

# COMMUNITY PRIVATISATION OF RESOURCES AND THE 'TRAGEDY OF EXCLUSION': PROBLEMS AND ALTERNATIVES

Jean-Eudes BEURET<sup>1</sup>, Florence LASBENNES<sup>2</sup>, Lucille DELMAS, Sophie DENIS

## INTRODUCTION

Hardin's (1968) thesis seems to show that renewable natural resources which are not privately owned are bound to be over-exploited. To counter this 'tragedy of the commons' Hardin advocates privatising natural resources or alternatively bringing them under state control. But other commentators examine the concept of common ownership more closely and show that it does not systematically exclude having rules of access and control laid down by collective authorities (Weber, 1998). The 'tragedy of the commons' is actually a 'tragedy of free access'. That being the case, a third way of addressing the issue of unrestricted access is to grant responsibility for controlling access to renewable natural resources, for their management and their enhancement to a local community empowered to lay down legally recognised rules. This type of local management is tantamount to privatising resources by putting them not into the hands of individuals but into the hands of the local community.

This mechanism is operational in several countries. We have studied three cases in Mali, where development projects support the negotiation of 'local agreements on the management of natural resources' and four cases in Madagascar, where a 'secure local management' statute provides for the transfer of the management of natural resources from central government to 'grassroots local communities'.

These case studies reveal biases in local management and in particular they reveal how some actors seize the opportunity to try to deny certain users access to the resource. We examine the ins-and-outs and the causes of this 'tragedy of exclusion', which has serious repercussions and is the source of numerous conflicts. A new approach is required to address the situation and to seek out not just a way to transfer responsibilities from the state to local users of resources but also a form of genuine joint management involving different actors in the collective elaboration of rules of management. This presupposes that a very wide array of actors can be united in a single approach. Now, most of the case studies show that exclusion stems not just from some users abusing the prerogatives that local control confers on them but above all from the implementation of the procedure whereby users are given responsibility. This observation leads us to denounce the fact that reflection and discussion about the management of common resources has given inadequate scope to the question of how to set about it. The case studies reveal the need to mobilise specific means and know-how in support of these processes of collective construction. After reviewing the various alternatives for managing shared resources and having glimpsed their limits in the case studies, we turn to the question of what concerted management of resources presupposes in terms of an approach and of means.

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<sup>1</sup>ENSAR, DERG, 65, rue de Saint Briec - CS 84215 - 35042 Rennes Cedex -France. Email : [beuret@agrorennes.educagri.fr](mailto:beuret@agrorennes.educagri.fr)

<sup>2</sup> Ministère des Affaires Etrangères. E mail : Florence.LASBENNES@diplomatie.gouv.fr

# 1. THE TRAGEDY OF THE COMMONS REVISITED

## 1.1 The tragedy of the commons

Hardin's (1968) theory of the tragedy of the commons began a wide-ranging debate about the status of natural resources. The author illustrated his thesis with the case of grazing-land to which there was unrestricted access. Before increasing his herd size, each farmer using the area will assess the advantages he can derive from any increase: whereas he alone will benefit from the gain supplied by a new head of livestock, the negative externalities from overgrazing because of this animal will be borne by all the farmers. A cost-benefit calculation of the sort prompts all farmers to constantly increase their herd size, with serious repercussions for the common property they collectively exploit. At the global scale, with each individual looking to his own interest and population growth being what it is in a finite world, this mechanism would lead to the disappearance of natural resources.

Faced with this situation, Hardin sees an alternative in privatising common property and allocating exclusive rights of use. As the owner of his own meadow, each farmer bears alone the negative externalities of his own farming practices; he therefore has every interest in preserving his resource so as to maximise his profit. In addition, each farmer then produces different goods from the specific resources he owns. The resource is the medium for the production of goods which take on market value: its specific character is an incentive to preserve it.

An alternative evoked by Hardin and developed by various commentators (Ophuls, 1973; Heilbroner, 1974; Ehrenfeld, 1972; cited by Ostrom, 1990) would be to set up a central authority. For these authors, people need an external entity (Hobbes's Leviathan) to control their actions and enforce sanctions. They therefore recommend that government should take charge of the management of natural resources.

## 1.2 Criticism of Hardin's thesis or the tragedy of free access

The 'tragedy of the commons' argument holds in some cases but cannot be generalised to all shared property. In local land systems in Africa<sup>3</sup> numerous resources are held as common property but local rules are in place for their management. Local land rights vary from one ethnic group to another and differ by zone. In Madagascar, for example, the sacred forest of Ambodiriana is divided into six parts and the right to keep bees in the forest is reserved exclusively to the descendants of six families in their respective parts. In Mali access to land is controlled by the founding families, that is, the descendants of the first-comers who forged an alliance with the spirits of the land and so received, not the full ownership of the land, but the disposal of it. Furthermore, there are rights developed by user groups keen to preserve a shared resource in modernised and non-modernised societies alike. This is the case in France with shellfish sites for which a quota system has been imposed by fishermen based on strictly enforced collecting hours, with pastureland managed by grazing-land associations and with fresh-water fish stocks managed by angling societies.

