

**ENVIRONMENTAL GOVERNANCE IN AFRICA**

**WORKING PAPER 18**

**Conference on Decentralization and the Environment**  
*Bellagio, Italy 18-22 February 2002*  
**Minutes**

Rapporteur:

Mehr Latif  
June 2002

Series editor:  
*Jesse RIBOT*



Institutions and Governance Program  
10 G Street, N.E., Suite 800  
Washington, D.C. 20002 USA  
[www.wri.org](http://www.wri.org)

## TABLE OF CONTENTS

MONDAY, 18 FEBURARY 2002 .....	1
OPENING SESSION.....	1
Conceptual Background.....	1
Objectives of this Conference.....	4
Agenda .....	4
Description of Steering Committee: Mairi Dupar .....	6
Publications: Mairi Dupar.....	6
Presentation Styles: Jesse Ribot.....	6
Introductions and Expectations of Participants: Facilitated by Mairi Dupar.....	7
CASE SESSIONS- Chair: Roberto Sanchez .....	10
Case I: India - Presentation by Arun Agrawal .....	10
Regional Comparative Commentary on Agrawal Case by Amita Baviskar.....	10
Regional Comparative Commentary on Agrawal Case by Ida Daju Pradnja Resoudarmo.....	12
Case II: Uganda Case Presentation by Nyangabyaki Bazaara.....	14
Regional Comparative Commentary on Bazaara Case by René Oyono.....	15
Regional Comparative Commentary on Bazaara Case by James Manor .....	16
Case III: Bolivia Case Presentation by Pablo Pacheco.....	17
Regional Comparative Commentary on Pacheco Case by Fernando Melo.....	18
Ten-minute Regional Comparative Commentary by Christian Brannstrom .....	19
Discussion of Case Studies—Intra-regional and Inter-regional Comparisons .....	19
END OF DAY 1.....	23
TUESDAY, 19 FEBURARY, 2002.....	24
THEME GROUP SESSIONS.....	24
Introduction to Theme Group Discussions by Jesse Ribot .....	24
Theme I: Social and Environmental Outcomes of Changing Institutional Arrangements— Identifying instances and showing causal links .....	24
Discussants and Papers: Brazilian and Bolivian Case Studies .....	26
Anne Larson will discuss papers by Christian Brannstrom (Brazil) and Pablo Pacheco (Bolivia).....	26
General Discussion .....	30
Arun Agrawal discusses papers by Ida Aju Pradnja Resosudarmo (Indonesia) and Ben Cousins (South Africa) .....	31
James Murombedzi discusses papers by Nancy Lee Peluso (cross-cutting) and René Oyono (Cameroon) .....	32
Questions.....	33
Break Away Groups.....	33
Group 1- Synthesis of Discussion Above by James Manor.....	37
Group II: Synthesis Presented by Ben Cousins .....	38
Detailed discussion notes from the session of Working Group III from Amita Baviskar .....	39
Synthesis of Group 3 discussion by Amita Baviskar in Plenary .....	40
General Discussion .....	42
Discussants and Papers .....	43
Lungisile Ntsebeza discusses papers by Bréhima Kassibo (Mali) and Fernando Melo (Mexico) ..	43
Robin Mearns discusses papers by James Manor (cross-cutting) and Amita Baviskar (India).....	44
Roberto Sanchez discusses papers by Anne Larson (Nicaragua) and Lungisile Ntsebeza (South Africa).....	46
Theme II: Local Institutions – Local Population Relations .....	46

Break Away Groups.....	46
Group 1- Detailed Notes from Arun Agrawal .....	46
N. Bazaara's Reports for Group 1.....	48
Nancy Peluso Reports for Group 2 .....	48
Anne Larson Reports for Group 3 .....	49
General Discussion .....	50
END OF DAY 2.....	51
WEDNESDAY, 20 FEBURARY 2002.....	52
Theme III: Central State – Local Institution Relations .....	52
Discussants and Papers .....	52
Nancy Peluso discusses papers by Xu Jianchu (China) and Robin Mearns (Mongolia) .....	52
Christian Brannstrom discusses paper by David Kaimowitz and Jesse Ribot (cross-cutting) .....	54
Break Away Groups.....	55
Group 1: Detailed Notes from Arun Agrawal.....	55
James Murombedzi presents for group 1 .....	56
Group 2: Detailed Notes from Pablo Pacheco .....	57
Group 2: Presentation by Pablo Pacheco .....	57
Group 3: Presentation by Robin Mearns.....	59
END OF DAY 3.....	61
THURSDAY, 21 FEBURARY, 2002 .....	62
REGIONAL AND SPECIAL ISSUE PARALLEL WORKING GROUPS.....	62
Session Chairs: Jesse C. Ribot.....	62
Setting Up Regional Working Groups.....	62
Regional and Issue Working Groups to Meet in Parallel: .....	65
Africa Working Group.....	65
Mali Case .....	65
Cameroon Case .....	69
Summary of Discussion .....	70
Africa Group Conclusions .....	70
Asia Working Group.....	71
Asia Group Conclusions .....	72
Latin Working Group.....	72
Latin America Group Conclusions .....	73
General Discussion .....	73
END OF DAY 4.....	74
FRIDAY, 22 FEBURARY, 2002 .....	75
Wrap-up Provided by Amita Baviskar.....	75
Political Feasibility Presentation.....	77
Key Issues or Problems by Christian Brannstorm .....	79
Future Planning Chair: Jesse Ribot.....	85
Short Closing Session .....	86

CONFERENCE ON DECENTRALIZATION AND THE ENVIRONMENT  
MINUTES  
RAPPORTEUR: MEHR LATIF

INSTITUTIONS AND GOVERNANCE PROGRAM OF THE WORLD RESOURCES INSTITUTE  
AT THE ROCKEFELLER FOUNDATION BELLAGIO CONFERENCE CENTRE  
BELLAGIO, ITALY, 18-22 FEBRUARY 2002

Organizers: Jesse Ribot and Mairi Dupar

Steering Committee: Jesse Ribot, Mairi Dupar, Arun Agrawal, Nyangabyaki Bazaara,  
Anne Larson, and Roberto Sanchez

**MONDAY, 18 FEBRUARY 2002**

**OPENING SESSION**

**Welcome, Background and Introductions: Jesse Ribot**

Welcome to the Workshop on Decentralization and the Environment, which we've been able to pull together primarily thanks to the Rockefeller Foundation.

I wanted to start off with a few reflections on the current decentralization trend itself and then say a bit about how this workshop is organized.

**Conceptual Background**

Decentralization is not new in the developing world. In central Asia, waves of decentralization begin in the mid-1800s and again in the late 1940s. In Africa, waves of decentralization reforms start just after WW I, WWII, and independence. The 1990s wave of decentralizations—the one we are focusing on—seems to be a more global phenomenon in its origins, reach and uniformity. The impulse to decentralize or to enact decentralization policies—in the sense of enacting a theatrical performance—on donor and domestic political stages, has spread across the less-industrialized world over the past decade, following the fall of the Berlin wall. It's been promoted by the World Bank, the United Nations, and most other bi-lateral donor agencies. All but 12 of the 75 developing and transitional countries with populations over 5 million claim to be undergoing some form of political decentralization.<sup>1</sup> At least 60 are enacting some form of natural resource management decentralization.<sup>2</sup>

As the cold war subsided it became safe to strong-arm and to circumvent developing-area states with structural adjustment policies or with donor aid going directly to “the people”

---

<sup>1</sup> World Bank. 2000. *Entering the 21<sup>st</sup> Century: World Development Report 1999/2000*. Oxford: Oxford University Press.

<sup>2</sup> Agrawal, Arun. 2001. “Common Property Institutions and Sustainable Governance of Resources,” *World Development* Vol. 29, No.10: 1623-48.

(via projects, NGOs, and social development funds). It became safe to divest what have been called failed, corrupt, rent-seeking, kleptocratic, vampire, criminalized, third-world states of the *discretionary* powers they held and have been so often accused of abusing. It became safe to devolve powers away from government. There was, in the 1990s, a definite convergence of anti-state sentiments from the right and the left. Capitalists, populists, small-is-beautiful-ists, and eco-developmentalists, were all critiquing and chopping away at state powers.

I should point out here that this beast called decentralization cannot be attributed to the populism and international policies alone—if at all. Perhaps populists, international powers and downsizing recommendations move in at a moment of state crisis that is otherwise already compromising state power or tearing powers away from the center. Bankers and planners talk about and encourage decentralization on grounds of efficiency improvement and at times on equity grounds. But, when I look around Africa, the area I know best, it looks like most decentralizations result from political and economic crises of central states such as revolutions, secessionist movements, and economic crises. The adjustment policies and donors step into the midst of all this.

In any event, the current downsizing of the third-world state necessitated identifying institutions to which to transfer state powers. Not everything could be privatized as post-Thatcherism and the Washington Consensus would have it. Downsizing the state necessitated working out who would receive devolved powers and functions. This included finding a home for powers over the use and management of public resources and over the production and delivery of public services. This necessity brought decentralization to the surface of debates within the movement to downsize. Decentralization is about *where* the *public* powers go once pried from the central state. It is therefore about which powers should be public and which should be private. And, it is about who—as in which actors—should receive these powers. Decentralization is one term used to describe the receiving end of this anti-state convergence.

There has been a long-standing populist movement in environmental and development circles that provided part of the ideological and practical base concerning who should receive devolved powers. In the 1960s, we had E.F Schumacher's "Small is Beautiful" outline as an agenda for populist localism and self determination. In the 1970s, this inspired the appropriate-technology movement, the eco-development movement and the beginning of the international participatory development movement—including the U.S. Congress International Development and Food Assistance Act of 1978 that requires—to this day—the U.S. to conduct all development for the poor "...through institutions at the local level, increasing their participation in the making of decisions that affect their lives" [with definite Schumacherian language about increasing labor intensity....].

Regardless of its origins, this broad participatory movement set the stage for the United Nations Conference on Environment and Development in Rio in 1992. This was the moment that the Rio declaration and Agenda 21 etched the principles of participation and localism into the environmental cannon. The Rio Declaration proposed that decisions over nature should be taken with the greatest participation at the most local possible level. At the time of Rio 92, participation was still in the realm of Norman Uphoff's and Robert Chamber's mobilized inclusion activities. The idea of participation was mostly

thought of as the solicitation of input into decisions by local people in a kind of advisory capacity.

But since Rio, decentralization has profoundly transformed how we think about the local institutionalization of participation. The decentralization reform movement is, it seems, setting the stage for Johannesburg 2002 as the participatory movement had set the stage for Rio 92. Today, participation is being institutionalized in the form of local democracy under the banner of decentralization. This will be part of the “Governance” theme that is now emerging as a central theme for Johannesburg.

In short, decentralization, as far as it is actually being implemented anywhere, is re-configuring the local institutional landscape into which various powers—environmental and natural resource management—are ostensibly being transferred. And, this matters because the powers that are transferred and the local institutions that receive them will shape how natural resources are managed and used, and for whom.

We have had ten years since Rio. Participatory programs have been implemented around the world. Ostensibly participatory and democratic decentralization reforms have also been unfolding during this period. In general, we still need to assess to what degree this is happening or what its effects are.

Decentralization reforms have the potential to be a big and widespread movement with profound implications for local governing—should they ever actually take place in practice. They are ostensibly re-configuring the local institutional infrastructure of authority, representation and management around the world. In doing so the reforms are transforming the basis for local participation, self determination, and incorporation. They are transforming the institutional infrastructure for participation of local populations in the management and use of the natural resources around them.

Decentralization’s effects, I contend, will depend on which pieces of state power are devolved and on who receives them. In 1992, the participatory movement was the most obvious ready catchment for devolved powers. They would go to ‘the community’ they would go to ‘NGOs’ they would go to ‘civil society’ (whatever that is supposed to mean). But now, we need to carefully consider participation through local democracy—that is democratic decentralization—in the context of decentralization as another manifestation of the principles of participation. Perhaps this is also a more durable and up-scaleable manifestation of participation as well.

This conference hopes to assess the degree to which different forms of decentralization and participation have led to greater inclusion of local people in managing and using resources around them; and in turn, to assess whether higher degrees of participation can be associated with greater justice around resource decisions and use, and more efficient and effective natural resource management.

What can we say about the measurable effects of greater participation on people and the environment when we arrive at Johannesburg in September 2002? What have we learned about the state of participation/decentralization and what have we learned about its effects?

Participation and democratization may not necessarily be good for the environment or for natural resource management in and of themselves. It may or may not be good for justice either. There are conditions under which these reforms may have positive and negative effects. This is part of what I hope we discuss this week. I also do not think positive environmental outcomes are the only goal. My first priority is justice. How does environmental decentralization serve justice? Does environmental decentralization support local democracy? Does it change forms of violence? Does it help alleviate poverty? What tensions are there between poverty alleviation, justice, and environmental objectives?

### **Objectives of this Conference**

The stated objectives in the proposal for the Decentralization and the Environment workshop are:

- 1) to consolidate the findings of research on Decentralization and Environment around the world,
- 2) to have a dialogue among researchers working on the decentralization-environment relation; and
- 3) to provide the Johannesburg World Summit on Sustainable Development with recommendations for improving, mainstreaming, and sustaining the positive aspects of decentralizations for the environment and local livelihoods.

We are approaching that by asking three inter-related questions:

- 1) What are the social and ecological outcomes of decentralization? What examples are there?
- 2) Can observed outcomes really be attributed to Decentralization and to what aspects?
- 3) Under what conditions do the conditions of decentralization that we attribute positive or negative outcomes to come about and why?

### **Agenda**

The agenda is organized around these objectives. It is broken into four sections: First are three Case Presentations, Second are Theme Group Sessions, Third are Regional and Special Issue Working Group Sessions and Fourth are focused on Findings and Recommendations.

On the first day we are putting three case studies, one from each region, on the table. This will ensure a starting set of common cases we can talk about, compare our own experience with and can compare the experience described in the other authors' papers with.

We then go into a set of theme panels that start with the basic questions posed above. These panels are designed to trace causal relations outward in space and time from observable outcomes:

1. The first Theme starts with outcomes and is labeled "the environmental and social outcomes of decentralization." What are they, and why or how do we attribute them to decentralizations? In attributing the outcomes of decentralization or greater

participation we need to be careful. There are many false or just sloppy attributions that we hear about. For example:

→ Some outcomes are just the theatrical performance of community participation when, as in Niger, trees are planted by forced labor and are then attributed to “community participation” or to decentralization. This is what I call “participatory corvée.”

→ It is easy to be fooled by demonstrations of so-called “success” as in India, where Amita Baviskar has shown us that the requirement of administrators to display “success” leads implementing agency officials to identify as “success” outcomes from paid public works and works that are carried out by locals under highly supervised pre-specified norms and guidelines. These are not products of decentralized discretion or participation.

→ As Amita mentioned in her paper, we have all seen situations of “engineered success,” but our objective here is to identify and explain real success and real failure, if that is indeed what decentralization produces. We also want to identify and explain these “engineered successes” since they tell us a lot about the nature of state power and the kinds of obstacles that decentralizations and local enfranchisement of any sort face.

2. The second Theme panel is on “the relation between local institutions and local populations.” This panel is exploring which aspects within this most local arena of decentralization are responsible for the observed social and environmental outcomes discussed in the first theme panel. What aspects of the local institutional arrangements of management and use decision making, rule making, adjudication, etc. shape observed outcomes?
3. The third Theme panel is on “Central State relations with Local Institutions.” This panel is exploring which aspects, dynamics, and politics within this broader arena of decentralization relations are responsible for the observed social and environmental outcomes discussed in the first theme panel? It also explores the dynamics and politics of decentralization to which the creation of decentralized local institutions—particularly those from which interesting outcomes can be discerned—can be attributed.

From the theme panels we hope to come out of with a set of specific issues that we think are key in enabling or disabling positive outcomes or for enabling or disabling decentralizations from even taking shape. These are issues that need further discussion and merit being the focus of our discussions on the last two days of the workshop.

The regional and special issue parallel working groups will then discuss these issues to try to characterize them better, flesh them out and to draw from them some observations and recommendations—at least recommendations for future research if not some with immediate policy relevance.

On the last day, in the *Findings and Recommendations Sessions* we just want to bring out some of what we think are the most salient observations and recommendations that follow from our five days of discussion.



There is always a tension with making recommendations useful for policy when what you initially set out to do is to explain and understand what you are seeing. I am not comfortable making recommendations that are not based on solid observation, theory and reflection about the relation between theory and practice. I think we need to attend to this tension and be certain that when we make recommendations we need to keep in mind the broader set of discourses and political economies in which decentralizations are located.

In the end, we are looking also for ways forward:

- 1) These may include rebel rousing through analysis, critique and reporting,
- 2) It may be through observations of outcomes and the things that fostered positive or negative dynamics.
- 3) It may be through observations about the failure of decentralizations to materialize in most places.
- 4) It may be through recommendations of conditions that need to be created for decentralizations to materialize so that we can even then begin to ask whether they have the outcomes theory predicts.
- 5) It may be through the honing of analytic frameworks and questions.
- 6) It may be through research questions and further research.

### **Description of Steering Committee: Mairi Dupar**

Input on the agenda was solicited all participants early on—at the end of the summer. The agenda was then put together by Jesse and myself with the assistance of the conference steering committee.

The steering committee includes: Mairi Dupar, Jesse Ribot, Arun Agrawal, Nyangabyaki Bazaara, Anne Larson, Roberto Sanchez, and Mehr Latif. I want to thank all of them for their help in thinking through how this workshop could best be structured.

In order to keep the agenda flexible during the week, the steering committee will be meeting each evening to talk over any changes, new visions, re-visions... that are needed. So, talk to any one of us if you have any suggestions about how things are going.

### **Publications: Mairi Dupar**

Basically, we should talk during the week about what we want to have come out of the workshop. We have set aside a session at the end of the workshop talk about this. In the mean time, we've typed up a sheet on what we are hoping will be some of the outputs, including a synthesis paper, edited volume, and policy brief.

### **Presentation Styles: Jesse Ribot**

As is described in the agenda, papers will not be presented by their authors. Instead, they will be discussed by discussants who will tease out insights from the papers that speak to the particular theme they are focused on. The discussants' role is to bring out from the papers the issues that relate to the themes, to compare that to material already discussed elsewhere in the workshop and to pose questions to get discussions rolling.

*This does not mean that each paper will only speak to one theme. All of you should bring all of the papers—your own, the cases presented on the first day and the material in all of the other papers of the conference—into the discussion wherever relevant.*

## **Introductions and Expectations of Participants: Facilitated by Mairi Dupar**

Nyangabyaki Bazaara is the Executive Director of the Centre for Basic Research. He performs research on agrarian politics, civil society and natural resources management. During this conference, he is looking forward to learning from other experiences.

Anne Larson is based in Nicaragua and has recently completed her doctorate in Environmental Policy, Science and Management at the University of California, Berkeley. She is an Affiliate of the Nitlapan Research Institute at the Central American University. She has spent the last 3 years working on decentralization and forest management in Nicaragua. She also hopes to learn from the comparative research of decentralization and more about social and environmental outcomes of democratic decentralization.

Amita Baviskar is a Sociologist at the University of Delhi, India. Her research focuses on conflicts over natural resources and indigenous rights movements. She notes that there are parallel decentralization movements globally and she hopes to learn from the comparative research.

Arun Agrawal is a professor of Political Science at Yale University. His primary areas of research include institutional change and environmental politics. He is working on a book about forest resources in the North-western region of India. He hopes to learn from the comparative research presented by conference participants.

Jesse Ribot is a Senior Associate in the Institutions and Governance Program of the World Resources Institute. His research interests include decentralization and the environment, social vulnerability in the face of environmental change, natural resource access and environmental justice. Over the course of the conference he hopes to draw links between larger socio-political variables and the management of natural resources.

James Manor is a Fellow of the Woodrow Wilson International Center for Scholars in Washington this year. He holds a permanent post as a Professorial Fellow of the Institute of Development Studies, University of Sussex, England. He is currently working on two civil society research project—one on Southern Asia funded by the Overseas Development Institute and the other through the Institute of Development Studies on Southern Africa. He is also working on a book on the promise and limits of civil society as a force for poverty reduction in less developed countries.

Ben Cousins founded the Program for Land and Agrarian Studies at the University of Western Cape. His main research interests include common property management, land tenure reform, rural social differentiation and the politics of land and agrarian reform. He is looking forward to having his thinking challenged.

Nancy Peluso is a Professor in Environmental Sociology/ Political Ecology at the University of California, Berkeley. She has worked primarily in Indonesia and Malaysia on the politics and history of forests and land. Her expectations of the conference are

fairly narrow—she is interested in issues of violence and how they relate to construction of landscapes, past and present and the role decentralization plays in violence.

Robin Mearns is a Senior Natural Resource Management Specialist in the East Asia and Pacific Region of the World Bank. His current responsibilities include the management of a broad-based program to foster secure and sustainable livelihoods in Mongolia, advising on community based forest and pasture land management in China and Indonesia; and contributing more broadly to the Bank's own evolving environment and rural development strategies. He is looking forward to learning more about the regional decentralization movements.

Daju Pradnja Resosudarmo is a researcher at the Center for International Forestry Research (CIFOR). Her current research is focused on the decentralization process in Indonesia and how it affects forests and forest communities.

