

FROM CONFLICT TO COLLABORATION: THE CASE OF CAHUITA NATIONAL PARK, LIMÓN, COSTA RICA

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Stream: Forests

INTRODUCTION

If the government is really concerned about protecting the area, there is nobody more capable of preserving it than those who preserved and protected it for more than a hundred years. They can come and enjoy it with us as long as they respect our rights and our property....

If they are intelligent they would realize that you can't function a park in an area where people are going to be hostile. If you take away our rights, the people are going to be hostile, and the tourists are not going to want to come, and the park is not going to be effective.

– Alpheus Buchanan, community representative (Palmer 1977)

Costa Rica is known for two things in the eyes of the international community: its peaceful and democratic tradition, and its ambitious conservation agenda. Since 1948, Costa Rica has not had a national army. And since the 1970s, it has established protected areas in over 25% of its territory. At the outset, these two factors appear to go hand in hand in what many regard as a progressive vision espoused by the Government of Costa Rica.

But Alpheus Buchanan's words quoted above shed light on the fact that it does not take an external threat to disrupt the peace in Costa Rica. In fact, some of the most insidious conflicts have arisen from the Government's centralized, "fences and fines" approach to conservation policy in the 1970s (Wells and Brandon n.d.; Solórzano 1997). The establishment of parks led to the expropriation of lands, and the forced relocation of communities who were denied subsequent access to their lands and resources. Clearly, this approach was a recipe for conflict.

This case study examines the impact of the establishment of Cahuita National Park on the

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community of Cahuita, a largely Afro-Caribbean community located on the southern Caribbean coast of Costa Rica. It analyzes the innovative tactics the community used to manage several conflict situations with the state, and evaluates the collaborative management institution that emerged as a result of negotiations.

The case has caught the attention of many players in the Central American conservation community, because it marks the first time that a national park in Costa Rica is jointly administered by the community and the state. While interesting management arrangements have been established in Costa Rica for “lesser” conservation categories such as wildlife refuges, the arrangement in Cahuita National Park is precedent-setting in that it involves a national park intended strictly for conservation and recreation.

Moreover, Cahuita’s experience of moving from conflict with the state to collaboration mirrors a policy shift on behalf of the Government of Costa Rica away from centralized, top-down natural resources management towards a process of “deconcentration, decentralization and democratization”(Solórzano 1997). About three years ago, the government introduced the National System of Conservation Areas (Sistema Nacional de Áreas de Conservación [SINAC]) to take over the administration of over 100 protected areas initially managed by a central office in San José. The result has been the establishment of 11 conservation areas covering the whole country, which are broken down into even smaller management areas. Today SINAC is searching for new models of involving local communities in decision-making regarding protected areas for two reasons: 1) government cutbacks, and a lack of personnel to care for Costa Rica’s large protected areas system; and 2) SINAC’s belief that the principal economic beneficiaries of parks should be the local communities (Solórzano 1997). There is a lot riding on the possibility that the management arrangement established in Cahuita National Park, which is located in the La Amistad Caribe Conservation Area, might serve as a model for replication in other conservation areas.

In light of this policy context, an in-depth evaluation of the Cahuita experience is essential. This case study a) describes the historical background to the conflict situation, and events leading to the development of the joint management committee; b) analyzes the structure and process of the joint management committee; and c) discusses the implications of the Cahuita experience within a national and regional context. It contributes to the growing body of knowledge about co-management by providing an analysis of a first attempt to institute such a figure within the context of national parks management in Central America. Within the theoretical context, the paper addresses the question: Is there co-management in Cahuita National Park?²

²*It is important to note that this paper is based on preliminary results of the work to date that have not yet undergone a process of verification. This analysis will be enriched by supplementary data collected between now and June.*

A Brief History: The Site, the People and Subsistence Activities

Cahuita is located on Costa Rica's southern Caribbean coast in the province of Talamanca (see figure 1), arguably the most culturally diverse province in the country. The province is home to a large population of Afro-Caribbeans, the Bribri and Cabecar Indigenous Peoples, mestizos and foreigners.

The first historical record to describe Cahuita, dated 1894, notes that the site was a favourite fishing and turtle-hunting ground of the Miskito Indians. The name "Cahuita" means "point of blood trees" in Miskito, and refers to the vast number of blood trees growing on the promontory known as Cahuita Point. But the first settlers were Afro-Caribbeans who lived in a conglomeration of some 20 houses located on the Point (Pittier cited in Bermudez and Bazo 1979). These settlers were part of the migration of Jamaicans who arrived in the area at the turn of the century to help build the railway to transport coffee from the central valley to the port city of Limón, located 42 kilometres north of Cahuita. Most were then recruited by the United Fruit Company banana plantations along the Caribbean coast. Shortly after 1914, the town of Cahuita was relocated from Cahuita Point to its present site at the other end of the beach, which was donated to the townspeople by the President of Costa Rica out of gratitude for their having rescued him from a sinking ship (Orthello 1972).

The settlers undertook small-scale coconut and cocoa production, and also engaged in subsistence fishing activities. This way of life was preserved for many decades largely on account of the fact that the community was not accessible by road until 1976 (Palmer 1977).

The 1970s: Conservation Hits Cahuita

The 1970s brought about a sea change for the community of Cahuita. In 1970, the coral reef that lines Cahuita Point was declared a national monument without consulting the community. The state wanted to protect the flora and fauna of the area, the coral reefs and various marine ecosystems for various reasons, including that:

the coral reef surrounding Cahuita Point is the most important in the country because of its size and numerous species of coral; and because it is surrounded by high quality beaches, and contains objects of great historical interest for the country (Executive Decree 1236-A).³

The reef contains 35 species of corals, 140 species of molluscs, 44 types of crustaceans, 128

³We have translated into English all quotes from Spanish sources. Moreover, unless taken from Palmer (1977), all quotes in text boxes have been translated from Spanish into English.