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<sup>3</sup> *The land system encompasses the rules relating to land and the resources it contains together with the institutions and relations which define those rules, decide on their implementation and enforce them in practice.*

The absence of private property is not therefore synonymous with unrestricted access. Rights of appropriation are, in fact, a collection of rights (Schlager and Ostrom, 1992) among which feature the right of access to a defined area, the right to use a resource, the right of control, the right to exclude others and the right to dispose of property. Full ownership is only one particular form of appropriation characterised by the amalgamation of all rights of appropriation and in particular the right to sell. Because there is a right to exclude others, without being private property, commonly owned resources in local land systems are not open to all users: access is unrestricted in appearance only.

It is not, then, the common ownership of resources but rather the unrestricted access to them which is a problem, leading Bertrand (1999) to speak of a 'tragedy of free access' in place and stead of the 'tragedy of the commons'.

### **1.3 The highs and lows of privatisation**

There is no denying the economic interest of privatisation in some contexts. It was the enclosure movement which first gave impetus to the modernisation of agriculture in France. By sharing out and then fencing off common grazing-land, farmers were able to grow fodder crops and so increase their livestock while, by producing organic fertilisers, they were able to increase crop productivity and engage in a process of accumulation. In traditional societies many farmers call for guaranteed access to the land which would allow them to make the sort of long-term investments often essential for optimum and sustainable use of resources (wholesale manuring, agroforestry, anti-erosion construction work). Privatisation might provide them with such security of use. However, privatisation of all resources as Hardin advocates also raises many problems. Little has been done in the way of implementation in the South because of fierce, sometimes violent (water 'war' in Bolivia) and often undeclared opposition.

#### ***1.3.1 For privatisation vehicles a certain world view***

The problems are first and foremost cultural. Privatisation corresponds to a vision of man as nature's master, which is worlds away from the conceptions of many societies. In the Andean vision of the cosmos man is a part of nature: the earth that nourishes him, *pachamama*, is not something that can be plied at will and one can no more put a price on a resource like water than one can on a person. In Africa many custom-based societies have no notion of land ownership: the land is sacred and so inalienable. A customary authority regulates rights of access and rights to the use of resources over a territory appropriated by a community.

In addition, privatisation presupposes establishing boundaries in keeping with a geometric vision of space, which is inconsistent with the topocentric vision of, say, Sahel societies, whereby a territory has resource-points around which activities organise themselves. To break up the space into separate plots would be to repudiate this form of organisation and this vision. And when projects stubbornly insist on drawing up land registries by setting up marker posts which others are at pains to pull up, one can justifiably speak of surreptitious resistance.

#### ***1.3.2 Mutualisation of risk, sharing and multiple use of resources: what becomes of these mechanisms in the event of privatisation?***

Then again, privatisation is highly contestable from the standpoint of socio-economics. Admittedly African societies do not share out resources equally, but they do share them! But

privatisation will benefit the holders of capital at the expense of customary beneficiaries. In Mali as in Madagascar, the land registration system giving access to private ownership involves a great deal of red tape and expense: it is both corporate capital and financial capital which allows access to it, which is very inegalitarian from the outset. Naomi Ole Kipuri (cited by Weber and Reveret, 1993) reported that privatisation in Kenya meant the wealthy grabbed the grazing land, water holes and salt deposits while the poorest were marginalised. While African customary systems succeeded in not creating a landless peasant class, privatisation could well have such consequences.

Moreover, such attribution of plots is irrelevant in environments with very variable climatic conditions and where there is such a high level of dependence on the resources that can be derived from the land. Ostrom (1990) illustrates this argument by revisiting the example of herdsman Hardin was so fond of: if two herders are attributed half a meadow each, rains may fall differently on the two halves so leading to unequal outputs from the grazing-land. With a meadow in common ownership all the livestock could benefit from the areas which received most rain, which would not be the case if the meadow were privately owned. The two herders could of course set up a market where one sells either a right of access or hay to the other in need, but this is very complex compared with a system regulated by community authorities. In the countries of the Sahel where rains vary greatly in abundance and location, common ownership is a form of mutualisation of risk which could only be replaced by a highly complex market mechanism.

