

# The Common Property Resource Digest

NO. 50 QUARTERLY PUBLICATION OF THE INTERNATIONAL ASSOCIATION FOR THE STUDY OF COMMON PROPERTY OCT. 1999

This issue of the CPR Digest begins the Digest's contribution to the IASCP's regionalization initiatives. It is the first in a series of alternate Digest issues that will feature a special focus on a particular world region. We hope in the very long term to have a section of the Digest that will be written by and for people in particular regions. If this issue is any indication, this effort to include more regional content may spark some fiery debate, hotter perhaps than more abstract, global discussions of issues. For more on regionalization see From the President on page 14.

The focus of this issue is on Southern and Eastern Africa. The Digest is very pleased to welcome Ms. Isilda Ntantumbo as a guest co-Editor. With her help we have been able to gather a distinguished panel of Africans who take up the challenge posed by *James Murombedzi*: Is community-based resource management really all that meaningful in the context of a history of colonial influence on tenure systems and continued disparities in control over land? *Monde Mayekiso* wonders if that is really the right question given both the scale of Africa's resources and markets, and the real development aspirations of African people. *Vupenyu Dzingirai* questions how much the colonial past really influences resource management and if land reform would be as good solution as many think. *Ivan Bond* asks if history and land distribution are really the important factors or if ecology and demography explain more about resource management. *A.Y. Banana* describes the historical differences in land and forest tenure between Eastern and Southern Africa. Finally, *Isilda Ntantumbo* reviews the experiments with land reform in Mozambique and draws lessons for resource conservation.

In addition to the Forum's Africa focus, our Practitioner Profile interviews *Henrique Amoné Massango* of the Tanga Community Management Project in Mozambique. **Enjoy!**

CONTENTS	
<b>CPR Forum: History, Resource Access, and Community-based Management in Southern and Eastern Africa</b>	
<b>Forum .....</b>	<b>1</b>
Land Expropriation, Communal Tenure and Common Property Resource Management in Southern Africa <i>James Murombedzi</i> .....	1
Economic Realities and the Commons <i>Monde Mayekiso</i> .....	4
Land Reform and Community-based Natural Resource Management <i>Vupenyu Dzingirai</i> .....	5
The Economic and Demographic Conditions of Resource Management in Southern Africa <i>Ivan Bond</i> .....	6
Communal Tenure and Forest Resources Management in Uganda <i>A. Y. Banana</i> .....	7
Land and Resource Tenure in Southern Africa: Other Insights <i>Isilda Ntantumbo</i> .....	9
<b>Practitioner's Profile .....</b>	<b>10</b>
<b>Recent Publications .....</b>	<b>12</b>
<b>Announcements .....</b>	<b>14</b>

## CPR FORUM COMMENTARY

### Land Expropriation, Communal Tenure and Common Property Resource Management in Southern Africa

James Murombedzi  
Ford Foundation

Land is Africa's key natural resource and as such is central to the region's development discourse and to all aspects of common property resource management, including aquatic resources where access was often determined through control of riparian land. Land has been the common denominator of liberation struggles. African countries share a common colonial history of land dispossession, dual land tenure systems and the creation of rural labour reserves. In this historical context communal tenure was developed specifically to deny the indigenous populations property rights. Currently, most Southern African countries are implementing land and tenure reform programs, or developing new land laws that reflect the democratic aspirations of their populations in the post-colonial period.

Post-colonial political settlements in Southern Africa have tended to be dominated by concerns over the fate of the colonial settler class, resulting in the entrenchment of property protection clauses in almost all the post-independence constitutions of Southern Africa. Thus the bills of rights of the constitutions of Namibia, South Africa and Zimbabwe all have property protection clauses, and appear to be modeled on the independence constitutions of Nigeria and Kenya. The effect of these clauses, in practice, has been to make land reform a legal and cumbersome process. Land reform remains a major policy concern for almost all the southern African

# The Common Property Resource Digest

*Published with support from*

*the Ford Foundation*

*and*

*the Rockefeller Brothers Fund*

*Editor*

Douglas C. Wilson

*Editorial Assistant*

Veronica Rowan

*Guest Co-Editor*

Islilda Nhantumbo



Fisher on the Limpopo River. Photo Courtesy Ken Wilson

governments, and takes many different forms. In Namibia, South Africa and Zimbabwe, land reform policies are based on land redistribution as well as tenure reform to ensure some security of tenure for the indigenous populations who did not have such security during the colonial era. In Mozambique land reform is aimed at developing a new tenure system and legal framework for managing land in a 'post-socialist' era. Botswana has perhaps the most developed customary tenure system in the region, and this continues to be developed and reformed through legal, institutional, and organizational reforms. Zambia and Malawi also grapple with a broad range of land reform issues, as indeed do all other countries in the sub-region.

The issue of land tenure - i.e. ownership, control, access and use of land - together with the extraction of surplus through extra-economic forms, are the most important aspects of the agrarian question in Southern Africa today. These questions have their origins in the land appropriation strategies of colonialism, and the subsequent land policies adopted by the successive colonial regimes, which

involved the alienation of land from the indigenous populations and its concentration in the hands of settler farmers (or large companies). In most of Southern Africa today, land distribution continues to demonstrate a distinctly dualistic nature, between so called 'modern' and 'traditional' sectors. The modern sector typically comprises land held under freehold or leasehold tenure, mostly by the white settler farmers, while the 'traditional' sector is mostly made up of the indigenous populations supposedly engaging in subsistence agriculture. Thus an enduring impact of settler colonialism has been the creation of racially based land distribution and tenure systems.

Current concerns with land reform in post-independence Africa generally include land ownership, distribution and access, land use patterns, policy options for optimizing sustainable land use, legal and institutional frameworks and processes governing land administration, land markets, and rural labor processes. While most governments have embarked on land reform on attaining independence, the implementation of these programs has met varying degrees of success. In most cases, however, little progress has been made in addressing land imbalances and resolving the multitude of conflicts surrounding land. Consequently, there have been numerous fora - including commissions, workshops and task groups - convened in the region to discuss the land reform impasse and to make appropriate policy recommendations. While an impressive array of recommendations have come out of these processes, little has happened in terms of implementation due to a number of reasons including the lack of resources to implement some of the recommended land reform measures as well as a lack of capacity to understand and implement the suggested strategies and requisite policy measures.

Several approaches to land reform are being taken in the region. In Zimbabwe, land reform focuses mainly on a translocation relocation model based on the acquisition of land from the mainly white farming sector to the poor black peasantry. The South African programs are based on the restitution of land rights established through a courts system, and include programs aimed at strengthening security of tenure. Mozambican and Namibian land reform programs include elements of both resettlement and tenure reform, while Botswana has a highly developed program of strengthening customary rights to land.

In addition to land expropriation and forced removals, colonization involved the invention of tenure systems for the new native reserves. Because of the expropriatory origins of the communal areas, communal tenure in Southern Africa is, in fact, a very European attitude to land rather than an African one. The creation of communal systems of tenure during the colonial era reflected the ideological, economic

and political concerns of the settler class. Ownership of land in the reserves was vested in the colonial state, with the residents enjoying rights of usufruct as regulated by the various local authorities created or coopted by the state. These provisions were clearly designed to extend the colonial state's control over the countryside.

In order to consolidate its control, over the countryside, the colonial state created a system of native administration that was based on the co-optation of existing 'traditional' authorities into a system of indirect rule by the colonial state. This system involved, inter alia, creating a separate legal dispensation, ostensibly based on customary law, for the legitimization of these coopted traditional authority and for the governance of the natives. Land expropriation, governance, and state control over the reserves resulted in the development of feudal relationships between the colonial state and the indigenous peoples – while the settlers were citizens of the new state, the Africans became the subjects of the state. The colonial state thus retained the power to interfere and reorganize land use and occupation by the indigenous people .

In addition to the ambiguity of communal tenure on state land, nowhere do communities exist as legal entities in any legal system in the region in the same way as individuals, natural or artificial. Thus in the so-called communal tenure regimes of the region, control over the land and natural resources typically rests with some local government authority, such as District Councils, or its appointee, such as chiefs and headmen. Inevitably, as the land and natural resources have assumed greater economic and political values, these authorities have also expropriated them for themselves. Communal tenure appears to imply that communities can control only those resources with negligible exchange values. Thus, for instance, throughout the region the rights to trees depend on their intended use. In terms of the Communal Forest Produce Act (1987) and the Forest Act of 1982 in Zimbabwe, individuals have the right to harvest trees for their own use without a permit. The former vests the management of common woodlands in the RDCs, who thus have the right to grant concessions to outsiders to utilize communal woodlands for commercial purposes without necessarily consulting local residents. Like timber, the granting of hunting concessions in communal areas is also controlled by influential state bureaucrats and big business. Legal powers that do not recognize the rights and interests of local communities undermine local management systems.