IN BRIEF

1970 Cahuita Point declared a National Monument (Executive Decree 1236-A, September 7)

1974 Creation of Ad Hoc Commission to study the transition period, and the rules and regulations governing the people living in the park upon its establishment

1978 Establishment of Cahuita National Park (Executive Decree 8986-A, April 30)

1980s Conservation in Costa Rica becomes more centralized. Costa Rica undergoes a debt crisis.

1995 The Government institutes a national law whereby entrance fees to national parks would increase from \$5 to \$15 USD

The community of Cahuita “takes” the park (September 1), and forms a *Comité de Lucha* (Committee of Struggle). Negotiations with the Government last over one year.

1997 Signing of an Agreement of Cooperation between the Ministry of Environment and Energy and Cahuita’s Association for Integrated Development to jointly manage the services administered in a section of the national park (February 13)

Establishment of the *Comité de Servicios* (Services Committee), a body comprised of 2 government representatives and three community representatives

1998 The *Comité de Servicios* changes its name to the *Comité de Manejo* (Management Committee) to reflect the Committee’s change in focus from administering one section of the park to joint administration of the entire park (January)

1998 A potential new conflict emerges: the Government wants to enforce a “dormant” law and charge \$6 entrance fee for tourists visiting the coral reef. Together with the Management Committee, the community resolves the conflict within two weeks.

varieties of algae and 123 types of fish (Bermudez 1993). The Executive Decree establishing the national monument declared that the terrestrial portion of the monument would cover 1,067.9 hectares, while the marine portion would cover 22,400 hectares, including the 600 hectares of reef. It strictly forbade forestry activities, hunting and trapping, turtle-hunting and turtle egg gathering, extraction of corals, and other commercial, agricultural, industrial and other activities detrimental to the resources of the national monument. Commercial and sports fishing would be subject to restrictions deemed necessary to protect the natural resources of the protected area.

For the community, this declaration meant the end of a way of life that had endured since the turn of the century. Coconut farmers were told they could no longer manage their coconut walks, and fishers were told their activities would be restricted. When officials informed those who lived inside the national monument boundaries that they would have to sell their lands, the community objected. The resistance grew when the community heard that the state was contemplating changing the category of protected area to national park, which would mean even greater restrictions.

The result was that in 1974 an Ad Hoc Commission of government and community leaders was established to review the community’s needs, and propose amendments for consideration by the Legislative Assembly during its legal review of the change in protected area category. In 1977, the Commission presented its report – an Agreement between the community and the government -- to President Oduber. The Agreement recognized that the local people were a “favourable factor” with regards to conserving the natural and cultural resources of the area; it stated that those people living within

the boundaries of the proposed park should continue to reside on their property and engage in subsistence activities “as long as they do not extend beyond their currently occupied areas nor change their traditional methods of work” (cited in Kutay 1984). A 1977 study revealed that 87 % of the land was owned by small-scale farmers, and of these 93% did not want to sell their land (Ramírez, cited in Bermudez and Bazo 1979). The community therefore had a large stake in ensuring that the government pay heed to its proposed amendments.

But the government disregarded these proposed amendments when the National Park was established in 1978. Instead it forced the community members within the park boundary to relocate, and denied them access to their coconut walks and farms. The government agreed to offer compensation to those affected. However, because of lack of funds due to Costa Rica’s debt crisis in the 1980s, approximately 15-20% of the landowners still have not been paid 20 years later (Marcondes 1980; Joseph, pers. comm.). Problems were further compounded with the passage of the Beachfront Law (*Ley Marítimo-Terrestre*) in 1977, which eliminates private property rights within the first 200 metres of the seashore, affecting all coastal residents.

In short, within a decade, the community of Cahuita was forced to change its lifestyle from subsistence agriculture and fishing to tourism. Several community members welcomed the change because of the poverty in the area, and the fact that the establishment

I know hotel is good business, but I’m not going to build a hotel in Cahuita because we don’t want tourist business. We want our own way of life. – Alpheus Buchanan, community representative (Palmer 1977)

of the national park would mean that even though the population would increase and Cahuita would become a town, “still we will have Cahuita Point as in the older days” (Grant, cited in Palmer 1977). When the *Monillia* fungus hit the Talamanca region in the 1980s destroying 95% of the areas cacao crops, many farmers abandoned their cacao crops for good, including the remaining property owners who continued to farm their land within the park (Kutay 1984).

Today, tourism is the number one source of income for Cahuita. The town has grown from its initial 20 households to a population of 4,000 (Ministerio de Economía y Hacienda 1997), made up of English-speaking Afro-Caribbeans, Spanish-speaking mestizos, people of Chinese origin and a growing population of foreigners. However, a small number of long-time residents still engage in subsistence activities.

THE CONFLICT, NEGOTIATIONS AND OUTCOMES

Price Hike Threatens Cahuitans’ Livelihood

Things came to a head in Cahuita when the state imposed a nation-wide price hike in park entrance fees for foreigners from \$5 to \$15 on September 1, 1995 (nationals would still pay 200 colones). Once again, the state was threatening Cahuitans’ livelihood: the price hike would drastically reduce the number of tourists visiting Cahuita, which would have a serious impact on

the local economy.

The community organized a Committee of Struggle (*Comité de Lucha*) comprised of three community leaders and the President of Cahuita's Development Association (the local government) and staged a peaceful takeover of the park. One of the members of the Committee of Struggle describes the takeover:

When the problem emerged, the people took the park. We took it in a pacific way. What we did was to sit next to the entrance of the park and play dominos. When a tourist arrived, we said: "Sir, don't pay. The community of Cahuita invites you to enter the park free of charge." We knew we were in our just right, because we knew that the law backed us given that many of us were still owed compensation for our lands (Joseph, pers.comm., emphasis added).