Lastly, maintaining the varied and often complementary uses of the resources of the same area would presuppose that the sole owner would accept to sell rights of usage through contracts which would have to be drawn up with multiple users. Apart from the extreme complexity of such a system, which bears no relation to local skills and habits, it provides no guarantee to users who are not owners because long-term contracts cannot be contemplated owing to the variability of resources from year to year. Is it imaginable that herders having come from Mauritania to the inner Niger delta in Mali might negotiate rights to pass through and to graze plot after plot perhaps to be refused access to the grazing land they coveted? Outside the realms of theory it is plainly unthinkable.

#### **1.4 State control and the pre-emptive strategies it prompts**

Finally, in both Mali and Madagascar a costly land registration system with which rural populations are unfamiliar has brought about de facto state control of certain resources, in particular forestry resources: the state has remained the main landowner with unregistered land reverting to the state as of right. The actual cases studied in both countries allow us to analyse the repercussions of public control.

Ostrom (1990) claims the relevance of state decisions is not self-evident. Central government is out of touch with the situation on the ground, it does not always have reliable information and the rules it applies may be completely at odds with the day-to-day experience of local actors. Moreover, an efficient system could prove very expensive while Southern governments already find it difficult to meet their basic spending commitments. This problem of 'resourceless' state control occurs in Madagascar. The Forestry Department has only one ranger for each administrative area, so there is de facto unrestricted access to resources of village lands.

But this system may become even more distorted than simple unrestricted access. Forestry Department staff levy taxes on the exploitation of natural resources in more or less lawful ways. Whether the tax take is for the state or not, the more the resources are exploited the higher the takings. It is not in the interests therefore of an agency and its staff struggling to make ends meet to limit access but on the contrary to maximise 'taxed open access' to the resources.

In addition, the villagers who work these resources know that de facto unrestricted access may be called into question without notice. They have no guarantee for the future and therefore tend to intensify their cropping so as to obtain the 'biggest share of the cake' and so forestall any restriction on access. The villagers of Ambodiriana, big raffia producers, acknowledge they have gone in for intensive cropping in anticipation of the day the state has the political will and sufficient means of control to enforce the rules. Pre-emptive strategies like this are provoked by public control in which local actors have no involvement.

The Kelka area of Mali provides another example of mechanisms that are very much awry. Arguing that rules and control were matters for the state, outside operators refused to abide by customary rules of access to forest resources. But the state, being short of means, could not ensure any control at all and the forest ranger came by only once a year to set taxes depending on the condition the resource was in. Seeing that they were being taxed for damage caused by outsiders who refused to comply with the rules, the customary authorities also relinquished their control and joined in the depletion of the resource. Here again, the villagers were in a situation of having 'taxed open access' and were in competition in exploiting the resource with outside users who were free riders. Public control can therefore give rise to extremely distorting pre-emptive strategies.

Such situations have given rise to an alternative approach, termed local control, which consists in making rural actors responsible for the management of their natural resources. A national workshop in Madagascar in 1994 recommended developing local competencies for the control of renewable natural resources. In Mali, giving responsibility to customary authorities has been a recurrent feature in the recommendations of national workshops on the land question for more than a decade (Beuret, Ganamé and Lasbennes, 2003). More generally, local control echoes the Rio Declaration (1992) that '[i]ndigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices'. The transfer of responsibility for control of natural resources from the state to local level is done differently in the two countries, allowing us to analyse the relevance of local control on the ground on the basis of four case studies for Madagascar and three studies for Mali. Here again, the implementation of this idea raises many questions.

## **2 LOCAL CONTROL IN ACTION IN MADAGASCAR AND MALI**

### **2.1 The principles of local control**

Local control is based on several postulates (Weber, 1995). Villagers are thought capable of laying down rules for control adapted to conditions on the ground. In addition, because of their close relationship with the natural world, it is easier to set up a system of self-supervision and control; social control can be exercised within local communities (Ostrom, 1990). Lastly, rules laid down at local level will certainly have more legitimacy for the villagers than rules imposed by the state.

### **2.2 Two countries, two approaches**

Since 1996 the Madagascan government has been entitled to delegate the management of natural resources to local populations under statute 96-025 known as the Gelose Act (GEstion LOcale SÉcurisée - secure local control). The principles behind the statute are:

- state recognition of local practices, arbitration capacities and authorities;
- consensus on arrangements for control among farmers, economic operators, government agencies and local authorities;
- a new apportionment of the rights and duties of the different actors and their arrangement in contractual form.

The Gelose statute allows village communities to enter into tripartite agreements with the state and the local council. The agreements provide for transferring control of an area's natural resources from the state to the local community.

