

# **Common Pool Resource Conflicts: Conventional Perspectives to the Bagungu/Balalo -Basongora Conflict in Uganda.**

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## **ABSTRACT**

The article examines a recent conflict in Uganda's cattle corridor. The current common cool resources (CPR) comprising the grazing land in western Uganda is the centre of conflict as the increased population and the activities of the pastoralists have created tension and insecurity among the communities. The cattle corridor has experienced a transition process from public good characterised by non rivalry and non excludability to common pool resources (CPR) defined by subtractability over the last centuries. The reduction in public good caused has generated conflicts among the communities as they compete for the utilization of diminishing common grazing land. Though the Ugandan government has intervened to resolve the conflict through relocation of the pastoralists, it has not resolved the conflict permanently. In this paper it is argued that adoption of CPR based approach involving defining rules, adopting co-governance structures among the conflicting communities, introducing surcharges, limiting the herds per pastoralists and giving property rights remain the only strategic intervention.

***Key words:*** Common pool resources, conflicts, Uganda.

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## **1.0 INTRODUCTION**

For centuries, western Uganda's economic activity was predominantly cattle keeping. The herdsmen moved from place to place with their animals grazing on the green savannah that stretched to the horn of Africa and the Sudan. Pastoralism was a lifestyle in Uganda particularly with the vast areas of land without any individual claims. This vast area formed the cattle corridor characterised by consumption or use of the goods in a non excludable and non rivalry manner, very much in the context of Samuelson's public good. The size of this cattle corridor was enormous and was a centre of peaceful livelihood over the last century. However, with the passage of time a number of actions turned the pure public good into a common pool resource characterised by rivalry and non-excludability. Subsequently the cattle corridor gradually declined as a pure public good giving rise to a new good the CPR.

Common pool resource (CPR) are characterized by the difficult to physically exclude potential users from them Ostrom (1990) and Taylor (1987). The consumption of CPR is rivalrous or subtractable. This attribute makes CPR distinct from the pure public goods characterized by non rivalry and non excludability Samuelson (1954). The consumption of the CPR by one agent implies that less is available for others hence creating competition which results into conflict. Where pressure on a common pool resource is below the maximum sustainable yield, there may not be any need for a management system hence an open access regime may be satisfactory. This situation probably existed for many of Uganda's CPRs hundreds of years ago. However, the status of most land-based CPRs in western Uganda has become severely congested particularly for the community pastures for grazing. The main cause of this congestion has been dynamics of the CPRs in Uganda, increased population and therefore competition animal and agricultural land, the use of pastures in an apparently unregulated manner described as open access with no effective secured rights of ownership. This is not the case in other parts of the world.

This paper captures the documented knowledge of the CPR status, conflicts and management systems in the cattle corridor of western Uganda. The information about the Balalo, and Bagungu in Buliisa district and the Basongora in Kasese district relied on documents from published sources, such as reports, journal and Newspaper articles.

The study makes several significant contributions to resolving the common pool resource conflicts in Uganda. Firstly, the paper explains the transformation of the cattle corridor from public good to CPR, the decline of the CPR and rise of conflicts in western Uganda. Secondly, analyses certain government actions resolving the CPR conflicts. Thirdly, it offers a critique of the government's proposed solution in the CRP context. It concludes with possible policy options for long term solutions the CPR conflicts zones in Uganda.

### ***2.1. From Pure Public Goods To CPR In Western Uganda.***

The decline of the cattle corridor public goods leading to the emergence of the CPR can be attributed mainly to government policy(s). Starting in 1906 the colonial government designated the area around lakes Edward and George as a game reserve. It was later

gazetted as Queen Elizabeth National Park (QENP) in 1952. This was a national asset, whose the economic importance grew as wild life and the construction of hotels tremendously boosted the tourism industry. At the same time the then colonial powers, the British and Belgians finalized the western boundaries putting part of the hitherto public good (cattle corridor) in the present day DR Congo. The subsequent creation of the present Virunga National Park in DR Congo greatly reduced the available land for communal use by the Basongora pastoralists. (Government Archives 1971). The outcome of these actions was the Basongora pastoralists lost their home and have since continued to move around the region creating conflict with local residents.