The park officials left their posts at the entrance of the park near the town of Cahuita (Playa Blanca), as well as at the entrance in Puerto Vargas (Mora, pers. comm.). There were some incidents of vandalism of park officials vehicles, but no open violence. The Ministry of Environment and Energy (MINAE) published advertisements in the major national newspapers warning tourists about the conflict situation, and cautioning them not to visit Cahuita National Park. According to community representatives, this had a disastrous impact on tourism. It also compounded the resentment community members felt towards MINAE officials.

Towards a Negotiated Solution

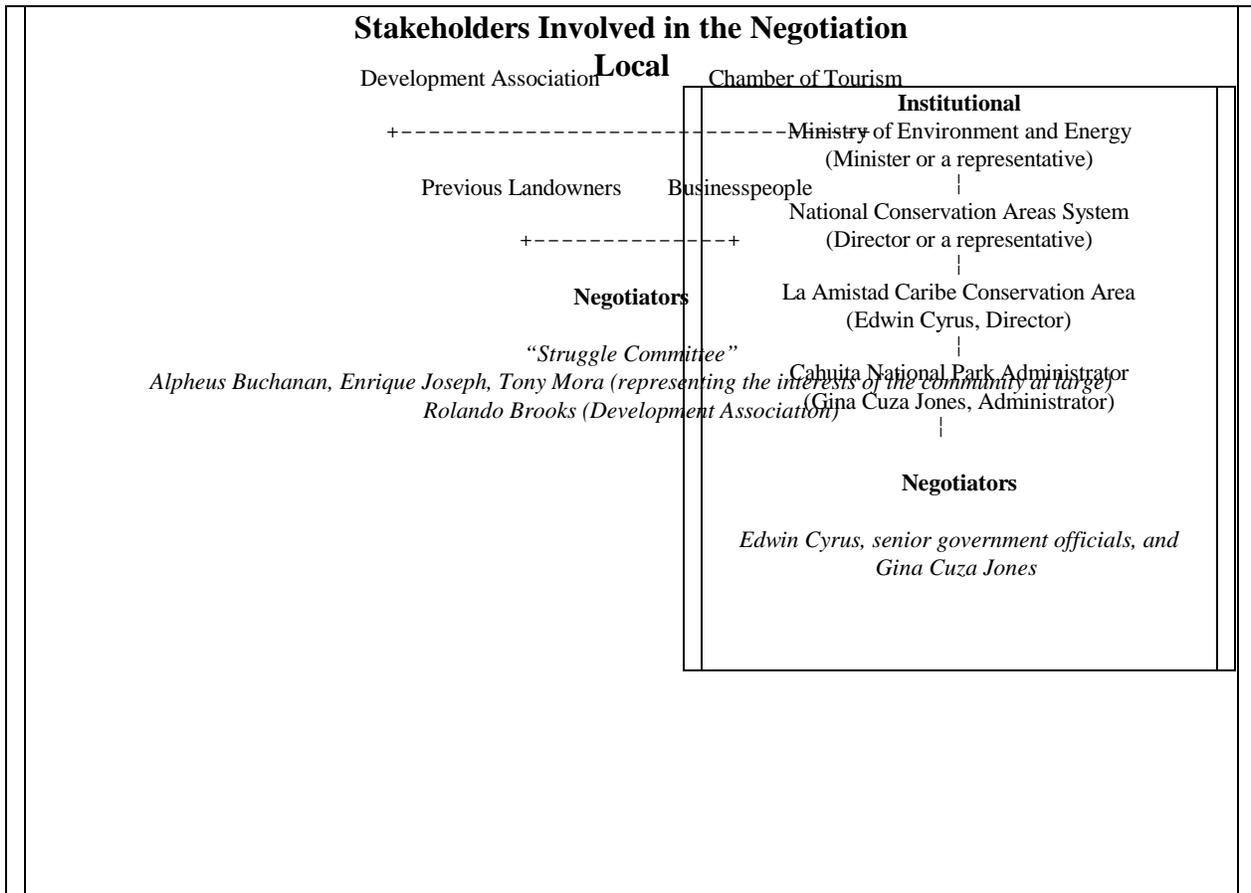
What followed was one year of intense negotiations between the Committee of Struggle and the MINAE. The Committee of Struggle represented Cahuita's tourism interests, the positions of community member's whose lands had been expropriated without compensation, and the interests of the community at large. MINAE represented the interests of the state. The *Defensoría de los Habitantes de la Republica*, Costa Rica's Ombudsperson, acted in a mediating role for the two sides. At first the community representatives argued for control over the whole park. Later they asked for five kilometres of beachfront inside the park, from Kelly Creek to Rio Perezoso (see figure 1). This was a strategic move, because if the government agreed, the community would have free access to the reef. However, the government said the community did not possess the capacity to manage the reef, while the community argued that it did. The government hired a biologist who wrote a report supporting the government's position (Cyrus, pers. comm.).

According to members of the Committee of Struggle, the negotiations took one year because the community was holding out to try to get as much out of the negotiations as possible. The bottom line for them was free access

*It was a very, very, very difficult negotiation.... [the community representatives] didn't want to negotiate with MINAE until they received compensation for their lands. That resulted in a situation where all the participants -- the Minister, Vice-Minister, Director, all the various levels that came to the meetings -- always came face-to-face with very rigid positions. – **Edwin Cyrus, Director of the La Amistad Caribe Conservation Area, 1998***

We knew that we couldn't get everything...but, hey, in a negotiation you have to ask for more than you want so that in the end you get what you really need. 6
– **Alpheus Buchanan, community representative, 1998**

from Kelly Creek to Rio Suarez, the two kilometres of beach adjacent to the community of Cahuita, and a commitment on the part of the government to complete payments for the



expropriated lands.