There is no statute governing the transfer of control of resources in Mali. However, a national workshop concluded in 1993 that 'providing security for producers and their investments is inseparable from the transfer of real power for managing and decision making to the communities concerned'. A new workshop in 1994 on local institutions and the management of renewable resources asserted the role of customary authorities and recognised the utility of endogenous supra-village organisations which should be set up and endowed with rule-making power. Finally the 1995 local authority code, which sets out the framework for decentralisation, gives local councils the right to manage their area. However, local management remains limited because there are no legislative provisions specifying the ways and means to transfer control and because the state remains the official owner of unregistered land. It is in this context where the law is silent that local agreements on the management of natural resources come into being. As a process given impetus by development projects, the agreement drawn up by local actors is recognised by the state, which is a signatory.

Whereas in Madagascar this transfer is a top-down approach driven by the state, in Mali the process is put in place as at the instigation of the villagers. Despite the difference in the two approaches, the consequences – and criticisms – of both are relatively similar.

### 2.3 Observations of fact: local control confronted with multiple use of resources

These processes of transferring the management of natural resources to local populations seem satisfactory in theory. But on the ground, in all the cases studied the different documents are drawn up with the resident village community, with no allowance made for outside users or minority ethnic groups.

In the Madagascan village of Anjijabe, for example, a Gelose agreement was entered into with the population to control charcoal production. But here as elsewhere only the indigenous community was involved in the consultation process with two major repercussions (Delmas, 2003):

- **Exclusion as a source of conflict:** The document stipulates that only local villagers are allowed to use the forest resources transferred. But outside populations habitually used these resources too. Conflict arose and those excluded from the consultations and the agreement come from time to time and burn the savannah both to show their disagreement and to discredit local management in the eyes of the state and give the impression that such management is destructive.
- **The agreement's legitimacy restricted to its planners and signatories:** To assuage matters, the indigenous villagers accepted that outside populations could come and use 'their resources' provided they complied with the rules they had just laid down. But the outside villagers, never having been consulted when the agreement was first drawn up, rejected the rules and the new management system out of hand, denying it had any legitimacy.

The same phenomena are reported for raffia production at Ambodiriana: croppers from outside the village refuse to comply with rules they had no part in drawing up.

Likewise in Mali it was found that in the three agreements on natural resources studied (Denis, 2003) the indigenous population tends to use the procedures to lay hold of the resources and have their exclusive rights of use recognised to the detriment of outside users from other social groups from whom the indigenous people seek to protect themselves. In the Sanji, for example, the planned agreement seeks above all to ban transhumant herders on the scale of several districts. The same mechanisms engender the same problems with conflict arising and the agreements having no legitimacy in the eyes of outside users, who refuse to abide by them. Worse still, sometimes even the signatories do not comply with them: enquiry shows that, having shaken off the authoritarianism of the Forestry Department, some people think the agreement is there to enshrine a transfer of prerogatives in the name of which they can do whatever they like, regardless of the content of the agreement. What matters in their eyes is the removal of this cumbersome tutelage against a backdrop of decentralisation which is sometimes construed in surprising ways, as with one farmer who proclaimed 'It's democracy, you can do as you like'.

## **2.4 The tragedy of exclusion**

In none of the cases studied does local management adequately take account of the multiple usage of resources by actors from different communities. Local control reinforces the divisions between groups using the same resource and actors excluded from the sphere of consultation set no store by an agreement drawn up without them. Such local control focused on the dominant indigenous social group amounts to privatisation on a community scale. In the cases studied, the beneficiary group, made weaker by growing competition from other users, takes advantage of the process to deny them access to the resource. The resulting 'tragedy of exclusion' consists in an upsurge of conflicts, the calling into question of economic activities which are vital for some non-sedentary or only recently settled social groups, and sometimes a loss of synergy among activities which cohabit with difficulty, admittedly, but which are complementary even so. In this way, when Malian villagers try to deny access to their land to pastoralists they forego an input of organic matter. They choose exclusion rather than coordination, which needs to be better organised.

## **2.5 Excluding others: for the user group is not a local community**

Local management as it has been established amounts to reinstating the community control of yesteryear. But is what was possible yesterday still possible today? As Plante and André (2002) observe, communities are no longer homogeneous. Harsh climatic conditions and strong demographic pressure has led whole population groups to move and some ethnic groups of pastoralists to become settled. And so the users of the same resource have become more numerous and more diverse. Local customary authorities, having only limited legitimacy in the eyes of the newcomers find it difficult to intervene in conflict management and appease matters.