Roberto Sanchez is an Associate Professor in the Department of Environmental Studies of the University of California, Santa Cruz. His main areas of research include environmental issues in the context of free trade agreements, sustainable development, urban environmental problems in developing countries and environmental policy in Mexico and Latin America. He is looking forward to hearing about global comparisons on decentralization research.

Fernando Melo has vast experience in project monitoring and evaluation. He has advised civic movements and social organizations and participation in government programs. He is eager to learn from global comparisons on decentralization research.

Christian Brannstrom received his PhD in Geography from the University of Wisconsin-Madison in 1998. He has recently won a grant from the University of London for fieldwork in Bahia, Brazil on the environmental management of globalized agriculture. He is looking at the role of social capital in making watershed related decentralization more or less successful. He hopes the conference will shed more light on the effect of social capital on decentralization.

James Murombedzi, originally from Zimbabwe, is a program officer for the Ford Foundation for Southern Africa in Johannesburg. He believes that understanding decentralization policy is very important and looks forward to the findings of the conference participants.

Pablo Pacheco is a doctoral student in the Graduate School of Geography at Clark University. His research interests are mainly related to political ecology and the human dimensions of land-use/land-cover change. He has conducted several research projects with NGOs and has been a consultant of CIFOR, IICA and FAO. His doctoral dissertation will focus on understanding the interactions between land processes and wealth accumulation, and its influences on land-use trajectories in the Brazilian Amazon.

Rene Oyono is a consultant with the Center for International Forestry Research (CIFOR) in Yaounde, Cameroon. He is currently working on an Adaptive Co-Management Research Project conducting a study on institutional partnerships and assessing field

methodologies on which co-management of forests is emerging in Cameroon. His main expectation of this conference is discover to what extent decentralization can lead to ecological sustainability.

Lungisile Ntsebeza is a Research Fellow in the Programme for Land and Agrarian Studies at the University of Western Cape in South Africa. His main research interests include land tenure reform in South Africa and local governance, specifically in the context of the traditional authorities.

**Gianna Celli of the Bellagio Center briefly talked about the facilities at the Bellagio Center.**

## **CASE SESSIONS- Chair: Roberto Sanchez**

**11:30 – 12:30**

### **Case I: India - Presentation by Arun Agrawal**

Arun Agrawal presents a case-study on lessons learnt from Decentralization Policy in the Van Panchayats (Forest Councils) of Kumaon. He has been forced to think about the idea of decentralization and what it hides.

#### Background of Case

Forest Councils were created in the 1930s, and still exist today. To provide a brief history, from 1865 to 1911, the British State wanted to conserve the forests in the long run because of their high commercial value and thus created forest councils in the Kumaon area to govern forests. Our knowledge of the forests dates from this time. This effort to appropriate forests was met by protests because in Kumaon, the hill agrarian economy depended on forest products. Villagers set fire in the forests, 1916-1921. A committee set up in 1921 to examine local grievances recommended that villagers be permitted to set up forest councils. These committees encouraged the formation of about 3000 elected councils to manage nearly a quarter of the forest land.

Decentralization has changed three sets of relationships:

- 1) The first of these processes resulted in the ‘governmentalization’ of local communities creating a new relationship between central state and provincial government, which resulted in the emergence of new decision makers. The new location of environmental decision-making centers led to governments working more intimately with local residents.
- 2) Decentralization also led to the emergence of a regulatory relationship between new bodies at local levels and residents who use the forests.
- 3) The third aspect of decentralization led to the redefinition of the relationship between humans and their environment. Do people remain the same and does their sense of the environment stay the same?

#### Lessons Learned

It is very difficult to measure environmental change because peoples’ perception of the environment changes. In order to come to conclusions about how the relationship between local communities and the central state has changed we must examine it over time. This is called environmental subjectivities—how people perceive and understand the environment changes over time and changes with the nature of participation.

### **Regional Comparative Commentary on Agrawal Case by Amita Baviskar**

Arun carefully shows how local actors are circumscribed. This case is not an endorsement of pure localism because power does not lie with local people. Local autonomy is limited by government rules. Governmentalization of the local communities, in fact, leads to new visibility, which facilitates state monitoring and supervision, especially in protected areas. Amita notes that in some Indian cases where local communities have become completely powerful, environmental disasters have resulted.

She notes that decentralization is driven by a combination of: 1) government elites, 2) international donors, and 3) local actors.

The forests councils are a 70-year-old-institution, so Kumaon is a special case and wider comparisons have to be carefully made. The conditions for success are: 1) the lack of scarcity of forests, 2) the fact that the local villages are medium sized, and 3) administrative support from the revenue department.

Amita raises some further questions:

- 1) How are different management objectives negotiated (i.e. gender, different classes)?
- 2) New Enclosures—What about non-local users, e.g. pastoralists, how are their interests addressed?
- 3) How do local councils deal with powerful actors, such as corporations and other international regulatory bodies? In Nepal these are taken care of by federating above.
- 4) In this case we see a significant alliance between the revenue department and village councils, which is checked by pressure from below. Has the leadership managed to remain downwardly accountable? The alliance between the local councils and revenue department leads to mutual accountability. Checks and balances are introduced by pressure from below.
- 5) This model suggests perhaps we expect too much too soon from decentralization. The Kumaon forest councils are 70-years old—this case suggests that complexity, contingency, and contestation are intrinsic to any system of natural resource management. She asks if conflict and frustration can be attributed to transition. A more stable regime may emerge gradually—if so what form will it take? Will the new equilibrium be socially equitable?
- 6) Do we see communities as stable entities temporally and geographically? It is important to think of exclusions, especially migrants. She sees tradition being reinvented that excludes certain groups.
- 7) Amita also notes that the case made her think of the nature of resources, rights and claims to it, variety of tenure and access conditions, nature of bureaucracies, forests, wildlife, pastures, seeds, groundwater, watersheds, fisheries, and urban space.
- 8) Finally, decentralization means different things, and can be seen as state formation in common spaces creating a new public sphere within which new political institutions interact.

## **Regional Comparative Commentary on Agrawal Case by Ida Daju Pradnja Resoudarmo**

### Decentralization in Kumaon involves 3 processes:

- 1) The redefinition of the relationship between the communities and the state:  
“governmentalization of village communities,”
- 2) The creation of regulatory communities, and
- 3) The redefinition of the relationship between humans and the environment—acceptance of regulatory control for protection purposes.

### Outcomes:

- 1) Mostly a success story,
- 2) Forests in good condition, and
- 3) Provide livelihoods for 60 years.

### Some issues, questions, and comparisons:

- 1) “Most forest councils demonstrate the capacity for local management and conservation.” While, in Indonesia, the emphasis so far has been on economic benefits, conservation is at bottom of the list of priorities.
- 2) What factors or conditions enable the reconciliation between economic emphasis and conservation? Could conservation objectives be achieved, in the case of Kumaon forests, if local autonomy were to be expanded into more lucrative areas (for example, not only limited to raising revenues from fodder and dead trees, but from direct sale of timber)?
- 3) Accountability relations: forest councils accountable to government officials. How can forest councils hold the central government accountable, particularly in the context of the sale of timber and resins? Are there issues of corruption or conflict of interests on the part of government officials?
- 3) In Indonesia, accountability of district governments in the allocation of small-scale timber permits and conflict of interests. ‘The creation of regulatory communities as the most critical aspect of any program of environmental decentralization.’
- 4) District regulatory regimes. Should they go further down to communities—such as the case of Kumaon at this stage? What are the advantages and disadvantages? Would it guarantee effective enforcement?
- 5) How do (internal and external) changes affect the sustainability of the system or how does this system react to changes? It has worked for six decades. To what extent is it resilient to changes in the future? Examples: commercialization and population pressures.

- 6) Commercialization. There is now limited autonomy to use fodder, dead trees, and firewood management. What has prevented the forest councils from asking for more authority particularly dealing with the more lucrative aspect of the forests' management, i.e., direct sale of timber and resin? Changing role possibilities?
- 7) Population pressure. Could this be an important issue in the future? How does it affect the rights and responsibilities of villagers as determined by the forest councils? Will it affect conservation outcomes?

### **Clarification questions from participants**

Ben Cousins: Wants to examine how accountability mechanisms work between the central state and local communities. Are councils accountable? How do regulatory communities work?

Arun Agrawal: Essentially we are looking at two different sets of relations—between the state and councils and between the councils and residents. Councils are accountable to the state. For example, various state officials supervise council minutes, inspect accounts, and forests. Councils are accountable to the state (a one way accountability). There are no formal mechanisms to make government officials accountable to councils. There is some accountability available through district magistrates, but that's not an easy option for villagers or council heads.

Between councils and residents there is reciprocal accountability. Councils impose sanctions on villagers, but there is mutual accountability facilitated by fairly regular elections to the councils. In the past 70 years, there have been 10-12 elections. Villagers also have ability to remove forest council headmen, by a simple majority vote.

Jim Manor: What externalities make these councils look like success stories? There seems to be little talk of democratic decentralization being a potential way of making government more responsive, transparent (reducing overall corruption) and accountable.

Arun Agrawal: Modest success seems obvious or visible. In part, it is due to the crucial role of the councils. Resources will get exploited if people know they are not beneficiaries of any future benefit. In 1971, there was a greater tightening of control by central government on activities of the council. In 1995, the World Bank team made the recommendation that forest councils should be made a part of the forest governance systems.

Jim Manor: Whose forests are they?

Arun Agrawal: Forests belong to the state. The nature of ownership is very complex. 40% of timber revenues are deposited in the accounts of the revenue department, but it is hard for forest councils to access it.



Presence, type of monitoring, and enforcement mechanisms have the biggest role in creating or alleviating pressures on forests. The presence of roads, proxy of market pressures, was negatively correlated to forests management. The increase in population effect was directly proportional to deforestation.

**2:00 – 3:00**

**Case II: Uganda Case Presentation by Nyangabyaki Bazaara**

Background

Uganda has had history of local government. After World War II, there was local government reform; however, it took the form of deconcentration not political decentralization. Chiefs, chosen by the government, elected themselves. After independence, the system was refined, however the central government had undue oversight and the same players, politicians, civil servants, ended up in hierarchical positions.

At present local participation is guaranteed in the constitution; so, it is difficult for government to take back the powers. Powers are based on elections with universal suffrage. The electorate can recall a non-performing representative.

My presentation is focused on the following three questions: 1) What powers have been devolved? 2) To whom?, and 3) Does this lead to better outcomes?

Ugandan decentralization came in phases. Local governments were established in 13 districts in 1993-94. In 1995, 14 districts came on board. And other districts were added gradually.

Categories of Resources Decentralized

- 1) Protected Area Resources—portions of forests marked as reserves on government land.
- 2) Public Land—forests on public/customary tenure, government land.
- 3) Private land, which was established by the British patronage tradition. A permit or other permission is needed for harvesting.

Presently, in the area of environmental management, little has actually been decentralized. Most control rests with central government. That is, communities have access to non-commercial land, however if commercial land is at stake, permission must be obtained from the forestry ministry.

In the late 70s and early 80s communities that were encroaching on the land were evicted by the military, which created conflict between the people and central government. In order to ease conflict, the government began to establish collaborative management schemes to 1) reduce conflict; 2) redress past injustices, and 3) provide access to resources.

Resource Users Committees that were supposed to be representative were established to collaborate with the central government on what resources could be harvested. However, the schemes were not initiated by the communities but by forest departments who have technical knowledge. These schemes do not have decision-making power; the powers of exclusion, to veto, etc. In effect, these management committees are about legitimizing actions of the central government. Furthermore, they have not actualized their objectives. They are not representative; they do not coordinate with the different interests. For example, there is a bee-keepers committee, which represents the interests of the bee keepers, but other interests are not represented. And consequently they are very poor at resolving conflicts. People not included in these schemes come and sabotage resources. For these institutions to be effective, they must be credible and transparent.

Non-Protected Resources: Local governments have control over non-protected resources below 100 hectares; larger areas are under central government. Those projects are on top of the hills or catchments. Most importantly, local government can make laws as long as they do not contradict central government.

District planning committees advise local governments, but their relationship is ambiguous; it is not clear if they serve councils or the other way around. Forest officers embody technical and political power, and decide on who gets the permits.

Counselors have conflicts of interest. Taxes go to different levels at different percentages. If accountable, transfer of powers can lead to poverty reduction.

Political Parties: In the 1960s, they had party elections. The party in power would overturn results they didn't want.

### Wildlife

Local governments technically have control over vermin and problem animals, however, they have to report those to the central government.

### Environmental and Social Outcomes

In protected areas, the rich and politically powerful get timber permits and modern technology is very useful for illegal logging.

There is no significant shift in terms of who benefits from these resources. Women complain that they cannot get enough wood. They are marginalized in this process. In non-protected areas, a permit from the forestry department is required to gain access to commercially lucrative resources. Once people have the permit, they are able to contract it out and have no limit on how much wood they harvest. People acquire rent on their permits, which further creates social differentiation.

### **Regional Comparative Commentary on Bazaara Case by René Oyono**

Environmental outcomes must be studied over a long period. There are no sustainable environmental outcomes in this case. Some conclusions we can draw include: 1) the

decentralization model in Uganda has many limitations, and power is delegated by default, 2) African states have decentralized under pressure; therefore no real appropriation of the model by communities, and 3) the state represents the supply side of decentralization, so there are few positive outcomes. The future of decentralization has yet to be determined.

### **Regional Comparative Commentary on Bazaara Case by James Manor**

Dr. Bazaara quotes that it is necessary to devolve tax-raising powers and law making powers to lower levels for strong democratic decentralization.

Jim Manor says it is erroneous to say that these are necessary. According to Jim, strong democratic decentralization is possible if there is generous devolution of funding and decision-making power. In recent times decentralization has curtailed autonomy or failed to increase local autonomy. Has decentralization reduced local powers or left them unaffected? There is widespread tendency to claw back powers that were originally decentralized. Is it harder for central government to claw back powers for single sector decentralized bodies like water user groups?

Bazaara is worried that local councils plans do not amount to much. Manors says that it is unusual to find anyone who creates real plans, local councils hate making plans even in the short-term (1 year) because it is difficult to adjust to disasters and councils do not want to make the mistake of over-committing in advance. According to Manor, phony planning is not a big problem because it allows electoral representatives to be flexible.

Involvement of more people in information-sharing might lead to less corruption overall. For example, if local authorities do not know how much total revenue is, they do not know if they are getting their share. Democratic decentralization can reduce overall corruption.

There is a universal bias that elected local councils prefer small building projects; for example a new room in a school, which you can take credit for. This bias in favor of building projects is a danger to environmental management, service delivery in sectors, including health and education, and development.

Jim recommends that innovations by local government be explored and given more backing. This allows for the possibility of scaling up and extending a good idea from one locality to others.

According to Bazaara because individuals are elected as individuals rather than as party members, they do not represent local interests. Manor disagrees—no matter what the law says, parties will always find ways to compete in local elections; therefore, perhaps individuals are more likely to represent their constituency.

## Clarification questions from Participants

Jim Manor: In both the India and Uganda case, decentralization is the reform of the decision-making process rather than reform of local ownership. Why isn't ownership of resources getting transformed opposed to only decision-making?

Robin Mearns: Ribot and Agrawal find it uncomfortable to separate fiscal from administrative powers, however, analytically see fiscal power as a distinct category. Fiscal decentralization may mean revenue raising or transfer or power, and devolution of responsibilities is not matched by capacity to finance the responsibility.

Jim Manor: In the context of poverty reduction strategy, as a condition of financing, does transparency make a difference?

Amita Baviskar: The kind of framework of accountability you describe has donors, NGOs, elite, etc. What about media, other reference groups? Who put pressures from outside? What about social movements?

Lungisile Ntsebeza: In reference to the Uganda Case—are the powers defined by law adequate or is it simply that the powers have not been devolved? Are there new actors or elected actors? How are traditional authorities reacting to these elected authorities?

**3:15 – 4:15**

### **Case III: Bolivia Case Presentation by Pablo Pacheco**

#### Background

In 1985 there were significant political reforms in Bolivia. Mayors appointed by central government were elected, but decisions made were concentrated in urban areas and the provinces had no resources available to move the process. These reforms were initiated to create clear rules for private investment. That is, the main objective was to promote poverty reduction, as opposed to promoting sustainable natural resources management.

Decentralization began in 1994 in Bolivia with the approval of the Popular Participation Law, and the Administrative Decentralization Law in 1995. After the 1994 reforms, twenty percent of the national budgets were transferred to the municipalities in proportion to the size of the municipality. The jurisdiction of the municipalities expanded from urban to larger urban and rural areas. However, municipal governments have limited access to financial resources. As a result, decision-making powers were limited to service provisions in urban areas—health, education, maintenance of roads and water systems. In addition, as part of the decentralization movement, governments began to recognize “grassroots territorial organizations” as legal entities that have roles in the planning process.

#### Transferred Powers

Forestry law restructured the municipality system. Municipalities must create forestry units. Each municipality has access to twenty-five percent of forest management fees and

clear-cutting fees. These units (*Unidades Forestales Municipales*, UFM) were created to manage forests within municipalities, and control forest crimes and illegal activity. The UFM) are accountable to municipalities, but they also have to follow the forestry regulations being implemented by the Forestry Superintendence, which is the national entity, dependent on the Ministry of Sustainable Development, in charge of implementing the new forest regime. The function of the UFM) includes control and monitoring of forests and the provision of services to local forest users, indigenous peoples, and local social associations. Indigenous peoples have exclusive rights to use forests resources at least in indigenous territories and the right to grant concessions is also going to the local level. This affects on-going forces of decentralization.

Constructive censure is the system for annual review of mayors which leads to political jockeying and creates a break in the mayor's work, including: 1) constructive censure is used politically, 2) the planning process is not participatory, and 3) committees with oversight authority over the municipal governments are not working because they are largely biased against rural areas, but at least there is pressure for municipalities to negotiate with different civil society groups.

#### Impacts of decentralization

Local elites have lost power in some localities and there is an awareness that they have to negotiate with other groups who are present. Municipalities do not have any power to influence title regularization; they sometimes provide support to indigenous people to legalize and process their claims. The process of creating municipal forestry service has been inefficient and bureaucratic. A small number of timber producers have high barriers to get access to resources. There are overlapping rights between municipal areas and indigenous territories. Municipal governments have more interactions with protected areas when there are encroachments by others.

Decentralization's effect on conservation needs to highlight that all groups now have to follow regulations. In some cases, standards are very high, and municipalities can do nothing to overcome the technical barriers. Investments in forest sector have increased but overall spending is still very small. The enforcement against illegal practice has been biased against non-resident actors, small farmers.

#### **Regional Comparative Commentary on Pacheco Case by Fernando Melo**

There are some similarities between policies in Mexico and Bolivia, not just dealing with natural resources but also in the education and health sectors, areas which are important for building human capital necessary for improved natural resource management. In Oaxaca, the concentration of forest resources in the hands of private concessionaires and quasi-governmental bodies generated much local opposition. The protests started the presidential initiative to protect indigenous lands for private concessionaires. This process was very important even though it preceded decentralization of the early 1990s.

## **Ten-minute Regional Comparative Commentary by Christian Brannstrom**

In Brazil, a federal system exists with municipal and state government that shares power over land. However, Bolivia does not have a federal system. The paper focuses on forests but in many Latin American countries, the forest amounts to only about five percent of the land, so other environmental issues count more.

Brannstrom questions—who participates in the UFMs? Who has power? How are technical issues talked about and addressed? How well do NGO representatives on UFMs actually represent their constituents (small farmers, indigenous populations etc.?)

Is the municipality the best unit to manage forests? This may be a case for “resource – defined” entities. Municipalities have no intrinsic merit as a body to administer environmental reforms. This could lead to dissonance between a UFM and a water or watershed single purpose committees.

### **Discussion of Case Studies—Intra-regional and Inter-regional Comparisons**

Arun Agrawal: To what extent are municipalities interested in having power to control and manage forests?

Jim Manor: Is the enthusiasm for single-sector local bodies justified? Single-sector bodies are often not elected and their officials are often appointed by government officials; general purpose bodies are often more equitable. They tend to have special provisions for embracing marginalized groups. The Bolivian system has advantages over highly suspect single sector user committees else where in the world. Water user groups composed of farmers with irrigated lands tend to be well funded. UFM or local bodies that create UFM are elected, while user committees are not elected. In Bolivia local bodies and UFM have special representation for disadvantaged groups which creates greater possibility of such institutions serving equity.

Jesse Ribot: In one case in Uganda, a bee-keepers committee was elected. But, the elected committee created a division in the local community because other interests were not represented; this was a way by which the wildlife authorities split up the local communities.

Daju Resosudarmo: What are single-sector committees?

Jim Manor: Single sector committees are appointed from above not by election. They are a device to marginalize people’s participation. UFM are a technical body, which are exposed to political decisions at the local level.

James Murombedzi: The CAMPFIRE program in Zimbabwe is about wildlife management, which shows that single sector committees can also be downwardly accountable.

James Manor: According to John Mugabe, the committees chosen by local councils in Zimbabwe are subject to all the flaws of a body that is not accountable.