An Agreement Is Signed

On the February 13, 1997, the Minister of Environment and Energy, René Castro Salazar, and the President of Cahuita’s Development Association, Rolando Shirley Brooks, signed an Agreement of Cooperation. The highlights of the Agreement are that it:

1. Prohibits charging entrance fees to people who use the portion of the park between Kelly Creek and the Rio Suarez (hereafter referred to as Playa Blanca).
2. Reconfirms the Government’s commitment to complete compensation payments to the landowners whose lots were expropriated.
3. Creates a Services Commission made up of community representatives and government officials to co-administer the services of the park.

Other outcomes of the negotiation included that the community was given the go ahead to accept donations from tourists entering Playa Blanca. These funds are reinvested for the upkeep

of the park; the Services Committee – now known as the Management Committee – identifies the projects for which the monies are allocated. These outcomes will be examined in more detail in the institution analysis presented in the following section.

ANALYSIS: THE MANAGEMENT COMMITTEE

The “solution” to the conflict created a complex situation in the park with regards to property rights and management. From a common property perspective, the state is the owner of the park. However, a significant portion of it is technically still in private hands, because the landowners still have not been paid compensation. This creates ambiguity with regards to who owns the park. The strongly felt view among some community members that they should have access to the resources regardless of “ownership” issues creates even more ambiguity.

The decision to create a Services Committee to co-administer Playa Blanca adds another layer of complexity in that the park has essentially been split into two sectors, Playa Blanca and the rest of the park, with two different administrative entities: Playa Blanca is administered by the Services Committee, and the rest of the park by the National Parks Service. In Playa Blanca, donations given by visitors are reinvested for park maintenance; the \$6 USD admission fee charged for entrance to the park via the sector managed by Parks Services goes straight to government coffers.

A third element of complexity/ambiguity is the fact that there is no management plan for the park, and so while the entire park – including Playa Blanca -- is technically administered under the National Parks Law, some very “organic” situations have occurred. For example, the activities in the marine section of the park are in fact managed by the users themselves, creating a communal property situation. While this situation is a direct result of the fact that there is no management plan, it is also fuelled by the ambiguous property rights situation, lack of park rules and enforcement, and the local resource users’ belief that they should have access rights to the marine resources regardless of the fact that this is prohibited under the National Parks Law. Another important element is that the park officials administering the area are willing to condone these activities, as they are sympathetic to the needs of the community. In many respects what is happening in Cahuita National Park is that national park rules are being bent to fit the needs of the situation on the ground.

Given the ambiguous property rights situation, the lack of a park management plan, and the needs of the local community, the establishment of the Services Committee represents an important first step in attempting to address and consolidate these elements. Another important step forward was taken in January 1998, when the Services Committee was renamed the Management Committee to reflect its intention to administer the entire park.

The following section outlines the original mandate and function of the Services Committee as identified in the Agreement of Cooperation, and then describes what the members are doing in practice. A final analysis examines this institution from the point of process, structure,

information-sharing and feedback mechanisms and legitimacy in the eyes of the community, and discusses the institution from the point of view of co-management theory.

The Services Committee

The Agreement of Cooperation dated February 13, 1997 stipulates that the Services Committee should be made up of the following people: the Director of the La Amistad Caribe Conservation Area or a representative; the Administrator of Cahuita National Park; two representatives of Cahuita's Development Association; and one representative of Cahuita's Chamber of Tourism. In other words, members would include two government officials, and three community representatives.

According to the Agreement, the functions of the Committee are to: a) ensure the adequate functioning and quality of new services to park visitors (washrooms, camping areas, a locker room, first aid services and information about the park and its biodiversity); b) establish fees for these services; and c) develop guidelines for the operations and administration of the Committee.

Another important element is that the Agreement has a five-year term, starting from the date the *Contraloría General de la República*, Costa Rica's Treasury Board, validates the Agreement. After this date, the Agreement can be extended for another term if none of the parties show opposition three months before the term's end.

Since this first Agreement, a series of additional articles have been developed. The major changes include the specification of the structure of the Management Committee and its role, sanctions for those who do not carry out the services properly (MINAE will take over until the situation is resolved), and not including a termination date for the Agreement.

It should be noted that the original Agreement has not yet been passed by the Treasury Board (in the usual process, once the Agreement is passed by the Treasury Board it then needs to be ratified by Congress). An attempt is being made to separate the arrangement into two components: one dealing with the Management Committee (the new document will use this new name) which will take the form of an executive decree; and the other dealing with the Agreement of Cooperation between the Minister of Environment and Energy and the community of Cahuita, which is an "agreement of will". According to MINAE's regional lawyer, the executive decree is a unilateral administrative decision; if there is a change of government, the

Costa Rica's Legal Framework
Constitution
International Laws and Conventions
National Laws (legislative power)
Executive Decrees, Agreements, etc. (political decision, can be modified unilaterally)

decree can easily be modified (González, pers. comm.). It fits beneath the category of law within the Costa Rican legal framework.

In terms of the “agreement of will”, it does not have much legal backing, because it specifies that the government should pay the remaining lands, promote the park, and allow the community to collect donations for Playa Blanca instead of charging visitors. “These are simply petitions on behalf of the community,” according to MINAE’s lawyer, “but if there aren’t financial resources, then the payment of lands cannot be completed” (González, pers. comm.).

Analysis

At first glance, the Agreement (not yet officially approved) and responsibilities of the parties seems to be quite empty with regards to the management of natural resources. The focus is instead on park services for visitors, and the community’s role is essentially to share decision-making with regards to these services. But it should be emphasized that this Agreement was the end result of a conflict management exercise, and was intended to target the immediate demands of the community. In terms of the community’s livelihood, the first priority was to ensure that tourists visiting the community could have free access to their beach, and that there were adequate services available.