Another major episode in the decline of the public goods occurred in the 1960s and earlier 1970s following a shift in the Ugandan government policy on land use in the area. The partial privatization of the cattle corridor by the conversion of the Bukangara and Rweihingo areas into cultivation land and the creation of the Mubuku Irrigation Scheme to promote cotton production greatly affected the size of pure public goods. Further the government allocated grazing land for other uses like ranching in Mbarara, Masaka, Rakai and Nakasongora districts in the 1970s and 1980s. In its continued and unabated pursuit of the neo liberal policy of privatization, the Government of Uganda in the 1990s privatized three ranches that were grazing lands in order to establish a seed project by the Germans in the cattle corridor occupied by the Basongora pastoralists. The impact of the above policy decisions has been the reduction of the once large public good supporting huge herds of cattle to CPR. This policy shift has affected the herdsmen activities. Dispossessed by these policy actions; some of the pastoralists changed their traditional lifestyle and economic activity. They settled down and converted to cultivation and farming in areas such as Ankole and Buganda while the rest remain pastoralists and therefore the major causes of conflicts in the diminished CPR grazing land. This is the purpose of this study.

## ***2.2. Common Pool Resources Conflicts In Western Uganda.***

### **2.2.1 Basongora Conclict**

The government of Uganda interventions combined with the increased human and animal population in the cattle corridor area has increased competition and rivalry. One group affected by the declining CPR is the Basongora pastoralists, who occupied the plain land from River Rwimi through the present Kasese Town, Queen Elizabeth National Park (QENP) across the Semliki River into the present DR Congo up to the Mulamba hills. Whereas some pastoralists have adjusted their lifestyle, others continue with their pastoralist lifestyle, this is despite the small CPR available to support their economic activity. Therefore in their continued movement in search of pastures and water for their animals and economic survival, they encroached on the QENP when they joined their mainstream Basongora community in Nyakatonzi area in 2006 – 2007 (MAAI 2006). The size of the area couldn't accommodate their huge herds of animals totalling 50,000 and encroached the QENP with the associated disruption of wild life and therefore the possible loss of wild life and tourism activities in the area.. Using their mandate, the UWA personnel intervened to protect the wild life in the QENP and chased the pastoralists. In the process this conflict between the UWA officials and the pastoralists led to violent clashes that left many dead and injured or disabled and property destroyed.

### **2.2.2 Bulisa Balalo Conflict**

Another conflict related to CPR emerged in parts of Kasese and Buliisa district located between Lake Albert, Budongo Forest and Murchison Falls Reserve Park. This area has large tracts of grazing land but is predominantly inhabited by the cultivating community. The Balalo pastoralists in search of grazing land and water moved to the areas and to other regions such as Teso, Kayunga, Kiboga, Sembabule, Apac and Mpigi districts. Their behaviour and way of life of trespassing people's land and destroying crops created tension and insecurity. The immediate reaction was an ultimatum by some authorities in Apach and Amolatar districts to the Balalo pastoralists to leave northern Uganda with their over 15,000 heads of cattle (MAAI Report 2007).

The bloody clashes between the different communities and the two nomadic groups of Balalo and Basongora pastoralists has highlighted the country's long unresolved conflicts relating to CPRs. This brings the economic angle to the conflict, that of balancing the interests and management of pastoralists communities for sustainable development with minimal interference with tourism and agricultural activities of other communities.

The Basongora and Balalo Pastoralists depend on open grazing on the CPR and reduction in access to CPR affects them tremendously since they have little or no land yet are dependent on livestock for a living. This has resulted into migrations to far away places, instead of adjusting their livelihoods in line with the reduced dependence on the declining CPR and the increasing number of animals that require big grazing land.

## **3.0 THE COMMON POOL RESOURCE.**

### **3.1. Theoretical Framework**

The conceptualization of the CRP draws from Samuelson's (1954) ground breaking work on public goods. The seminal paper introduced the concept of excludability and non-rivalry as the defining points in understanding the different goods available in a given economy. Adopting this criterion, Samuelson and others have gone on to argue that pure public goods are characterised by non-excludability and non-rivalry. Whereas the CPRs bear the non excludability characteristic, they differ greatly because of being subtractable. The subtractability characteristic implies that units of CPR harvested by one harvester will not be available for anyone else's use, particularly so when appropriated by many herders and many animals, (Ostrom, et al, 1994). The difficulty of non-exclusion combined with high subtractability can lead to the "Tragedy of the Commons" described as the CPR dilemma by Hirdin (1968). This forms the theoretical tradition relevant to the understanding of the CPRs. The theoretical contributions on CPRs have always been derived from or in reaction to the Tragedy of the Commons literature. Equally important is the ideas of the bio-physical dynamics of the resources particularly the perception of pastoral ecosystem degradation influenced by carrying capacity (Behnke and Scones, 1991)

