted upon the KDT's legal right to develop its own management strategy and choose its own business partners, despite repeated pressure from the vice president, the office of the president, and other upper levels of the government over more than two years.¹⁹ In internal correspondence, the Land Board repeatedly underlined its own lack of discretionary authority and the risks of a legal challenge if standard procedures for the selection of business partners were not respected. While legal challenges to Land Board decisions are common,²⁰ we have seen that the Land Board and other local authorities exercise considerable authority over the CBOs. In fact, conflicts between KDT and the Land Board over the management plan contributed to the delay in reopening the Tsaro Lodge. Ironically, the vice president pointed to this delay as a justification for bringing in Chobe Holdings.

The vice president's interventions in CBNRM attracted a lot of attention. As a series of draft versions of the CBNRM policy circulated within the government and among stakeholders, many suspected that Ian Khama was the main political force pushing for recentralization of wildlife management. Whether true or not, this widespread belief created a sense that CBNRM and the authority of the CBOs were vulnerable. Other politicians expressed their opposition to CBNRM in parliamentary sessions and through the media (Poteete 2009). The most vocal opposition came from *within* the

¹⁸ Memo dated 5 June 2003 from the Land Board Secretary to the Director of Tourism, in Tawana Land Board file: TLB/B/KDT/11/28 I.

¹⁹ The intervention is documented in, for example, the Tawana Land Board file, Maun Div: TLB, File No.: B/11/28, Volume I: Khwai Development Trust: Tsaro Photographic Lodge.

²⁰ Land Boards have in fact faced regular legal challenges to their decisions based on accusations of favouritism or deviations from standard procedures since the establishment of the Land Tribunal in 1997.

government and the ruling Botswana Democratic Party (BDP). Officials and politicians staged numerous performances in which they cast CBNRM in a negative light.

One line of attack drew attention to management problems within CBOs and conflated mismanagement with corruption. Nearly one-third of the proceedings from the 2003 meeting of the National CBNRM forum, a stakeholder group, address charges of mismanagement and corruption and strategies for addressing these problems; Khwai was presented as a case study (National CBNRM Forum 2003). The Directorate on Corruption and Economic Crime (DCEC) directed a spotlight on these issues by organizing a workshop on CBNRM in 2006. The government further raised awareness of the issue by posting the keynote address for the DCEC workshop on its website (Ramsden 2006). The government-run *Botswana Daily News* featured articles on charges of corruption within CBOs, including several that focused on KDT (e.g., BOPA 2007a, 2007b). BDP politicians openly complained about problems of mismanagement and corruption in CBNRM (Poteete 2009). Government officials underlined problems of mismanagement within CBOs during their regular tours of villages. The government delegitimized the CBOs by portraying CBOs as wasteful and corrupt. In these performances, the government offered to intervene as a guardian of ordinary people to offer protection against corrupt elites and help build local capacity.

In addition, several BDP politicians argued that CBNRM violates a founding political principle, that natural resources should be treated as national resources (Poteete 2009). They attributed the country's relative political cohesion and stability to the government's commitment to managing natural resources for the collective benefit. They warned that CBNRM could present a dangerous slippery slope; decentralized management of wildlife revenues might encourage mining communities to press for decentralized management of mineral revenues. After passage of the 2007 policy, one BDP parliamentarian complained in a series of newspaper articles that it violates the principle of natural resources as national resources (Ntuane 2007a, 2007b) – even though the policy represents a recentralization relative to prior practice.²¹ Depiction of wildlife as a national resource calls into question the legitimacy of any form of decentralized natural resource management, even if local authorities have solid managerial skills, avoid all hints of corruption, and are accepted as legitimate local authorities. This framing of the issues also provided the government with political cover,

²¹ Botsalo Ntuane has attracted attention as a vocal critic *within* the BDP. Interestingly enough, he plays this role despite being a “specially elected” (i.e., appointed) member of parliament.

as it could claim that changes introduced in the 2007 policy represent a moderate position.