Ben Cousins: Is democratic local government always fully democratic? Are there other ways of representation and aggregation of interests? What is the relationship between upward and downward accountability? In a democratic system majority interests assert authority over decision-making. When stakeholder groups are appointed they are more effective at representing relative local interests. If, UFM are indeed controlled by democratically bodies they are upwardly accountable. Upward accountability is just as important as downwardly accountability.

Roberto Sanchez: What about the temporal scale? A structure is there, but how long is it likely to last?

Jesse Ribot: According to Mick Moore, elections are just one element of democracy. He defines democracy substantively as the accountability of leaders to the people. There are lots of other accountability mechanisms around. What are the channels through which accountability is exercised in democracies? In India, Panchayat elections have independent candidates—parties are not allowed to enter into the competition. Elites usually still capture the panchayats. In most other places around the world, elections are held through party list systems, but only parties with money, usually the party in power, can afford to float candidates for local elections. We need to ask if in multi-party elections there is true competition? In any event, elections, even when well crafted, are insufficient for creating downward accountability.

Arun Agrawal: In a multi-party system, people are less willing to see elections as unrepresentative.

Mairi Dupar: The ties created by investing in social capital create downwardly accountable institutions. In Vietnam, there is a central-party system and candidate lists are established by central government. Therefore accountability to constituents isn't really part of local government design. However, there are strong social ties and kinship bonds between commune leaders and their constituents which form another kind of accountability.

Amita Baviskar: In Madhya Pradesh, you find committees elected by PRI's via reserved representation, etc, yet they are not democratic.

Arun Agrawal: Typically ownership of resources never gets decentralized; however decision-making gets decentralized.

Amita Baviskar: Decentralized decision-making does not exist.

Jesse Ribot: You cannot move forests but powers can be transferred.

Nancy Peluso: Governance and ownership are separate.

Arun Agrawal: Tenure reform in a context where there is state management of land, however, rights exercised by other folk, decentralization never takes place.

Ben Cousins: In the real world, these things are separated. Governance versus rights of ownership. Political decentralization and tenure reform is very complicated.

Jesse Ribot: It is important to say that if the state owns property and transfers it to the individual, that constitutes privatization not decentralization, because private bodies are not downwardly accountable. Privatization affects local decentralization by taking away power from local governments.

Jim Manor: In many countries you find proliferation of single-sector user committees (which are in favor with the donors because of liberalization from micro-management and gives at least an appearance of consultation with locals), which are well funded at the same time, general local councils are starved of money. These single-sector user committees have excessively funded mandates that they can not manage. This is a problem in parts of Zimbabwe, which undermines other local authorities.

Nancy Peluso: What drives decentralization? Have earlier drivers created incentives? Decentralization often results in a territorial solution, which involves splitting up of territory—how did this happen so smoothly? Who decided on the structural adjustment problem?

Mairi Dupar: In Thailand, as per Jim's point, the Asian Development Bank has funded river-basin committees generously, while sub-district level governments empowered by the national decentralization reform have few financial resources. It's too early to tell what will happen regarding natural resources management, but you can envisage conflicts and inefficiencies.

Roberto Sanchez: In Latin America, the profile of decentralization, especially dealing with the environment has been raised. The World Bank has been driving a lot of decentralization.

Robin Mearns: There is a tension between the Bank and the Fund, as the IMF is urging recentralization of fiscal powers.

Jim Manor: If we consider questions of general purpose and then answer question of single-sector user committees, we tend to get different answers. Donors took a leading role in developing single-sector user committees in the late 90's.

Jesse Ribot: The theme groups will examine the local phenomena and then look at institutional arrangements; how those conditions are being formed and where they are coming from (e.g., global push, economic crisis, revolution).



Anne Larson: It seems that local-level demands and social contexts must have a big impact on what kind of decentralization comes about (the design and the implementation). That is, local social capital helps to create accountability mechanisms; so even in Bolivia where there are important institutions set up to increase accountability, the question becomes whether local groups, e.g., indigenous people can mobilize enough to take advantage of these opportunities.

Amita Baviskar: Raises Nancy Peluso's question—what is our unit of analysis? How are the case studies linked to each other? What is the role of transnational institutions? Local forces are shaped by global ones.

Arun Agrawal: It is fair to say that the actors, powers, accountability framework helps to explain what decentralization is, not why it occurs. Once you understand how it occurs you can understand various outcomes and how they continue to be affected.

N. Bazaara: Many of these protected resources areas have forest bank reserves. Conflict results from the central state losing grip over these resources. Other forces are involved, such as donors.

Arun Agrawal: The most powerful actors are major international financial business interests. Privatization of development attracts international investment. Privatization is the dominant model of decentralization. International forces, which reinforces the point Amita is making, are one unit of analysis.

Amita Baviskar: Territorialization is happening on a global scale. Picking up on N. Bazaara's presentation, trust is dissipated in the global context.

Jim Manor: Comment on Ben Cousins's point—the IMF and World Bank do not give a damn about local councils etc. In fact they promote re-centralization. Vito Tanzi wrote all about the dangers of decentralization because of a lack of fiscal prudence but did not provide any documentary evidence whatsoever to support the argument.

Roberto Sanchez: The World Bank pushed for decentralization of functions (initially) not empowerment of local communities.

Jesse Ribot: When the World Bank Participation handbook came out in about 1992, it called not for popular participation but for “stakeholder participation.” After the fall of Berlin wall, the barriers to international trade were weakened, this allowed for a free flow of capital across national boundaries. While the idea of structural adjustment and attacks against nation states was to make the world safe for capital investment. While civil society was seen as the bastion of ineffectiveness in 50's and 60's and state was the “good” force after the fall of the Berlin wall this flipped around. Methodological question—we must use the case material to examine what happened. Why the change in valance of the state-civil society relation? These things are not separable from case material—it is an empirical question to judge whether the relation changed. Ideological

forces and economic forces are clearly shaping how it proceeds and how it's viewed. These are global phenomena.

In Africa today, the same decentralization models are being implemented—organized by The Bank...—sector by sector almost everywhere. The ability to leverage powers downward, and the backlash against these changes depends on a number of things at a number of levels. These cookie-cutter replications of decentralization are a global force we should be looking at.

Pablo Pacheco: There is diversity of situations for UMFs in terms of resources at their disposal, relations with municipalities, etc. A problem with electing local leaders is a scarcity of resources; it is very expensive for local councils.

Anne Larson: In Nicaragua, there is a diversity of situations. Where units exist, the municipal governments are able to do more to protect the environment. But many times, municipalities cannot afford UMFs. Donors and NGOs are stepping in to help provide funding for UMFs that do a lot more in terms of the environment.

Ben Cousins: There are problems of disjunctions between types of natural resources. A variety of resources raise the issue of boundaries. Different wildlife, different functionality. This is saying that there isn't one appropriate level. Depends on resource question and decision and what season we are talking about.

Robin Mearns: The issue of relative value of a resource and whether the use of a particular type of management is warranted. What are minimum management standards and what is at stake? The size of the stakes has bearing on the degree that you will have violent conflict? You need flexibility in governing jurisdictions when you are dealing with pastoralist systems.

Jesse Ribot: See Ostrom, Schroeder, and Wynn who wrote on special districts and on the issue of scale.

Jim Manor: We've been discussing formal government structures. What happens informally? In Madhya Pradesh single-user and general-purpose committees are empowered and encouraged to work together informally. Neighboring state hacks down user committees and doesn't trust panchayats and sets these groups up against each other.

Jesse Ribot: Proliferation of authorities, tends, after a point, to undermine authority of any decentralized body.

**END OF DAY 1**

## **TUESDAY, 19 FEBRUARY, 2002**

### **THEME GROUP SESSIONS**

**9:00 – 9:15**

#### **Introduction to Theme Group Discussions by Jesse Ribot**

The three theme-group sessions are organized around the conference concept paper categories. Under each theme, three discussants will each speak for 15 minutes drawing out the comparative aspects of two conference papers related to the theme. After the discussant presentations, we will break into three parallel discussion groups. In these groups the discussion should draw examples and inspiration from the discussants comments, the India, Uganda and Bolivia cases presented Monday, and *all* other papers in the conference that inform the theme. After the discussion group, we will re-convene in plenary and the rapporteurs will each give a ten-minute presentation of the main line of discussion. We will then discuss the emerging issues, themes and findings together. In plenary we should end by identifying priority issues and those themes requiring further discussion. Each group should assign a rapporteur to present in plenary and to write up a few pages of notes at the end of the day.

We have broken the participants into the following three groups with relatively even distribution of regional representation in each group:

- **Group 1:** Nyangabyaki Bazaara (*Group Chair*, Uganda), James Murombedzi (Zimbabwe), Fernando Melo (Mexico), Arun Agrawal (India), James Manor (cross-cutting), Christian Brannstrom (Brazil).
- **Group 2:** Roberto Sanchez (*Group Chair*, cross-cutting), Pablo Pacheco (Bolivia), Rene Oyono (Cameroon), Ben Cousins (South Africa), Nancy Peluso (cross-cutting), Mairi Dupar (cross-cutting).
- **Group 3:** Anne Larson (*Group Chair*, Nicaragua), Ida Aju Pradnja Resosudarmo (Indonesia), Lungisile Ntsebeza (South Africa), Bréhima Kassibo (Mali), Amita Baviskar (India), Robin Mearns (Mongolia), Jesse Ribot (cross-cutting).

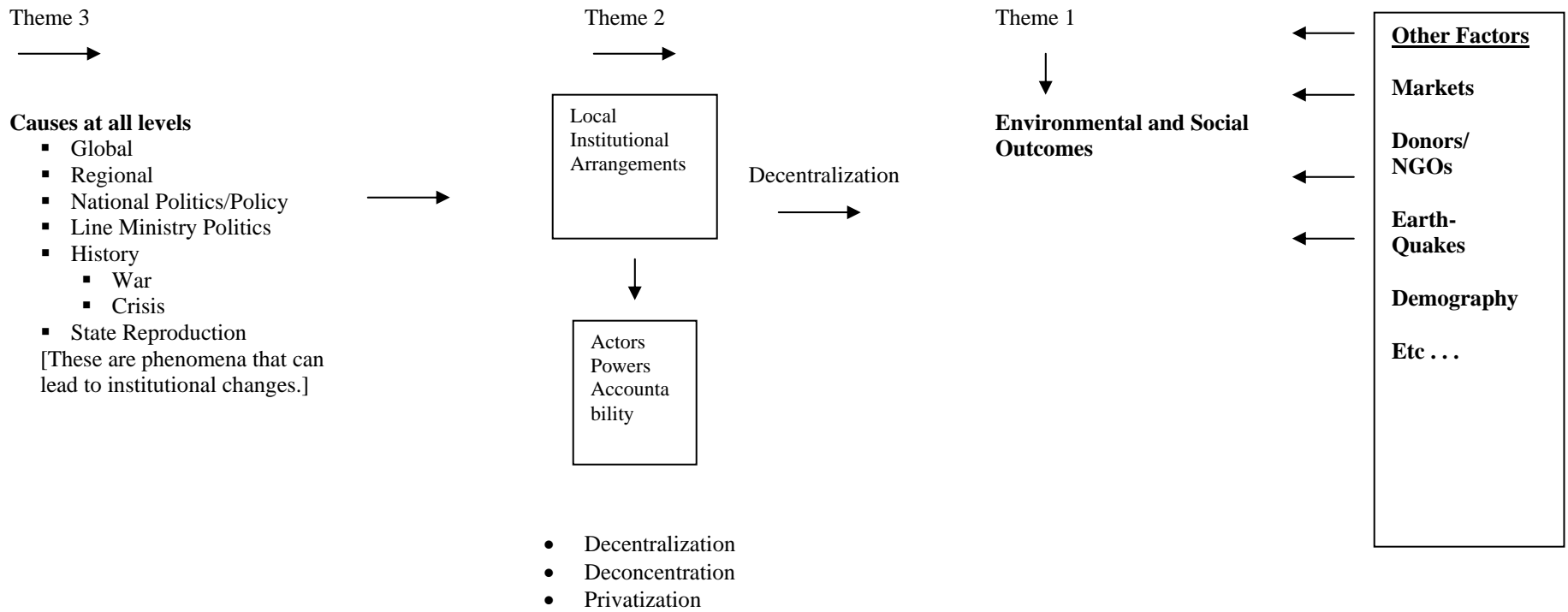
**9:15 to 12:30**

#### **Theme I: Social and Environmental Outcomes of Changing Institutional Arrangements—Identifying instances and showing causal links**

This theme focuses on the kinds of outcomes that can be *shown* to come from “participatory” and “decentralized” arrangements. Do they create greater participation in natural resource management and use? Do they reduce poverty? Do they incorporate marginalized populations? Do they lead to more effective natural resource management? Do they result in greater justice and equity around natural resource management and use? How do they change access patterns? In short, the object is to identify outcomes and to explain how they are attributable to decentralization and to what aspects of decentralization or to what set of conditions they are attributable.

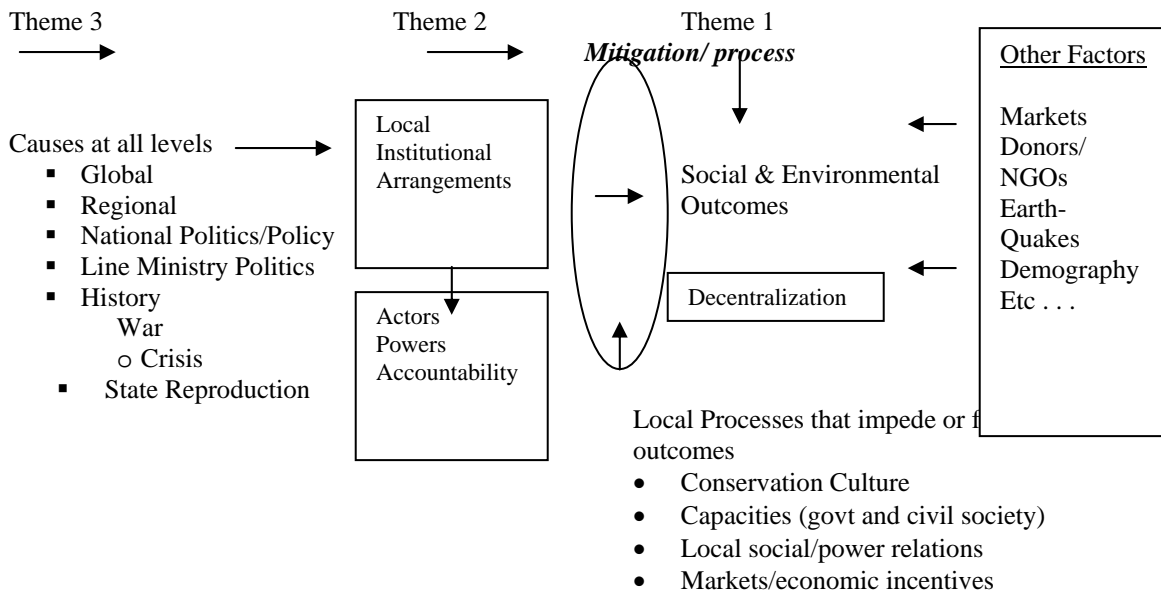
Jesse Ribot: To launch the theme discussions, Ribot presented and explained a diagram of the regions among the three themes (Figure 1).

**Figure 1: Ribot's diagram illustrating the relations between the three themes of the conference.**



Anne Larson: The original diagram treated the actors/powers/accountability configuration—which is basically the definition of the type and extent of decentralization in any particular country or region—as if this was the primary causal factor in determining social and environmental outcomes. Other factors, such as politics, economics, history, etc., were recognized but placed outside the diagram. What I felt was missing is the dynamic process that takes place largely at the local level in the context of that configuration of decentralization and those other “external” forces. That includes taking into account such issues as local government capacity, local social and economic relations, the capacity of marginalized groups to organize or otherwise influence local government decisions or force other outcomes, the market and non-market forces that generate economic incentives toward conservation/ over-exploitation, cultural or other local beliefs in conservation vs. development vs. sustainable use, etc. These factors are part of a process because each of these is a site of tension/ negotiation/ conflict.

**Figure 2: Oval introduced by Anne Larson to emphasize mitigating factors and the question of process**



**9:15 – 10:00**

**Discussants and Papers: Brazilian and Bolivian Case Studies**

**Anne Larson will discuss papers by Christian Brannstrom (Brazil) and Pablo Pacheco (Bolivia)**

Brazil Summary

Christian looked at three cases of state-level decentralization to catchment or watershed level water resource management, which is administrative (not political) decentralization, with formal upward and not downward accountability.

Differences between the three states are related to timing of reforms, types of water-resource conflicts, levels of civil society mobilization, funding mechanisms, and technical capacity. In one case, the process is still very new, little has been done. In the second case, existing organization without civil society representation is positioned to control the process. In the third case, an institution with a top-down mandate dominates the local process. In terms of outcomes, the last two are more interesting.

*Case 1: Grande (Bahia state)*

Summary: Little has been done—structures are just beginning, private water users associations that already existed have done some good things, but it is unclear if these are at all related to decentralization—the assumption is that they are not.

Tibagi (Parana State): Parana water resources super-intendancy, COPATI (industry, state firms and municipalities established as a political tool for municipalities in 1989 (applied to be decentralized executive unit). Power: will sign agreement with state to develop and implement watershed planning document.

*Case 2: Tibagi (Parana State)*

Parana water resources super-intendancy, COPATI (industry, state firms and municipalities) established as a political tool for municipalities in 1989 (applied to be decentralized executive unit). Others are active, like NGOs, but are not members of COPATI

In case two, therefore, existing watershed organization does not have civil society representation. The only downwardly accountable actors within COPATI are mayors.

Outcomes: Include getting projects, funding studies, planting trees and new technology adopted by polluters—apparently with good environmental outcomes. That is 500,000 seedlings planted with no monitoring of biophysical effect; COPATI attracted funding to the region for a huge soil conservation project. It established environmental education programs for teachers in twenty-five municipalities. An expensive biodiversity study funded which helped to train professionals. There was a trend toward technology adoption by organizing courses and info exchange for polluters. However there was no change regarding participation, poverty, marginal groups, equity, access or control of resources; probable positive environmental effects.

Problems: COPATI's lack of position on hydro project compromises the legitimacy of the project.

*Case 3 Sorocaba (San Paulo state)*

Socrocaba-Medio Tiete Committee established in 1995 mandated to have civil society : 1/3 are water user associations (NGOs), 1/3 are state, and 1/3 are mayors, but only one industry representative.

Outcomes: A state water resources fund is available for projects as prioritized by committee (includes projects for sewage treatment plants in most municipalities, environmental education, but most funds establish public sector interests in large projects, plus complaints about bureaucratic management.) There is strong civil society participation and an open public debate on specific water resource issues . Sewage treatment is now a visible political issue, and the committee helps marginal sectors to become legal and obtain committee representation. In summary there is more civil society participation, more responsive technicians, good process of building mutual respect. The *process* stands out; especially in committees but also in open forums for discussion. Benefits of access and management of resources for marginalized groups are unclear, however their participation may improve this in the future. Environmental benefits are still unknown, though sewage treatment can be expected to bring positive results.

It is important to note that a key player in all three cases, independent of decentralization, is the public attorney's office.

Conclusions from Brazil: Committee with strong industry representation can bring about positive biophysical benefits because industry is doing the polluting, but they were already making changes prior to decentralization. COPATI just helps them along, so this benefit is not a cause of decentralization. But there is a clear difference with Sorocaba, because industry plays on role, and the committee appears to have no affect on industry either. However, the committee is more representative of civil society, and there are some very good social outcomes.

### Bolivia Summary

In Bolivia, there is a totally different set of conditions in terms of actors, powers, and accountability. In Brazil, administrative decentralization to non-elected committees helps the state manage water resources. In Bolivia, decentralization is to elected local governments , and there is much greater devolution of responsibilities and resource control.

Key things have changed, though there is a range of specific results in practice.

Structural changes include:

- better distribution of national budget (twenty percent allocated to municipalities)
- merging the rights over land and forest (people who own land now own their own forest)
- oversight of mayors and municipal governments (with vigilance committees and participatory planning, donor accountability has increased.
- indigenous people have exclusive rights to use and manage resources in their territories

- twenty-five percent of forestry funds have been allocated to municipal governments
- allocation of twenty percent of public forests to local groups
- creation of Municipal Forestry Units

### Social Outcomes

In terms of our positive outcomes of changing institutional arrangements: this combination creates important opportunities to increase equity of resource allocation, for local people to gain greater control over local resources, for marginal groups to have greater control over the government and natural resources, for greater local participation and local forest management. Some examples of this are: 1) small farmers and indigenous people have been voted into office for the first time 2) municipal governments have supported and helped win negotiation of land claims for local peoples.

However, at the same time:

- bureaucratic process of land claims (will not be resolved soon)
- land-use plans are not very participatory
- vigilance committees do not work
- public investment is still too urban

### Environmental Outcomes

- local governments invest very little in natural-resource projects
- timber royalties are not enough to support UFM's
- there are greater efforts to control non-resident and large-scale holders
- little control over illegal activity carried out by locals
- chainsaw restrictions may be good for the forest but limit access to forest by poor users
- the role of economic incentives: land-use plans justifying clearing are cheaper than forest management plans for poor farmers
- local government relation to protected areas depends on local constellation of forces (NGOs, loggers, tourism)

Both of these case studies, though very different in other ways, seem to point to the same set of questions regarding outcomes, particularly social outcomes:

- 1) What was the previous nature of local organization? To what extent do marginal groups have the capacity to take advantage of new opportunities? To what extent are the new opportunities well-structured (legally, institutionally) to promote greater equity, participation, democracy? In other words: how is the opportunity structured in terms of actors, powers, accountability, and who is there, organized ready to take advantage of this new opportunity? (with or without the presence of formal accountability mechanisms, which exist in Brazil but not in Bolivia)
- 2) What happens, what are the mediating factors, between the structural issues of actors, power and accountability (the definition of the type and extent of decentralization) and the outcomes?