Ostrom (1990) and earlier Taylor (1989) noted that a significant literature on CPR that emerged over the last twenty years focused on the institutional framework that enables possible exploitation of such resources with minimal conflicts. The sustainability of the

CPR, calls for high discount rates, capacity to communicate, mutual trust and ability to enter binding agreements as well as arranging monitoring and enforcing mechanism. The common resource goods face the difficulty of developing physical and institutional means of excluding beneficiaries (Ostrom et al 1994). This therefore complicates the issue of keeping non-authorized users, monitoring use and sanctioning rule breaking behaviour. The outcome of all this is that the CPRs are subject to congestion, overuse and potential destruction unless use limits are devised and enforced.

The design of property regimes that effectively allow sustainable use of common pool resources requires rules that limit access to resource system and other measures (Gibson, et al 2000). However, rational individuals in the tragedy of the commons, the bio economic model, collective action model and the prisoners' dilemma game, pursue their own self interest at the expense of the group's welfare. The strategies that are individually rational can collectively produce irrational results particularly in grazing land. They will add cattle to the common pasture in excess of capacity to the point of economic extinction. The problem in addressing the CPR problem is the uncertainty in assessing that the loss will be detected at all.

### ***3.2. Management And Implementing CPR***

The management problem of CPR is self evident particularly in lack of appropriate institutions for managing conflicting claims over resources. What may be seen as a problem by one group of resource users may be interpreted by others as a basic need or an inalienable right. This is a critical problem in policy making (Admas, et al, 2002). The solution according to Adams (2001) is a framework that allows each stakeholder to give a definition of the problem and suggests possible responses and policies that could be implemented. Each stage of consideration of the responses entails reframing of the problem and checking its assumptions and consequences. The policy framework is most powerful precisely when different users reveal their different interpretations of the key issues.

The different stakeholders in a common pool resource make their decisions differently assumptions, knowledge and goals for the resource which are not always explicit. The dialogue between stakeholders will be promoted by making these differences clear. Whereas Adams is critical of the framework as being inadequate to resolve the often intractable conflicts between diverse stakeholders over resources use, it nevertheless offers a new dimension that if explored can yield meaningful solutions. In Adams framework, different actors draw on their differentiated understanding of the theory while framing a CPR management problem. There is a strong case for right institutional conditions, individuals to overcome collective action problems and manage resources in a sustainable way. The CPR management operate rarely in isolation but in a wider context of public policy and there is difference in knowledge in the case of the "Herder" who may not be aware of the conventions on biodiversity under which the resource manager may be forced to act. An important question is how those appropriating resources from a common pool are able to develop their own rules limiting the quantity of their resource units harvested. The appropriators face three levels of dilemma. First,

any one who agrees to over harvest limits others use of a shared resource and may find him/herself a ‘sucker’ while others abide? Second, spending time and effort trying to build trust and gain agreement with one’s neighbours involves costs that benefit everyone but are paid by those who invest in devising new rules. Lastly others monitor and enforce the rules. These strategies are important in addressing the CPR conflicts and have yielded lasting solution in many parts of the world with CPR problems.

#### **4.0 GOVERNMENT POLICY AND THE GAPS**

Faced with the two sets of CPR conflicts in western Uganda, the government intervened to resolve the CPR conflict. Initially it announced a temporarily resettlement of the Balalo pastoralist in Kyankwanzi in Kiboga District to avoid the clashes with the Bagungu in Buliisa district. The indigenous Buganda out rightly rejected the resettlement of the Balalo pastoralists in the area. A further complication was that the government’s directive to move the Balalo pastoralists in essence amounted to surrendering their constitutional rights if they had legitimately acquired land in Buliisa district. This could amount to forceful deprivation of the private property without adequate compensation.

The second policy action was in respect to the group of Basongora pastoralists who had rejoined the mainstream Basongora community in Nyakatonzi area. The temporary grazing land near Nyamugasani River granted by UWA while waiting for government action ended with the inter-ministerial committee (IMC) that examined the conflict announcing the a new policy in September 2007 ( IMC Report June, 2007).