Repertoires of Domination in Botswana

An array of actors opposed meaningful devolution of authority of wildlife management to local communities through CBNRM. Each could draw upon a repertoire that included several performances. Each attempted to define its own role and that of its allies and rivals. They also took actions to display or claim power and highlight the vulnerability or dependency of rivals. Some performances appealed to norms of morality while others showcased strengths in markets, politics, or the administrative structure. The richness of the repertoires of domination can be seen in the conflict over the Tsaro lodge, the regulatory constraints on the autonomy exercised by the Khwai community, and the mobilization of senior government officials and politicians against CBNRM. The types of actions observed in this conflict are not particular to either the particular actors or situation. Similarly situated actors draw from similar repertoires of domination.

Like Chobe Holdings (Pty) Ltd, many safari companies complain about the CBO's limited understanding of business practices, mount legal challenges, threaten to withhold investments in community-managed areas, make moral appeals, discredit local authorities, and lobby national politicians. Despite its unrelenting efforts, Chobe Holdings failed to gain an extension of its lease, compensation for fixed improvements, or priority status in KDT's selection of a joint venture partner. Nonetheless, this conflict and others like it set in motion powerful processes that steadily eroded support for CBNRM. The emphasis on low CBO capacity and the prerogatives of business delegitimized CBNRM. Threats to withhold investment or to sabotage fixed property upon termination of a lease undermined the CBOs' legal rights to choose and change their business partners. Lobbying and legal challenges drew critical attention to specific institutional arrangements. These actions sought to legitimize commercial interests and chip away at CBNRM, element by element.

The Land Board, the wildlife department, and other government agencies used their regulatory authority to constrain the discretionary authority of the CBOs. The Land Board, line ministries, and the district councils have developed comparably complex regulations for other policies as well. Complicated regulations and requirements require skills local residents lack and thus foster the dependency on external actors. They also create opportunities for obfuscation and misrepresentation; discretionary authority

frequently masquerades as regulatory authority. The Land Board's reluctance to approve Khwai's unorthodox management plans, for example, was not based in law. In another community, an official ruled that the CBO violated procedures because it was organized and held meetings on the basis of residential neighborhoods or wards instead of the village-wide traditional meeting place. Although this decision did not reflect official policy and communities elsewhere have developed alternative organizational arrangements (Flyman 2001), this official's proclamation sowed confusion and dissent within the community. At a minimum, then, the supervisory authority exercised by government officials restricts the autonomy of local authorities. Often, complex regulatory requirements foster dependency. In its worst forms, it either diffuses local authority (as in the rejection of Khwai's ethnically defined community membership), or fragments local authority by fomenting divisions.

National politicians and senior administrators ultimately presented the greatest threat to CBNRM. And yet, as illustrated by the stand-off over the Tsaro lodge, even the most senior officials face constraints on their authority. When the Land Board resisted pressures to deviate from standard procedures in the administration of CBNRM, politicians and senior officials launched a campaign to reverse CBNRM. Any time the government of Botswana wants to introduce a major new policy, it stages a series of consultative meetings and organizes tours of the villages by senior politicians. These events can generate valuable input on policy proposals, but they also represent opportunities to make moral appeals, display support for existing proposals and co-opt potential opponents. The 2007 policy went forward only after a lengthy campaign to delegitimize CBOs and the whole idea of decentralized natural resource management.

Additional actors—including traditional authorities, village development committees, the North West District Council, and CBOs and authorities in wildlife-poor districts—presented further challenges. Each drew upon a distinctive repertoire to activate mechanisms such as the delegitimation of community-based management and legitimation of rival claims, the fostering of dependency, obfuscation and misrepresentation, threats and coercion, cooptation, and fostering divisions among rivals. CBNRM did transfer large sums of money to CBOs and gave them discretionary authority over those funds, but CBOs faced repeated frustrations in trying to exercise discretionary authority. Ultimately, they could not defend themselves against the political pressures for recentralization and redistribution that resulted in the 2007 policy.

Senegal: Decentralization of Forest Management to Rural Councils

Forest villages in Senegal's Tambacounda Region successfully marketed charcoal in the capital city, Dakar, quintupling their income. This success story, unfortunately, also illustrates how powerful actors succeed in limiting or preventing implementation of progressive decentralization reforms. This section describes Senegal's forestry sector decentralization reform and then tells the story of how development projects helped forest villagers to finally reap a portion of the enormous profits available from their forests. As we will see, resistance from government officials and merchants both delayed and constrained the villagers' realization of their legal rights to engage in charcoal production. We situate this qualified success within the larger story of decentralized forestry in and outside of the protected 'managed' project areas.