## General Discussion

Robin Mearns: There are certain practices that translate into social and environmental outcomes. Middle space is part of that interaction between actors and accountability.

Jesse Ribot: The process Anne is talking about deals with the idea of capacity and knowledge in the local arena.

Christian Brannstrom: Middle ground relating to new actors, etc., has established a chain of social events that affect actors, powers and accountability. That is, you get changes in the actors and relationships because this is a dynamic process.

Arun Agrawal: An important question to ask is what is happening to informal mechanisms?

Ben Cousins: Most of the models have to find a space for processes; which is a feedback mechanism. If outcomes are variable, is this due to the fact there is contingent process? Are there elements in the central box (actors, powers, and accountability) [see figure 1] that are missing? We need to pay attention to economic structures.

Jesse Ribot: Question—how does better representation shape outcomes?

Arun Agrawal: Translation of outcomes depends on context.

Jim Manor: Decentralization is not about what a state does—decentralization is the process that we are discussing when state opens opportunities, however limited, for social groups to engage. It begins as an initiative by the state, but it quickly becomes a mode for state-society interaction. In dealing with types of context, constellations of forces that tend to go in that oval area (highlighted by Anne as the process) either impede or facilitate social and environmental outcomes.

Robin Mearns: In some cases, this attempt to examine different local outcomes, which result from the same set of institutional arrangements, bring mediating contexts in sharp relief.

Amita Baviskar: Local institutional variables we can control—other variables, such as markets/donors/NGOs, we cannot control. What are the dynamics of that arrangement?

Nancy Peluso: Put markets, donors, NGOs, put them in the box (process). Stuff on the right is more integral to the actors, powers, accountability.

## **Arun Agrawal discusses papers by Ida Aju Pradnja Resosudarmo (Indonesia) and Ben Cousins (South Africa)**

I looked at the two ways these cases are different. The most obvious difference is that the South Africa case deals with eco-tourism while the Indonesian case is specific to forestry. The second main difference is that the South African case is from a specific district while the Indonesian case describes country as a whole.

The two cases have very different histories—the South African cases deals with the last 5-7 years, while the Indonesian case is 2 ½ to 3 ½ years old. Some questions to consider are how does the experience of apartheid affect local aspirations in the district in South Africa.

Outcomes: Ben says at the start that the case is of a failed eco-tourism project and the Indonesian case does not appear very successful. However, both of these cases are very young.

### Environmental Outcomes:

- 1) Is decentralization leading to environmental conservation or over-use? In Indonesia, decentralization appears to speed up alarming over-use. According to Daju, decentralization leads to the creation of more actors, who make more demands, and this leads to the acceleration of deforestation. In South Africa, this is not to clear, but again the prognosis is not positive.
- 2) Another environmental issue- What's happening to local diversity of arrangements to deal with natural resources. In Kumaon, India decentralization appears to be a leveler of local diversity because locals have some opportunity to provide input to local modalities and knowledge.

### Social outcomes

Neither case seems to yield equitable outcomes, but are they less inequitable than what would otherwise happen? How do we know that decentralization is responsible for these outcomes? How much does history and other macro arrangements affect decentralization—how do we know the effects of dealing with the emergence of new demands and how this leads to the inequality in the distribution of these resources? What way are these inequalities different?

N. Bazaara: What does the law provide in terms of decentralization? It seems that the law is quite general while implementation is quite weak.

Jim Manor: Arun picked up two issues suggested in Kuamon case—one that decentralization is a leveler of diversity, in addition to creating relationships between other modalities. This issue is important when we look at systems. Introduction of democratic decentralization may be sufficiently open to permit local knowledge and

modalities to be introduced into formal policy processes for the first time. This is an important empirical question. Another question is: are previous modalities constructive or pathological?

**James Murombedzi discusses papers by Nancy Lee Peluso (cross-cutting) and René Oyono (Cameroon)**

Nancy Peluso talks about violence and decentralization. James finds it logical that in conditions of resource scarcity, there would be more violence, not less, as Nancy Peluso finds counter-intuitively. Violence has created a structure for resource allocation that leads to abuse of power.

In this regard, processes of enclosure or processes of exclusion; previous claimants use violence to control bio-physical resources. This sets precedence for new claimants who also become justified to use violence.

How do other actors respond to the use of violence?

Normalization of violence: violence associated with decentralization is violence that local people suffered by acts of the state. Quasi-governmental form of violence: violence that is perpetrated by government actors. Non-governmental violence is individual or collective. Once again, understanding the process of decentralization and asking questions, such as: what is the nature of decentralization, what powers have been decentralized. Finally, the paper discusses control of violence. James wonders whether violence in Indonesia results from a collapse of the Indonesian state as opposed to the manner in which the Indonesian state allocated resources via decentralization.

The analysis looks at state and the society: who is extracting these resources and what role are they playing. James also calls attention to import modalities for the extraction of resources and surpluses (state, market, and their role).

Finally, in conclusion. structural conditions should be understood as highly political—they are objects as well as subjects of power.

Decentralization in Cameroon

Decentralization in Cameroon was initiated by popular demands: 1) Policy choices to transfer power to local powers, 2) The creation of municipalities to manage forests, and 3) Fiscal decentralization to local communities. Questions for Rene: Does this specific re-allocation constitute fiscal decentralization? Second question deals with transaction costs- does this give local communities enough resources for effective management?

Rene talks about a second mechanism in which the council should create a consultative community with village representatives. Comment: These institutions could act as new forms of contestation.

Committees are not downwardly accountable; they tend to be controlled by municipalities and dominated by free-rider strategies and opportunism: 1) Local communities give priority to commercial outcome of forests, a tendency towards individualism (disintegrative) rather than integrative impact one might anticipate, and 2) Over time, political processes may lead towards integration.

In conclusion, collective exchange is not able to integrate local behavior. Social-organizational systems are not sufficient to examine this outcome. Final Question: What instances are processes by which decentralization is led?

### **Questions**

N. Bazaara: What are the laws governing decentralization in Indonesia?

Ben Cousins: Wants to examine the theme of illegality and violence. Ben raises questions of capacity—capacity of rule, to enforce rule. Does decentralization have desirable outcomes and what is the role of the state within decentralization.

Jim Manor: Well crafted decentralization systems do not always lead to positive outcomes. Two things to think about: 1) Almost always democratic decentralization catalyzes greater conflict. An interesting issue—why some systems create conflicts but confine it within democratic processes and in other cases, leads to disorder; and 2) Why does decentralization lead to the individualization and fragmentation of forces within a local arena and when by contrast does it promote integrative and disintegrative forces at the same time.

Ben Cousins: Decentralization leads to the breakdown of rules, which may be illegitimate to begin with.

**10:15 – 11:30**

### **Break Away Groups**

- **Group 1**: Nyangabyaki Bazaara (*Group Chair*, Uganda), James Murombedzi (Zimbabwe), Fernando Melo (Mexico), Arun Agrawal (India), James Manor (cross-cutting), Christian Brannstrom (Brazil).

### Detailed Notes on Discussion from Arun Agrawal

Fernando Melo: Decentralization does not automatically generate a participatory system because of definitions of the transfer of administrative responsibility. This is easier for social and democratic participation when there's more information available; in addition to when there are prior organizing processes which give people experience with participation.

N. Bazaara: What decentralization does to people is also an outcome. Technocrats can then be made to serve people only once people become aware of what it is that they can get out of participation.

Christian Brannstrom: Early entrants versus late entrants. One group increasing its participation may crowd out others.

Jim Manor: One type of outcome to be borne in mind is an example from Ghana. Government decentralizes power to district assemblies that are elected and claims that this is a means to liberate people. Assemblies came into being, but they had no power or money. The assemblies spent the money they had for the transportation of politicians. People had gotten excited about democratic opportunities, but the outcomes of decentralization were not up to their expectation, and they became cynical and angry.

N. Bazaara: Is the institution credible and inclusive? If it excludes then people will be angry. In Uganda, at the beginning there was restrictive community euphoria and broad participation. However, the old elites in villages learned how to assert themselves and started appropriating resources and reducing the creative potential of local communities.

Christian Brannstrom: What made them less transparent?

N. Bazaara: At first there was the revolution and then elders and elite took over. If people feel leadership is not transparent then they lose trust. In Kampala: the road to my home is pretty bad; however, we repair it ourselves. We do not go to councils and this is lack of trust.

Jim Manor: Clarification about organizational processes.

N. Bazaara: Experience and information are critical things and lead to better social outcomes.

Christian Brannstrom: Is cynicism a bad social outcome?

Jim Manor: Perhaps, cynicism can fester and poison social relationships as well as state society relationships, but can also be a prompt to change.

Fernando Melo: Decentralization is motivated by multilaterals. There is an emphasis on infrastructure and on resource delivery, which attacks poverty. In many cases, it makes poverty more pleasant and aesthetically pleasing. There are cement roads but no health or education or water. Shows that decentralization does not promote participation. Also true for natural resources and in many cases the poor are the ones who are excluded because of the management plans. There is a difference between decentralization and management of natural resources. Sometimes decentralization only causes deconcentration of administrative functions.

N. Bazaara: Can we have concrete examples? Under what conditions does decentralization operate? Decentralization can become a point of contention. Any concrete examples in Mexico?

Fernando Melo: In 1990, in Mexico's poorest state, Chiapas, investment plans, with World Bank funds for "Regional Development" were put into place. The Central Government defined this plan as a "poverty attacking program." In essence, it became a cement donating program to pave roads. The local population was able to decide what to do with these processes only because they had been through a prior organizational process and had experience. This project invested funds to train people for better environmental management, but the results were variable.

N. Bazaara: Talks about community management schemes around forest parks in Uganda to evaluate the social outcomes of decentralization. If you are talking about social outcomes, in terms of poverty alleviation, forests previously were inaccessible to the public, but people had access to resources, such as mushrooms, firewood and other subsistence things. Deconcentration of management has led at least to some poverty alleviation, but it is only the people who are in these schemes who get the benefits, which leads to inequality. Of course, the commercially lucrative resources go to big firms who have connections in Kampala – this is always a serious issue. Foreigners take the resources.

Jim Manor: What are the inauspicious conditions that allow positive outcomes to occur and what would the facilitating conditions be? 1) Areas with severe economic inequality would make it difficult for positive outcomes. 2) Severe social conflict; if there are poisoned and intolerant relations between different groups, or language/caste/indigenous-non-indigenous groups/ intolerance, or poisonous relations between social groups and government – all of these make decentralization difficult to introduce and be made to work.

Question of measurement: how do we measure the social and environmental outcomes of decentralization? A lot of people want to measure against ideal outcomes; the notion that everything should become better. But the real world does not reflect that and such a notion is unfair to the idea of decentralization. I suggest that we use the situation before and then after decentralization as the relevant comparison points. If there are any improvements in the new situation, then some positive changes that have been produced. Mozambique has a very limited decentralization scheme – only in one third of the cities and studies show that no transformation has taken place. But if you look at those cities, local people think it is much better because they have some little influence over what they can get.

Christian Brannstrom: The ideal may still be a good way to develop a set of ideals that can still be looked at. The model approach can help target certain dimensions to be looked at rather than the levels to be achieved.

Jim Manor: Simple minds seize upon the ideal and want to check on performance based only on that.

Christian Brannstrom: This is true of poverty alleviation outcomes—what about other social outcomes that are not measurable using the same metric, such as, the growth of

people as citizens in a polity. This may not have a direct relationship to poverty reduction. We might be missing out on other aspects. There are many types of decentralization that will not do much for poverty or environment.

N. Bazaara: The getting of this knowledge is itself good. It gives you power to make better decisions.

Christian Brannstrom: Yes, the two are different analytically.

Jim Manor: From what we know, it is true to say that democratic decentralization (multipurpose local councils) usually increases popular participation, legitimacy, accountability, transparency. But it also usually fails to help poor people. It has a lot of virtues and can still have the major vice of not helping poverty.

Christian Brannstrom: The single-sector decentralization might help outcomes more than the general democratic outcomes.

N. Bazaara: Empirically, it is not clear which issues are more important. For the multi-purpose councils, environment may not be important.

Arun Agrawal: We have talked about the difficulty of measuring different types of outcomes. It's easier to measure environmental outcomes opposed to social and political ones. In addition, it is difficult to connect outcomes to decentralization; that is, it is hard to see, measure those outcomes, and to tell if they occurred naturally or because of decentralization.

Jim Manor: Accountability and responsiveness can be measured. However, levels of participation are not measured so easily.

Christian Brannstrom: It is difficult to separate natural variability of the biophysical process from the alleged impact of decentralization.

Jim Manor: There are three levels of uncertainties: 1) difficulty of making the connection between decentralization changes and outcomes; 2) seeing or observing the outcomes; 3) measuring the changes even if they are visible and aggregating them meaningfully.

Arun Agrawal: These three levels of uncertainty might be also relevant for thinking about "social" outcomes.

Christian Brannstrom: Groups, actors, factors that are outside the decentralization schemes may still have important effects that we are not examining. You can have a resource use by other actors that alters resources available to people who are part of decentralization scheme. How do we account for this?

## **11:30 – 12:30 Plenary:**

### **Group 1- Synthesis of Discussion Above by James Manor**

#### Problems of Measurement

There are two ways to measure decentralization experience. 1) You can take the widely used notion that decentralization is a panacea, which will produce a transformation—a dangerous way to approach the problem. Simple minds in development agencies will throw the whole thing out including positive changes. Another way in which to measure outcomes is to use the before/after model. That is, you can measure the situation before decentralization and situation after decentralization even if time span is limited. We tend to find that this model provides a realistic understanding of decentralization and allows us to treat it more fairly. Idealized outcomes are worth bearing in mind because they help us to craft a set of expectations that might be used.

We might find decentralization has a limited positive impact on poverty; it has an impact on individuals, allowing them to evolve into citizens. Decentralization in many cases, leads to transparency, accountability, and political participation. Initial evidence dictates that genuine democratic decentralization enhances all of these things, but it does not help to reduce poverty, or has a neutral effect on poverty. There is some dispute on whether socio-political outcomes are easier to measure as opposed to environmental outcomes. Environmental outcomes can be expensive to measure. Furthermore, measuring environmental outcomes is difficult because of three reasons: 1) It is hard to see what environmental outcomes have taken place 2) These outcomes are difficult to measure 3) It is difficult to tell if environmental outcomes are an effect of decentralization or natural flux caused by factors like the weather, beyond the scope of decentralization.

#### Social and Political Outcomes

According to Fernando Melo, different kinds of decentralization can institutionalize capacity. However, in the Mexican case this does not happen.

N. Bazaara: In the short duration, it is difficult to judge fairly whether decentralization has promise or not. We noted that popular cynicism de-legitimizes decentralization. For example, in Ghana, district assemblies are popularly elected, but the government devolved very little fiscal and political power to the government. In essence, district assemblies maintained the cards of ruling party officials. This resulted in popular cynicism and anger.

In the Ugandan case, elite capture is a danger when power is decentralized. Contrary to Manor's paper on poverty, elites over time may strength their position at the local level. Melo also stressed in the Mexico case that the poor are excluded from management plans. Within the oval, it is important to include conditions that help or hinder decentralization such as (inauspicious factors), such as severe economic inequality. In addition, the likelihood of decentralization is limited if there is severe social conflict or severe intolerance. Decentralization in any arena where there are poisonous relations between the government and social groups is again problematic.



## Group II: Synthesis Presented by Ben Cousins

- **Group 2:** Roberto Sanchez (*Group Chair*, cross-cutting), Pablo Pacheco (Bolivia), Rene Oyono (Cameroon), Ben Cousins (South Africa), Nancy Peluso (cross-cutting), Mairi Dupar (cross-cutting).

This group mainly focused on social and political processes that have an impact on outcomes (frameworks and structures in the early phases of decentralization). Note: The time frame in which to evaluate the impacts of decentralization is important. That is, decentralization that takes place in a shorter time frame is more difficult to evaluate. Other frameworks and processes that are being established might have discernable long-term effect and outcomes. In focusing on these mediating processes, it is possible to examine the balance of forces in a field of power in the context of decentralization.

The group looked at the three issues listed below.

- 1) Balance of forces within fields of power: How is decentralization driven? It is important to examine the supply and demand issue. Supply is provided by state, and demand is from below, by various social groups. The question of illegality is central to this model. That is, on one hand you have logging companies who can disregard the law and not be checked because regulatory powers are too weak to check them. On the other hand, you have poor people who can't survive without violating the laws that exclude them. One response to inadequacy of decentralization might be radicalization. In other contexts, some interest groups will resist decentralization. For example, in Bolivia, some groups will resist decentralization if they see it as co-optation. In analyzing the balance of forces, we need to identify the whole range of actors who are involved.
- 2) Degree of social mobilization from below: Degree of mobilization will have a major impact on outcomes. The greater the pressure from below, the better the outcome for decentralization. This is more complicated. Mobilization from below can be problematic because it may include social movements organized around demands for a particular resource, or social movements with narrow, particularistic claims, although over time, they might become a more constructive force.
- 3) Capacity of the State: It is important to disaggregate the forces represented in a central state when undertaking decentralization. It is important to look at the central state and the provincial government. Is the state a vehicle for a narrower set of interests? Is it pluralistic? Also important is the capacity of the government; decentralization with a history versus somewhat new; and capacities of local administration.

Roberto Sanchez: Decentralization needs to be seen as a process with different phases not as an end product.

## Detailed discussion notes from the session of Working Group III from Amita Baviskar

- **Group 3:** Anne Larson (*Group Chair*, Nicaragua), Ida Aju Pradnja Resosudarmo (Indonesia), Lungisile Ntsebeza (South Africa), Bréhima Kassibo (Mali), Amita Baviskar (India), Robin Mearns (Mongolia), Jesse Ribot (cross-cutting).

Robin Mearns: The outcome of decentralization is difficult to evaluate. In South Africa and in Indonesia, the antecedents to decentralization are highly repressive regimes. Therefore, it is not surprising that processes in these nations have been highly violent.

Jesse Ribot: Transfer of power takes on the political-administrative form that follows the context, the history; who receives the powers is crucial.

Amita Baviskar: How is power transferred (looking at the legitimacy and transparency of the process).

Lungisile Ntsebeza: In South Africa, some powers have been clearly defined and a consensus is created around their transfer, in other cases, there is lots of confusion.

Robin Mearns: In Indonesia, there is a relinquishing of central power, but there is no thought on who receives it and will operate it.

Jesse Ribot: In South Africa the issue is land reform, versus commercial logging in Indonesia. Focus on conflict as an outcome (the process by which it is resolved is important).

Robin Mearns: The cases of South Africa and Indonesia are not all that different. Indonesia is also about land conflicts.

Anne Larson: The central government has a lot more legitimacy in South Africa compared to Indonesia.

Lungisile Ntsebeza: Traditional authorities' power is not clearly defined and resolved.

Anne Larson: Do chiefs have popular support?

Jesse Ribot: Chiefs exercise power, have ties with the patronage government. We need to examine what precisely has been devolved to whom and what outcomes has it generated—particularly in terms of the legitimacy of the authorities that receive those powers.

Anne Larson: In Latin America, there is so much generalized lack of clarity in the legislation that you have to ask whether the ambiguity is intentional.

Amita Baviskar: Flexibility is often productive.

Jesse Ribot: Legal ambiguity for the central government facilitates re-centralization. At lower levels, removing legal ambiguity is akin to giving security of tenure.

Daju Resosudarmo: The reforms since 1988 formed the context of increased illegal logging; deforestation is not attributable to decentralization per se. It is difficult to evaluate the outcomes of decentralization (and to separate it from other driving forces). Intangible outcomes, e.g. people's everyday involvement with decentralization is important but difficult to measure. People are gaining more income from illegal logging. Signs of democratic spread of corruption.

Robin Mearns: Reforms unleashed expectations that decentralization could not meet, and the eventual outcomes are negative.

Daju Resosudarmo: The insecurity of the rights (whether they are temporary) may have shaped more intensive resource extraction.

Lungisile Ntsebeza: Customary law with respect to land is not regarded as secure. Communities that have been given land titles (as opposed to communal laws) manage the resources more effectively.

Daju Resosudarmo: Logging companies now have to listen to local communities, which can protest or block logging. There are new deals between logging companies and villagers engaged in illegal logging.

Robin Mearns: No constellation of interests around environmental protection.

Amita Baviskar: How can security of tenure be guaranteed so that people feel confident about their power for long-term management? The memory of state usurpation informs people's wariness and their tendency to rapidly exploit the resource.

Jesse Ribot: Radical decentralization is followed by a backlash of re-centralization. Proponents of decentralization need to show exactly why anti-decentralization folks claim it has not worked, and to examine whether there really was such a radical decentralization and to examine what powers were not devolved.