The government of Uganda decided to relocate the 8,000 Basongora pastoralists with 50,000 heads of cattle occupying the QENP to new land including Ibuga Refugee Settlement (3,500 acres), Ibuga Prison Farm (1,400 acres), Hima Army Production Unit (3,500 acres), Mubuku Prison Farm (5,300 acres), Karusandara (1,100 acres), Muhokya (1,000 acres). Additionally the Basongora ancestral land in Bukangara and Rwehingo totalling 25,000 acres was to be shared between the cultivators and the pastoralists in line. This gave the pastoralists (17,000 acres) and (8,000 acres) to the Bamba and Bakonzo cultivators in Western Uganda. The government also was to develop a long term plan and budget for the modernization of the Basongora community in Kasese District. (IMC Report 2007)

The long lasting solution to this conflict requires understanding the causes of the conflict and designing appropriate policies to tackle it. A critical scrutiny of the above government policy reveals gaps that may lead to further conflicts if these are not addressed.

The relocation policy which fails to provide the social services like education of the pastoralists. Although the government policy of free universal primary education is over 10 years, the proposal is silent on whether the pastoralists will be persuaded or ordered to send children to school since a majority of CPR beneficiaries are illiterates. How will one overcome their reluctance to embrace formal education?, yet education is an

important strategy for building capacity necessary for the pastoralists to change their lifestyle and modernise.

Another gap identified in the policy is the inability to provide reliable source of water in the cattle corridor throughout the year. There are no huge irrigation programmes in the areas where the pastoralists rear their animals. The government was on the right track with the concept of valley dam construction in drought hit areas. (MAAI Report (1999), Water shortage continue to characterise these people and hence the constant movement in search of water.

Thirdly whereas the Balalo & Basongora pastoralist way of life is no longer sustainable; in view of the increased populations, shortage of land resources and therefore competition, the policy proposal doesn't guarantee access to land to facilitate the pastoralists to settle down to livestock farming or cultivation. The times have changed and given the high population & the continued CPR decline to support the huge herds of cattle, the proposal should have articulated an alternative development path of investing in training the pastoralists on modern farming methods to facilitate change among the pastoralists' communities. Otherwise, the Basongora pastoralists, who cherish large numbers rather than the quality of the cows cannot rare fewer but better breed of cattle. Whereas the government of Uganda is implementing the relocation policy, there is an on going Commission of Inquiry into the matter by the Parliament of Uganda and a case filed in the Courts of Law. The interventions of Parliament and the Courts indicate that the solution to the conflict is lacking and inadequate. The outcome will definitely create contradictions and further complications in resolving the conflict.

Given the above identified gaps in the current policy being pursued by government, a long term solution to the conflict may not be possible. A critical examination of how CPR conflicts are resolved could offer appropriate solution to the Basongora – Balalo conflict in the CPR framework.

## **5.0 CPR FRAMEWORK AND LESSONS IN WESTERN UGANDA.**

The policies designed to avert the conflicts relating to the CPR calls for external intervention (Mayntz 2001). Government possess the repository of expertise and resources sufficient to extricate citizens from the Tragedies of the Commons while protecting and enhancing the viability of natural resources (Ostrom 2002). However, in many instances where government intervened, produced disappointing results because the interactions between humans and CPR are much more complex and varied.

The solutions to CPR conflicts as advanced by Ostrom (1992) call for an institutional framework that defines groups, organizational framework of users based on rules, enforcement is shared by appropriators and appointed officials, mechanism to adopt rules by users, and appropriators are legally recognised as owners of the resource and the legitimacy of CPR organization. These solution to CPR are the ways to resolve the conflicts in western Uganda.

The CPR framework would require set rules on how the UWA, Basongora pastoralists and the Bamba & Bakonzo cultivators should co-exist. Though the policy has defined the allocations, there is necessity to reconcile conflicting parties' diametric interest since the decision has sparked off resistance by the people, living around Ibuga, Mubuku and Hima army farm as they had repeatedly pleaded with government to get the land with no success (Monitor Newspaper September 2007). According to Adams (1990) negotiations should have taken place in line with what is called bridging solution of what the involved parties think.

The CPR framework proposes transfer of ownership rights to individuals. Therefore relocating people should be enforced by ways of defining the right numbers of herd per individual to avert the Tragedy of the Commons in future. This may be hard among the pastoralist communities without a mechanism of internally defined usage of the allocated land, without giving land titles that define ownership and therefore the right to guard and protect the property.