Senegal's decentralization

Senegal's 1996 Decentralization Law (RdS 1996b) transferred natural-resource management, among other powers, to elected 'rural councils'. The rural council is Senegal's most local-level of local government—regrouping on the order of 60 to 120 villages. Before the 1996 decentralization, the official role the rural council was merely to *advise* and *assist* the Sub-prefect (a local administrative appointee of central government) on political and administrative matters. The 1996 law, however, inverted the council's relation with the Sub-prefect, making rural councils into independent decision-making bodies and reducing the Sub-prefect's role to ensuring that the acts of the council conform to existing law. Rural councils are elected by universal suffrage from candidates proposed on party lists/slates.²²

The forestry sector before decentralization

Charcoal is the primary cooking fuel in Senegal's cities. Given its high value and its perceived²³ impact on forests, charcoal production is of great interest to forest villagers and it is heavily regulated by the forest service. Until 1998, the system of forest management was totally centralized—orbiting around merchant licenses and production quotas allocated by the national forest service, and permits for woodcutting and

²² Elections are conducted under a highly disproportional parallel electoral system. The list with the most votes gets 50% of the council seats. The other 50% are allocated proportionally—so the list with the most votes always has a significant majority of the council seats.

²³ Charcoal production in Senegal is believed by donors and by Senegal's forest service to be highly destructive to forests. The evidence, however, is slim. See Ribot 1999a.

transport that could only be obtained by licensed merchants with quotas (Ribot 1999a).²⁴

Each year, the Forest Service and ministry for environment fixed a national quota for charcoal production and allocated it among some 120 to 170 enterprises—cooperatives, economic interest groups and corporations—holding professional forest producer licenses delivered by the forest service. They promulgated an annual decree listing the quota for each enterprise and indicating the forested region, Tambacounda or Kolda, where these quotas were to be exploited. Soon after, each Regional Forest Services would inform the recipients, the mostly urban-based merchants, of the villages where they would be allowed to exploit their charcoal quotas. There was no local say in the matter.

With a charcoal quota in hand, a charcoal merchant could then hire migrant laborers (most from neighboring Guinea), obtain woodcutting permits for the migrants from the local forestry brigade office, bring their migrant laborers to a village, and negotiate with the village chief to house them during tree cutting and carbonization. After three to six months of production, the migrants would call the merchant to come with a truck to pick up the charcoal. The migrants could produce one truckload of about 300-400 sacks in this time. The merchant would pay the migrant workers in the forest, load the truck, and pay taxes to obtain a transport permit at the local forestry brigade office. With this permit they could transport their charcoal to market in Dakar. Through this system the merchants controlled the market.

The forestry sector after decentralization

The general framing law of Senegal's 1996 decentralization, however, gave rural councils jurisdiction over “the organization of exploitation of all gathered plant products and the cutting of wood” (RdS 1996b:art.195). Another 1996 decentralization law, specifying the transfer of specific powers, gave the rural council jurisdiction over “management of forests on the basis of a management plan approved by the competent state authority” (RdS 1996a:art.30). Together, these laws were contrary to the old system of forestry management, requiring elaboration of a forestry code consistent with the laws of decentralization.

²⁴ Based on the 1993 forestry code and similar codes dating back to 1935.

The 1998 forestry code (RdS 1998) reinforced the decentralization reforms, recognizing council's rights to determine who will have the right to produce in these forests (art.L8,R21). The new forestry code also defined community forests, stating that "Community Forests are those forests situated outside of the forested domain of the State and included within the administrative boundaries of the rural community who is the manager" (RdS 1998:art.R9). The forested domain of the state consists of areas reserved for special uses and protection (RdS 1998:R2), and most of Senegal's forests are not reserved. In short, the new laws give most rural communities control over large portions of the forests—if not all of the forests—within their territorial boundaries.