In Madagascar natural catastrophes have driven entire ethnic groups out of regions in the south of the island. This is why, in all the cases studied, resources are exploited today by several social groups. In Mali extensive droughts have decimated herds, leading some peuhl pastoralists to become increasingly settled and leading settled communities to farm livestock themselves. Communities which were once complementary in their ways of life and the use of resources are increasingly in competition with each other. And when one thinks dialogue has been engaged with the local community it often turns out that only a fraction of the community is involved, and an even smaller fraction of the users of the area's resources. This is the reason for many failed development schemes negotiated with only a fraction of the users of the resource to be developed (Beuret and Ganamé, 2003).

It took the promoters of one local agreement four years after the agreement was signed, despite having been well integrated for a long time within the population, to realise that everything would have to be gone over again with the main group excluded from the agreement, the peuhl herders. And now they will have to rise to a new challenge: a consultation involving all the users of the area's resources, with social groups that are remote from each other in ethnic, historical and cultural terms. This will presuppose time and know-how in supporting the consultation, factors which until now have counted for too little in the debates just summarised.



### **3 JOINT CONTROL AS AN ALTERNATIVE: BUT IN WHAT FORM?**

#### **3.1 Joint control as an alternative to community privatisation**

An alternative to transferring control of resources to a restricted local community is proposed under the term of joint control. Plante and André (2002) define this concept as an 'equitable partition of decision making between actors and government'. The question then is who are the actors and which users they bring together.

This joint control has been widely practiced with actors using the same resource for the same purpose. Collaboration between fishermen and the state has optimised the management of fish stocks in Canada. Similarly 'rural timber markets' have been created in Mali. Associations of logging companies obtain state recognition and then apply to the state for operating permits: they then themselves manage the share-out of logging quotas among their members. Such associations are often set up after the drafting of local agreements on the management of natural resources. But this arrangement is once again perceived by the indigenous population as a way to protect themselves from transhumant herders and the agreement often includes rules limiting access to the resource for pastoralists. Yet at the same time the Pastoral Code (2001) recognises the right of pastoralists to move through the country.

In Madagascar the Gelose statute does provide for state involvement in drawing up the agreement on transfer but this remains a one-off event and government agents are reluctant to engage in a process which takes their prerogatives away from them! The state must be an active partner: by its status, it should be the guarantor of the general interest and suppress power games so that each actor can have his say. In addition, state involvement may make the agreement legitimate in the view of all users. This would be a form of vertical joint control, which seems preferable to straightforward local management.

But this vertical dimension is not enough as it does not preclude the exclusion of some users. This leads us to propose a form of vertical joint control between central and local interests but also a horizontal control integrating all the users inside or outside the territory. It is on this condition only that the definition of joint control as 'sharing power and responsibilities between government and resource users' can be complied with.

#### **3.2 Horizontal and vertical joint control**

Joint control should extend to all users of a resource, even if they use it for different ends and/or come from different social groups. This is all the more important when resources and areas are multifunctional. The inner Niger delta is an excellent example of an area subject to many successive or simultaneous uses. The grasslands (*Echinochloa stagnina*), floodable areas around the delta, are grazed in the dry season and transformed into fisheries the rest of the year. In addition, as everywhere in Mali, the same field is used in succession for crops and grazing not forgetting gathering activities and wood cutting.

Considering all of the users of a resource means allowing for indigenous managers but also for non-indigenous operators not forgetting pastoralists, which can take us far afield! The grassland areas of the inner Niger delta are the meeting point of thousand of pastoralists in the dry season, having travelled from Burkina Faso, Mauritania or other regions of Mali. It is the consultation of these different actors which will enable them to reach a common agreement

and the consideration of the points of view of each group will give legitimacy to the agreement in the eyes of all.

### **3.3 A widely accepted objective... but a problem of know-how**

Even with local control as set out in the Gelose statute, one finds the objective of extended joint control in the negotiation stage of the agreement on transfer of resources. But the case studies show this objective is not achieved because non-indigenous users are excluded and because the state often remains passive. Underlying this reality, it is not so much the principles of the action which should be questioned but the matter of how to set about things.

The easiest way to achieve agreement within a group with heterogeneous viewpoints and occupational or socio-cultural backgrounds is not to reach any agreement... other than with those who are close and share the same outlook. This has been shown to be what has happened in many cases in France (Beuret, 1999). It is also what happens in the study cases and all the more systematically so because the field agents are under great pressure to achieve an agreement in a short space of time. Indeed, their effectiveness is often assessed merely by a cost-benefit report where the benefit is measured by the number of agreements reached regardless of their intrinsic quality. The exclusion of some actors, and essential ones at that, is the sign of a consultation process that has miscarried for lack of know-how. The agreement, whether it be a convention or a contract, has to be collectively constructed, which presupposes avoiding certain errors identified in the case studies.