The CPR framework provides for technical expertise to determine the carrying capacity of the animals on the available 30,000 sq km. This guarantees the optimal use of resources in the long run and determines the number of herd that the allocated land can accommodate without degradation (Behnke and Scones, 1991). The Basongora pastoralists left 10 years ago only to return with a herd that is fourfold, which explains their demand for more land (The New Vision Newspaper September, 2007). The solution has no deterrent mechanism for the individuals that are motivated to add to their flocks to increase their personal wealth. Yet, every additional animal congests the commons. If allowed to follow this pattern the 30,000 km of land allocated by the government of Uganda (MAAI Report, 2007, will ultimately be destroyed large herd hence culminating in future movements of the Basongora pastoralists preferably back to the QENP or destroying the crops of the neighbouring beneficiaries (Bakonzo and Bamba cultivators). India for its part solved a similar problem by imposing limits on the number of herd basing on the carrying capacity and each individual was locked into a system that compels him not to increase the herd without limit (Andhera Pradesh Report, 2001).. Therefore the Basongora pastoralists need a well defined carrying capacity of herds for their 30,000 sq kilometres land to cater for current and future herds.

Faced with declining CPR and increasing privatization of the CPR, authorities make provision for the neighbouring cultivating communities to allow controlled grazing once the crop is harvested. To make such land social land for a temporary period and curbing illegal encroachments required introducing a fee charged for allowing cattle to graze on the farm land for the specified period. This was applied in the Logone Floodplains in Cameroon, where the pastoralists made arrangements with the Katoko Sultan Logorie Burnie. The nomadic contract ensured the payment of a tax in kind (djangal) to guarantee safety and access (Fokou & Landolt 2005). This was also the case in parts of the Telangana and Rayalseema regions of Andhra Pradesh, where formal and informal arrangements were instituted to regulate access, (Anwar, 2001)

Self organized management of CPRs advanced by Martin (1989) argues that the capacity of the individuals involved should have insight to coordinate their efforts and manage the CPRs as was highlighted by Ostrom in case studies in Switzerland and Japan. This would ensure that the appropriators plan to live and work in the same areas for a long time, expect their offspring to live there as well and therefore don't heavily discount the future (Grima and Berkes, 1989). The government solution doesn't devolve authority to the lowest levels possible to improve the management of 30,000 sq km. The policy therefore should have empowered the local communities to deal with outsiders otherwise the powerful (local administration leadership) can take the resources with impunity. This would be reinforced by the central administration to manage and mediate future conflicts.

The government proposal is short of efforts to make the Basongora pastoralists, to foster trust with their host communities, a key criterion for a long lasting solution to the conflict. Parties have to develop generalized norms of reciprocity and trust that can be used as initial social capital (Bardhan, 1993).

## **6.0 CONCLUSIONS AND RECOMMENDATIONS.**

After Schlager and Ostrom (1992) and Hardin (1968) seminal papers and subsequent works of Adams (1992) on the institutional framework to resolving the CPRs conflict, the approach has woefully been neglected in the settlement of the conflict in Uganda. There is the social dilemma of the tragedy of the commons as individual rational decisions, collectively can produce irrational results. In the case of a herder, additional herd would maximize his best interest while the losses incurred are borne by all. This process was described as being remorseless, deterministic and destructive. Hardin (1968) argued that common pool of goods which encouraged the freedom to breed inevitably creates threat to the survival of the human species.

As evolving and critical problem of the CPRs, an understanding of the linkages between the causes and the solutions is appropriate addition to the ongoing debate about conflict resolution for effective policy formulation Sacbright, (1993).

The study examined the current problems and discussed them in the CPR framework. It provides policy options it deems feasible for solving the current Basongora- Bugungu & UWA conflict. Following the analysis of the developments, the study recommend as follows:

Firstly, the government policy should devolve authority to the lowest levels possible to improve the effectiveness of the management of CPR; enforcement requires well defined mechanisms that are backed by government and are responsive to cultural, political and ecological demands at Sub County and local governments' level.

Secondly, the government should institute a fee on per herd basis depending on the type of livestock that recognizes the CPRs as being at risk of appropriation from the external actors without appropriate compensation for users.

The government policy should strengthen individual property rights by establishing mechanisms to obtain a share in the benefits of the property rights holders. It should secure empowerment of the local communities to deal with outsiders. Efforts are

needed to build capacity of the local people to negotiate with outsiders so that resources are not used without their informed consent.

The individual security within a collective setting often requires clear and enforced rules for access, use and management, clarity and certainty about the membership in the group and effective enforcement and conflict resolution mechanisms. This creates a climate of transparency and accountability, and provides assurance that the pastoralists will receive benefits from taking care of the commons.

It recommends that secure rights to CPR products will strengthen the motivation of communities to manage land-based resources. The important factors here are how well defined the boundaries of the resource are, and how visible the benefits of managing the resource are.

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