Communities are thus currently constrained from reaching their full potential of resource utilization by entitlement failure. Land and natural resources in the region continue to be concentrated in the hands of an elite. Evidence now at hand demonstrates that this land tends to be

grossly under-utilized. Thus less than 25% of the region's arable land is cropped. At the same time, because of continuing inequitable distribution, marginal rangelands are continually brought under cultivation by the poor peasantry.

It is against this background that current initiatives to implement community based natural resource management (CBNRM) programs are being implemented in the region. To some limited extent, these initiatives have stimulated a debate about the nature of the communal tenure systems themselves, and therefore about the prospects for changing these tenure systems to increase community control over land and natural resources. Thus the wildlife programs of Namibia have led to the creation of conservancies, which are voluntary, registered (and therefore legal) entities that come together for the express purpose of managing natural resources for tourism development. The CAMPFIRE program in Zimbabwe creates Village and Ward Wildlife Management Committees. Zambia's ADMADE program and the CBNRMP in Botswana reinforce the positions of chiefs and other rural elites in the management of land and wildlife. It is important that these approaches to tenure reform are fundamentally minimalist as they are not predicated on holistic land reform processes that address the political, economic, social and historic bases of existing land distribution and land tenure arrangements in the region.

Consequently, these CBNRM initiatives have, to a large extent, had only limited impacts on livelihoods in the areas in which they are implemented. Secondly, the

---

## International Association for the Study of Common Property

### Current Officers

President: Bonnie J. McCay  
President-Elect: Susan Hanna

### Council

Janis Alcorn   Erling Berge   Fikret Berkes  
Antonio Diegues   Anil Gupta   Owen Lynch  
James Murombedzi

**CPR Digest Editor**      Doug Wilson  
**Information Officer**      Charlotte Hess  
**Secretary Treasurer**      Michelle Curtain

© 1999 IASCP

CBNRM initiatives continued to be contested by the peasants in their struggle to access more and better land for their own reproduction. These contestations take many different forms. The most widely recognized being 'squatting' on designated wildlife management land in CAMPFIRE; the investment of CAMPFIRE dividends in arable agriculture and other 'development' projects that directly compete with the wildlife enterprise. Throughout the region, there is an accelerating process of 'marketization' of communal land that directly challenge the ideological bases of current CBNRM initiatives. Increasing stratification among the peasantry also means that competition for control over land and natural resources is increasing. In the final analysis, it is evident that unless the CBNRM initiatives are predicated on more holistic land reform programs that address once and for all the expropriatory bases of the existing communal tenure regimes, these initiatives will not be sustainable in the medium to long terms.

## CPR FORUM RESPONSE

### Economic Realities and the Commons

Monde Mayekiso

Chief Director, Marine And Coastal Management  
Department of Environmental Affairs and Tourism  
South Africa

I wish to thank the CPR Digest for inviting me to participate in this discussion of property rights in sub-Saharan Africa. My interest in the matter comes from my involvement in living marine resources, specifically fisheries management, in South Africa. While fisheries management is at a lower analytical level than natural resource management and governance, I hope to illustrate that the challenges posed in James paper are common in many aspects of resources management in Southern Africa, whether it be land agriculture, minerals etc.

Our common law is based on Roman-Dutch Law which classifies the sea as a thing incapable of being owned or traded in. Thus in our case the sea and sea shore belong to the State President and all citizens have a right to utilize its natural resources. However, unlike the sea, natural resources such as fish can be owned and traded in only after capture. The effect is therefore that the sea and its resources are common property.

Southern African fisheries, to varying degrees, show the common colonial legacy of dispossession, dual tenure systems, relegation of indigenous people to labour, that the article by James Murombedzi describes so eloquently. Further, South Africa like other southern African countries, as he observes correctly, have adopted new policies and programs

that "reflect the democratic aspirations of their populations." He suggests that only limited success has been achieved for reasons that he advances in his paper and the point seems to be valid.

To put things in perspective, I will briefly describe the South African fisheries. The fishery shares many features with those of Namibia, Zimbabwe, Mozambique, Malawi and Kenya among others although the various components may differ in value and level of participation.

The South African commercial fishery industry is valued at about R2 billion annually and employs 27000 people, while recreational fishing attracts some 750,000 enthusiasts, employs over 130,000 people and generates over R1,4 billion in revenue to direct and indirect participants each year. SOME 3.6 MILLION people in the country depend largely on coastal food sources through subsistence activities that are worth R1.1 billion a year to subsistence fishers and their dependent communities. The fisheries management objectives, as is the case elsewhere, are biological, economic and socio-political. For management to be successful these objectives need to be reconciled in the reform programmes that are implemented in the case of southern Africa. The challenge is magnified in post colonial and post apartheid South Africa which finds itself in the new world that has no boundaries and is dominated by the market economy where we export our own products for reasons of quality and import for domestic consumption or change our biological regulations in order to satisfy demands of export markets. In reviewing some community based natural resource management programmes that are being implemented in southern Africa, James advocates caution, suggesting that for the programmes to be successful they would need to be predicated on holistic.... reform processes that address political, economic, social and historical bases of existing...distribution and ....tenure arrangements in the region." Whilst in total agreement with James' contention, I am rather disappointed that he has not followed through with practical guidelines of how future programmes should be designed. I suspect that the clue to the difficulty for traditional community management that he supports is revealed by his observation of "an accelerating process of marketization of communal land." I have described the South African fishery in "economic" terms to pose a challenge to how James' contention could be implemented, in such an environment that is by no means unique to the South African fishery, in a world dominated by markets.

It is my contention, that it is one thing to fully understand the past, perhaps even with some nostalgia, and another to select approaches for the future. I agree with James that reform programmes must express the reality that

they seek to address. In other words, programmes based on philosophies that are contrary to the aspirations of society and or realities of the market place will fail in the long run. I am convinced that the people we call subsistence fishers or even artisanal ones are no longer satisfied with remaining forever at the subsistence level, but aspire to participate in the mainstream economic activities. That is certainly the case in South Africa. Successful examples of involvement of indigenous peoples have been reported on around the world. Australia and New Zealand have had some positive results. It is my contention that traditional and community based management will be hard pressed to cope with communities that yearn to live according to contemporary democratic principles.



Artisanal Fishers in Mozambique. Photo Courtesy Bonnie McCay

## CPR FORUM RESPONSE

### Land Reform And Community Based Natural Resource Management

Vupenyu Dzingirai, Harare, Zimbabwe

Dr Murombedzi touches on an important and emotive topic for Africa. He mentions two significant points. The first is that majority of black peasants do not have land and therefore do not have access to other resources and benefits dependent on it. The second point is that those who have land do not have secure rights. I suspect that Africanists would not have problems in accepting his suggestion that much of the current activity on CBRM will remain a sham until the majority of black peasants have access to land as well as security of tenure. And there would be others, no doubt, who will go further and regard current CBRM as attempts to forestall land reforms.

Where I have problems with Dr. Murombedzi is on his conceptualization of continued inequalities in land ownership and access in Southern Africa. While the colonialists started the process of expropriation of land and indeed devised legal strategies to ensure that no comprehensive land reform takes place after colonial rule, we cannot blame them for the present and emerging inequalities in land ownership. Within Zimbabwe, and beyond, there is a great deal of research that is beginning to suggest that the present ruling African elite, made up of senior government, military and ruling party personnel, has also developed an interest in land to the extent that it does not support any populist land reform. The new class, if we can call it that, wants land for itself and not for everybody. Indeed, it is this elite that continues to support and agitate for a narrow CBNRM that is predicated on unequal land distribution. Secondly it is this elite that frequently presents CBNRM as a viable and land use option which does not require to be supplemented by land reform. I suspect that this new class craftily uses 'colonialism discourse' to cover up for their weakness and interests.

Secondly, the author argues that communal tenure as presently found in Southern Africa is vague and devoid of any legal consequences. For him, the state, whatever its legal pretensions, owns all natural resources in communal lands and often uses this legal privilege to deprive rural peasants of their claim to environmental benefits. This, according to the author, is why the peasants do not benefit much from the current CBNRM. Many researchers would disagree with the author on this matter. In countries with advanced CBNRM, peasants have not been able to effectively and adequately reclaim their share from natural resources management even where the law supports them. There are a number of reasons for this but I shall cite two. The first is that rural peasants, in the main, lack a full awareness of their basic rights, both as citizens and as participants in community based resource management. The second, and related to the above, is that rural peasants, where they are aware of their rights, still fear to engage the state. Peasants fear the state, which they know, is capable of sniffing and punishing troublemakers. In my view, the condition of rural abuse continues because environmental organizations that should take the part of the peasants are, ultimately, interested in remaining in the favor of the state.