## **4 A PROCESS OF COLLECTIVE CONSTRUCTION FOR CONCERTED CONTROL**

### **4.1 At the roots of exclusion: some lessons from the case studies**

The case studies show that a real, collectively constructed agreement can only be achieved if all the actors have the legitimacy and the requisite skills to engage in public debate while having the time to make the consultation process their own.

#### ***4.1.1 Appropriating the action***

The effective contribution of the population in constructing an agreement presupposes the population has made the approach its own, which is that much more difficult when it is a top-down process emanating from central government, as in Madagascar. This presupposes having ample time and that the procedures put in place can integrate local inputs.

In Madagascar the state drew up a standard agreement for transferring control of natural resources to the local populations. So that it could conduct several projects at the same time, one of the Madagascan organisations responsible for putting the agreements in place gave its field staff just 20 days for this assignment. Although they were trained in mediation techniques, the staff were unable to organise proper consultations. Working with the standard agreement they acted as simple go-betweens for the signatories to get them to accept what had been done by the other parties. The villagers were subjected to the process rather than being able to make it their own. In the absence of any collective construction this agreement was never adhered to nor even understood and the three signatory groups failed to connect up. The

field staff had no time to bring the various signatories to focus on a common objective and under these circumstances the inclusion of users from outside the village was not even contemplated. This is far from being an isolated case. One agent delegated as mediator to construct an agreement was given three days to do the job! Arrangements for financing the work on developing the agreement are decisive here: any collective construction involves time, which the financing and appraisal mechanisms must allow for. The time in question is not the time for the project but the time for effecting change and for social innovation (Beuret, Ganamé and Lasbennes, 2003)!

#### ***4.1.2 Given proximity, constructed proximity***

Sometimes there is already a degree of proximity among the various users of a resource, which is a major asset in terms of the process of dialogue. But this is not always so, especially when users belong to different ethnic, social and occupational groups. A prerequisite for collectively reaching an agreement is to bring these actors together. This means getting to know each other better, mutually recognising the legitimacy of the standpoints involved, relinquishing fixed positions as representatives of a group and engaging instead in an interpersonal relationship. Building such a sense of closeness involves visits to each other, moments of conviviality, going on training sessions together, etc.

But sometimes actors are so far apart that they do not even think dialogue is possible. This is the case of peuhl pastoralists and settled villagers in Mali: they do not live in the same place, they do not have the same language, they belong to different ethnic groups. Confronted with this situation, a Malian NGO drew up some family portraits. By projecting pictures of a family from the other group, the aim was to bring out similarities in the living conditions, the needs and problems of all concerned. The indigenous villagers and the pastoralists then recognised they had things in common and finally accepted to join together in the consultation.

#### ***4.1.3 Given legitimacy, constructed legitimacy***

Some actors are excluded from debate both between communities and within communities for want of legitimacy. But there is nothing inevitable about this and some case studies show that legitimacy, like proximity, can be worked on. For example, in highly hierarchised African societies as in Mali, not everyone has a voice. As women are represented by their husbands, one Malian field worker decided to organise separate meetings for them. He then reported the outcomes of these discussions to the men, who realised that the women had set up their own rules for management: they then recognised the women's status as users of the resource and as such allowed them to take part in the debate. Like proximity, legitimacy may be constructed via a process put in place by field workers.

#### ***4.1.4 Conflict avoidance: a form of exclusion***

Whereas the different uses of an area's resources were once seen as complementary, population growth and the increasing scarcity of water and wood are making competition and conflict fiercer. The case studies show that competition and conflict are often eluded, which leads to de facto exclusion of actors or of any expression of their views: actors in conflict may be present but do not allow themselves to voice their concerns. Conflicts may be eluded for two reasons: either each party in the conflict thinks it can derive greater advantage from its own strategy in a conflict situation than from an agreement whose content is uncertain, or the mediator facilitating the agreement does not want to risk failure and prefers to elude the 'hot' issues, even though these are the most important ones. But this only prolongs the conflict! In

one case study in Madagascar, the problems between villagers and outside users over the use of resources were not addressed when the agreement on transferring control was drawn up. Shortly after the document was signed, the implementation of the new rules for managing the raffia resources meant conflict came out into the open, making management difficult.

Of course, it is preferable not to address conflictual issues too early on in the process. But the person leading the consultation must set them out at the right time. The aim is to bring the positions of those involved closer together so as to show up points of convergence and of divergence. This operation assumes some know-how in deciding how to set about it and in deciding on the right moment to do so.