Amita Baviskar: If other sources of funding for development work are not available then forests will continue to be exploited. Combination of tenurial issues (access to agricultural land) and development funding and strategies.

### **Synthesis of Group 3 discussion by Amita Baviskar in Plenary**

The group used the South African case as their starting case. The group noted that outcomes were shaped by certain factors. In South Africa and Indonesia, the antecedents

to decentralization were repressive regimes, so decentralization often gave rise to violence. Related to this, is the questions of expectations. In South Africa, the expectations given the character of the post apartheid regime were so high, so the people felt let down after decentralization. There are also disparities between the urban and rural areas and how these might be transformed. In many ways this ties up how one measures the outcome by what expectations one has to begin with. The desirability of outcomes depends on people's participation. Effect and participation influence whether there is agreement about desirability.

Clarity issue. Although there was some relinquishing of central powers, not clear which powers went to whom. Relative merits of clarity are desirable? Traditional authority is not clearly circumscribed. Another example, is land tenure, which is dependent on clear laws that enable people to do something authoritatively, flexibly. Recentralization takes place when laws are ambiguous, and things do not happen as desired.

The group talked about measurement; it is difficult to figure out whether what happened in Indonesia was a consequence of structural reforms in 1998 or a consequence of decentralization. Around the social outcomes of decentralization, several kinds of democratization seem to take place; more people seem to be participating; logging companies seemed to have listened to more people; new deals and transactions are emerging between companies and people and government with environmentally disastrous consequences. Apart from some media coverage, these NGOs do not have any checks or balances.

Donor funds are not coming to NGOs in the current climate. This leads to a discussion on minimum environmental standards as a check on unrestrained resource use. In the insecurity of rights and procedures, people are interested only in short-term gains. The tendency of the people to rapidly exploit the resource is also informed by their memory of state flip flops.

If the resource is the only source of revenues for development, then people might use it unsustainably and prevent environmentally positive outcomes. Combination of tenure issues, access to land, and development aspirations affect decentralization outcomes.

## **General Discussion**

Jesse Ribot: In Indonesia, there has to be a discussion of whether powers are held at the right level; whether they have really been devolved to local authorities. Part of why we have a backlash of recentralization.

Anne Larson: The uncertainty of laws is widespread, but there needs to be clarity for decentralization to work, and to resolve conflict

Jesse Ribot: There are different means to transfer powers that are secure and insecure. For example, power transferred by legislation is different—more secure—than powers transferred by ministerial decree and or administrative order. It is also important to keep the flexibility and security of these power transfers.

Robin Mearns: Where do you have a concern for environmental protection? At which level? Who has an interest in it? Environmental outcomes depend on what level you have an interest. Decentralization leads to pro-poor social and political outcomes as opposed to pro-environmental outcomes.

Anne Larson: Agrees with Robin. Among promising conditions, environmental outcomes were better where there were more NGOs in place.

Amita Baviskar: Interests are shaped by environmental sustainability, which is shaped around land tenure. Stakeholders' interests are shaped by what is being discussed.

Roberto Sanchez: Can we separate environmental outcomes from social outcomes? We need to talk about the interactions between environmental and social outcomes.

Nancy Peluso: Implicit environmental outcomes define the environment. We know that deforestation is bad; however, deforestation depends on how you define forests. Environmental outcomes are socially shaped.

Arun Agrawal: What is environmental is socially shaped—it is not modular; it is constructed in a social way.

Jesse Ribot: Environmental outcomes, such as deforestation, as defined by Global Forest Watch are not necessarily bad. Over the long run, change needs to be linked to livelihood kinds of questions, and reflect the way in which natural resources serve a larger set of interests.

Arun Agrawal: What is an environmental outcome cannot be understood without its social outcome.

Jesse Ribot: More time this afternoon can be spent on open discussion. The question of outcomes brings up the methods question. In basic terms, environmental outcomes are not so hard to measure. We have developed a series of indicators in terms of how people change their practices—these are things that people have been measuring.

**2:00- 2:45**

**Discussants and Papers**

**Lungisile Ntsebeza discusses papers by Bréhima Kassibo (Mali) and Fernando Melo (Mexico)**

Both the papers claim that interpretation and practice of laws is questionable and both look at the role of indigenous traditional institutions.

Kassibo claims, in the past, forest management was based on customary law. Tam or the youth, were charged with forestry protection, but under colonialism, locals were excluded. An NGO in Mali, SOS Sahel, introduced participatory forest management, and allied themselves with traditional authorities. Decentralization has yet to take effect in Mali. The intervention of NGOs cannot assure participation. Kassibo questions whether the alliance can really increase participation. Indigenous institutions are also discredited since they cooperated with colonial powers. Kassibo recommends co-management of the forest. He says the locally based commune (elected local government), which is supposed to be accountable, must find ways of co-opting traditional authorities in managing the forests. His argument suggests that traditional authorities have no role for two reasons: 1) Socio-cultural conditions have changed so their rule is not possible, and 2) Association is associated with implementing traditional or colonial policies.

Lungisile has a problem with the paper, because the paper does not elaborate on who the indigenous communities are; but rather asserts it. There is a logical disconnect in the paper.

Melo says that in 1995 there was a change in the government, which led to historical outcomes: 1) Indigenous communities were recognized; and 2) They could choose their own representatives. This paper does not tell us who these indigenous communities are/or tell us what traditional institutions are.

Lungisile adds that traditional authorities have also been discredited in South Africa because of cooperation with the colonialists and the apartheid regime. In addition, it is a hereditary institution, not democratically elected. The argument Kassibo is making in Mali is similar to what he would make for South Africa.

According to Lungi they cannot co-exist. A representative system is necessary but not sufficient for democracy.

Jim Manor: There is a case to be made for a more ambiguous approach to indigenous rulers. According to Johnathan Fox, a Latin America specialist, democratic decentralization leads to the erosion of traditional authority through the development of local councils for example. Tribal/traditional arenas in Africa are usually governed autocratically and can be described as authoritarian enclaves. But not all these situations are as clear cut. In Mozambique, some chiefs are relatively progressive, and since civil society is so weak, chiefs are the only people worth dealing with, so even the most progressive civil society organizations work with chiefs if they want to get anything done.

Rene Oyono: Oyono does not agree with Kassibo. According to Oyono, Naffet Keita had some conclusions that contradict Kassibo. According to Kassibo, forest management responsibilities should lie with communes or local government. According to Keita, the way communal councils are working, they are effectively neutralizing each other. Strategic alliances between communal councils and local authorities does not lead to sustainability but to forest depletion.

Nancy Peluso: Indigenous leaders can emerge in very different ways because they have different histories.

Jesse Ribot: Customary authorities present a major issue in the concept of representation.

### **Robin Mearns discusses papers by James Manor (cross-cutting) and Amita Baviskar (India)**

The main reasons these papers are together is because both address implications of social difference and inequity and their relation with decentralization. Jim's paper asks under what conditions can we expect reductions in poverty resulting from decentralization and whether they will be inter or intra regional. Amita, is concerned with watershed management issues in highly differentiated communities; more specifically she talks about the differences between adivasis (Scheduled Tribes) who live in uplands, and others who are landed and less-marginalized groups.

Jim's earlier work suggested that intra-regional as opposed to inter-regional inequalities would diminish with decentralization. In more recent work, he seems to suggest that even inter-regional inequalities may diminish.

- 1) Leaders or other powerful groups may feel it is in their interests to forge alliances.
- 2) Jim raises questions on the relationship between multi-purpose and single-sector committees, particularly where they are financed by external donors. Donors seem to be more keen on single-sector committees, primarily due to issues related to fiduciary and management control; e.g. funds used for the express purpose promised by the project. A stronger case is now made by the new orthodoxy: community driven development is in favor of multipurpose decentralized councils, and their

empowerment. They present an open menu of choices based on local demands where there is less tendency to earmark allocations.

Amita's case is very interesting. She talks about engineered success, which is a Potemkin village phenomenon. She talks about how donors and development experts demonstrate success in those places where it is easier to show success. She asks who has access to and control over land, especially in difficult areas as in the hills, and how social boundaries are related to biophysical boundaries.

A participatory approach to watershed management in India is becoming a new orthodoxy. There is new discussion about the need for harmonization of guidelines across catchments (different agencies develop their own guidelines). There is a tension between highly prescriptive versus open-ended approaches. The Ministry of Rural Development is less prescriptive of bio-physical aspects, but pushes for a common set of guidelines. This sounds sensible from management angle, but there is a centralizing logic in this approach.

Several issues for discussion come to mind:

- 1) Legitimacy and representation in the context of multi-purpose versus single-sector committees. Agrawal's notion of governmentalization of communities comes up. Specification of property rights and rule-enforcement mechanisms has a bearing on boundaries as well, but it is also a question of how that leads to accountability. It is key to distinguish between sufficient clarity in mechanism to allow for outcomes versus prescriptive approaches.

Grasslands management in western china is also a "one-size-fits-all approach." Conflict management and dispute resolution mechanisms require a more adaptive process.

- 2) Are there specifications of property rights and tenure for effective democratic decentralization?
- 3) Nature of resources themselves: Some attributes of natural resources and the kinds of management they require affect the outcomes of decentralization. Some types of resources lead to active forms of management.
- 4) In a situation of major regime change, it is important to keep the broader political context in mind to determine whether decentralization is taking place. That context also affects expectations. When regime change is occurring, resource managers may have a very-short time horizon to make decisions.
- 5) Fiscal aspects of decentralization. We should keep fiscal aspects of decentralization in mind. It is very important for environmental sustainability that there should be local resource mobilization that is not reliant on local resources. You should not have to draw on the principal itself, (e.g. Indonesian forests), just the interest.



## **Roberto Sanchez discusses papers by Anne Larson (Nicaragua) and Lungisile Ntsebeza (South Africa)**

Comments made so far highlight interesting issues. While there are different histories behind these processes, some common elements are emerging. One common element is that local governments lack resources to fulfill their new roles. In Nicaragua, local governments lack funds, but local actors have demonstrated that they can handle greater responsibility. In addition, in both cases the administrative capacities of the governments are limited.

In Nicaragua, local demand was important in the creation of decentralization. Political demands were made at the local level and the national association of municipal governments played a role. Municipalities see environmental management at the local level to be a burden. On the other hand, there is an absence of a political infrastructure demanding decentralization in South Africa. This is no surprise if we consider weaknesses of elected councils and the ANC's hostility to civil society and pluralism. Concessions made by central governments to traditional authorities have posed obstacles to decentralization.

South Africa has had seven years to carry out this change, but there are many obstacles, and there is an on-going process which could mitigate the opposition from the central government in the long term.

**2:00 – 5:30**

### **Theme II: Local Institutions – Local Population Relations**

This theme should cover issues concerning the kinds of local actors being empowered, the implications of this choice for accountability, representation, participation, justice, equity, efficiency, poverty, etc., with special reference to implications for natural resources. Do the arrangements being made constitute decentralizations of natural resource management and use?

**2:45 – 4:15**

#### **Break Away Groups**

**4:30 – 5:30 Plenary:**

- Rapporteurs: Ten-minute summary of each group discussions,
- Open discussion of the key issues in this theme.

#### **Group 1- Detailed Notes from Arun Agrawal**

##### Local Institutions and Local Population Relations:

Jim Manor: The macro context can produce some perverse outcomes.

Fernando Melo: What determines whether the local state is responsive to local peoples versus central authorities?

N. Bazaara: Can we map out who the actors are in the different studies?

Fernando Melo: What are the types of resources that are available in different relationships and how they affect the relationships?

Jim Manor: A lot of the systems do not work well because of the inadequate devolution of resources and powers; local authorities cannot assume authority. In addition, different kinds of electoral systems also have an impact. In Kenya they line up behind candidates' pictures. This does not constitute true voting. In Cote d'Ivoire, each party puts up a list of candidates, but whichever gets the majority of the votes gets all the seats.

Christian Brannstrom: What are the variables that can affect the relation between actors and local populations: multi- sectoral bodies versus single-sector bodies; nature of electoral rules for election; and amount of resources that get transferred to local authorities.

N. Bazaara: What about the idea of trust and clarity?

Christian Brannstrom: The more day-to-day operations of a local body can be pretty opaque or transparent.

Jim Manor: Ways to establish accountability of elected officials to citizens, and of bureaucrats to elected representatives: recall provisions, mass meetings, transparency of information about budgets, allocation of resources, free press, direct elections, NGOs, demonstrations, party system.

Fernando Melo: We need to explore the concept of citizenship of people in a territory. Without citizens local governments can manipulate outcomes.

Jim Manor: People will not come to meetings of the local bodies if the bodies are not really making important decisions. Substantial devolution of powers and resources is necessary. Participation is a separate issue. Those keen on participation are unhappy with representative democracy. In fact, 99 percent of systems are representative systems. In Rajasthan and MP, there is direct democracy. At least a significant issue must be at stake and the decentralized body has to have some ability to affect that issue.

Christian Brannstrom: In Brazil, royalties from a hydro plant are funneled to committees. Committees get bids on various issues related to water use; everyone also has to pay water fees.

Jim Manor: One danger to these systems, which is somewhat unusual – governments in the biggest countries have often excessive idealism; for example – in South Africa newly created local councils are asked to perform extremely complicated tasks.

Nature of the electoral system:

- 1) By lining or secret ballots
- 2) Political party dominated (top-down) proportional representation
- 3) List system- winner takes all

#### Proportional Party and Winner Take all

- 4) Character of system—single or mutli person—single small group and others not respected.
- 5) Character of issues may have serious consequences on participation for example. If issue is technocratic; people do not want to deal with it.
- 6) Labor of citizenship—is community knowledgeable about civic education matters where decentralization has been done.
- 7) Accountability to citizens and bureaucracy to elected representatives. Other accountability
  - direct elections-
  - provision for recall on paper
  - mass meetings to talk about issues to account
  - transparency about the budget
  - presence of NGOs and active media
- 8) ID of the actors- who receive these powers- elected- results might be different.

### **N. Bazaara's Reports for Group 1**

#### Factors affecting local authority-local population relationships:

- 1) Has enough power been devolved to local groups? What kinds of power and resources?
- 2) Nature of electoral systems:
  - a) By lining up visibly or through secret ballot,
  - b) Political party dominance – top down, and
  - c) List system with winner take all outcomes.
- 3) Character of institutions – a) single or multi-purpose – what is the extent of representation b) clear rules.
- 4) Types of issues: If issues are very technocratic, local people may not want to participate. The consideration of fiscal issues may increase participation.
- 5) Extent to which community members see themselves as citizens – civic education of citizens. Knowledge of local residents about the provisions of the decentralization program.
- 6) Accountability of these institutions and elected representatives to citizens and accountability of bureaucrats to elected representatives; a) direct elections; b) provisions for recalling representatives; c) mass meetings d) transparency about budgets; e) presence of NGOs, and f) active media.
- 7) Presence of NGOs and active media affect these relations as well.
- 8) Identity of actors: customary authorities versus elected councils.

### **Nancy Peluso Reports for Group 2**

- 1) You can't understand the relations between local institutions and local populations without considering the role of central state, international actors, organizations, and frameworks. It is key to ask how local institutions are intersecting with the central state. What are the particularities of historical developments for the local authorities? All these affect the nature of accountability and transparency. The idea of NGOs and the indigenous are being distributed widely. Accountability issues when international actors are involved can be affected adversely because NGOs are transient and can pull out. The matrix of accountability is very messy, and it is not always very clear who local authorities are accountable to. New means of accountability may be impossible to enforce or implement because of the layers of history affecting jurisdiction.
- 2) We also questioned whether local capacity was a real issue. We cannot expect people who have no historical basis for local organization to leap into the fray as democratic institutions without problems. For example, in South Africa and Indonesia you cannot expect people with no historical basis to come up with perfect democratic institutions. According to Oyono and Cousins, most elected institutions in Africa are new and often do not have enough legitimacy.
- 3) In order to understand this we need to examine multiple layers of democratic reform. What are the politics of democracy? Accountability upward to central state could be important. For example, imagine a situation where the central state holds local government accountable to local people.

### **Anne Larson Reports for Group 3**

1. The group compared customary authorities to other forms of authority including single-sector user groups and local democratic institutions. These relations question the linkages between legitimacy, powers, and accountability. When powers are taken from an elected authority, that authority is undermined.
2. Single sector committees: Is authority in single-sector groups prone to elite capture? Who are these groups accountable to? Why are they formed? Single sector groups are formed so as "to separate them from politics" and therefore supposedly make them less prone to manipulation. Seen as more instrumentally rational in the business of development. Sometimes these groups tap into traditions and common causes. Sometimes they are claimed to be required by the nature of the resource. Accountability is usually missing from these single sector groups.
3. There is also a question of powers. A single sector committee may just be advisory. Why were there no checks on powers in Amita's India case? Because there was no information, no experience or awareness of the rules about how it should work, rather the project was put into an earlier framework of subcontracting. So information and capacity influenced the way in which the single sector committee worked.
4. Jesse pointed out: if power is actually transferred, it is almost always not to a representative body; if the receiving body is representative, then it is not given power.

5. Amita pointed out that we may not want our water to be supplied by an elected, representative body; the important thing is that the group responsible be held accountable and can be fired if they don't do their job. Customary authorities, however, cannot be removed.
6. A lot of research needs to be done on the effectiveness of different types of accountability mechanisms. In this group, we considered elections and media as means to promote accountability. In Indonesia, elections are not an effective accountability mechanism because of the party list system. People do not know who the candidates are for a given party and the candidates are inaccessible. For example, media coverage of illegal logging in Indonesia, in general does not have a meaningful effect; but the coverage of communities seizing heavy logging equipments probably has had some effects (resulted in local regulations assigning companies to compensate communities for their loss). In India, the "naming and shaming" approach has worked to promote accountability. For example, this approach has helped to hold corrupt officials in Rajasthan accountable. Legal prosecution is very difficult against these people; however, because the political process is very slow.

Accountability is also a question of capacity. In South Africa, accountability is tied to capacity and political power. That is, counselors want to be accountable, but they get no monetary or other support from central state so they can't respond to local people's demands. Accountability without capacity undermines legitimacy.

7. Organization of public courts could increase available information to people.
8. Why do more people support customary authority now? What makes it "trendy?"

### **General Discussion**

Ben Cousins: I want to emphasize the diversity of institutional forms of accountability. There are lots of formal and informal ways to hold leadership and authorities accountable. Electing and re-electing is a form of direct democracy. But there is also information disclosure on a village level by holding mass meetings, posting budgets and plans that leads to greater public participation. Are there other examples like these in the world?

Jim Manor: Globally, the method of mass meetings will fail because these meetings are consistently violent. Also many phony meetings, etc. are held.

Jesse Ribot: Direct democracy in western Senegal, for example, is not effective because people do not feel comfortably participating in a group because of their marginal status.

Jim Manor: Direct democracy is not representative.

Amita Baviskar: Mass meeting imposes constraint in terms of scale. It is not effective because it cannot move beyond a few hundred people. In addition, there are very high transaction costs.

Arun Agrawal: There are other ways to make this happen, such as a referendum.

**END OF DAY 2**

## **WEDNESDAY, 20 FEBURARY 2002**

**9:00 – 12:30**

### **Theme III: Central State – Local Institution Relations**

This theme aims to stir discussion around issues such as: why central states are undertaking decentralizations, the policies being elaborated in these decentralizations, the reasons behind local authorities being created or chosen by central states, the mix of powers that central states are transferring and retaining, and the adequacy of these choices for establishing effective decentralizations.

**9:00 – 9:45**

### **Discussants and Papers**

#### **Nancy Peluso discusses papers by Xu Jianchu (China) and Robin Mearns (Mongolia)**

In China there is an effort to move towards a market-influenced structure as opposed to one influenced by the state. The case that Xu focuses on is on the Yunan Province, where there is a very high ethnic minority. The region is extremely mountainous, and is important strategically because it borders Vietnam and Burma. There is a strong impetus from the central government to control the activities in the border region; however, there are many impediments, including the fact that the mountains provide a formidable structural impediment. There are several new initiatives to affect local livelihoods, which are initiated by the central government. During the cultural revolution, the engagement of government was less intensive than in other areas. Local management took place de facto. There were traditional means of organizing.

The punch-line of Mearns paper is that it is difficult to separate effects of decentralization from other effects of post-socialist transition. Both involve a transfer of power from state to non-state bodies. Robin separates out the processes of political, fiscal, and administrative decentralization. In Mongolia, there is fairly substantive political decentralization, no fiscal decentralization, and very little administrative decentralization. For example, the national assembly has mechanisms to make decisions on the legislative level but other bodies do not have this power.

Locally elected assemblies are more a forum for airing views rather than a meaningful instrument for public participation. Communities do not feel encouraged to take part because there is not much to be gained. Primary accountability of the actors is to higher authorities. De facto aspects of decentralization exist. It is difficult to separate the effects of decentralization from those of other issues. There are numerous complicated factors in the macro economy: new patterns of migration and grazing management, new land laws in place that push conservation rather than production oriented land management.

Language of accountability and representation is placed in policy but not in budgeted proposals. Language of decentralization, good governance, local governance, and local

administration support stakeholder participation by promoting greater public involvement and scrutiny of the budget process. Some pilot projects, aimed at herder groups take collective action in the management of their grasslands, that are meant to help with implementation of the land law.