While on this matter we must deal with the role of the private sector, which the author seems to imply, is pervasive in CBRM. The author says that the current tenure arrangements in rural areas facilitate the exploitation of illiterate communities by the private sector, in particular the safari operators doing business in communal lands. Against this, it can be convincingly argued those local authorities - rural district councils - and safari operators are CBNRM stakeholders by virtue of their heavy investment in it. In some cases this investment far outweighs that of the communities whose contribution may

amount to just living with wildlife, sometimes. Given this background, it is unfair to expect these players not to get some return for their investment. What should be condemned in CBNRM is profiteering by the state and the private sector at the expense of the communities. Perhaps this is what the author has in mind. But even then, such excesses (profiteering) persist because of communities' ignorance of their rights and their limited capacity to clip the wings of those who exploit them. It does not persist on account of a particular tenure arrangement.

The author touches on 'squatting' or illegal settlement, which he argues, is prevalent in CBNRM and impacts negatively on it. This is an important observation that continues to be substantiated through research. At the University of Zimbabwe's Centre for Applied Social Sciences, CASS, we have shown how squatters settle on wilderness zones, which are the target for conservation by communities. But we have problems with the way the author links squatting to landlessness. His point that CBNRM areas are targeted for illegal settlement by the landless ignores the point that these squatters are sometimes well-endowed peasants who seek to accumulate capital through unfettered agriculture on common lands. In some instances, the squatters on CBNRM are not people interested in land but those hand picked by powerful classes legitimately wanting a land reform programme that transfers lands to themselves. I interpret this to mean that the relationship between landlessness and squatting, if at all it exists, is not as straight forward as suggested by the author.

Finally the author's conclusion is also problematic. In essence, he says that land reform and distribution are final solutions to sustainable CBNRM in southern Africa. I suspect, however, that there is a sense in which land reform can and will draw people away from CBNRM. It must be recalled that programmes such as CAMPFIRE were started in order to enable people to live with landlessness. Such programmes were locally valued because of their unchallenged contribution to food security. When people begin to successfully grow their own food, such as will be the case after a good land reform, we can expect at least a decline in participation to community based natural resources management. Already in Zimbabwe, those households which are now able to grow their own commercial crops are, in an effort to make more profit from agriculture, doing exactly the practices discussed by Dr Murombedzi, namely, converting wilderness zones into crop land. Does it mean we should backtrack on land reform to save programmes such as CAMPFIRE? I do not think so. We should take the cue from Dr Murombedzi and begin to seriously think about land reform and, if I might add, explore ways about how it might be customized to solve both poverty and environmental problems.

The author can be reached at [vdzingirai@yahoo.co](mailto:vdzingirai@yahoo.co)

## CPR FORUM RESPONSE

### **The Economic and Demographic Conditions of Resource Management in Southern Africa**

Ivan Bond

Resource Economist, World Wildlife Fund, Harare, Zimbabwe

Murombedzi's analysis correctly identifies the complex issue of the control of land as central to much of the development debate in southern Africa. The analysis, however, lacks an important consideration of some of the basic ecological, economic and demographic factors which combine to compound an already complex and intractable problem. Over much of southern Africa, conventional agriculture potential is constrained by climate. Approximately 70% of the region is defined as semi-arid to arid. The mean annual rainfall in these areas is less than 600mm and is extremely variability. Further in many areas of high rainfall, the soils are highly leached and sustained crop production requires high levels of fertilisers. Even if there were greater access to land through a reduction in the inequitable land allocation it does not follow that poverty will be eliminated and development goals achieved.

There are also important macro-economic considerations which have not been taken into account by the author. Typically, the economies of most of the countries in the region are characterised by declining real gross domestic product. Combined with the rapidly expanding human populations (>3% per annum) the per capita gross domestic product in most southern Africa countries has fallen over the last decade. Further, real wages and the probability of securing employment have also fallen significantly.

These factors are highly relevant to the debate initiated by Murombedzi principally because of his conclusion that squatting on land designated for wildlife is a primarily a protest against emerging community based resource management programmes, which are often focussed on wildlife. The simplicity of this conclusion, which is largely a function of the overtly historical and political analysis of the problem, provides a misleading point of departure in the search for solutions. Given the economic and demographic conditions noted above, occupation of land nominally considered as wildlife habitat and the disruption to wildlife production systems is a highly rational strategy. Classical economic analysis predicts that the demand for agricultural land will diminish only when the marginal urban wage exceeds the marginal return to agriculture. In southern African economies, characterised by economic decline, it is entirely rationale for land of even very low agricultural potential to be settled and cultivated. Settlement provides the household with land for agriculture (albeit risky),

natural resources (water, fuel-wood, construction material, wildlife), and a resource which can be sub-divided and sold. It provides the household with a secure home-base from which its labour can optimally be allocated between agricultural production, the harvest of natural resources and potential urban employment. Typically the agricultural focus of most rural development programmes, state agricultural subsidies (crop and animal production) and food aid have further contributed to making settlement and immigration a rational strategy.

Another factor not discussed by Murombedzi is the uncertain framework for the allocation of land, especially where there is a combination of state and traditional controls. Thus given the very high demand for land, and the weak State control, land is has in many areas effectively become an open access resource. This has been exploited by political and



Southern African Pasture. Photo Courtesy Bonnie McCay

traditional elites, who have commodified land for their own financial gain. One Chief in a remote area of Zimbabwe admitted to selling Z\$400,000 (US\$40,000) worth of land! Post colonial governments (central and local) have found it financially convenient to maintain control over land and many natural resources as a way of extracting surpluses.

It is into these highly challenging conditions that many wildlife focussed community based natural resource management programmes have been introduced. Common to all the CBNRM programmes in southern Africa is the goal of institutional change for the management common pool resources such as wildlife and wildlife habitat. The financial benefits earned from wildlife utilisation are the primary incentive for this change. However, fragmented wildlife habitats, relatively high human populations and the ongoing retention of some of the income derived from wildlife has meant that in most programmes the financial incentives for institutional change are often marginal. For example the median gross annual household benefit from wildlife in Zimbabwe is less than US\$5. However, despite these constraints most of the CBNRM programmes can identify communities in which there high levels of incentives have resulted in a marked change towards wildlife and natural resource management.

Thus the question not satisfactorily answered by Murombedzi is what can be done to increase the probability of success of CBNRM programmes in southern Africa. The answer has two linked components. The first is that mechanisms to raise the financial incentives for institutional change must be investigated. In some cases this might be achieved through the diversification of CBNRM programmes so as to include other natural resources. However the key lies in recognising the parallel land markets. Simple mechanisms which legitimise community control over land and critically also allows communities to sell land, should immediately raise the financial incentives for institutional change in many CBNRM programmes. Both the diversification and option for communities rather than individuals to commoditize land require central and local governments to relinquish control over these resources.

## CPR FORUM RESPONSE

### Communal Tenure and Forest Resources Management in Uganda

A. Y. Banana

Dept. Faculty Of Forestry and Nature Conservation, Makerere University.

Security of tenure is critical for wise use of land and land resources. In Uganda, over 80% of the land is under customary tenure. Uganda, unlike Kenya, did not become a white settler colony, only a very small percentage of crown land was alienated to church missionary societies and to a few individuals as freehold. The crown lands retained customary land tenure up to independence, because from the inception of colonialism in Uganda, the British recognised the importance of local institutions and law for land management. According to the theory of "indirect rule" the institutions, laws and customs of the colonised peoples were to be retained with modifications to make British colonial rule more acceptable to the local people. Consequently, in 1900, the British introduced in Buganda the "mailo" tenure system, which is a modified form of freehold. Land was divided between the Kabaka (King), notables and protectorate government. Thousands of chiefs and private people received land amounting to 8,000 sq. miles. The remainder of land, amounting to 9,000 sq. miles including forests and wetlands was vested in the Queen of England as crown land. Britain entered similar agreements with other kingdoms in 1901 and 1933.

Customary rules of tenure in Buganda allowed a peasant access to portions of mailo-land through the *Kibanja* (rented plots) from the landlords. With the consent of the landlord, the *kibanja* owner could transfer his rights to a third

party or through inheritance to his relatives. A land market developed in Buganda after the introduction of mailo land and wealthy farmers were able to purchase titled lands from the original mailo land owners. In areas of Uganda where there was no mailo land, access to land was determined by customary rules. Only members of the clan had access to clan land. Access, use and management of land closely followed common property arrangements. Unlike Kenya and the Southern African countries that were British colonies, Uganda was a Protectorate and its citizens were guaranteed ample security of land tenure. There was no large scale land expropriation. Non-Africans were discouraged from owning land. For example, the Buganda land law of 1908 disallowed a mailo owner to transfer his land to a person not of the protectorate without the consent of the governor and the Buganda Legislature.