#### ***4.1.5 Access to the public forum for debate: action formats***

Beyond straightforward exclusion of a part of the population, the effective access of some of those actors who are allowed to participate may be restricted because of the action formats which are accessible to some but not others. In Madagascar, to conclude a management transfer agreement, the population was given a bulky report which was unfathomable for most of the signatories. By action format we mean the medium for transmitting information (written, oral), the decision-making arrangements (hierarchy, majority, unanimity), the form of public debate (venue, degree of formality), and the way the action is planned out (project time, agricultural cycle time, etc.). Whereas the action format should be devised as the best compromise between agreement-making requirements recognised by the state and formats familiar to each actor, it seems it is often used by the literate to preserve their dominant position. Of the cases studied only one project made any effort along these lines, with a puppet show being set up as a medium for engaging dialogue. But on the whole, action formats are unsuitable. With regard to the content of the debate, the formats used should make it possible to integrate scientific and empirical knowledge and must make allowance for different representations of reality.

## **4.2 Concerted management as a process: definitions**

Finally, these observations indicate there is both a problem of the objective aimed at and a problem of means. In terms of the objective, as local management leads to particularly serious forms of exclusion, it is preferable to have concerted control, which is both vertical (between the state and local actors) and horizontal (including all the users of the resource). This is defined as a process of dialogue and collective construction of issues, visions, objectives and actions in which the actors participate either to ensure the joint management of one or more assets, areas or territories which they share or to influence acts and decisions determining the future of those common goods. Before any attempt can be made to forge rules of management, it is very important to construct a common vision, a common language and common concerns, which can only be done through dialogue.

It is a process which leads to an agreement or a series of agreements and to the setting up of authorities for monitoring and updating these agreements. Whereas the projects for transferring control of resources in Madagascar fall within a set and limited time-frame, this process comes within the time of change and social innovation because the job is to build a compromise solution together from different visions and interests. This supposes a time for participants to 'let things mature' and the time needed for this cannot be determined beforehand. This process may rely on a procedure imposing certain 'waypoints' but any effective dialogue finds its own way forward. The course of consultation represents the entire progression of consultation in terms of both content and form alike. Like the course of

farming of a crop, marked by the growth stages of the plant and the different episodes of care provided by the grower, the course of consultation is marked by a (positive or negative) progression in dialogue, external events which affect it and possible interventions to help it along, termed 'operations'. These operations and the overall guidance of the process call for special know-how, which is, as we see it, a central topic of research.

### **4.3 Means for collective construction: translation operations**

How can one guide and intervene in a consultation process? We see it as a social innovation process. Now, for sociologists who study innovation (Callon, Latour, 1991; Latour, 1992; Amblard *et al.*, 1996), an innovation only exists because of the network sustaining it, and the network only exists because of the phenomenon around which it forms: it is the strength of the network which allows the innovation to impose itself. Facilitating the collective construction of innovation is above all a matter of bringing actors together and putting together a network to support the construction. The development agent then acts as a translator with translating operations making it possible to 'transform an intelligible statement into another intelligible statement to make the initial statement understandable to a third party' (Callon and Latour, 1991). This is particularly important for natural resources subjected to incompletely understood biological processes and exploited by users from different occupational and cultural worlds.

In the process of concerted management of natural resources, we have identified three types of translation operation implemented by outside operators and which fit into a cycle (cf. figure 1) :

- *Scientific translation* sets out to make the real world intelligible for all the participants in the consultation, in a language and a format which are as familiar to them as possible. The aim is to agree upon a language and representations of the real world which overcome divisions and to project a picture of reality which acts as a support for dialogue.
- *Crossed translation* seeks to make the position of all sides intelligible to the others and to build bridges between the actors involved.
- *Institutional translation* aims to convert the ideas expressed in the debate into economic institutions, that is, into rules, organisations and collective actions. This involves, for example, the drawing up of agreements, statutes, projects, etc. These institutions are to become the new rules of the game: they change the state of the real world, which may, eventually, give rise to a new cycle of consultation.

Each of these operations involves specific know-how and they are not always performed by the same agent. The case studies have yielded lessons and allowed us to make recommendations as to the practices and positioning of the translator (Beuret and Lasbennes, 2004), which are very important features for effective concerted management.

## **CONCLUSION**

These observations lead us to recommend a concerted management of resources including the state and the community extended to include all its users (and not just the local community as with 'local management'), via a control mechanism which must be constructed collectively – and patiently – by all of these actors. This involves, before even discussing the rules of