As an added protection of these new rural-community rights, the forestry code requires the forest service to obtain the signature of the rural council president (PCR, elected from among the rural councilors) before any commercial production can take place in their forests (RdS 1998:art.L4). According to the decentralization code, PCRs play an executive role and cannot take action prior to a meeting and deliberation of the council whose decisions are taken by a majority vote (RdS 1996b:arts.200,212). So, the new laws effectively require that the rural council approve production via a majority vote before anyone can exploit Rural Community forests.

The radical decentralized and democratic 1998 forestry code and the 1996 decentralization laws changed everything—at least on paper. The powers of all actors changed—foresters, councilors, prefects, and merchants. Rather than the Forest Service allocating access to urban merchants, the rural council would choose the merchants it wanted working in its forests. Rather than the Forest Service managing the forests management is now the role of the rural council. Rather than making local decisions by fiat the sub-prefects are relegated to 'legal control'. Rather than receiving their quota from the forest service and exploiting it, the merchants now had to go to the councils for permission to exploit (and the amount they could exploit was to be determined by the ecological potential of the forest).

Under pressure from the ministry of local government, the World Bank and other donors, the Forest Service elaborated a new forestry code consistent with the mandates in the decentralization law. Thus, the decentralization reform shaped a new forestry code with significant decision-making powers for the rural councils.

Repertoires of Domination: Maintaining Senegal's old forestry regime after reform

Rural councilors were very excited to gain control over rural community forests. They wanted to stop merchants and their migrant laborers from cutting the forests out from under them. They also wanted forest villagers to have opportunities to exploit the forests themselves to bring income into the villages and revenues to the rural council. The decentralization gave these powers to the rural councils. Exercising these new rights would have also helped the councils to build a role in the community and gain some local legitimacy. But, despite the reforms, little has changed. This section explores the repertoire of domination used by Senegal's forest service, prefects, and merchants to maintain the status quo—depriving the new elected rural councils of their new powers and roles.

The decentralization and new forestry laws should apply equally to all zones of Senegal. But, the forest service applies them differently in areas with donor projects than in non-project areas. In non-project/non-managed areas exploitation continues to take place through quotas and permits as in the period before the 1998 law—the only difference is that rural council presidents in these areas have been forced to sign off before exploitation began each year (Ribot 2009). In the project areas, however, forest villagers have been allowed to reap significant benefits. Donors and foresters hold up the villagers profits as a great success. But it is a qualified success. When compared to what these forest villagers 'could' gain and compared to what merchants are gaining—in the project and in the non-managed areas—the success appears anemic. The performance and presentation of success depends on how it is framed. This section describes the difficulties faced by villagers in project areas who tried to profit from charcoal.

Hoping to increase village income, the World Bank's PROGEDE project began in 1998 to train forest villagers to produce and sell their own charcoal. Until 1998, the quota system gave the forest service total control of market access—which it allocated to licensed²⁵ merchants. In the first years of production, these villagers (like migrant laborers before them) had to sell their charcoal to quota-toting merchants for a subsistence wage at the forest edge. The 1998 forestry code gave the forestry service three years (until 21 February 2001) to eliminate the quota system. But, the quota system was not eliminated in 2001. Despite talk of village participation and marketing of charcoal, the forest service refused to give quotas to forest villagers (or to the projects).

²⁵ Licenses were rendered illegal under a 1995 law liberalizing the professions. This law was also studiously ignored by the forest service.

Forest villagers were forced to continue to sell at the forest edge—they could not take their charcoal to Dakar. It was not until 2006 that the first truckload of charcoal produced under PROGEDE was sold by forest villagers at a significant profit in Dakar. Foresters always had reasons for the many delays in transferring production and marketing right to the forest villages.

First, the Forest Service took several years to elaborate forest management plans (which they began developing well before 1998). While described as a means to protect the forests, management plans have virtually no ecological function (Wurster 2009; Ribot 2004). They then trained forest villagers to produce charcoal. While described as necessary training, the villagers not only do not need training in charcoal production, but they usually hire migrant laborers to do the work who are already expert charcoal makers (interviews 2003-9). During plan development and training time, foresters consistently refused to let the project participants sell charcoal to anyone but licensed merchants with quotas. The PROGEDE project, and later USAID's Wula Nafaa project, repeatedly asked the Forest Service for charcoal quotas for their project villages. But they were turned down. In 2005, while still allocating quotas to merchants, the forest service agreed to establish *contracts* between project rural communities, the forest service and merchants. Under these contracts the merchants agreed to buy village-produced charcoal. The contracts fixed the forest-edge price (the producer price in the forest) and included a fee to feed a forest management fund managed by the forestry union, the forest service and rural council (leaving it ambiguous as to who can decide to spend it when). Under these contracts, the merchants were enabled obtain transport permits for the villagers' charcoal. The 'contracts' were effectively 'quotas' with a new name. They gave merchants a quantity of charcoal they could transport to Dakar (enabling them to rent out their trucks). They also kept villagers dependent on the merchants (and merchants dependent on foresters) for marketing rights.