Primary accountability of the governors, at the sub-national government level, is upwards to the central state. This creates a functional problem; local-level governments are seen as a forum of airing views rather than decision-making bodies. Elected assemblies have little influence and there is little incentive on the part of the local population to express their views, which leads to a great deal of dissatisfaction.

Powers to tax locally are located in centers. Robin proceeds to talk about the de facto institutions that have arisen in the vacuum of procedural and legal mechanisms. Some areas in which this has arisen is land management practice in pastoral areas. In the past, land management has been under customary law; it has been organized around leaders. There have been collective efforts by herding households to take advantage of economies of scale. Robin says that these organizations might have the possibility to federate upwards into large organizing structures.

Issue of land law: This law was supposed to push conservation-oriented land management; it had a contradictory effect. Pastoral land is protected from privatization. As land markets are being developed, there is an effort to protect pastoral land from being commodified. There is a strong tradition of access and there is social pressure for everyone to have access.

One would expect a move away from managing local institutions. The idea of this land law is to get the governor to create pastoral land management system. A number of responsibilities have been devolved, such as the allocation responsibilities, the enforcement of rules, the dispute jurisdiction at the sub-national level, need to be prepared for droughts. However, the implementation of these laws is very difficult.

Mairi Dupar: Biggest challenge that Xu brings up is the problem of attribution. That is, China is going through so many reforms that it's difficult to draw a connection between the environment and decentralization. China has undergone a fiscal decentralization. Each level of government becomes responsible for raising their own revenue. Local governments gear themselves for revenue-generating activity instead of long-term investment, or conservation. There is a severe lack of inter-jurisdictional overlap. To challenge Xu, it seems that decentralization has gone too far, and environmental protection cannot be achieved without strengthening intermediate government.

Robin Mearns: Because of agricultural collectivization in the Soviet Union and Central Asia, there is a tainted association with collectivization and hence there is a backlash. In Northern and Western China, there are very interesting cases of the application of household contracting system. From reading official documents we can ascertain that a vast proportion of pastoral land has been transferred to each household. There is a central push for common package of livestock production intensification. State subsidies do not



cover costs, and people pool their shares and fence the outer perimeter, an example of collective response to capital constraints.

Nancy Peluso: I want to discuss centralization versus privatization. Villages auction off forests or woodland categories, but not through collective decision-making. Village leaders are auctioning without permission of villagers. They are not even auctioning, but making deals with urban entrepreneurs, which has the effect of privatizing resources.

Amita Baviskar: Chinese decentralization is taking place with great centralization.

Roberto Sanchez: In principle, there should be a balance between decentralization and centralization.

Amita Baviskar: Collectivization took place in the early 1960s until the late 80s. This went much further in China because collectivization did not change land management, and there wasn't enough capital from the central state to drive through policies. Continuity in pastoral land management varies widely.

Nancy Peluso: It is striking the kind of empty decentralization that is taking place. Robin talks about how local herders take matters into their own hands, which leads to the process of class formation when poor herders are reliant on their next of kin, etc.

### **Christian Brannstrom discusses paper by David Kaimowitz and Jesse Ribot (cross-cutting)**

This paper makes the case for the uniqueness of natural resources as a candidate for democratic decentralization, in contrast to service and infrastructure. How does capital behave differently in agriculture opposed to industry? Accumulation would be a more helpful analytic concept than wealth. This paper might enrich the discussion on multi-sector and single-sector models.

Kaimowitz and Ribot talk about how the overlap of natural resources with respect to political boundaries and pre-existing claims generates conflicts that are unique to natural resources.

The paper is useful in thinking about what is unique about natural resources. It forms a sophisticated debate on single-versus multiple sector committees.

Mairi Dupar: I want to raise a point on areas where the infrastructure and natural resources intersect—how does one think of infrastructure projects that have an environmental impact, such as a road in protected area or national park, or how a dam project leads to local conflict?

Robin Mearns: We must push to think about differences in value and attributes of natural resources and how they affect decentralization (he cites the Indian and Indonesian case-studies).

Jim Manor: I largely agree with the paper, but I am surprised at the alleged importance given to legislative powers and administrative bodies. Discretionary decision-making powers are far from important than legislative or judicial powers.

Jesse Ribot: Synthesizes the issues that have come up so far in the conference

1. What mitigates or supports good or bad outcomes?
2. Few “true” decentralizations have occurred: no meaningful powers devolved and too little time has passed.
3. The three types of authorities that are emerging: single sector, elected, and customary, raise issues of accountability and legitimacy.
4. Democratic procedures are insufficient democratic conditions. Elections are insufficient to create substantive democratic processes. The nature of elections matter—whether it is a party list or proportional representation system, etc.
5. Central power is important in a lot of cases, including powers to shape accountability relations, determining forms and levels of management, transferring power, politics of choosing local institutions, inter-agency conflicts.

All of this needs to be located in a historical, political context. Remember that we want to link examples of these things with: 1) policies that work and don’t work, and 2) the impact on access to resources. In the next group discussions, each group should list 2-3 issues that need to be fleshed out on Thursday and Friday.

**10:00 – 11:30**

### **Break Away Groups**

- Rapporteurs: Ten-minute summary of each group discussions,
- Open discussion of the key issues in this theme.

### **Group 1: Detailed Notes from Arun Agrawal**

Jim Manor: Why do governments decentralize? Build democracy, prevent democracy?

Christian Brannstrom: Definition of the resource may be a relevant basis for the creation of decentralization policies. For example, water is a public good, belonging to the state, versus an ad hoc or no definition of water.

Fernando Melo: Draws attention to the risk of suggesting that decentralization is homogeneous. Each case demands or needs a set of adaptations in the forms, and recognize the diversity of places. It is risky to fall into the perception that decentralization reforms are homogeneous, and that demands we recognize cultural diversity.

Christian Brannstrom: Water is a public but also an economic good.

Jim Manor: What are the kind of relationships between the state and associations that are the most desirable? When governments create user committees for water, forests, etc., they are trying to catalyze civil society, either to institutionalize it, control it, influence, or co-opt, it. Organized interests, voluntary groups have a role in public sphere, and it complicates government actions. What would the World Bank say about decentralization in any sphere? Decentralization creates more accountability, but we haven't heard anything about making government more responsive, or ownership by local people etc. Look at all the things governments have been doing. What impact did they have on making government more responsive? What have they done to enhance a sense of ownership? Accountability is when people with power are answerable in some way – elections, upward and downward. Responsiveness tends to be about speed of responses, the quantity of responses increases, the quality of responses increases, and the degree to which government actions conform to popular preferences. It is possible to measure responsiveness by surveys.

James Murombedzi: Why is that decentralization? Centralization is a form of colonization. Decentralization is the postcolonial state reconstructing its relationship with social actors.

Jim Manor: We have an array of cases where less decentralization has taken place than what one might expect based on their pronouncements. What we are studying is cases where the increase in accountability and responsiveness would be disappointing. We have cases of decentralization talk rather than decentralization action--relation between clawing back and legitimacy of the central state.

### **11:30 – 12:30 Plenary**

#### **James Murombedzi presents for group 1**

What forces promote decentralization? There are a broad range of factors that come from a desire to build democracy; it is important to note how governments articulate decentralization. There is a risk of homogenizing very diverse types of decentralization experiences and caricaturing them.

Issues to consider:

- 1) Stimulation of user-group and civil-society participation in resource management.
- 2) There is less devolution than one might expect in decentralization.
- 3) Who is involved in decentralization and why?
- 4) Need to clarify the status of resources being decentralized; that is, the status of resources as a good over which government can make decisions.

Decentralization policies tend to address service delivery rather than environmental and sectoral origins of problems—there are many differences across sectors. The choice in authorities is often determined by perceptions of their legitimacy.

Mix of powers: Use values rather than exchange values are being decentralized. Only very limited judicial powers are decentralized, relating to disputes within communities and villages rather than external disputes.

Adequacy of policies: As stated by Mehr Latif in Group 2 discussion, “Like communism, decentralization has not failed, it has never been tried.”

### **Group 2: Detailed Notes from Pablo Pacheco**

- Central/Local Balance: There are policies coming down from countries that are rational policies, but that doesn't mean decentralization is taking place. Having power at the central state can be a good thing for poor people and that can create tensions within the provincial and departmental levels.
- Role of Discretion: Power to define policies (decision-making) is in conflict with the power of enforcement.
- How flexible are governments when making policy at the national-level? This “right” might facilitate some kind of accountability.
- Powers is a difficult word, it only encompasses rights not responsibilities.
- How to reconcile the contradiction of fragmented decision-making powers and a lack of an integrated perspective that should be combined at the local level. Local governments have multiple demands but they might have a focus on a single sector.
- Capacity: bringing up questions of technical expertise and budgets.

### **Group 2: Presentation by Pablo Pacheco**

Process of decentralization – there needs to be some kind of balance between central and local government. There are different agencies within the central state with contradicting policies, all of which have to be implemented at the local level.

What incentives does local government have to enforce the policies generated by the central state?

Multiple resources have different management systems, distributed unevenly geographically, so — what are the feedbacks between central, regional, and local levels to govern these resources? We need to think in 2 channels: 1) local to central; 2) political and technical channels that aid this process by creating technical capacity. But at the local levels, we need to recognize local conditions in terms of quality of the resources. In decision-making, we need to take different political-economic contexts into account.

Mairi Dupar: The notion of discretion was very much there in the group. Some discretion to the local level, but not all.

Ben Cousins: In the Western Cape, land reform would not take place at the level of local government. Land reform is national, implemented by provincial officers and has a

progressive outcome. A balance of power between the central and local level is appropriate.

Jim Manor: In the same vein, at the local level, elites are more prejudiced against poor than at higher levels, and if local governments have power, there can be more prejudice against the poor. Poverty re-distribution won't happen, but it varies from country to country.

Jesse Ribot: Ironically, decentralization in the first world often serves conservative elites and represents a right-wing agenda. In development, however, the decentralization discourse is about inclusion and democratization.

Nancy Peluso: Community forestry in the US is not a right wing agenda.

Rene Oyono: It is important to emphasize the role of external pressures by international agencies like the World Bank. In Cameroon, Gabon and Congo, the World Bank worked with central government to establish a plan for forest management.

Roberto Sanchez: Actually we have to emphasize the dual channel of communication, not all communication should or could be political. We have to incorporate local availability and technical expertise.

### Group 3: Presentation by Robin Mearns

	South Africa	Nicaragua
<b>Character of reforms</b>	From despotic decentralism to change constitution, transfer of land tenure from state to others, community property association act. In practice, weak and incomplete implementation.	From centralized administrative control through line ministries (but some popular social mobilization with important continuing effects), to devolution of regulatory powers (general rights to sustainable development, coordinate with line ministries, monitor logging, set standards) to municipal governments, two party state system, but not adequate funding to exercise these powers, 25 percent of fees to be given to local government not actually going to them. Limited downward accountability.
<b>Why</b>	Has to do with transfer of powers and who would own land, and many issues around what is a social unit. Ambivalence on the part of the central state and it is not in its interests to resolve the ambiguities because they want the votes of the chiefs.	Progressive outcomes associated with history of social mobilizations, national movement in favor of decentralized management; personal relations of mayors with party affiliations important. Strong presidential power makes party affiliation important, legislature is not adequate balancing against president. Active NGOs continue history of local activism. Some mayors are responsive to local demands others not.
<b>Outcomes</b>	Struggle between elected and customary authorities, strong customary authorities means fewer struggles. Debate about whether service delivery should be present in areas where there is decentralization.	Mixed, variations between municipalities, some progressive outcomes, mayors have tried to secure control over the 25% of resource fees, or generate others, blocking of concessions and outside benefits.

#### South African Land Reform

In South Africa, there was a dualistic system under apartheid. Despotic decentralization, (as coined by Mamdani) indirect rule by chiefs, has a continued effect. A series of policies have been under reform. There has been a white paper setting up principles of land tenure, communal properties association act, balance of power to customary authorities. However, the land-reform process has been weak because it is stalled over who would own land and how social units would be identified. It is not in the interest of the ANC to resolve the ambiguities because they want votes of traditional chiefs.

#### Forestry Management in Nicaragua

We tried to characterize the salient aspects of changed processes. Centralized administration has control of forests through the state. Under decentralization, there are inadequate funds for local governments to operate. Effectively, municipalities have only an advisory role of commercial uses of forests. Progressive outcomes are often associated with historical social mobilization in that area and continued by the active role of NGOs or community groups. Some mayors are more responsive to the President (i.e. party affiliation counts); though some mayors are more responsive to local organizations.

Lungisile Ntsebeza: In South Africa, tenure reform focuses on forest reserves, which is less than 13 percent of the land area. There is a major redistribution program. Land is owned by the state, but people have been living on that land for centuries, and hence have a right to re-possess land. What patterns are we seeing between resource control and decentralization?

Ben Cousins: Under what conditions are we likely to see positive effects? The start of discussion in our group was on political feasibility going back to Agrawal's paper on conditions of political feasibility.

Roberto Sanchez: Question about decentralization: is it going on or not? In reality there has been some processes that have been undertaken. It is necessary to study beyond accountability relations. Many case-studies around the world are very recent so we need to have a different set of criteria to understand these case studies to understand processes not outcomes. We need to study other institutional factors correlated with good environmental outcomes.

Jim Manor: How do we cope with inadequate devolution? Clearly it is more limited than we would think. Some limited devolution has produced benefits, for example in the environment. If we can demonstrate that even the limited decentralization has produced important outcomes then we can say that the failure to decentralize is a problem, which will help it to gain legitimacy and popularity.

Jesse Ribot: There are lots of transfers of power going on and some of it is to organizations at the local level that are responsive to local needs. Is that generating positive outcomes? Are there downwardly accountable processes that can be analyzed? Even if no political decentralization is happening are there still local processes that can be examined?

Nancy Peluso: Democratic decentralization tends to be beneficial, but it's different under what conditions democratic decentralization takes place.

Jesse Ribot: In order for decentralization to take place, local decision-making authorities need to be downwardly accountable, they do not need to be representative, elected bodies.

Principle of subsidiarity is evoked by the World Bank and UNCDF. One of the principle assumptions of subsidiarity is that more local is more accountable, and is hence better. Can we say something like—centralization with accountability is good? To determine this is a complex process. Nobody who advocates for decentralization says decentralize everything.

Jim Manor: Democratic decentralization with strong accountability has had positive outcomes in the non-environmental arena.

Mairi Dupar: Democratic decentralization is necessary but not sufficient for environmental management.

Robin Mearns: There are no cases of democratic decentralization, but yet there is some transfer of powers, and outcomes that are somewhat measurable.

Rene Oyono: Fiscal resources and right to manage and exploit certain plots are given to local elected committee. Committees being embedded have a certain relationship, but there are mechanisms that we can talk about and distribution that we can measure.

Jesse Ribot: What goes in the oval?

Jim Manor: Financial resources, decision-making powers, and accountability relations.

Anne Larson: What is a positive environmental outcome?

Afternoon off

**9:00 to 10:00 PM Evening Meeting of Theme Group Chairs and Break Away Group Rapporteurs with Steering Committee to Organize Discussion of Regional Working Group Issues**

**END OF DAY 3**



## **THURSDAY, 21 FEBRUARY, 2002**

### **REGIONAL AND SPECIAL ISSUE PARALLEL WORKING GROUPS**

**Session Chairs: Jesse C. Ribot**

**9:00 – 10:00**

#### **Setting Up Regional Working Groups**

This session is to be used to identify key issues and those requiring further discussion. These will have been identified and discussed at the end of each of the Theme Group sessions. In this hour, the objective will be to prioritize and think about how to use small group discussions to get at the issues: What are some of the positive and negative effects of decentralization for the environment and social wellbeing? Under what conditions are we likely to see decentralizations, and under what conditions are we likely to see positive effects from decentralization? Where do the opportunities and obstacles lay? Using the issues or problems that require further discussion identified in the past two days we can prioritize and choose several central themes to discuss and flesh out in small groups. During these sessions participants should focus on teasing out findings from the previous discussions, developing models/frameworks, and outlining policy, action and research recommendations. Each group should assign a rapporteur to present in plenary and to write up a few pages of notes at the end of the day.

Anne presents the following guidelines and asks everyone to pose two questions and write them down on a piece of paper. The afternoon sessions would use those guidelines to frame their discussions. The questions should:

- emerge from case study experiences
- have significant implications regarding the decentralization of natural resource powers and regarding environmental and social outcomes
- have policy implications.

What does experience show us about institutional configurations and the kinds of outcomes, and what kind of policy implications can we draw from that?

Amita Baviskar: What is the next step—what sort of recommendations can we arrive at? Unless, we know the social and environmental outcomes of decentralization, we cannot make a case for it.

Christian Brannstrom: After speaking about what has gone wrong, we have identified some relevant variables to look at.

Ben Cousins: To better understand the outcomes of decentralization, we need to study cases in the developed world for a comparative perspective.

Christian Brannstrom: Brazil copied a model, which was imported from France, thought it had a different context.

Amita Baviskar: The papers we have read mention a structural adjustment context, what Jim described as mediating conditions, which may be important in understanding the effects of decentralization.

Jesse Ribot: Other things to think about are accountability relations posed by creating single-user committees versus multi-purpose bodies. The Senegalese government tried to create integrated committees, but the forest service did not acknowledge their existence.

Jim Manor: Parliament voted on democratic decentralization, but ministry of interior did not think this was a good idea, now this happens to have changed.

Jesse Ribot: This has largely to do with a presidential executive-branch regime. Legislative branches can barely introduce legislation. Decentralization usually takes place after radical events like revolution, or secessionist movements. Major political reconfigurations in the states, in which the choice of whether or how to decentralize becomes about re-producing the state.

Roberto and Bazaara have synthesized the various questions people asked into the following categories:

Conditions include:

- global issues
- central state—what we need from the central state
- accountability
- fiscal
- technical capacity—relates to the actors issues—who should be managing.
- socio-political conditions (the oval)
- incentives
- conflict resolution
- social outcomes

Explaining:

- Why/why not—Why are there obstacles to decentralization. Why power transfers do not take place?
- There isn't a straight forward outcome between power and incentives.

Methods:

- causal relations
- time frame
- unit of analysis

Actors:

- customary authorities
- politics
- identities

- single versus multi-purpose
- sustainability—when you have traditional leaders and multiple authorities, how do you resolve issues of who has the power—conflict resolution.

If transfer of power is problematic lets talk about how to mitigate the problem and what are the various ways it relates to the outcomes.

Instead of trying to select from these “issues,” the majority of which can be grouped into conditions for decentralization, obstacles, and methodological questions, maybe we should continue with the case by case format that some groups started yesterday.

10:15– 12:30

**Regional and Issue Working Groups to Meet in Parallel:  
Africa Working Group**

**Mali Case**

Case			
Actors	Powers (after 1991)	Powers (before 1991)	Outcomes
1) <b>Central State</b>	Since 1995, new legislation has passed, but has not been applied. The central state has all the power until the transfer takes place. NGOs are lobbying but there is no legal practice. Law says forestry service must decentralize within 2 years, but law gave an extension.	Legislative Executive Arbitration	
a) Interior Ministries b) Ministry of Nat. Resources c ) Dept. of Nature Conservation			
2) <b>National Association of Elected Local Authorities</b>	Are lobbying central state for the transfer of power		
3) <b>Local State</b>	Administrative Decentralization Powers have gone to administrative not elected bodies.		Because communes are told they will get power- they also police forests which result in replanting and conserving the forests. 2) Share fines and taxes 3) Have their own police. [Rural Wood Projects- WB Project complicates this.]
a) Local Administration			
b) Elected local authorities (independent candidates)			
4) <b>Self Organized User Committees:</b> (register			

with local admin of local government. After they have a permit, local forestry office must approve management plan).			
<b>5) NGOs</b> a) <b>Village Forest Monitoring Committees</b> (created by NGOs—can monitor but not apply law—re-establishment of neo-traditional committees, Ton ). The NGOs (SOS-Sahel-British NGO) have come in and re-constituted “pre-colonial” authorities and decided who were members. Powers given are for management, maintenance, and protection.			
<b>6) Non-self-organized user committees</b>			

Brehima Kassibo

Background

Actors: We also have particular interest groups within the central states. There are also other line ministries that resist this and do not agree. Law is in advance of what is happening. During Revolution in 1991 local people attacked foresters. At the national constitutional conference the first thing the rural people requested was the elimination of the forestry service.

Capacity Issue

The forestry service uses capacity as an excuse not to transfer power. So, the law officially allows for decentralization, but instead of transferring “real power” the government is building capacity. Normally, after 1991, the transfer should have been done, but actually they have delayed this because they claim that the population is not ready.

Creation of quota is not under the control of elected council, but once it is established, the distribution of quota is under the elected authority. Democratic decentralization is set up under the law, but it is quite circumscribed. Central government claims that management plans are necessary, however, forests in Mali re-generate rapidly, so scientifically management plans are not justified.

Ben Cousins: This also applies to business plans (land reform) in South Africa. Centralization of things that are not really necessary.