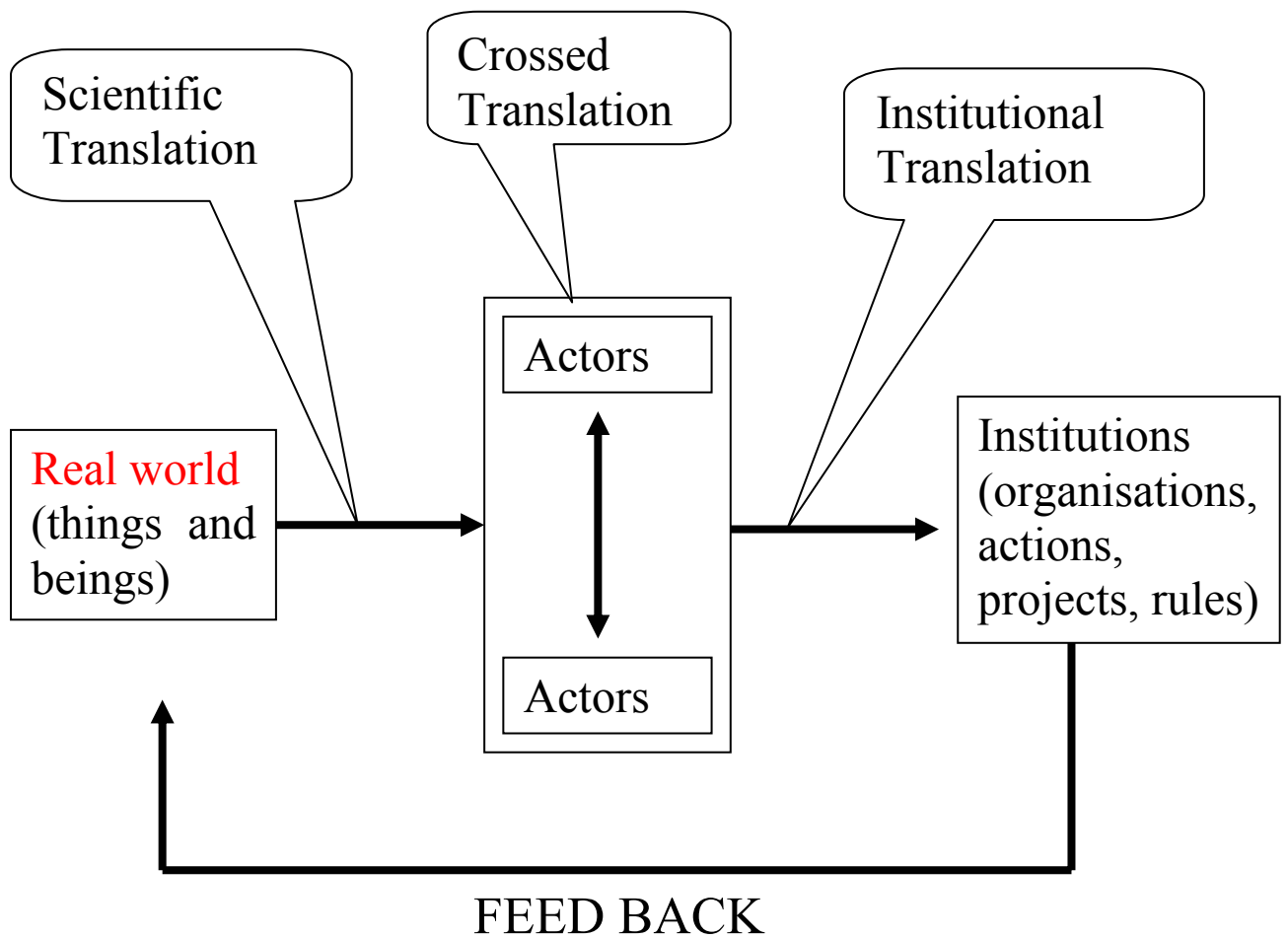
management, finding a language and a common vision and defining the concerns and objectives which are deemed relevant. This will be the subject matter of a consultation process, the condition sine qua non of truly collective construction.

Real concerted management involves investing time and specific skills to bring together very heterogeneous actors in a single approach. Downline from the objectives comes the question of the means and know-how relative to the guidance of such collective construction processes; this question has all too often been overlooked while our case studies show that, whatever the quality of the objectives set, the mechanism and the support practices for consultation among actors are decisive features.

The resulting concerted management mechanism will be a local social innovation whose relevance and legitimacy depend on the network of actors involved in constructing it. This requires time and the support of agents who will act as ‘translators’ and who will be essential in consolidating the network. They will work to promote the appropriation of the action by participants, the access of all categories of users to the public arena, the construction of proximity among socially remote actors, all of which are features that will prevent the de facto exclusion of some of the users. Downline from consultation, they will facilitate the translation of ideas into economic institutions. Analysis of real cases and reference to the sociology of translation (Callon and Latour, 1991) have led us to criticise approaches which exclude many resource users and then to set out proposals to support the construction of concerted management mechanisms.

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**Figure 1. For concerted management of resources:  
three operations within a translation cycle**