Forest villages were not at all happy with the low price of \$1.50 per sack they were getting from merchants at the forest edge. They wanted their own transport permits so they could sell in Dakar where the price was \$10-14. The two projects continued asking the Forest Service for production quotas (despite the quota's legal non-existence) or contracts to allow circulation to Dakar so that the project villages could market their own charcoal. But, the forest service made the patently absurd argument that rural communities 'lack the capacity' to produce and do not know the markets. The PROGEDE project insisted, complaining to the Forest Service Director and the Minister

responsible for Environment. In 2006 the Forest Service Director asked a merchant who was 'contracted' to purchase project charcoal to help the villagers to sell to wholesalers in Dakar. So, rather than getting their own quota or an independent contract, the project villagers took their first truck to Dakar under contract with a licensed merchant. In Dakar, in lieu of \$1.50 per sack, the villagers earned \$8.00 per sack (\$11 minus \$3 for transport).²⁶ Rather than earning \$450 per truckload of 300 sacks—the product of four to six months of labor by one producer—those selling in Dakar earned around \$2400. They quintupled their income just by an additional 3-5 days of labor taking the charcoal to Dakar. This was a great success for the villagers and PROGEDE. The USAID project followed suite shortly after—using contracts with merchants to help villagers market their charcoal.

The villagers who went with the first truckloads to Dakar were delighted by the remarkable amount of money they made.²⁷ They told me that when they returned home with the money, the whole village was so happy they danced all night and forgot to eat. But, they were also angry that they had been robbed for so long. For every truckload they were selling at the forest edge for \$450, the merchants were making almost \$1850 in clear profit (about \$2400 minus the producer price and \$100 in bribes to foresters and police along the road). While a woodcutter could produce two truckloads of charcoal a year, each merchant was liberally allocated quotas for between ten and fifty truckloads a year—merchants were making astounding profit with little work. Once the villagers saw the profits, they wanted to sell all their charcoal in Dakar. But they were systematically blocked by the Forest Service. The projects asked for contracts allowing more production and transport to Dakar, but they were still told they could only have several truckloads a year until villagers showed that they had the 'capacity' to market the truckloads they were allocated.

In 2006, the forest service allocated only a few truckloads at a time to project villagers under contract with their merchant-patron. When the villagers had the charcoal ready, the regional Forest Service director withheld the transport permit, telling the villagers that there were 'administrative problems'. The Forest Service waited until after the merchants from elsewhere had sold their charcoal at the high early season price.

²⁶ This calculation subtracts out of the profit the cost of transport from the villages to Dakar. The project villagers were paid 5000 CFA per sack for the first truckload and paid 1500 CFA per sack the merchant for transport. The villagers also had to pay about 50,000 CFA (\$100) in bribes to foresters and police along the road.

²⁷ The story of the first truckload of charcoal is told in the film *Semiñ Ñari Bor*, Ribot 2009.

When the price in Dakar dropped, they gave the project participants their first transport permit. While the villagers had a dozen truckloads of charcoal ready to go (and could have had many more produced were they given more production permits), the forest service allocated transport permits to them one by one with delays in between. The villagers were frustrated. By the end of the first production season they had only sold five truckloads in Dakar. They had to sell the rest of their charcoal at low forest-edge price while being allocated a drip of hope and profit through a slow allocation of transport permits. Meanwhile, the forest service was allocating quotas for 30, 40, and 50 truckloads at a time to individual merchants.