Brehima Kassibo: The ministry of environment through the department of natural resources has the power to collect taxes and deliver health services and education. In law, the state requires transfer of power to the different collective (elected or local government). The Commune or elected body has to make contracts with NGOs, which are associations, for allocation purposes. Once the capacity is built at the local level, the central state will withdraw from management, which legally should have happened last year. The head of the environmental service is too powerful. At present, the forest service gives out permits to harvest forests but no decision-making powers because they believe that the local people will put the forests at risk.

State is reluctant to build the capacity of locally elected bodies because they are afraid of the enormity of the value at stake. Another thing government fears is conflict over the transfer of domain, some of which is managed by traditional authorities.

Ben Cousins: If capacity story is a fabrication what is the real reason?

Brehima Kassibo: There are security concerns with dividing up the land; there are always conflicts between peasants and pastoralists.

Rene Oyono: How come the Malian legislation doesn't incorporate the realities that are becoming constraints?

Brehima Kassibo: People have been able to take the power and now are searching ways to facilitate the transfer of power. State agents have lost power during the revolution and now they have the fiscal and other powers taken from them. They are increasingly complaining that they have been drained of power.

Ben Cousins: Forest Administration resists loss of power for two reasons 1) Capacity, (which we can dismiss), and 2) Conflict argument—seems quite powerful.

Brehima Kassibo: There is a law of the principle of repatriation of the territory—local forest managed by local elected, regional and national. Boundaries have not been resolved. Decentralization will end up as nothing, because local government will not have any forests to give out.

Jesse Ribot: There are three arguments against devolution of environmental powers typically made by central government actors:

- 1) fear of losing power—who collects taxes and allocates commercial value,
- 2) fear of conflict—pastoral and agricultural boundaries happening with decentralization, and
- 3) fear of environmental decline—the idea that devolution will lead to destruction.

How real are the political conflicts?

Brehima Kassibo: The pastoral zones are divided into 3 administrative zones and are managed by lineage-based managers. Traditionally, pastoral lands are private, and the

taxes taken on the pastoral use are given to the family of the Dojoro (traditional manager). However, with the lands being re-distributed, family owned pastures will not be transferred to the communes. The Dojoro in this case became the mayor. Mayor negotiates with communes about tax collecting business; however, he has also been negotiating with other Dojoros.

Ben Cousins: Reforms come into pre-existing institutions; overlapping is very common. What are key issue areas?

Brehima Kassibo: The conflict is not entirely justifiable but does exist. There are problems with actual decentralization and actual outcomes. We need to find a way of capturing whether intentions of authorities are reflected in the outcomes.

Other issues:

At each level of power (local, regional, national) an elected and administrative authority is present. The governor at the regional level is not elected and is the one who determines quota. There is vertical integration from the state to the top. Colonial commandants become district commissioner who don't control decisions but control the legality of the decision. Administration does not want to let go of these powers and controls taxes.

Ben Cousins: The 1991 revolution is interesting. Forestry officials were chased out as a result of the exploitation. In democratic decentralization, pressure from below can be an important ingredient. What is happening in the Malian case? Will there be a new wave of killings?

Brehima Kassibo: There is some current resistance, especially regarding the issuing of permits to foreigners to cut wood. The administration can control the amount that is on the permit; they are telling them where they can and can't cut. When another commune gives permits, they will not let them cut in their territory. Local committees have to go to the forest service, and the committee gets 10% of the fine. Because the commune has been told, they will receive powers, they have also been involved in policing the forests and in reforestation and conservation. Traditional leaders are now in the management committees.

The World Bank and the United Nations create committees of traditional chiefs, land managers, youth, woman, and pastoralists, which is supposedly representative, but pose some issues of representation. Traditional chiefs are placed as honorary president of these regimes. The youth are then sent into forest to protect resources. The pastoralists in the forests are also asked take part in surveillance. Accountability is less horizontal than vertical. Women are part of the committee, they collect dead wood.

Jesse Ribot: From 1907, collectives, village agricultural cooperatives existed in Mali until 1991. Each village had a committee which was organized by village, these cooperatives were created and called pre-cooperatives. When state judged them to be full cooperatives they could go and manage their own fiscal arrangements. But in the history of

cooperatives only a few became full-fledged cooperatives mainly due to the capacity issue. Agricultural ministry agents retained fiscal authority.

Brehima Kassibo: If transfer does not go through, there will be revolution.

Ben Cousins: Things to highlight in Mali Case:

- 1) There is a systematic transfer of management responsibilities, but not powers over resources,
- 2) Socio-economic dynamic unleashed by resistance to unpopular forest administration,
- 3) Resistance to decentralization over control of material resources—capacity argument, and
- 4) Overlapping and conflicting jurisdiction complicate decentralization.

Planting of trees attributed to NGOs, elected authorities are protecting forests can attributed to the new law.

### Cameroon Case

Case			
Actors	Powers	Accountability	
<b>1. Central State</b> a. Forestry dept. b. Ministry of Interior	Concession at the central level.	Forest Management Plans approved by central and communal level.	
<b>2. Local Elected Bodies</b> a. Mayor and Municipal Council (winner take all list) made up for 40 village. Council can now manage a forest; b. Committee for Communal Level will have 40 members communes from villages (including statutory members).	10% of taxes of logging activity goes to villages 90% goes to the state-mayor's office collects tax.  No commercial logging only artisanal exploitation.	Committee Elections are horizontal.	
<b>3. New Decentralization Committees</b> Village level (Statutory Committee) a. committee management fees, b. forestry fees management committee.	30% members have been elected, in general, people have been self-designated or co-opted by village chief or forest logging company.  Implementation of the management system-show how villages exploit the plans.	Some members of forestry fees committees have been removed because of mismanagement of funds on district level.  They defend logging companies not those who elect them.	
<b>4. NGOs</b>	Forest law creates such complex laws, can't fulfill them so intl NGO intervene to interpret the laws. Notion of planning,		



	need for capacity-building. Overly complex planning processes, so no local body meet the criteria to meet the power.		
<b>5. Logging Companies</b>			

### Summary of Discussion

- 1) Decentralization in Cameroon is not administrative; it took the form of forestry reform that lead to decentralization starting in 1994. Democratic transitions, a period starting from 80s to mid 90s so you have reforms. In addition, WB, put conditions on Cameroon on creating forestry reform.
- 2) Administration is dividing territory, elected reform has nothing to do with forestry reform.
- 3) There were also popular demands.
- 4) The elaboration of a management plan is a very technical process, so there was no role for the broader community.
- 5) Forest Management Plan approved by forest management committee.
- 6) 1995-2001 institutional development to community forests set up.
- 7) Capacity Arguments.
- 8) Exclusion of local forest management (institutions, systems, knowledge).
- 9) In Cameroon there is a zoning plan, which demarks some area of forest concessions that can be submitted for exploitation, in other parts there are no forest concessions.

### Africa Group Conclusions

- Key driver is popular pressure to a much greater extent in Mali than Cameroon. Liberalization and democratic reform. Clearly, powerful external actors are present – conditionality of World Bank programs. Lots of resistance to devolution of control over forests.
- Key argument from technocrats is that local people lack capacity to manage forests. Need for planning is similar to the need for capacity building.
- Local bodies have begun to protect forests in anticipation of power that will be devolved to them.
- In elections, some members of forest committees have been pushed out when not performing well.
- Absence of preliminary assessment of social/environmental conditions.
- Areas where community forestry can happen are very degraded forests.
- Accountability without powers is empty, powers without accountability are dangerous. Where does capacity go?
- Two kinds of accountability – civil servants to elected representatives; and of elected representatives to constituents.

## Asia Working Group

Case	Methods	Salient characteristics of change process	Outcomes	Why
1. Water-shed Development, MP India	Single sector Toward end of 5-year program Village/ state analysis focus	-from fragmented responsibility across different line ministries; -to elected (with women/excluded groups) single-purpose village level committees with some nominated/ex officio members from a govt. dept or NGO, directly funded by govt. -funded by state -Stringent technical guidelines and procedures from state -committees have powers to plan and implement -Tight time bound project	-exacerbate local differentiation so that enterprising villagers and local elite steer benefits to themselves Networks between certain local actors and government, officials in capturing benefits of new resource flows; -losers those who have insecure land title; less capacity to negotiate to own advantage; -No environmental change -No distress migration related changes -committees collapse once state support ends -no sustainability -reproduction of the state	-Legitimacy for state government -Objectives of the project are pre-determined and not shared by local residents -Downward accountability shared in collusion in capturing benefits -level of local discretion extremely limited and short term; -accountability mechanism of elections are beside the point -limited time span project -big questions of land tenure issues not resolved; -outcomes/social exclusion -history of gulf/antagonism between villagers and govt.
2. forest management in Indonesia	Our case-study focused on 9 districts, very early stage of decentralization; 1999 laws had not come into effect but lot of changes already; 4 districts after laws became effective. in 2000-01; rich forest district, not poorer ones; large districts, small population	-from highly centralized ; elite military, bureaucracy, Chinese, cronyism - to district level decentralization over many sectors including education to executive and legislative councils (law, not about implementation). -District head accountable to legislative body -dist bodies elect executive head, control the executive and work with them, make regional	-Uncertainty at all levels -multiple conflicting claims over forests by smaller and larger concessionaires, but smaller concessions have increased power and weakening of central government power over the actual extraction of resources and over districts.	-short time for laws to take effect -desire to dis-empower provinces which are claiming autonomy (form of decentralization) – districts earlier had no power -Limited confidence about whether decentralization will be long-lived – crisis of expectation: tenure, income, institutions -Strong history of exclusion and high

		regulations (about everything) -fiscal authority at district level to legalize forms of taxation -multiple reform processes, can't just attribute to decentralization.	-more people involved and more distribution, at least in the short run. -High levels of deforestation and logging, potential depletion; limited sustainability -loggers are buying timber from communities and individuals	demand for immediate gains. -high levels of deforestation as a result also of the presence of global timber markets (also explain no widespread timber harvests in Nepal/Kumaon). -high pressures/opportunities for local revenues.
--	--	--	--	---

### Asia Group Conclusions

- Uncertainty in early phases of transition; insecurity of tenure, institutions, incomes, leads to short-term time horizons, opportunism, and over extraction.
- Political economy of the resource affects the role of the state and the level/types of conflicts.
- Predetermined forms of decentralization processes, institutions, objectives – not shared by local groups.
- Incapacity of local governments to enforce restrictions, capacity fn{ information, resources, skills (powers of government).
- Strong history of repression, exclusion and entrenched antagonisms prevents effective decentralization.
- Lack of balance between discretionary powers, accountability, and capacity.

Roberto Sanchez: Capacity should include access to information (e.g. about environmental conditions)

Ben Cousins: Bureaucratic requirements can really bog down a system.

### Latin Working Group

We had a lot of discussion about powers transferred. We explored three themes, and also tried to develop for policy-oriented suggestions.

- 1) Lack of information could be an impediment to decentralization, related to various concerns, including how to avoid elite capture. This question cut in similar ways in Brazil, Bolivia, and Nicaragua. The group saw in each case somewhat different constellations of networks that were important in disseminating information. The group also saw the relevance of information regarding feed back or accountability and responsiveness of national level government or bureaucracies to local governments. In the case of Brazilian water reform, reform encouraged local bodies to create their own information, which encouraged good behavior of these decentralized bodies. In Nicaragua, we also saw an attempt to get information to local government. In Brazil,

regional-level councils are a good way to channel local concerns. Regional bodies can articulate a claim more effectively. We also felt it was important to recognize that information flows need not only be top down (central to local government) but also bottom up (local to central).

- 2) Second, we dealt with what could be called the financial or transaction cost of compliance. In Latin America, costs of compliance with new decentralization reforms are transferred to individuals or local units of government. For example, in Bolivia small agro-foresters have to develop a land-use plan for forest management; however, the cost is beyond the means of small farmers, which makes it impossible for them to comply with the law, and cheaper to clear the land for agriculture.
- 3) We also discussed what made decentralization possible where it occurred. In Bolivia, the reason for decentralization is a combination of state desire to control illegal logging by making some concessions to locally-based social movements and attracting investment capital for forestry. In Nicaragua, the success of local demands is dependent on local action, indigenous groups' organizing, and court cases, as well as important lobbying by the Municipalities Association and allies in key places.

In Brazil, state promoted participation by creating incentives, such as fee-based water use.

### **Latin America Group Conclusions**

- The question of information, how that is related to avoiding elite capture.
- Important question of accountability and responsiveness of national level governments to local ones. Information is key.
- Water reforms, for example, encouraged people to create their own information about the resource in question.
- In terms of policies—need to have the creation of information in accessible and understandable ways. Lack of information, or information that is not understandable creates an impediment to the functioning of decentralized bodies.
- Importance of medium-scale units rather than disparate voices from many distinct local units themselves, or national municipal government associations
- *Transaction cost of compliance*. Costs of compliance with decentralized reforms are usually transferred to local units of government (and without funding).
- Why don't central govt. decentralize key powers?
- Where it has occurred, there appears to be a confluence of interests in controlling illegality, by asking people to take part in decentralization, and successful local organizing.

### **General Discussion**

Anne Larson: Decentralization happened in Bolivia and Nicaragua in part because there are important social movements supporting it, as well as economic incentives for the government, such as promoting forestry investment in Bolivia,.

James Manor Presents user committee survey results.

Associations of local groups – Nepal, Orissa, South Africa, Mali, Nicaragua.

- 2 Appointed from above
- Mixture 3
- 10 elected from below
- Mixture: 2
- 3 filled by members of a category
- mixture: 1
- 2 appointed from above

15/21 cases have substantial elected component.

**END OF DAY 4**

**FRIDAY, 22 FEBURARY, 2002**

**Wrap-up Provided by Amita Baviskar**

Methods question:

- What is the best framework?
- What is the best timeframe?

Most of case studies we discussed analyzed on-going processes, but focused on the present; that is, followed the process as it goes on, one moment in time of both political action and research. Discussion also brought complexity of specificity of the various case studies. Impossible to focus cases in a schematic framework. It was difficult to disentangle effects of decentralization alone, how do we measure outcomes, what powers are being devolved to whom, how are capacities forming, how are people learning to deal with new institutions, a process that is on-going.

Political Economy: Another issue was the political economy of the resources; its value (forests and land), strategic location, who controls profits/revenues derived from it (resistance to surrender power), and specific land tenure and right. Uncertainty exists in the context of the newness of transfer as well as in terms of political and economic context. Other relations to consider: tenurial relations, as well as incomes, in the processes being changed.

Uncertainty & Insecurity: Ambiguity and contradictions in terms of the distribution are often purposeful; they enable collusion in some cases and allow people to play off one group or another, there is a demand to reduce uncertainty and ambiguity. Ambiguity might be removed if the new division of power is legitimate.

Political Mobilization from below: Issue of participation of political mobilization from below; there is a great deal of popular pressure. People are demanding rights. This has emerged from repression exclusion, which continues to be the case. This sort of popular pressure also seems to be linked to the next issue of capacity. Capacity in terms of power, resources, the ability to call upon technical expertise, procedures and actors, and to use the courts.

Capacity: How might capacity be enhanced by federating decentralization groups upward? Most of what has been described is posed from above, not created democratically (affects elite capture, collusion between bureaucrats and entrepreneurs). Power, access to information, skills for negotiating, confidence to do so all affect outcome.

Imposed Decentralization: Expanding democratic decentralization, but at the same time, several processes at odds with democracy. Democratic decentralization established by orthodoxy, which serves its functions, legitimizes national governments, may lead to a backlash, recentralization. Some motivations/causes of decentralization are at odds with

empowerment of local people. Decentralization is becoming an orthodoxy, and if was perceived to fail, could lead to a backlash.

Environmental Standards: Finally, we need to specify minimal environmental standards (principles or guidelines). It is not clear whether the cause of environment is really being served. For instance, devolution of power to local groups may not lead to sustainable uses of the environmental. How do certain resources get characterized as part of a global common?

Ben Cousins:

Issue	Policy Recommendation
<p>I. Political Feasibility</p> <ul style="list-style-type: none"> <li>▪ Dynamics and Opportunities</li> <li>▪ Organized constituency, but socially differentiated</li> <li>▪ Build Alliances</li> <li>▪ Culture</li> </ul>	<ul style="list-style-type: none"> <li>▪ Take account of time needed for dynamic process to take place; building enabling conditions for the processes (e.g. invest in capacity early; seize moments of opportunity: build strong foundations, i.e. constitutional reforms.</li> <li>▪ Elite interests important, take seriously. Build win-win solutions where/when possible, but recognize need for redistribution for deeper impact; the poor, the local as an organized constituency but internally differentiated.</li> <li>▪ Build alliances: mezzo/national level, central/local democratic multi and single-purpose bodies.</li> <li>▪ Cultures of democracy, accountability; “tradition” in Africa, “candillor” in Nicaragua.</li> </ul>
<p>II. Accountability Mechanisms</p>	<ul style="list-style-type: none"> <li>▪ Parties/elections are imperfect systems/mechanisms.</li> <li>▪ Supplement with mass meetings, referenda, mid-term reviews, petitioned by-elections.</li> </ul>
<p>III. Powers &amp; Environment</p>	<ul style="list-style-type: none"> <li>▪ Central State: Environmental norms and standards—upward accountability</li> <li>▪ Local bodies—operational management (exec.)—horizontal accountability.</li> <li>▪ Initiate debates on appropriate norms and standards!</li> </ul>

IV. Capacity Strengthening	<ul style="list-style-type: none"> <li>▪ In a balanced fashion (skills, resources, powers), but also of executive and elected officials</li> <li>▪ Important in early phases.</li> <li>▪ Capacity as red herring: address through ‘re-orientation’ of technical department and officials.</li> <li>▪ Target both key decision makers and managers and training institutes (e.g. parliamentary approaches in Kenya).</li> </ul>
V. Institutional Relations (Actors)	<ul style="list-style-type: none"> <li>▪ Single multi-purpose bodies—build complementarity.</li> <li>▪ Traditional Authorities: pragmatics of reform over longer term (strategies, tactics, alliances, etc.).</li> </ul>
VI. Land and Resource Tenure Reform	<ul style="list-style-type: none"> <li>▪ Ensure it is complementary.</li> </ul>
VII. Natural and Financial Resources	<ul style="list-style-type: none"> <li>▪ Territorial Domains/jurisdictions.</li> <li>▪ Fiscal Powers.</li> <li>▪ Privatization—politically problematic—make private sector accountable to elected local government.</li> </ul>

### Political Feasibility Presentation

How feasible is democratic decentralization? We need to take a longer time frame to analyze the dynamic context of decentralization. In early phase, invest in capacity

- 1) Build on moments of opportunity—example constitutional changes
- 2) Political mobilization is key—When will poor get involved? In the seven conditions Ben mentions, either the poor are not politically represented directly or by the elite. This is a really key issue. This doesn’t relate only and specifically to decentralization, but to the wider society. Example: Cameroon case.

Elites interests are important. Elites continue to be crucial feature in political landscape. Possibility of creating decentralization which have benefits for elites and poor people. Marshall Murphy has written about this in context of devolution of wildlife. It is important to think in terms of opportunity and build a movement or momentum.

In this whole process of building a feasible decentralization, building coalitions and alliances is important. It is important for advocates of decentralization to investigate the meso-level organizations and federations. Alliances between local and center democratic forces. Important not to think only in term of a local-opposed-to-central binary. Powerful countervailing forces can exist in different places. Perhaps possibilities of



complementarities. Cultures of democracy – tradition of caudillos in some places or of caciques. How does culture make a difference?

#### Accountability Mechanisms

What formal mechanisms must be put in other than elections?

Mass meetings in relation to decisions or reports, information, referenda. Mid-term reviews in between elections. Performance of elected representatives. Petitioned by voters for a bye-election. Relatively affordable recall mechanisms.

#### Powers

Discretions and powers. What are the appropriate forms of dealing with power?

Employed officials at the local level will make decisions about operational management. Debates about appropriate norms and standards.

#### Capacity Strengthening

Balancing skills, resources, and powers is another way to ensure balance elected representative need training on how to operate as effective representatives.

#### Institutional Relations

Try not to have too many overlapping jurisdictions. In context of single purpose versus multi purpose, if you have forest councils or grazing institutions, then interest representation can be at higher levels of government. But these bodies can also assist in rule enforcement at the local level. What can the single purpose body do for the multi purpose body? Assist with planning, lend credibility to local plans. Traditional authority and democratic reforms is a crucial issue. Strategies, tactics, and pragmatics. Need to take a long term-view of possibility of reform. Intersects with gender politics.

### Land and Resource Tenure Reform

Reforms which provide clarity, certainty and security are a complimentary measure of democratic decentralization. Reforms that title and register land, have opposite effects. In fact, reactionary reforms are talking place. External factors are gaining control.

### Natural or Financial Resources

Territorial domain for local decision making. People need to be given decision-making powers. Some people have suggested that the workshop did not give enough attention to fiscal power, and it definitely needs to be highlighted. Privatization is not a substitute for decentralization and leads to higher level of poverty; for example in Cameroon. Pressures from below to bring in private-sector actors, may not be feasible to resist this entirely. What do we do in relation to them. Monitoring regulations and accountability to elected local government, powerful interest need to put into place.

### **Key Issues or Problems by Christian Brannstorm**

#### Access to Natural Resources: (Access is conceived as a bundle of issues)

- Significant costs of compliance (i.e. local capacity, technical information, planning techniques, etc.);
- “Referral” versus “unreferral” segments of the political economy of natural resources. This is a frequent outcome of decentralization and cannot be viewed simply as “incomplete” decentralization, but rather as the creation or maintenance of access or rent streams.