Relations between MINAE and us are 100%. It’s hard to get better than 100%.

Over the past year, the Committee has gone a long way with regards to solidifying the relationship between MINAE and the community and establishing trust among the members. According to a government member of the Committee, one year ago he would sit at one end of the table, and the community representatives would sit at the other. Today, the situation is far improved.

–Alpheus Buchanan, community representative, 1998

When the Committee changed its name to the Management Committee in January, it was out of the recognition that the immediate purpose of the initial terms of reference had been fulfilled. That is, the services for visitors are more or less in order. With this immediate need satisfied, members have started to broaden their vision to start tackling issues outside of Playa Blanca and the services sector. On March 4, 1998 the Management Committee held its first meeting in Puerto Vargas, the site of the park administration building, and for the first time all park officials were present. The community representatives had demanded this meeting in order to find out just exactly what the park officials did in the park, so that they could monitor the officials to ensure they were fulfilling their responsibilities to the satisfaction of community members. At this meeting members discussed some natural resource management issues, such as the need to establish rules for fishing quotas and fish sizes, the need to monitor the turtle-nesting grounds in the park, and what to do about the trees that are stuck on the coral reef and are causing significant destruction. They also discussed waste disposal issues and water contamination in Playa Blanca, and actions that could be taken to address these issues so that Playa Blanca could regain its “blue flag” (a flag awarded to beaches that maintain high levels in of cleanliness -- Puerto Vargas was awarded one this year). The intention is for the Committee to start developing a management plan

for the park.

In short, the Management Committee has started taking on a new role with a new scope. The move is a natural one, as the community demands more control over what is happening in the park. Moreover, there is political will and enthusiasm on the part of MINAE to move forward with this new vision of park management. But the process has been full of growing pains. One major problem is the fact that there is no legal backing to the Management Committee, or to some of the decisions the Committee makes. The process has moved extremely quickly, and the time has come to re-evaluate the institution in light of the new role it is taking on.

Growing Pains: A Brief Evaluation of the Management Committee's Process

In-depth evaluations of resource management institutions and systems usually touch on three primary criteria: efficiency, equity and effectiveness (or sustainability) (Hanna 1995; Oakerson 1992; Folke and Berkes 1995). However, because the Cahuita institution is relatively new, and its mandate has not yet centred on resource management, such an in-depth analysis is not feasible at this point in time. What is possible is an analysis of the Committee's structure and process, the power-relations among the members, information-sharing and feedback mechanisms, and the representativity and legitimacy of the Committee in the eyes of the community.

Structure and Process

The Committee is made up of five official members, and an "adjunct treasurer" who does not have voting powers. Two of the members are government officials, and three are community representatives. The adjunct treasurer is also a community representative. All members are Afro-Caribbeans, including the government representatives.

The park administrator and the representative of the Director of the Conservation Area are constant members, while the community members rotate depending on the current circumstances of the community organizations (community representatives are elected by the Chamber of Commerce and the Development Association, and are usually the presidents or members who sit on the organization's board of directors). Each office is held for one year, with the possibility of re-election. The Committee meets twice a month, and makes its decisions based on a majority vote.

Management Committee Structure

Gina Cuza Jones (**President**)
Park Administrator
MINAE

Eduardo Pearson (**Secretary**)
Chief of the Subregion of Talamanca
La Amistad Caribe Conservation Area
MINAE

Irma Humpries
President, Cahuita Development Association
community representative

Dexter Lewis
Member of the Cahuita Development
Association *community representative*

Enrique Joseph
Member of the Cahuita Chamber of Tourism
community representative

Alpheus Buchanan (**Adjunct Treasurer**)
community representative with no vote

Meetings are convened by the president, while the secretary is in charge of recording the agreements made by the Committee. Usually one of the two chairs the meeting. A meeting can take place if a minimum of three members show up to the meetings. In theory then, decisions could be made with two government officials and one community member.

Power Relations and Decision-Making

A quick look at the membership structure reveals that the government officials head the Management Committee, and as such, they act in the role of chairs and manage the agenda and minutes of the meetings. Apparently, these offices were elected the first time the Committee met, although there have not been signs of an impending re-election even though the Committee has passed the one-year mark. In fact, at one meeting a side comment was made that the current president and secretary would probably fill their roles on a permanent basis. In other words, a quick appraisal reveals that the reins of the operation are in the hands of the government, and that re-election procedures are not being followed. It should be noted that although the government officials set the agenda and chair the meetings, there is good input from the community members who bring their concerns to the table and also add items to the agenda.

In-depth interviews with the three official community representatives reveal that while one feels that the meetings are “very democratic” and that the government officials are not “authoritarian or negative”, the other two feel that relations are unbalanced. “*MINAE representatives feel they have supremacy over us community people,*” said one member. “*At the time being we’re at an impasse... because the MINAE representatives think that their ideas should prevail. The best thing about the arrangement will come when the criteria and ideas of the community prevail, because we community people will live here our whole lives.*” The word manipulation has come up in informal conversation to describe the power relations in the Committee. One of the community members has not showed up for several Management Committee meetings in a row, indicating a loss of interest perhaps on account of the unbalanced power relations.

Decision-making procedures are also shaky. Several weeks ago a hand-written pamphlet was circulated to community businesses indicating that there would be a \$6USD per person charge per tourist visiting the coral reef. It was signed by the Park Administration and the Management Committee. However, the decision to distribute this pamphlet was not discussed at Committee meetings: the two government officials in conjunction with the adjunct treasurer -- who has no vote in Committee affairs, but wields a lot of power as a respected community leader – decided to distribute the pamphlet, and other Committee members were caught unaware and were put between a rock and a hard place when community members questioned them about the decision. According to two of the community members, the bulk of the decisions are in fact made by three people: the two government officials and the adjunct treasurer. Clearly, the decision-making procedures need to be more democratic.