Customary tenure enjoyed statutory protection under the Public Lands Act. It was lawful for a person to occupy land under customary tenure in rural lands not alienated in leasehold or freehold. Furthermore, a controlling authority had no power to grant a freehold or leasehold of any land occupied by customary tenure, without the consent of the occupants. The 1928 *Busuulu* and *Envujjo* Law also guaranteed the security of tenants on Mailo land by limiting landlord's ability to evict tenants.

The Land Reform Decree of 1975 radically altered these relationships. The Decree vested title of all land in Uganda in the state. The Land Commission was authorised to alienate land occupied by customary tenants without their consent. However, the Decree was never effectively implemented. Mailo and freehold titles were never converted to leaseholds, customary tenants on public land continued to enjoy security of tenure and relatively few instances of evictions of customary tenants occurred.

Like in southern Africa, both the colonial government, and post independence governments severely restricted the access of indigenous people to forests and forest resources. Although security of land tenure under customary laws was guaranteed, there was no tree tenure security. Most of the economically important trees were "reserved" trees and could not be cut without the permission of the state even on private land. Thus communities could control only those resources with negligible exchange values. Uganda's forest policy has been characterised by a strong concentration of power by the state

and corresponding lack of ownership and local participation in forest and tree management by local communities.

While legally, between 1975 and 1995, only leasehold and customary tenure existed in Uganda, in practice there was a complex mixture of mailo, freehold, leasehold and customary tenure. In 1983, the Uganda government initiated the Land Reform Programme to simplify and unify the nation's tenure system. The 1995 constitution made significant provisions relating to land use and the environment. It is one of the most revolutionary in sub-Saharan Africa, with a fundamental move away from the state control and ownership of land. The constitution states that "All land in Uganda belongs to the citizens of Uganda and shall vest in them in accordance with four tenure systems; customary, freehold, mailo and leasehold.



Logging Trucks in Mozambique. Photo Courtesy Bonnie McCay

The 1998 Land Act strongly enhanced security of tenure to Uganda's citizens. Individual's rights to land can be secured by virtue of occupation. It provides for the first time that owners of land under customary tenure be issued with certificates of ownership. Customary ownership may thus be converted to freehold upon registration. The Act further states that a lawful or *bonafide* occupant on registered land shall enjoy security of occupancy on

the land. Where a group holds any land communally, the land may be held on behalf of the group by a trustee(s) chosen by the group, according to the group's customs. Thus customary law has been strengthened in the new constitution and will continue to have great significance for natural resource management. Under this provision common property tenure and community control over land and natural resources will be institutionalized. Current initiatives such as collaborative forest management, community managed eco-tourism and collaborative wildlife management are provided for under this provision.

As with earlier restrictive government policies, there is a constitutional obligation to government or local governments to protect the natural resources for the good of all land users. Consequently government shall not lease or otherwise alienate any natural resource such as natural lakes, wetlands, forest reserves, national parks and any other land reserved for ecological and tourism purposes. Government retains the right to give out concessions, licenses or permits in respect of a natural resource without necessarily consulting local residents. Again local communities are have been given right to manage natural resources with limited economic value.

# CPR FORUM RESPONSE

## Land and Resource tenure in Southern Africa: other insights

Isilda Nhantumbo

Faculty of Agronomy and Forestry  
Eduardo Mondlane University  
Maputo, Mozambique

Murombedzi discusses a very pertinent issue in the context of Southern Africa: the land and resources tenure. Many governments see it as a necessary condition for assuring rights to the most disadvantaged group - dwellers in rural communities. Land reform, including the drafting of new policies, laws and regulations aims at ensuring that communities are involved both in the sustainable management and benefit from the resources. However, the approaches vary according to the historical, social, political and economic context of the different nations.

Most rural dwellers in Mozambique farm small plots of generally low fertility, although in a few cases they farm on alluvial and other fertile land. In most of the settings, especially in the North where the colonial government granted fertile land to the settlers for cash crop production, rural communities, important sources of cheap labor, lived and farmed peripheral and marginal land.

With independence, a new philosophy was adopted: collective production systems. The state and farmers' co-operatives formed a new type of land use with the aim of rationalizing the use of agricultural equipment and inputs. Ownership of land and other were vested in the state, hence to all the Mozambicans as stated in the constitution. The ownership of companies was transferred to the state through nationalizations. With the adoption of the market economy and Economic Adjustment Program since 1987, a process of privatization has been undertaken. This has included leasing land to big companies such as Lonhro, and more recently to South African farmers and others. Cooperatives have been dismantled and, once again, the farmers farm the marginal and unproductive land.

After independence land allocation, which in colonial times had been entrusted to traditional leaders, became a function of local representatives of government. However, in both cases the communities had free access to forestry, wildlife, grazing and water resources for their subsistence, whilst for commercial purposes, especially of forestry and wildlife products, they nominally needed a permit. This later provision was not enforced! It can be argued that even though all rural

communities had limited access to the aforementioned resources there was no such thing as 'common property', a better term would be "common access" because the state held property rights over all the resources.

Land reform is taking place throughout the region and one common denominator is that land policy is not always looked at in conjunction with other sectoral policies such as forestry, wildlife, water, mining etc. For example, in the case of Namibia, the conservancies policy allows clear allocation, rights to use and benefit from wildlife. Conversely, the land does not belong to the conservancy, but to the state, which can allow prospecting for mines, which could mean the transference of ownership to a private entity.

I would tend not to fully agree with the statement 'Mozambique and Namibia land reform programs include elements of resettlement'. Mozambique resettlement, unlike the case of Namibia, results from the displacement of the people during the war, which in certain cases creates conflicts within the communities or with other stakeholders. Furthermore, the policy does not address this issue in particular, rather it addresses the overall issues of tenure and gives emphasis to the rights of local communities, which includes the displaced. In fact, Namibia and Zimbabwe have more similarities in that respect. The resettlement policy in these countries entails the purchase of land by the state from the white farmers - still holding the biggest percentage of the rich and fertile land - to re-distribute to blacks. The motivation being to boost the emergence of a class of black commercial farmers. This is not a case in Mozambique, which differs significantly as regards the resettlement program in the context of Zimbabwe and Namibia, mainly because it went through the process of nationalization and privatization. Therefore, economic instruments played an important role in the practical change in land tenure.

The aim of the land policy reform in Mozambique is ensuring recognition or provision of land user rights to the rural population irrespective of the means through which the land was acquired. In this case the land policy and legislation give importance to the testimony of the neighbors to resolve any dispute. Hence, the new land policy does entail new structures that 'represent' the communities in order to create a basis for the 'existence of the communities as legal entities.' In areas with CBNRM initiatives, these entities are called natural resource management committees. I would fully agree that these new structures might in fact have an adverse effect: they might be dominated by influential people such as traditional leaders, local politicians, the wealthy etc. This would happen irrespective of having a democratic system (elected body) or not. This, plus the fact that land delimitation, as it is envisaged in the new law, has the potential for raising land conflicts, implies a need to build capacity at the local and other levels for the prevention and resolution of conflict.

CBNRM seems to be seen as a panacea for the economic problems faced by the rural communities, and even local governments. In particular, countries such as Botswana, Namibia, Zimbabwe that are very rich in wildlife resources promote tourism and hunting, either in the Controlled Hunting Areas, conservancies or the CAMPFIRE project areas etc. to achieve such a goal. In many countries that are also rich in minerals, the ownership or user rights over wildlife can be lost in favor of minerals. So the question is again how far is the tenure going. How can the farmers' interests be at the forefront? Can this and other valuable resources be owned by the community, i.e., get concessions from mining for forestry harvesting etc..



Village Meeting in Tanga. Photo Courtesy Bonnie McCay

The new approach seems to take us back to collectivization, which might not necessarily be bad, through the idea of Community Control. Then the questions are: who is the community? Is it a homogenous social structure? What is better – individual or collective control? How do we ensure fairness in access of resources where social, economic, political power differs? For example, despite the fact that the communities in the conservancies in Namibia have rights to wildlife, now they claim a Group Tenure title for land, and one day the demands might evolve to a claim on diamond concessions. Do we really know where are we heading with land reform? I think there is still a lot to be discussed. Why not let the market forces allocate the land? What would be the impact in the region where absence of food security still hinders development?

I would lastly point out that since wildlife occurs in specific zones, zoning can ensure that revenues coming from its exploitation (CAMPFIRE, being a case in point) are reinvested in other areas. This means diversification, which ensures the sustainability of livelihoods without being tied to wildlife, tourism, etc.. These things are seasonal and the market may soon be saturated with the same approaches, emphasizing the same resources, especially as it concerns CBNRM.