#### Policy Recommendations

Compliance costs for individuals and local governments are significant and should be addressed in decentralization policies.

Against creation of “referral” and “unreferral” natural-resources sectors is likely to lead to conflict and may be used by bureaucracies to resist decentralization reforms; may be supported by economic interests.

#### Future Research

- 1) Compare how decentralization has affected similar or identical natural resource use in different contexts, or the decentralization of different natural resources in a similar context (i.e. country or region).
- 2) Unit of Analysis: Studies of both the organizational thing (its relations upward and downward) and natural resources to which access has been redefined.
- 3) Cases of “success” and “failure” of decentralization are necessary in addition to administrative and democratic decentralization are necessary to study, as well as deconcentration (i.e. the forms of decentralization).

4) “Inventory” of decentralization in natural-resource sectors for broad understanding of what reforms are occurring in what natural-resource sectors.

Jim Manor: Contrasts with the wave of decentralization that took place in the mid 1980s 90s There are six contrasts, Jim would like to highlight.

The earlier wave was mainly driven by decisions in less-developed countries themselves. Donors caught on late in the day. The drive of single-sector committees was a phenomena of mid 90s, and is driven by international development agencies. My suspicion is that the earlier exercise to decentralize was more genuine, and governments were more committed.

The early phase of decentralization sometimes helped hard pressed government to save a little money or to get improved services. Sometimes environmental decentralization jeopardized LDC government’s financial resources.

There’s an idea espoused by international donor types that single-sector user committees are created because they are separate from politics. This idea that democratic decentralization separates institutions from politics is opposite to the idea in the previous wave. Earlier creations of democratically elected bodies saw to extend politics to the local level and deepen democracy.

Donors fund single-sector exercises lavishly and create over-funded mandates that committees cannot manage effectively, which again is opposite to what happened before. The co-existence of the two in the same place is worth exploring.

In the mid 1990s a review of 65 countries revealed only one case where there was an excessively complex devolution of assignments (case from South Africa). In environmental decentralization, this is more common. Technocrats are involved and there is more complex devolution in this latter wave.

Local bureaucrats like multi-purpose local councils because they encourage cross-sectoral coordination. For example, in Bangladesh, when a project was discussed, the minister would insist that fisheries official and other relevant ministries get involved, which helped to partly explore multi-dimensional problems and achieve better coordination.

Nancy Peluso: The complication of decentralization in the second wave dealing with both fiscal management, revenue sharing, extracting and caring of resources is in itself an issue that separates it from the first wave of decentralization. My question for further research is: Why should we study decentralization through an environmental lens?

Arun Agrawal: Other efforts that involve local populations and participation in local natural-resources programs include the World Bank’s program on area development getting shepherds involved in community management in the mid 70s.

Integrated rural development program created planning mechanisms, such as central ministries in the local arena. Community development in the 60s was about creating authority.

In the mid 1980s Asian and African governments, give serious powers to local-level decentralized bodies and bodies at an intermediary level. In Cote D'Ivoire, communes possessed those powers, and bureaucrats had to comply. Beyond francophone Africa, we're talking about a phase, mid to late 80s, governments got serious about decentralizing.

Jim Manor: In princely India, 3 out of 550 states had local councils.

N. Bazaara: Has there been a case of a single-purpose committee which is accountable to the multi-purpose council? Single-sector committees cannot reduce conflict because access to information is implicit in accountability mechanisms.

Nancy Peluso: I would like to add to the list for future research: how do politics promoted by the World Bank, GEF, or FORD on decentralization intersect with what is going on locally and nationally and influence the forms of decentralization? Other insidious aspects of decentralization, is that they maneuver to keep control of the important resources themselves.

Christian Brannstorm: Other issues to deal with are: reform and non-reform, centralized versus already decentralized, such as commercial resources that need to be separated out, cuts across many different lines. In Indonesia the situation is confusing because the government has not taken a clear stand on it. At what level should these powers rest? In Cameroon, you simultaneously have two kinds of reform that result: in 1) zone forests, 2) concessionary forests (partially segregated reform and unreform).

Robin Mearns: Access to legal literacy is important for two reasons: 1) We are moving from an inherited legal system, one which is prescriptive rather than post-scriptive. In the case of Mongolia, socialist legal tradition prescribes what people can or cannot do, which is very different from post-scriptive law in the West. This issue is very important when it comes to discretionality in natural resource management. The key thing is to allow local adaptation.

Arun Agrawal: Is it a difference in what people think or the language itself?

Jesse Ribot: It is a legal-structural difference between anglo- and francophone traditions. Anglophone traditions tend to lean toward more-local decision making while francophone traditions have a heavy planning approach. Minimum standards may prescribe technique but it prescribes as little as possible—more like the anglophone traditions. Francophone traditions prescribe both what is legal and what is illegal. The different approaches require different kinds of legal knowledge.

This question of legal literacy is not different from the capacity issue. A shift to transfer powers to non-supervised structures. Minimum standards approach is more common in developed countries. Is it more amenable to decentralization?

Roberto Sanchez: In developing countries why are technical plans so complicated?

N. Bazaara: Technically higher-complexity planning systems are a political mechanism to prevent devolution of powers. Why can't we use local language?

Jim Manor: Locals have special knowledge about how to sustain environmental sector, creatively and this knowledge is superior to big science knowledge. The purpose of democratic decentralization is to allow creative local knowledge to enter and adapt to policy processes.

Jesse Ribot: Minimum standard does not mean blind trust, however. It also requires a central determination of what the limits of local action should be.

N. Bazaara: In Uganda, there is a fusion of technical and political powers. For example, if you want a permit, you must go to a forestry official who also determines what forests should be cut.

Ben Cousins: Looking at a case of grazing management in Southern Africa, local knowledge is not necessarily recognized, but science is deeply in question. Centralized control is simply ineffective, and questions the notion of carrying capacity—what is the optimal management strategies? Ecologists say that carrying capacity is variable, so adaptive management techniques are most appropriate.

Pablo Pacheco: Local arenas need some kind of flexibility. Where do you define minimum standards especially when you have to think about costs of compliance? In Bolivia, much of these regulations are not put into practice because the costs of government to enforce legislation becomes higher.

Anne Larson: We haven't spoken about corruption, which is a really key issue. For example, forestry technicians in Nicaragua control knowledge and power and are a very corrupt sector, partly because they are under-funded.

Mairi Dupar: Pablo brings up the issue of technical versus local expertise. People definitely want to prioritize in areas, which allow environmental sustainability. Indigenous knowledge has been erased. Local people are hungry to appropriate scientific knowledge.

Brehima Kassibo: In Sahelian Africa, all of these reforms, more or less, are provoked from the outside. Can poor countries move in the direction of decentralization and more democratization? In Mali, the state budget is subsidized up to 80% by external actors. No country in West Africa can hold elections without financing from the outside. How can reform viably transfer power from the central state to the local arena when the central

state is basically subsidized? Furthermore, elections themselves do not produce legitimacy on the national level. Even in Africa, constitution is under the power of the president. At the end of the day, what will become of decentralization and democratization? Progressively there are fewer resources, and the conditions for good decentralization are compromised, so what do we think of another way to frame this.

Jim Manor: Governments often face cynicism from the populace. Decentralization can improve the delivery of services and goods and therefore local peoples are more likely to get what they want as output from the government. In turn, governments appear to be more responsive to people, who begin to participate a little more. Participation can promote greater accountability because they can report misbehavior by government officials. This has real impact because we can find that absenteeism by teachers and workers can decline because of reporting. Local officials can have power to act against these people, and there is better delivery of services improves at no extra cost to the treasury. Little things that can make decentralization a good idea for governments in fiscal crunch (Examples: Bangladesh, Mozambique, or even Cote d'Ivoire).

Brehima Kassibo: In practice, there is democratization, but there is democratization of corruption because the patterns at the national level are reproduced at the local level. Locally elected folks become corrupt. Also at the level of towns you have tenure problems that become means of self-enrichment. So in effect, it is an elite that profits. And in terms of services, there aren't the means to sustain them.

Jim Manor: The number of people involved in corruption increases, because more people have powers more people can sell their power but overall amount of corruption may decrease because acts of corruption are visible.

N. Bazaara: Issue that Brehima Kassibo is raising is similar to debate about the relation between democracy and development. Democracy by itself is a good, not in relationship to development. Another point to consider, does decentralization lead to the mobilization of resources?

Robin Mearns: Rent-seeking depends on the nature of the resource. Exclusion is very easy and requires policing etc. and also depends on whether resource extraction is visible and whether individuals serve as gate keepers.

Jesse Ribot: Focusing on the reduction of rent-seeking leads to the reduction of discretion, which is contradictory to democracy. The solution prescribed by the rent-seeking literature is to reduce discretion so that the government can't abuse its powers. But this also reduces discretion to do good. In democratic decentralization you need discretionary powers.

On the issue of capacity; locals do not have social technical capacity. We can devolve powers that do not require capacity. In Bolivian cases, power was devolved before capacity. Once they have powers, they can develop capacity.

Roberto Sanchez: Capacity plays a multi-functional role. It must be established at the local levels as soon as possible by creating transparency of information, which creates a counter balance to abuses of power that can appear at various stages of the process.

Amita Baviskar: Powers, accountability, and capacity need to be looked at TOGETHER.

Jesse Ribot: Capacity before power in the minds of line ministry people. But, they certainly co-evolve. How do you sequence them?

Anne Larson: Capacity Building in Nicaragua is directed to local government officials, capacity building of local people is rarely included. But they are just as if not more important for making decentralization work.

Jesse Ribot: If you want your funders to be impressed, train people that are already trained. People who have capacity in the local arena end up trotting from one committee to another.

Mairi Dupar: In Cambodia donor agencies supported efforts in legal literacy and had a real impact on empowering local people especially women. They were not driven by short-term success.

Ben Cousins: What is the scale of local committees? It is so variable. Most people are already managing different resources. They may be aggregated in the various committees, but maybe not. What is the implementation of legal acts?

Amita Baviskar: On the question of scale and sector: protected areas and degraded forests move toward decentralized management. What is this sector? Reformed or unreformed? Is the sector the appropriate unit/dimension to think about scale? The resource is a part of livelihood issues. But bureaucracies may not think of resources in the same way. Whose definitions of natural resources, sectors, scales are being used? What are the administrative definitions?

Roberto Sanchez: Discussion of scale has to be thought of politically. It can be very complicated for the government. It is a formal track for political administration. Informal track that combines different approaches to combined-management issues. Lets look at water combined with agro-forestry and with water supply. The eco-system approach does not provide an integrated system. Two-system approaches could provide the assistance of water management and forestry. But it require a different level of operationalization.

Jesse Ribot: There is a kind of recentralization or backlash is taking place through the use of multiple scales.

What can we say about the sustainability of decentralization as a form of participation versus other earlier mobilized forms of participation. Is it a better form of inclusion? Is decentralization about institutionalizing participation and local democracy?

Arun Agrawal: Decentralization and participation are conceptually different, but the possibility of participation is tightly connected to the nature of decentralization. In the sense of the balance between powers and accountability, the likelihood of participation will be lower. Cannot get participation if you are passing things on paper. Participation will not follow if decentralization is meaningless. Democratic decentralization involves a form of participation.

Robin Mearns: What are the mechanisms through which enclave approaches can be avoided as, for example, the kind of stuff involved in IRDP: Community-driven development, fiscally sustainable approaches, providing possibilities for things that can be done at the local level.

Jesse Ribot: See a recent article of mine on “Integral Local Development.” CBNRM projects are often enclaves. Designed as single-sector interventions.... I think we need to be thinking more of integrative mechanisms—the idea of integral local development is a kind of integrated rural development based on representative local authorities rather than on complex planning processes as in the Integrated Rural Development of 1970s and 80s. ILD is my term for Democratic Decentralization.

#### **Future Planning Chair: Jesse Ribot**

Jesse will look at the possibility of publishing the papers in special volume of a journal. He will explore the following journals:

- Development and Change
- World Development
- Journal of Public Administration and Development

The papers will need to be re-worked to add theoretical framework. Jesse will explore journal options and get back to everyone.



**4:30**

**Short Closing Session**

**Jesse Ribot asked to recite for the participants**

**Decentralized Ode to the Lorax**

**The Business of Sustainable Development:  
An African Forest Tale**

Back in the days of pre-colonial bliss  
when primordial forests were covered with mist  
wood dwelling natives ate nuts, berries and bees  
and picked monkey bread pods from the baobab trees.

One glorious morning Abdou Jallow Njiaye  
was harpooning dogfish and eating them fried  
when he noted a speck sailing in from the sea.  
It was Captain Lusitanious Frangelli McGee  
with a flag, a cigar and a beard full of fleas.

Stepping out of his dingboat onto the beach  
he presented himself with spect-perfluous speech.  
He waved and he bowed and then he announced:  
"Bark-dudalus Cronkus et Fribulous Sneess  
by dint of my foot please give me a piece."

Then Abdou consulted friends, mothers and chiefs  
offering the captain a well shaded seat  
on the branch of a fruit-laden smorgasbord tree  
with a vine for a foot rest and a cup of bark tea  
a view of the village, the forest, and sea.

But, off sailed the captain waiving his hat  
he was back in a fortnight with five boats at that.

McFilch and O'Pillage set up their camp  
smack dab in the village by kerosene lamp.  
Cousins Extracto and Bernard du Corvée  
built rows of square houses in less than a day,  
trading green widgets for fruits on long trays.

Extracto and Corvée soon started their work  
when they pulled out hack-hackers, tree pluckers and yerks.  
They were met eye to eye by incredulous chiefs  
with oddball requests and illogical beefs.

"Please" said one chief with a sad twisted smile  
"your hacking is stretching for over a mile.  
These forests provide us with edible sap, and cow berry fruits;  
not to mention the spirits that live in their roots."

"Never fear," barked McGee, "our work does no harm.  
Its your very own cutting that's cause for alarm."

"Why cutting in chaos for your houses and fuel  
wastes fine wood we could sell in ol' Liverpool.  
If you keep using forests for your insatiable needs  
how will we ever supply Europe with thneeds?"

"A *thneed*! Why a *thneed* is a thing with just so many uses!  
It can serve as a coffin for great northern mooses.  
It can serve as a bench or a box to hold sunff  
or a stylish stand for a fine coffee cup.

"Can't you see" said McGee "I come with a vision.  
We'll cut down the forests from here to Mount Mission.  
We'll rotate them by decades and watch them grow back.  
So there'll always be forests for continuous hack-hack."

"Sustainable-bility we'll call it" he said.  
"There'll be eternal growth from now till we're dead.  
The whole lovely thing will take place in straight lines  
and its assured to work smoothly due to exorbitant fines."

"The best for the most and the most for the best--  
mostly me, he then mumbled--and jobs for the rest..."

"Yes" spoke the chief, "I can see with your eyes.  
Have you ever considered selling kola nut pies?  
...or tradable permits for black clouds in the sky?"

"Your work leaves our village in a sea of new stumps  
we don't even have places to hide rubbish dumps.  
Our rains won't come without forests around  
and your rotational methods drive our young out of town."

"We can't wait ten years for our trees to grow back.  
We must cook our next meal on that wood that you hack.  
We have bellies to fill and spirits to feed.  
So please leave this place with your yerks in good speed."

"But if," quipped McGee, "you use trees just to survive

the needs of all nations will be cruelly deprived."

"Don't waste them for fodder or your daily fuel.  
In the life of your nation play your role as a tool  
for supporting the national good is the rule."

"Look! Here in the rulebook--which you must obey--  
you have rights to the things that we don't take away.  
But we can't take the wood without taking the trees  
so you'll have to make due with the stumps and some seeds."

"You can grow village woodlots--eucalyptus or pines  
we'll help you to manage them through incentives and fines.  
If you want to participate please lend in a hand.  
Do as we tell you and we'll tell you you can.  
If you listen-look-learn and do as we say  
even democratization will be on its way!"

"We must protect forests from people like you  
so people with business will have business to do."

Abdou and the chiefs puzzled looks at each other  
when in rolled the mercedes of Abdou's minister-brother.

He said hey there old chiefs I know its been tough,  
but you won't control land with this democracy stuff.

When the people have chosen, their reps. hold the land,  
and it won't be a tool in your traditional hand.

If it belongs to the people (*and the people ain't you*)  
You can't allocate it for your inherited due.

If you can't gain favor by distributing land  
how can we use chiefs to strengthen our hand?

We must stop local voting and re-install you,  
so us central controllers can dance the night through,  
sipping fine gin and tonics with no need for a coup.

\*\*\* THE END \*\*\*

## Environmental Accountability in Africa Working Papers Series

WORKING PAPER #1. *Analyzing Decentralization: A Framework with South Asian and West African Environmental Cases*. Arun Agrawal and Jesse C. Ribot. January 2000.

WORKING PAPER #2. *Breathing Life into Fundamental Principles: Implementing Constitutional Environmental Protections in Africa*. Carl Bruch, Wole Coker, and Chris VanArsdale. April 2001.

WORKING PAPER #3. *Partitioned Nature, Privileged Knowledge: Community Based Conservation in the Maasai Ecosystem, Tanzania*. Mara Goldman. December 2001.

WORKING PAPER #4. *Whose Elephants Are They? Decentralization of Control Over Wildlife Management Through the CAMPFIRE Program in Binga District, Zimbabwe*. Diana Conyers. January 2002.

WORKING PAPER #5. *Co-Management in the Mafungautsi State Forest Area of Zimbabwe— What Stake for Local Communities?* Everisto Mapedza and Alois Mandondo. October 2002.

WORKING PAPER #6. *Concessionary Politics in the Western Congo Basin: History and Culture in Forest Use*. Rebecca Hardin. November 2002.

WORKING PAPER #7. *Decentralization, Politics and Environment in Uganda*. Nyangabyaki Bazaara. January 2003.

WORKING PAPER #8. *Environmental Decentralization and the Management of Forest Resources in Masindi District, Uganda*. Frank Emmanuel Muhereza. February 2003.

WORKING PAPER #9. *Decentralization and Wildlife Management: Devolving Rights or Shedding Responsibility? Bwindi Impenetrable National Park, Uganda*. Agrippinah Namara and Xavier Nsabagasani. February 2003.

WORKING PAPER #10. *The Decentralized Forestry Taxation System in Cameroon: Local Management and State Logic*. Patrice Bigombe Logo. January 2003.

WORKING PAPER #11. *Allocation of Government Authority and Responsibility in tiered Governance Systems: The Case of Environment-Related Laws in Zimbabwe*. Alois Mandondo and Everisto Mapedza. January 2003.

WORKING PAPER #12. *Decentralization Viewed from Inside: The Implementation of Community Forests in East Cameroon*. Patrice Etoungou. January 2003.

WORKING PAPER #13. *Constructing Subsidiarity, Consolidating Hegemony: Political Economy and Agro-Ecological Processes in Ghanaian Forestry*. Aaron deGrassi. April 2003.

WORKING PAPER #14. *Local Governance, Power and Natural Resources: A Perspective from the Rural Areas of South Africa's former Bantustans*. Lungisile Ntsebeza. July 2003.

WORKING PAPER #15. *Institutional Deficit, Representation, and Decentralized Forest Management in Cameroon*. Phil Rene Oyono. July 2004.

WORKING PAPER #16. *Historical and Political Foundations for Participative Management and Democratic Decentralization in Mali: A Synthesis of Two Case Studies*. Brehima Kassibo. September 2004.

WORKING PAPER #17. *Legal Framework for Participatory Natural Resources Management: Privileges or Rights in Mozambique?* Alda Salomao. September 2003.

WORKING PAPER #18. *Conference on Decentralization and the Environment (Bellagio, Italy; 18-22 February 2002): Minutes*. Rapporteur: Mehr Latif. June 2002.

## World Resources Institute

The World Resources Institute provides information, ideas, and solutions to global environmental problems. Our mission is to move human society to live in ways that protect Earth's environment for current and future generations.

Our programs meet global challenges by using knowledge to catalyze public and private action:

- To reverse damage to ecosystems, we protect the capacity of ecosystems to sustain life and prosperity;
- To expand participation in environmental decisions, we collaborate with partners worldwide to increase people's access to information and influence over decisions about natural resources;
- To avert dangerous climate change, we promote public and private action to ensure a safe climate and sound world economy; and
- To increase prosperity while improving the environment, we challenge the private sector to grow by improving environmental and community well-being.

## Institutions and Governance Program

WRI's Institutions and Governance Program addresses the social and political dimensions of environmental challenges, and explores the equity implications of alternative environmental management regimes. IGP aspires to inform environmental policy arenas with analyses of why apparently sound technical and economic solutions to environmental problems often fail to be implemented, and to generate and promote ideas for how constraints to such solutions can be lifted. The program's principal, although not exclusive, focus is on developing and transition countries, and the representation of the interests of those countries in global environmental policy areas. For more information, please visit <http://www.wri.org/governance>.



10 G Street, N.E., Suite 800  
Washington, D.C. 20002 USA  
<http://www.wri.org/wri>



10 G Street, N.E., Suite 800  
Washington, D.C. 20002  
[www.wri.org](http://www.wri.org)