To date (June 2009) forest villagers in dozens of World Bank and USAID project villages in the managed areas get to take to Dakar a total of about 80 truckloads a year under contracts for charcoal production, while the other 7,000 truckloads that are sold in Dakar are still sold by the merchants. Forest villagers are earning a fragment of what they could make if the current laws were upheld by the Forest Service. Adding insult to injury, the forest service used management plans to further reduce the power of rural community representatives to control local forests. The forest service worked with the projects to elaborate forest management plans for rural communities. These management plans had eight-year rotation schedules with tree selection, tree cutting, and tree planting involved. The project and forest service asked rural council presidents to sign off on the management plans as well. When they did, however, they were then told that the Forest Service no longer needed to consult the Rural Council for another eight years since the plans were signed off on by the Council President. In this way, the Forest Service robbed the Rural Councils of their prerogative to manage their forests—on the pretext that the former signature (previously required each production season) was no longer needed since they now had permission to apply the eight-year management plan.

Rural councils are pressured into submission through performances by higher authorities. The forest service simply insists that local people have no capacity and that the management plans override all of their rights to prior approval of production and use. Foresters also act like there are no rights without a management plan—despite that the law clearly empowers the rural council to decide whether or not there will be exploitation of forests. The foresters and the sub-prefects and merchants all just act as if their way of doing things is legal. They tell the council president that he is breaking the law if he does not sign off. The sub prefect, for example, said to one rural councilor ‘Let me give you an

example of a marriage certificate. If a couple comes with all the necessary papers, I must sign; it is my job to sign! Same with the production decree. Patrons and the foresters come with papers. It is the right of the patrons to produce; it's their profession'. So, he insists that the president of the council is obligated to sign. The council presidents feel vulnerable and sign (Ribot 2009). Contrary to the new laws, the foresters and Sub-prefects also frequently remind the councils that forest are for everyone—they are a national and global good—the role of the rural council is not to determine what their use shall be, but to manage the forests for the use of others.

While according to the 1998 forestry code (RdS 1998), quotas should have been eliminated in favor of locally determined production quantities, they are still being allocated to date. In March 2009, the minister of environment circulated a decree to eliminate the quota system 1 January 2010. The quota will now be replaced by contracts—the same thing under a new name. This decree was written in response to a conditionality on a \$60 million loan from the World Bank. Colleagues at the World Bank and USAID expressed their delight with this change. Forester and donor alike act as if this is a great victory as if a long awaited reform has come. But the quota was eliminated in 1998. Ministers before this one promised to eliminate it many times before. This time they have eliminated it. The quota is dead, long live the contract. The more things change, the more they stay the same.

The director of the forest service, in his role as defender of the environment, still insists that a quota or something equivalent is needed to protect the forests. When he is shown that the quantities allocated in quota system are far below current consumption, he insist that quotas are needed to limit production to the ecological capacity of the forests. When he is shown that the quotas and contracts are not calculated based on the ecological capacity of forests, he goes back to insisting it is set to limit consumption. It is like a game of hide-and-seek where there is nothing to hide behind but imagination. Somehow, the imagined ecological importance of quotas or contract is more powerful than its obvious lack of ecological function and its clear political and economic roles. The quotas (and 'contracts') are means for capturing the markets. Like with capacity arguments, transparent absurdity seems to play no role in undermining arguments in service of power.

Dominance is maintained by the forest service through a repertoire of discursive performances (see Ribot 2009; Oyono and Ribot 2005). New laws are transgressed or not implemented with the support of discourses of ecological necessity in a fragile

environment, insistence that policies with no ecological functions reduce consumption or protect trees, repetition of stock phrases about villagers lacking capacity to manage forests or make and sell charcoal, implausible and shameless reinterpretation of policies, use against rural people of arguments that forests are ‘for the nation as a whole’—are all part of the repertoire of domination in Senegal’s forest sector. While there are small advances taking place—the success of some forest villagers profiting from charcoal sale—is held up in order to distract attention from the widespread continued urban-merchant exploitation of what should now be the forests of rural communities. Success is performed to hide continuity of an old extractive regime. Foresters and merchants, with support of prefects and donors, build a discursive wall of ecology and capacity between forest villagers and lucrative forest markets.