## PRACTITIONER'S PROFILE

This issue's Practitioner's Profile is of the Tanga Community Management Project in Mozambique. Henrique Amone Massango, the project's Field Manager, shares with us some of their experiences.

### What does your program do?

The Tanga Community Management Project is a project of the Forestry Research Center (CEF) within the National Directorate of Forestry and Wildlife of the Mozambique Ministry of Agriculture. Its main objective is the establishment of a conservation area of chanfuta or pod mahogany (*afzelia quanzensis*) through approaches that involve the participation of the local community. The basic idea is to improve the living standards of the Tanga community, through a more sustainable use of local natural resource and to reduce the degradation of the chanfuta ecosystem in Tanga through the local community's participation. We decided that we would be guided by two principles to ensure the project's objectives: local formal institutions and NGOs which operate in the area would be identified and encouraged to collaborate with project, and; we would seek to bring about regular contacts between the formal and traditional leadership.

### How did you get started?

Beginning in 1993, CEF has been visiting several forest zones and documenting the natural occurrence of forest species in order to identify and select areas where we could collect the seeds of indigenous species. This program has in mind not only being able to supply the seeds of several forest species, we also want to establish "in-situ and/or ex-situ" conservation areas for the forest species.

*Afzelia quanzensis* (chanfuta or pod mahogany) has been selected as a priority species by the 6 countries of the South African Development Community (SADC) region (Malawi, Mozambique, Swaziland, Tanzania, Zambia and Zimbabwe). Since the beginning of the CEF effort, it had been verified that this species was being extensively exploited where it occurred naturally. For example, in the case of Swaziland, the number of existing trees has been reduced to the point where it can no longer ensure the production of seeds with the diversity and representation of genetic quality needed for sustainability.

A multidisciplinary team from CEF and SADC, the Tree Seed Centre Network, visited different areas including Tanga, with the aim to identify, in natural forest, possible permanent areas for seed collection of the species. Tanga is a small forest community in Matatuíne District, south of Maputo on the other side of Maputo Bay. It is a community with 68 families in an

area of 10,000 hectares. It is considerably inland from the coast and to the north of the Blanchard Nature Reserve. The forests in Tanga are fragile because they are "sand forests," growing in a very sandy coastal plain, and thus not easily regenerated after cutting. The high conservation sense demonstrated by the community and greater preservation of indigenous knowledge among the community, and, hence their interest in developing activities with CEF, accelerated the possibility of designing a project with community participatory approaches. The high diversity and particularly the quality of the selected species also contributed to the decision to begin the project.

### **How is your group funded?**

Currently the Ford Foundation is supporting us with a two year grant for 1997/98 and 1998/99.

### **What have been your most important accomplishments?**

Both the management of natural resources and agrarian production through the use of appropriate agricultural practices has improved. We have introduced alternative revenue practices that help alleviate the pressure on the natural resources. We have strengthened the local community's capacity to manage natural resources themselves. This has meant building trust with community and traditional leaders, and between diverse stakeholder groups, in order to honestly and forthrightly discuss, bargain and negotiate points of agreement and difference. As a way to establish a relationship of trust among the actors involved in the project, it was necessary to create a local committee that is responsible for co-ordination of all the activities in collaboration with CEF. The role of women in whole process, in both the organization as well as in execution phase, has been guaranteed and their inclusion in decision making has been important. Gender issues are reflected in the planning, meetings and training. We have also carried out studies and evaluation of Local Knowledge Systems related to the identification potentials for developing non-wood forests products and determining the actual state of the resources. The high conservation sense demonstrated by the community and their interest in developing activities with CEF has accelerated the development possibilities of the project.

### **What have been your biggest challenges?**

Our biggest challenge has been the poor communication between stakeholders. Often some stakeholders make incorrect assumptions about others. For instance, conservationists think resource users are not interested in conservation. Government policy-makers think agriculturists try to maximize field size without considering range land capacity. Government officials and conservationists think that only "conservation experts" or NGOs know how to develop and implement management plans for protection of protected areas. The key management problems involve cultural, social, political, and economic factors which are neither readily addressed nor mastered by conservationists, government, or developers. I think, it should

be possible for participants of a large, political, culturally and linguistically diverse group to communicate effectively together and reach new levels of understanding. But, the government commitment must be in place, for developing community-based resource management approaches.

### **What lessons have you learned that would be useful for other groups or communities involved in common pool resource management?**

The first lesson is the need to integrate local, national and international conservation and development concerns for sustainable use of natural resources. We also need more innovative methods for conservation areas through identifying and testing traditional resource use management systems, and through other techniques using multi-use approaches. We have learned that Community-based resource management is a new approach in Mozambique and that is why its development needs more involvement from different and diverse actors. Local experience in dealing with natural resources is in place, but a national and international vision for sustainable use of natural resource is also needed. Through assessing indigenous knowledge we have concluded that to get more efficiency use of natural resources there is a need to incorporate new methods and technologies. This incorporation of new methods of conservation is needed because the pressure on resources is not only local but is also national and sometimes international. Just local and traditional knowledge will not be able to maintain their sustainable use.

### **What would you like to learn from or about the experience of other CPR groups?**

From the experiences of other CPR groups, I would like to know more about how they have handled the decentralization of development of community-based resource management projects and more about their experiences with the empowerment of communities. The interaction of these issues in the management process can be helpful for developing such projects. Decentralization and empowerment of communities sometimes are hot issues among some government people or agencies and their implementation has become difficult in the field.

Another area I would like to learn about comes from the fact that in Mozambique land tenure patterns differ between the southern to northern parts of the country. This depends on customary laws, although a new land law is in place. This means that in managing community projects there is a need to have more tools in order to achieve the programmed goals.

### **How can readers get in touch with you?**

Henrique Amone Massango (M.Sc. Forestry), P.O.Box 8 Marracuene, Maputo Phone:+258 1 790011 FAX: +258 1 790018 E-mail: mutapa@zebra.uem.mz

## RECENT PUBLICATIONS

Compiled by Charlotte Hess

## Books

- Alt**, James E., Margaret Levi, and Elinor Ostrom, eds. 1999. *Competition and Cooperation: Conversations with Nobelists about Economics and Political Science*. New York: Russell Sage Foundation.
- Anttila**, Sten. 1999. *The Snowmobile Issues as a Commons Dilemma: A Problem of Concept Formation*. Östersund, Sweden: Fjällforskningsinstitutet.
- Bakker**, Margaretha, Randolph Barker, Ruth Meinzen-Dick, and Flemming Konradsen, eds. 1999. *Multiple Uses of Water in Irrigated Areas: A Case Study from Sri Lanka*. Colombo, Sri Lanka: International Water Management Institute.
- Batterbury**, Simon, and Tony Bebbington, eds. 1999. *Environmental Histories, Access to Resources and Landscape Change (Special Issue of 'Land Degradation and Development,' Vol. 10, No. 4)*. Chichester, West Sussex, UK: Wiley.
- Beaton**, Russ, and Chris Maser. 1999. *Reuniting Economy and Ecology in Sustainable Development*. Boca Raton, FL: Lewis Publishers.
- Boelens**, Rutgerd, and Gloria Dávila, eds. 1998. *Searching for Equity: Conceptions of Justice and Equity in Peasant Irrigation*. Assen, The Netherlands: Van Gorcum.
- Cronin**, Bruce. 1999. *Community Under Anarchy: Transnational Identity and the Evolution of Cooperation*. New York: Columbia University Press.
- Dobson**, Andrew, ed. 1999. *Fairness and Futurity: Essays on Environmental Sustainability and Social Justice*. New York: Oxford University Press.
- Fridtjof Nansen Institute**. 1998. *Yearbook of International Co-operation on Environment and Development 1998/99*. London: Earthscan.
- Heal**, Geoffrey. 1999. *Valuing the Future: Economic Theory and Sustainability*. New York: Columbia University Press.
- Howorth**, Chris. 1999. *Rebuilding the Local Landscape: Environmental Management in Burkina Faso*. Brookfield, VT: Ashgate.
- Indigenous Biodiversity Information Network (IBIN)**, International Conservation Networking System (ICONS), Indigenous Knowledge Program (IKP), and the World Conservation Union (IUCN). 1999. *Library of Traditional Knowledge and Biodiversity (CD-ROM)*. Seattle, WA: ICONS.
- Jansen**, Kees. 1999. *Political Ecology, Mountain Agriculture, and Knowledge in Honduras*. Amsterdam: Thela Publishers.
- Narasimhan**, Sakuntala. 1999. *Empowering Women: An Alternative Strategy from Rural India*. Thousand Oaks, CA: Sage.
- Pandey**, Deep Narayan. 1998. *Ethnoforestry: Local Knowledge for Sustainable Forestry and Livelihood Security*. New Delhi: Himanshu Publications.
- Sabatier**, Paul A., ed. 1999. *Theories of the Policy Process*. Boulder, CO: Westview Press.
- Schlosberg**, David. 1999. *Environmental Justice and the New Pluralism: The Challenge of Difference for Environmentalism*. New York: Oxford UP.
- Schroeder**, Richard A. 1999. *Shady Practices: Agroforestry and Gender Politics in the Gambia*. Berkeley, CA: University of California Press.
- Thapa**, Ganga Bahadur, ed. 1998. *Promoting Participatory Democracy in Nepal: An Assessment of Local Self-Government*. Kathmandu, Nepal: Political Science Association of Nepal.
- Williamson**, Oliver E., and Scott E. Masten eds. 1999. *The Economics of Transaction Costs*. Northampton, MA: Elgar.