Information-Sharing and Feedback Mechanisms

There are no formal mechanisms by which the Management Committee disseminates information about its activities or decisions. The representatives of the Chamber of Tourism and the Cahuita Development Association inform their board of directors. Other than this, no communication vehicles exist.

We need a biologist, a good biologist, to start with... from the community, we need various people, the fishers and the divers, for example, in order to maintain the reef. In other words, we need to involve the people that really live from the resources... They have lots of knowledge, because they have spent many years living with the reef and in the water. They are people who know and have seen the changes that occur after each flood, for example, which is a common occurrence here.

Dexter Lewis, community representative of the Management Committee, 1998

Likewise, there are no formal community feedback mechanisms. The community representatives tend to bring to the table the concerns of the constituents of their organizations. Community members not represented by the Chamber of Tourism or the Cahuita Development Association can bring their concerns directly to Management Committee members, however the vast majority do not know about the Committee or who sits on it.

Representation and Legitimacy of the Management Committee in the Eyes of the Community

All representatives of community organizations not represented on the Management Committee that have been interviewed to date (there are six in total: two women's groups, a group of guides, a theatre group, and a largely defunct fishers association) state that their concerns are not adequately represented by the Management Committee. Informal interviews with community members at large have indicated that many people do not know about the Committee, its objectives or its members, which questions its legitimacy.

Ironically it took a potential conflict – the proposal of community members to pay a \$6 USD fee for each visitor to the coral reef – for the community to become aware of the Committee and its members, and for the Committee to take on a more legitimate role. Open meetings with the community and a willingness to negotiate showed that the Committee is willing to heed to community perspectives and change its position. After the community presented various points of view on how much to charge each tourist visiting the coral reef, the final decision of how much to charge was left up to the Management Committee. The fact that the potential conflict was resolved in a two-week period, and that the community gave the Committee the political weight to make the final decision, showed that the Committee is able to resolve conflicts successfully and that the community respects its decisions. However, it also showed that the Committee has much to learn about how to communicate more effectively with the community; effective communication could have prevented the potential conflict in the first place, particularly if there had been more community input before a “decision” about a particular fee had been taken without the consultation of all the Committee members, and without the participation of the community-at-large.

With the change in the Committee's mandate, the membership and representation of the

Committee needs to be reviewed. At present the community members represent development interests only, and there are no user groups on board. As one member of the Committee has emphasized, in the future it will be critical for the resource users who know the park intimately to be represented, such as fishers and guides. More technical support will also be needed, and several people have suggested the possibility of including a biologist to this end, or else ensuring that there are strong links with universities and other institutions. Including representatives from neighbouring communities that use the park will also be critical.

Stakeholder Groups		
Local	Regional	National
<ul style="list-style-type: none"> ◆ Cahuita National Park Administration ◆ Management Committee (Chamber of Tourism; Development Association; Representatives of the La Amistad Caribe Conservation Area) ◆ Community groups/users not represented by the Management Committee: <ul style="list-style-type: none"> · Businesspeople not directly involved in the tourism industry · Guides · Resource users: fishers, turtle hunters and egg gatherers; coconut pickers; driftwood gatherers · Neighbouring communities: Comadre and Hone Creek 	<ul style="list-style-type: none"> ◆ La Amistad Caribe Conservation Area ◆ Municipality of Talamanca ◆ Non-Governmental Organizations (e.g., Namasol [a Dutch NGO] and Biological Corridor [a regional NGO attempting to link Costa Rica to the Central American biological corridor]) ◆ Banana plantations (do not have a stake in the park, but their activities affect the environmental health of its resources) 	<ul style="list-style-type: none"> ◆ Ministry of Environment and Energy (National Conservation Areas System) ◆ Ministry of Health ◆ Ministry of Water and Aqueducts ◆ Universities and scientific institutions

IS THERE CO-MANAGEMENT IN CAHUITA?

Now that the basic process and elements of the management arrangement in Cahuita have been presented, it is possible to analyze the institution from the point of view of common property theory, and the emerging theory of co-management.

Over the years, several definitions of co-management have emerged. Some critics have proposed broad definitions, such as “co-management is a broad concept that covers an assortment of managerial arrangements” (Murphree 1989). Townsend and Pooley (1995) note that “the term co-management has been used to span the spectrum from purely consultative arrangements to the co-equal status accorded indigenous treaty rights”, adding that “this is a clearly broad spectrum – so broad as to be almost meaningless.” Following this argument, other scholars have tried to give the concept meaning by focussing on key elements, such as “the sharing of power and responsibility between the government and local resource users” (Berkes et al. 1991). Several tools have been developed to evaluate co-management arrangements, including ladders of citizen participation modelled after Arnstein (1968), key conditions and principles for success (Ostrom 1990, 1995; Berkes 1997), and key elements required of co-management agreements (e.g. Renard

1997).

Before embarking on an analysis of the Cahuita arrangement using these various tools, it is important to re-emphasize that Costa Rica does not have a tradition of co-management, and that Cahuita is a first approximation. Because Cahuita technically does not have natural resource management *per se*, it would be erroneous to say that it has co-management. It does however have an institution in place that could eventually fulfill a co-management role, as defined by Berkes et al. (1991). The purpose of this analysis then, is to characterize the institution that is currently in place, and identify the strengths and weaknesses with regards to design elements that could lead to the success or failure of a future co-management endeavour.

Ladder of Citizen Participation: Where is the Cahuita arrangement located?