Repertoires of Domination and the Disabling of Local Democracy

Repertoires of domination encompass diverse actions by which the democratizing potential of decentralization can be undermined, subverted, or reversed. In Botswana, powerful actors use their regulatory authority to constrain local autonomy, convene public meetings and consultations to display and build support, threaten to withhold economic resources, and seek to discredit local authorities as inept, biased, and/or corrupt. In Senegal, strategies for circumventing local representation include: discourses of lack of capacity, moral arguments presenting foresters as working for the greater good, misrepresentation of the letter and spirit of policies, discourses obfuscating non-implementation of laws, and threats or moral pressures from a coalition of authorities from above (merchants, foresters and SP) that conspired against local council president. Dominant actors in both countries take advantage of confusion about legal rights to push extra-legal restrictions, insist on adherence to procedures that foster local dependency and de-legitimize local claims with discursive appeals to the national interest or environmental protection. Many performances involve efforts to define one’s own role and the role of other actors. Are the CBOs in Botswana self-defining communities that can negotiate with government officials as equals, or are the dependents under the guardianship of the Land Board? Are the Land Boards biased, inconsistent, and irresponsible, as depicted by the safari companies, or responsible enforcers of legal procedures, as they present themselves to the public? Many more performances, not outlined in this article, are in constant production.

How do repertoires of domination constrain the democratizing potential of decentralization? The varied performances within each repertoire activate mechanisms such as (de)legitimation of local authorities; obfuscation of these misinterpretations; reinforcement of dependency; coercion through the intimation of threats, presentation of bribes, and sabotage; line ministry refusal to transfer powers; coalition-building and collusion; and deflection of attention from transparent wrongdoing or potentially explosive situations. As a result, in both Botswana and Senegal, legally mandated transfers of power occur extremely slowly, if at all, and tend to be partial. Where local actors achieve gains, they face persistent pressures for reversals from many directors.

Awareness of repertoires of domination helps us to see resistance by the powerful, but does not suggest obvious strategies for countering their resistance. Institutional designs that seek to counter particular performances in a repertoire of domination will not do the trick because repertoires are not fixed. The powerful can adapt existing performances, mimic the performances of others, or improvise. And yet, in both cases, power *is* shifting. In Botswana, CBNRM offered opportunities for the wildlife department and the Land Board to expand their authority vis-à-vis other government agencies as well as the CBOs. CBNRM also greatly empowers local communities in their dealings with safari companies and makes the worse forms of exploitation less likely. Discretionary authority over the wildlife revenues generated in their area also decreases the dependency of CBOs on the District Councils and central government. Recentralization of these revenues represents a major loss. In Senegal, some rural councils are increasing revenues, rural council presidents are increasing the bribes they can leverage, and some forest villagers have increased their income.

Repertoires of domination fit into a larger shifting set of power relations. They represent efforts by those in power to maintain powers they feel are slipping away. Sometimes they succeed in resisting change or even manage to consolidate or expand their power. Sometimes change is bigger than them and moves forward despite their antics. How can we promote such change in favor of the poor and under-represented populations? The mechanisms of de-democratization and domination activated by the powerful must be countered by mechanisms that promote democratization, the empowerment of more broadly representative and downwardly accountable authorities. Mechanisms and processes of democratization may be set in motion when dominated populations are

informed of their rights and of the routines higher authorities perform to bamboozle them. Organization – into unions, federations, or networks – also facilitates information-sharing, learning, and coordination of their responses to powerful actors. Efforts to improve the flow of information include Botswana's CBNRM Support network, sponsored by SNV and IUCN, and the Democratie et Gouvernance Locale (DGL) project, financed by USAID, in Senegal. The Botswana CBO Network (BOCOBONET) and the national- and district-level CBO Forums support networking and coordination by CBOs and a wider set of stakeholders supportive of decentralized natural resource management.

Better information and coordination do not address the discursive mechanisms of legitimation and (de)legitimation. In fact, powerful actors often attempt to de-legitimize newly mobilized groups by claiming that outsiders are stirring up trouble and that the newly mobilized groups represent outside interests rather than legitimate home-grown concerns. Local communities will be better able to compete with powerful actors if they are able to legitimate themselves as proponents of local democracy and local democracy as compatible with democracy at other territorial scales. Thus, ultimately, to diminish unwarranted domination requires knowing what local democracy is and what its elements should look like.

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