## Articles

- Al-Rowaily**, Saud L. R. 1999. "Rangeland of Saudi Arabia and the 'Tragedy of the Commons'." *Rangelands* 21:27-.
- Alanen**, Ikkla. 1999. "Agricultural Policy and the Struggle Over the Destiny of Collective Farms in Estonia." *Sociologia Ruralis* 39:431-.
- Alston**, Lee J., Gary D. Libecap, and Bernardo Mueller. 1999. "A Model of Rural Conflict: Violence and Land Reform Policy in Brazil." *Environment and Development Economics* 4:135-160.

- Angelsen**, Arild. 1999. "Agricultural Expansion and Deforestation: Modelling the Impact of Population, Market Forces and Property Rights." *Journal of Development Economics* 58:185-218.
- Atran**, Scott et al. 1999. "Folkeology and Commons Management in the Maya Lowlands." *Proceedings of the Nat. Academy of Sciences* 96:7598-7603.
- Becker**, Marc. 1999. "Comunas and Indigenous Protest in Cayambe, Ecuador." *The Americas* 55:531-.
- Becker**, Nir, and K. William Easter. 1999. "Conflict and Cooperation in Managing International Water Resources Such as the Great Lakes." *Land Economics* 75:233-245.
- Berk**, Richard A., and Robert G. Fovell. 1999. "Public Perceptions of Climate Change: A 'Willingness to Pay' Assessment." *Climatic Change* 41:413-446.
- Bhat**, Mahadev G. 1999. "On Biodiversity Access, Intellectual Property Rights, and Conservation." *Ecological Economics* 29:391-403.
- Blaikie**, Piers, and Daniel Coppard. 1998. "Environmental Change and Livelihood Diversification in Nepal: Where is the Problem." *Himalayan Research Bulletin* 18:28-40.
- Bohnet**, Iris, and Bruno S. Frey. 1999. "The Sound of Silence in Prisoner's Dilemma and Dictator Games." *Journal of Economic Behavior and Organization* 38:43-57.
- Buck**, Susan. 1999. "Multiple-Use Commons, Collective Action, and Platforms for Resource Use Negotiation." *Agriculture and Human Values* 16:237-239.
- Busenberg**, George J. 1999. "Collaborative and Adversarial Analysis in Environmental Policy." *Policy Sciences* 32:1-11.
- Collet**, Serge. 1999. "Management of Fishery Resources: Tragedies, Private Appropriation or Reinvention of the Art of Cooperation in Governing Resources." *Social Science Information* 38:87-112.
- Conte**, C. A. 1999. "The Forest Becomes Desert: Forest Use and Environmental Change in Tanzania's West Usambara Mountains." *Land Degradation and Development* 10:291-.
- Coop**, Phil, and David Brunckhorst. 1999. "Triumph of the Commons: Age-Old Participatory Practices Provide Lessons for Institutional Reform in the Rural Sector." *Australian Journal of Environmental Management* 6(2):48-56.
- Cramb**, R. A., and I. R. Wills. 1998. "Private Property, Common Property and Collective Choice: The Evolution of Iban Land Tenure Institutions." *Borneo Research Bulletin* 29:57-.
- Critchley**, Will. 1999. "Harnessing Traditional Knowledge for Better Land Husbandry in Kabale District, Uganda." *Mountain Research and Development* 19:261-272.
- Deacon**, Robert T. 1999. "Deforestation and Ownership: Evidence from Historical Accounts and Contemporary Data." *Land Economics* 75:341-359.
- Deadman**, Peter J. 1999. "Modelling Individual Behaviour and Group Performance in an Intelligent Agent-Based Simulation of the Tragedy of the Commons." *Journal of Environmental Management* 56:159-172.
- Erkens**, Jelmer W. 1999. "Common Pool Resources, Buffer Zones, and Jointly Owned Territories: Hunter-Gatherer Land and Resource Tenure in Fort Irwin, Southeastern California." *Human Ecology* 27:297-318.
- Ellis-Jones**, Jim. 1999. "Poverty, Land Care and Sustainable Livelihoods in Hillside and Mountain Regions." *Mountain Research and Development* 19:179-202.
- Fankhauser**, Samuel, Joel B. Smith, and Richard S. J. Tol. 1999. "Weathering Climate Change: Some Simple Rules to Guide Adaptation Decisions." *Ecological Economics* 30:67-78.
- Firmin-Sellers**, Kathryn. 1999. "Expected Failures and Unexpected Successes of Land Tilting in Africa." *World Development* 27:1115-1128.
- Funaki**, Y., and T. Yamato. 1999. "The Core of an Economy with a Common Pool Resource: A Partition Function Approach." *International Journal of Game Theory* 28:157-171.
- Gächter**, Simon, and Ernst Fehr. 1999. "Collective Action as a Social Exchange." *Journal of Economic Behavior and Organization* 39:341-369.
- Gezon**, Lisa L. 1999. "Of Shrimps and Spirit Possession: Toward a Political Ecology of Resource Management in Northern Madagascar." *American Anthropologist* 101:58-97.
- Glomm**, G., and R. Lagunoff. 1999. "On the Social Stability of Coalitional Property Rights Regimes." *Social Choice and Welfare* 16:409-427.