Arnstein (1968) identified 8 “rungs” of citizen participation ranging from manipulation (non-participation) and consultation (tokenism) to citizen control (citizen power). At the bottom rungs of the ladder, powerholders “educate” the participants; in the middle rungs, citizens have the power to hear and be heard, but do not have enough power to ensure that those with power will heed to their views; and at the top of the ladder, citizens have a majority voice in decision-making, or full managerial power. Several adaptations of this ladder have emerged to evaluate the degree of local participation in natural resources collaborative management arrangements, ranging from fisheries to protected areas (McCay 1995; Pinkerton 1994; Pomeroy 1995; Sen and Nielsen 1996; Borrini-Feyerabend 1996).

Cahuita’s Management Committee fits somewhere between Arnstein’s (1968) fifth and sixth rung of the ladder of participation: that is, between “placation”, where the “have-nots” give advice and the powerholders maintain the right to decide, and “partnership”, where citizens have the power to negotiate and engage in trade-offs with the traditional powerholders. There is “placation” in the sense that the decision-making process largely controlled by the two government agents and the adjunct treasurer, who is not an official member of the Committee and “has no voting rights.” On a number of occasions decisions have been made by these three people who have then informed the other Committee members of the outcome. Two of the three official community members have expressed the frustration that Arnstein (1968) refers to when she says that “*participation without redistribution of power is an empty and frustrating process for the powerless. It allows the powerholders to claim that all sides were considered, but makes it possible for only some of those sides to benefits. It maintains the status quo.*” These members have used the word “manipulation” to refer to the tactics and politics of those who hold the power in the Management Committee. Essentially then, there has not been a redistribution of power.

An important point to emphasize, however, is that the decisions made by the Committee to date have focussed on relatively small decisions relating to the provision of services that have not had implications with regards to resource use and access. The process becomes far more democratic when dealing with access issues, and for this reason we say that the Management Committee also exhibits characteristics attributable to Arnstein’s sixth rung, “partnership”. A

recent example of the community’s ability to negotiate with MINAE and influence outcomes recently took place when a \$6 fee for visiting the reef was proposed. After a series of open meetings to which all community members were invited, the Management Committee arrived at an agreeable solution for all parties involved. There is therefore partnership in the sense that the community can engage in negotiations and trade-offs with the traditional powerholders.

When analyzed using Borrini-Feyerabend’s (1996) schematic to evaluate the degree of community participation in the collaborative management of protected areas, the Cahuita arrangement would straddle the third and fourth “rungs”, that is “negotiating” and “sharing responsibility in a formal way (e.g. via seats in a management board)”. While the community does have seats in a management body -- and in this case it has more seats than the government -- there is still an unequal distribution of power. Moreover, to date there has not been a sharing of responsibility and authority between the government and the community. Several Management Committee members acknowledged that MINAE has the primary capacity, resources and authority to implement decisions, and it also has the ultimate responsibility for the proper management of the park.

Design Principles Contributing to Success: Which ones are present in Cahuita?

The following section assesses is Cahuita’s Management Committee using Ostrom’s (1990) eight design principles for a rigorous institution. According to Ostrom, the more of these design principles present, the more likely an institution’s rigour and success.

In order to clarify the situation in Cahuita National Park, we have divided our analysis into four sections based on the different management entities/institutions: 1) state management (the portion of the park not covered by the current Agreement between the community and the state; there is exclusion to access because visitors must pay a \$6 entry fee); 2) collaborative management (the current area covered by the Agreement; there is no exclusion to access, as visitors are not forced to pay a fee); 3) communal use (marine resources; there is informal exclusion of outsiders); and 4) proposed co-management area (the entire park; exclusion rules not yet defined). It should be noted that while the entire park is state-owned and under National Parks legislation, each sector is in fact “managed” differently. The marine portion of the park and the reef are the only sectors in which traditional resource use is “condoned” (park officials turn a blind eye). However, this use is not backed by legislation.

OSTROM’S (1990) CRITERIA	TERRESTRIAL		MARINE	ALL
	STATE MANAGEMENT Puerto Vargas/Rio Carbon	ACTUAL COLLABORATIVE MANAGEMENT Playa Blanca	COMMUNAL USE Reef/Fishing grounds	PROPOSED CO- MANAGEMENT AREA
1. Clearly Defined Boundaries	Still to be defined, given the fact that in January 1998 it	YES. Cahuitans have rights to access, and under	YES. Cahuitans have traditionally used these	YES. The National Park boundaries. Exclusion of

	was agreed that that the collaboration between the community and the state would encompass these sectors as well.	these they invite the general public to engage in non-consumptive use	resources, and continue to do so even though it is legally prohibited under the National Parks Law. Informal means of excluding outsiders exist, and MINAE sometimes collaborates with the community in this respect.	outsiders would be possible.
2. Congruence Between Appropriation and Provision Rules and Local Conditions	-- Rules conform to National Park regulations, without input from local resource users -- -- Non-consumptive use --		YES. Some formal and informal use based on local conditions.	Not in place yet, but there are plans to involve the community in resource use decisions.
3. Collective Choice Agreements	--NO RESOURCE USE (only non-consumptive) --		YES, informally, but non-compliance exists.	YES. Condition is there, but no resource rules have been made to date. Also, representation of local resource users needs to be strengthened.
4. Monitoring	Some monitoring of compliance with National Park regulations, but weak.	Community monitors compliance of National Park regulations, but do not have the authority to enforce these rules.	Fishers and those who use the reef informally monitor their rules of use, but this monitoring is weak.	No monitoring as of yet (no rules as of yet!)
5. Graduated Sanctions	NONE	NONE	NONE	NONE
6. Conflict Resolution Mechanisms	NONE	YES, an organically developed, effective mechanism with no formal process established.	NO. Rivalry and competition exist.	YES. Same as Playa Blanca.
7. Minimal Recognition of Rights to Organize	YES	NO	NO	NO
8. Nested Enterprises	not applicable	YES	In the past; fishers' association is now defunct.	YES

The above table indicates that under the current collaboration between the community and the state, only three out of eight conditions are met. However under the proposed co-management arrangement, currently four out of eight conditions are met, with the potential of more, depending on future. While it might be simplistic to translate these results into numbers, numerical values help emphasize the current situation in Cahuita. From this perspective, Ostrom's (1990) criteria suggest that there exists a 50% chance that co-management could be feasible in Cahuita. When analyzed using Berkes' (1997) criteria for successful co-management, the odds of success look bleak given the arrangement's current status; the current conditions for success score 1.5 out of 4,

or a 27% probability.