- Hampton**, Greg. 1999. "Environmental Equity and Public Participation." *Policy Sciences* 32:163-174.
- Harrison**, Y. A., and C. M. Shackleton. 1999. "Resilience of South African Communal Grazing Lands After the Removal of High Grazing Pressure." *Land Degradation and Development* 10:225-240.
- Hayami**, Yujiro. 1998. "Norms and Rationality in the Evolution of Economic Systems: A View from Asian Villages." *Japanese Economic Review* 49:36-53.
- Höffler**, Felix. 1999. "Some Play Fair, Some Don't: Reciprocal Fairness in a Stylized Principal-Agent Problem." *Journal of Economic Behavior and Organization* 38:113-131.
- Holmlund**, Cecilia M., and Monica Hammer. 1999. "Ecosystem Services Generated by Fish Populations." *Ecological Economics* 29:253-268.
- Ingram**, Helen. 1999. "Lessons Learned and Recommendations for Coping With Future Scarcity." *Natural Resources Journal* 39:179-188.
- Kant**, Shashi. 1999. "Sustainable Management of Uneven-Aged Private Forests: A Case Study from Ontario, Canada." *Ecological Economics* 30:131-146.
- Keser**, C., and R. Gardner. 1999. "Strategic Behavior of Experienced Subjects in a Common Pool Resource Game." *International Journal of Game Theory* 28:241-252.
- Kruse**, Jack, Dave Klein, and Bill Simeone. 1998. "Co-Management of Natural Resources: A Comparison of Two Caribou Management Systems." *Human Organization* 57:447-458.
- Lane**, Daniel E. 1999. "Property Rights and Governance in Canadian Fisheries." *Optimum* 29:1-8.
- Lawrence**, Anna. 1999. "Going With the Flow or an Uphill Struggle? Directions for Participatory Research in Hillside Environments." *Mountain Research and Development* 19:203-250.
- Lefrancois**, Estelle, and Lionel Monnier. 1999. "Property Rights and Dynamics of the Institutional Learning Process under Regulation." *Annals of Public and Cooperative Economics* 70:227-240.
- Litt**, Jacquelyn. 1999. "Managing the Street, Isolating the Household: African American Mothers Respond to Neighborhood Deterioration." *Race, Gender & Class: an Interdisciplinary Journal* 6:90-108.
- Loehman**, Edna T., and Timothy O. Randhir. 1999. "Alleviating Soil Erosion/Pollution Stock Externalities: Alternative Roles for Government." *Ecological Economics* 30:29-46.
- Marmolo**, Elisabetta. 1999. "A Constitutional Theory of Public Goods." *Journal of Economic Behavior and Organization* 38:27-42.
- Matulich**, Scott C., and Murat Sever. 1999. "Reconsidering the Initial Allocation of ITQs: The Search for a Pareto-safe Allocation between Fishing and Processing Sectors." *Land Economics* 75:203-219.
- Meinzen-Dick**, Ruth, and Margaretha Bakker. 1999. "Irrigation Systems as Multiple-Use Commons: Water Use in Kirindi Oya, Sri Lanka." *Agriculture and Human Values* 16:281-193.
- Merrifield**, J. 1999. "Implementation Issues: The Political Economy of Efficient Fishing." *Ecological Economics* 30:5-12.
- Messick**, D. M. 1999. "Alternative Logics for Decision Making in Social Settings." *Journal of Economic Behavior and Organization* 39:11-28.
- Milich**, Lenard, and Robert G. Varady. 1999. "Openness, Sustainability, and Public Participation: New Designs for Transboundary River Basin Institutions." *The Journal of Environment and Development* 8:258-306.
- Moberg**, Fredrik, and Carl Folke. 1999. "Ecological Goods and Services of Coral Reef Ecosystems." *Ecological Economics* 29:215-233.
- Moxnes**, E. 1998. "Not Only the Tragedy of the Commons: Misperceptions of Bioeconomics." *Management Science* 44:1234-1248.
- Nelson**, Robert H. 1999. "Privatizing the Neighborhood: A Proposal to Replace Zoning with Private Collective Property Rights to Existing Neighborhoods." *George Mason Law Review* 7:827-880.
- Neupert**, Ricardo F. 1999. "Population, Nomadic Pastoralism and the Environment in the Mongolian Plateau." *Population and Environment* 20:413-442.
- O'Looney**, John. 1998. "Mapping Communities: Place-Based Stories and Participatory Planning." *Journal of the Community Development Society* 29:201-236.
- Oldrup**, Helene. 1999. "Women Working Off the Farm: Reconstructing Gender Identity in Danish Agriculture." *Sociologia Ruralis* 39:343-358.
- Ortmann**, Andreas, and Lisa K. Tichy. 1999. "Gender Differences in the Laboratory: Evidence from Prisoner's Dilemma Games." *Journal of Economic Behavior and Organization* 39:327-339.
- Partap**, Tej. 1999. "Sustainable Land Management in Marginal Mountain Areas of the Himalayan Region." *Mountain Research and Development* 19:251-260.
- Pecorino**, Paul. 1999. "The Effect of Group Size on Public Good Provision in a Repeated Game Setting." *Journal of Public Economics* 72:121-134.
- Purnell**, Jennie. 1999. "With All Due Respect: Popular Resistance to the Privatization of Communal Lands in Nineteenth-Century Michoacán." *Latin American Research Review* 34:85-121.
- Ravnborg**, Helle Munk, and Maria del Pilar Guerrero. 1999. "Collective Action in Watershed Management: Experiences from the Andian Hillside." *Agriculture and Human Values* 16:257-266.
- Reiter**, Michael, and Alfons J. Weichenrieder. 1999. "Public Goods, Club Goods, and the Measurement of Crowding." *Journal of Urban Economics* 46:69-79.
- Rickson**, Sarah Tufts, and Peter L. Daniels. 1999. "Rural Women and Decision Making: Women's Role in Resource Management During Rural Restructuring." *Rural Sociology* 64:234-250.
- Rieser**, Alison. 1999. "Prescriptions for the Commons: Environmental Scholarship and the Fishing Quotas Debate." *Harvard Environmental Law Review* 23:393-421.
- Sainty**, Barbara. 1999. "Achieving Greater Cooperation in a Noisy Prisoner's Dilemma: An Experimental Investigation." *Journal of Economic Behavior and Organization* 39:421-435.
- Schmitz**, H. 1999. "Global Competition and Local Cooperation: Success and Failure in the Sinos Valley, Brazil." *World Development* 27:1627-1650.
- Shanahan**, James, Lisa Pelstring, and Katherine McComas. 1999. "Using Narratives to Think about Environmental Attitude and Behavior: An Exploratory Study." *Society and Natural Resources* 12:405-420.
- Singleton**, Sara. 1999. "Commons Problems, Collective Action and Efficiency: Past and Present Institutions of Governance in Pacific Northwest Salmon Fisheries." *Journal of Theoretical Politics* 11:367-391.
- Smith**, Diane. 1999. "Finding a Way to Just and Durable Agreements." *Indigenous Law Bulletin* 4:4-10.
- Spagnolo**, G. 1999. "Social Relations and Cooperation in Organizations." *Journal of Economic Behavior and Organization* 38:1-26.
- Steins**, Nathalie A., and Victoria M. Edwards. 1999. "Collective Action in Common-Pool Resource Management: The Contribution of a Social Constructivist Perspective to Existing Theory." *Society and Natural Resources* 12:539-557.
- Steins**, Nathalie A., and Victoria M. Edwards. 1999. "Platforms for Collective Action in Multiple-Use Common-Pool Resources." *Agriculture and Human Values* 16:241-255.
- Tucker**, Catherine M. 1999. "Private Versus Common Property Forests: Forest Conditions and Tenure in a Honduran Community." *Human Ecology* 27:201-230.
- Tuler**, Seth, and Thomas Webler. 1999. "Voices from the Forest: What Participants Expect of a Public Participation Process." *Society and Natural Resources* 12:437-454.
- Tulloch**, Gordon. 1999. "Non-Prisoner's Dilemma." *Journal of Economic Behavior and Organization* 39:455-458.
- Turner**, Matthew A. 1999. "Tradition and Common Property Management." *Canadian Journal of Economics* 32:673-687.
- Vayda**, Andrew P., and Bradley B. Walters. 1999. "Against Political Ecology." *Human Ecology* 27:167-180.
- Wieggers**, Esther S., Robert J. Hijmans, and Louise O. Fresco. 1999. "Land Use Intensification and Disintensification in the Upper Canete Valley, Peru." *Human Ecology* 27:319-340.
- Wu**, JunJie, and Bruce A. Babcock. 1999. "The Relative Efficiency of Voluntary vs Mandatory Environmental Regulations." *Journal of Environmental Economics and Management* 38:158-.
- Zinyama**, Lovemore M. 1999. "Sources and Range of Data on Land-Use and Land-Cover Change in Zimbabwe." *Land Use Policy* 16:161-178.

# ANNOUNCEMENTS

Send Letters and Announcements to Doug Wilson, Editor, CPR Digest, Institute for Fisheries Management, North Sea Center, PO Box 104, DK-9850, Hirtshals, Denmark dw@ifm.dk

For membership, dues, back issues, and missing copies contact Michelle Curtain, IU, Woodburn Hall 220, Bloomington, IN, 47405 USA iascp@indiana.edu New Phone: 01-219-885-1433

For questions about IASCP papers and research, contact Charlotte Hess, Information Officer, IASCP, IU., 513 N. Park, Bloomington, IN 47408 USA iascp@indiana.edu

## From the President

For some time members and sponsors have challenged us to *globalize* the membership and activities of IASCP, which were initiated and to some extent continue to be dominated by North Americans. The Executive Council, which met in June 1999, reinterpreted the challenge as *regionalization*, and the Ford Foundation responded with financial support. Special issues of CPR Digest, regional workshops and off-year meetings, and the development of regional editorial and organizational initiatives are ways we plan to increase the global scope and impact of IASCP and by so doing to enhance the practical and intellectual benefits of our association.

We have begun. This is the first of a regular series of CPR Digest issues with a regional focus. Charla Britt, a graduate student at Cornell University, is working part-time to facilitate regional workshops in the spring of 2000 and to help coordinate a special regionalization session at the 2000 IASCP meetings in Bloomington. She will also assist members in southern Africa in planning for the 2002 meetings, and for subsequent international and regional meetings, including one in either Nepal or India. We are regionalizing on other fronts, too. For example, we asked Antonio Carlos Diegues to compile a bibliography on CPR work in South America, a region under-represented in IASCP. Discussions are underway with Charlotte Hess, our Information Officer, to create a mirror website for IASCP in Australia. What we need now, most of all, are members willing to become regional editors, organize regional workshops and meetings, come up with new and better ideas for accomplishing our goals, and help make regionalization a reality. If you have ideas and interest, please communicate with me, Charla, Michelle, or any member of the Executive Council. And come to Indiana 2000!

As centers of IASCP grow in South Asia, sub-Saharan Africa, Central and South America, East Asia, Eastern Europe, and other regions of the world, we cannot forget the functional center of IASCP: Michelle Curtain. She and her family moved away from Bloomington, Indiana and the Indiana University office of IASCP, but she has agreed to continue as Secretary-Treasurer, the real Center of all that we are and do. Thanks, Michelle! Nor should we forget our other functional center, Doug Wilson, who recently moved to an exciting new position in Denmark but agreed to continue the editorship of CPR Digest. Doug plays a key role in designing and implementing the regionalization initiative. Thanks, Michelle and Doug! And thanks to Ken Wilson of the Ford Foundation and Peter Riggs of the Rockefeller Brothers Fund for prodding us to improve and providing many of the resources we need to do so. Finally, I cannot omit thanking the most important person of all: you, the student, scholar, practitioner, policy-maker who is interested enough in the use, care, and management of common resources to participate in IASCP.

Bonnie J. McCay, New Jersey, USA, October 10, 1999, mcaay@aesop.rutgers.edu



## CONSTITUTING THE COMMONS:

### Crafting Sustainable Commons in the New Millennium

#### The Eighth IASCP Conference

Bloomington, Indiana, USA, May 31 - June 4, 2000

Organized by the Workshop in Political Theory and Policy Analysis, Indiana University, Bloomington; and the Center for the Study of Institutions, Population, and Environmental Change, Indiana University, Bloomington

We are pleased to invite you to attend the eighth biennial IASCP conference. The conference will take place from May 31-June 4, 2000, at the Indiana Memorial Union, Bloomington, Indiana. Please submit your panel, paper, and poster abstracts of less than 500 words to Nives Dolšak or Elinor Ostrom, the Program Co-Chairs, iascp00@indiana.edu by October 30, 1999.

Below, we list the conference sessions topics and present the pre-conference workshops. More detailed information will be available at <http://www.indiana.edu/~IASCP/2000.html>. Online registration will be available after November 20, 1999 at this web site. The registration form will also be in the next Digest.

### Session Topics

- 1) New commons created by, for example, technology, population settlement, and publically available funds.
- 2) The global commons stemming from uses of the atmosphere, oceans, and outer space.
- 3) Linkages among natural resources such as fisheries, water, grazing lands, and forestry.
- 4) How CPR managers adapt to change.
- 5) Emerging CPR theoretical syntheses.
- 6) Experimental economics: What have recent experiments added to our knowledge about CPRs.
- 7) Failures and what we can learn from failing institutions.
- 8) Privatization: When do markets work most effectively in managing CPRs?
- 9) Historical communal societies.
- 10) External influences on local commons: How much autonomy can a common property regime have?
- 11) The role of outside donors in CPR management programs.
- 12) Advocacy as a means of empowering resource managers.

**Pre-Conference Workshops**

We have organized the following workshops for May 31, 1999.  
**Experimental Economics:** James Walker (Workshop in Political Theory and Policy Analysis, and Department of Economics, Indiana University, Bloomington) (Half-day workshop) The Workshop on Experimental Methods will be organized around three broad themes: (1) using the experimental methodology as a research and pedagogical tool, (2) conducting in class (by hand) dilemma experiments, and (3) lab experiments using networked systems. The Workshop will be designed for participants who do not have a background in laboratory experimental methods. Conference participants, who use laboratory experiments in their research and teaching, however, are most welcome to attend and participate!

**GIS and Remote Sensing 1- Introduction to the Use of Spatial Data in CPR Research:** Tom Evans and Glen Green (Center for the Study of Institutions, Population, and Environmental Change, Indiana University, Bloomington) (Morning) Geographical Information Systems (GIS) and remote sensing are powerful tools allowing researchers to spatially integrate data from disparate sources and rapidly assess land cover change for large areas. This workshop will introduce participants to spatial data representation and acquisition and processing of satellite imagery. Examples will be presented that integrate data such as land cover/land cover change, demographic data, political institutions and social data in a spatial context.

**GIS and Remote Sensing 2 - Hands-on Workshop:** Tom Evans and Glen Green (see above) In the afternoon session, participants will be given the opportunity to exercise these techniques through a series of hands-on computer exercises using GIS and image processing software. The objective is to expose participants to how GIS and remote sensing can be used in a research setting rather than to provide focus on specific software. This workshop is designed for participants with little or no GIS/RS experience and is limited to 20 participants.

**Participatory Rural Appraisal and the Commons:** Bob Fisher (Regional Community Forestry Training Center, Kasetsart University, Thailand) (Full-day workshop) This workshop will explore ways in which PRA tools can be applied to understanding institutional arrangements for commons management. It will also explore some potential risks involved in using PRA, including the risks associated with partial participation in PRA (PRA rarely involves all stakeholders) and implications to recognition of legitimate stakeholders and

equity). Discussion will be based on some case study material from Asia and the workshop will explore the experiences of participants.  
**Review of the Common Property Literature Over the Last 15 years:** James Thomson (Associates in Rural Development, Burlington, Vermont); Victoria Edwards (Faculty of the Environment, University of Portsmouth, UK); and Nathalie Steins (Produktschap Vis Afdeling Natuur & Milieu, Rijswijk, Netherlands). The workshop on basic common property issues is designed to familiarize those new to the themes of common property governance and management with a broad area of the subject. It will introduce participants to topics that underlie presentations at the IASCP 2000 conference. These include: nature of goods (private, public, toll and common pool goods); the roles of rules, both formal and informal, in structuring access and use of common pool resources; property rights; and community-state interactions. This day-long activity will be presented in a variety of formats, including lecture, discussion groups, videos and possibly role-playing or other participatory methods. More detailed information will appear at the web site as it becomes available.

We are also in the process of organizing a workshop on Agent Based Modeling with Joshua Epstein of The Brookings Institution.

**IASCP Regionalization Initiatives**

In order to develop stronger regional networks outside of North America and Western Europe, a meeting will be held on May 31<sup>st</sup> in Bloomington, Indiana, to reflect upon ways for strengthening the IASCP's regional capacity and expanding its global base of practitioners and researchers. Facilitated planning sessions, by region, will also be held during the Bloomington Conference. These sessions will help to shape ongoing regionalization initiatives that aim to make IASCP more meaningful for its members and contribute to its value as a global organization. Specific tasks include: collecting basic information about networks of scholars, practitioners, organizations, and institutions concerned with CPRS, in order to foster regional networks and compile directories for the IASCP and its members; identifying regional editors to amalgamate material from their regions for publication in the CPR Digest, perhaps in translation; and, conducting regional workshops to produce materials for special issues of the CPR Digest focused on CPR issues in that region. Members and other interested persons should contact the Regional Liaison, Charla Britt, [cbritt@indiana.edu](mailto:cbritt@indiana.edu).

**JULY 1, 1999- JUNE 30, 2000 IASCP MEMBERSHIP CARD**

Renew your membership now and you will not miss any of your membership benefits; including: subscriptions to The CPR Digest; discount registration at our nearly annual meetings; conference abstracts, and the opportunity to contribute to the growth of the IASCP. Contact the IASCP office for additional information or visit our web site.

**MEMBERSHIP INFORMATION:** Renewal  New  (Please check one)

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle \_\_\_\_\_

Address:

City \_\_\_\_\_ State/Province: \_\_\_\_\_ Postal Code/Zip: \_\_\_\_\_ Country: \_\_\_\_\_

E-mail Address:

<b>INDIVIDUAL MEMBERSHIP*</b>	<b>CHECK MEMBERSHIP YEAR(s):</b>
\$15,000 or more.....US \$30.00	<input type="checkbox"/> July 1, 1999- June 30, 2000
<b>OR</b> \$14,999 or less.....US \$8.00	<input type="checkbox"/> July 1, 2000- June 30, 2001
	<input type="checkbox"/> July 1, 2001- June 30, 2002

Total dues payment @US \$30.00.....\$ \_\_\_\_\_

Total dues payment @ US \$ 8.00.....\$ \_\_\_\_\_

\*Institutional membership fees are a flat rate of US \$30.00.

**PAYMENT INFORMATION:**

You can return this card to IASCP with:

A check payable to IASCP

MasterCard  Visa  Discover | Card Number \_\_\_\_\_

Signature \_\_\_\_\_ | Exp. Date: \_\_\_\_\_ OR E-mail, phone or fax the information to:

**THE INTERNATIONAL ASSOCIATION FOR THE STUDY OF COMMON PROPERTY**

Indiana University, Workshop in Political Theory and Policy Analysis, Woodburn Hall 220, Bloomington, IN 47405-7110

Phone: 812 855 9297 Fax: 812 855-3150 e-mail: [iascp@indiana.edu](mailto:iascp@indiana.edu) <http://www.indiana.edu/~iascp>

**CPR Digest  
IASCP  
Woodburn Hall 220  
1100 E. 7th Street  
Bloomington, IN  
47405-7110 USA**