Berkes' (1997) criteria for successful co-management	The case in Cahuita
1) Appropriate local and governmental institutions	Using a formal definition of institution -- i.e. a body -- the two institutions that come to mind are the MINAE and the Management Community. The Management Committee is NOT an "appropriate" local institution, primarily because it has no legal backing. Other weaknesses include: <ul style="list-style-type: none"> · unbalanced power-relations · lack of representation of user groups · lack of work plans · slack of strategic planning · unclear mandate, responsibilities and roles · poor information-sharing both among Committee members, and between the Committee and the community
2) Trust between the actors	If trust means that MINAE respects the Management Committee's decisions, and that there are good working relations, then within the Management Committee trust does exist, but it is fragile. Community concerns are not adequately represented in the Committee, which could lead to distrust.
3) Legal protection for local rights	NO
4) Economic incentives to conserve the resource	YES

Discussion

In short, at the "meaningless" definitional level one could say that there is a collaborative arrangement in Cahuita, in the sense that there is an arrangement between the community and the state. However, at the operational level the arrangement does not meet many of the key elements required for co-management. Its biggest weaknesses include:

- *The current Agreement has no legal weight.* Even though the current Agreement is no longer suitable for the activities the Management Committee will start to engage, the fact that the current Agreement has no legal weight makes the whole arrangement vulnerable to political whims. Moreover, both the MINAE and the community are in a legal straightjacket in that they are operating somewhat out of the law, and some decisions made to date are technically illegal (such as the negotiated tariff being charged for access to the reef).
- *There are unbalanced power-relations.* The decision-making process reflects the status-quo.
- *The lack of clarity with regards to mandate, roles and responsibilities, and poor information-sharing.*
- *The lack of representation of user groups both from Cahuita and neighbouring communities.* So far the only community interests currently represented are Cahuita's development sector.

The lack of a management plan and technical support.

But the Management Committee is in a transition period from being a figure borne out of a conflict situation, to a solid institution that can address natural resource management issues. No doubt it will address the weaknesses outlined above during this transition. The biggest strength of the institution is that there is political will to try to do things differently: the Director of the La Amistad Caribe Conservation Area, Edwin Cyrus, has invested a great deal of energy in trying to make the Cahuita experience successful, although there has been resistance to change from other MINAE officials. The community has also shown the political will to engage in a new relationship with MINAE. Another of the Committee's strengths is its ability to manage conflicts, which is an important foundation on which to build a stronger institution.

CONCLUSION

Today there is a search for new models of involving local communities in the management of Costa Rica's protected areas for two reasons: 1) government cutbacks, and a lack of personnel to care for the large protected areas system in Costa Rica; and 2) the National System of Conservation Areas' belief that the principal economic beneficiaries of parks should be the local communities (Solórzano 1997).

There have been various proposals for how best to ensure that local people are the prime economic beneficiaries of protected areas. One is based on the notion of "concession", whereby parks services are "rented" to local organizations. The potential danger of this proposal is that park services could end up in the hands of organizations that have little interest in conservation or stewardship, and have short-term financial interests at stake. Moreover, there is talk of handing over environmental services to private entities through concession. This would set a dangerous precedent in the sense that Costa Rica could end up leasing its natural heritage to NGOs or private organizations. While the figure of concession has not yet been clarified, it seems to be gaining momentum as a viable alternative.

The concept of co-management has also been gaining popularity as an alternative. While there are numerous instances of public participation in protected areas management both in Costa Rica and regionally, the idea of co-management is still very new. In this context, the Cahuita case is important as many view it as a first instance of co-management within parks management in Costa Rica.

This analysis has shown that while important strides have been made to move from conflict to collaboration in Cahuita, the institutional arrangement in place is not one in which there is "sharing [of] power and responsibility between the government and local resource users" (Berkes et al. 1991). However, the process is still very young, and is a new way of doing things for both the government and the community representatives. On the one hand, government officials need to learn how to "relinquish control" and enable communities to have a sense of

I want Cahuita to be an example for other conservation areas. In 10 years I see the community managing the park, and MINAE giving us technical support.

-- Mario, community representative, 1998

I see the future management of the park in a 80/20 split: the community would control 80%, and MINAE 20%.

- Enrique Josphe, community representative, 1998

proprietorship, which is a rare event regardless of the global trend towards decentralization (Murphree 1994; Ghimire and Pimbert 1997); and on the other, community members need to be empowered to take on an active role in managing the park. If the community's vision becomes reality, they will have more control over park management in the future, with MINAE's role relegated to one of technical support. But this will not take place overnight. Many critics have noted that successful community-based or collaborative management regimes are a long-term endeavour that require much patience, and trial-and-error before they can begin to operate efficiently, effectively and equitably (Ostrom 1987; Ostrom 1997).

There is no doubt that Cahuita represents an opportunity for the Government of Costa Rica to do things differently with regards to protecting its natural resource heritage and involving local people. However, in order to seize this opportunity and develop a precedent-setting arrangement, two things need to happen: 1) there needs to be strong legal backing for the arrangement; 2) local people need to be directly involved in the development of a management plan and decisions about how the resources are used. Many have discussed the possibility of changing Cahuita's category of protected area to allow for subsistence use; but changing the National Parks Law to allow for local subsistence use and stewardship would be a far more progressive move on the part of the government.

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