



Discussion Paper No.153

Local Council Commons Management in Uganda:

A Theoretical Reassessment

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April 2007

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1. Introduction

Environmental degradation is a global concern, and developing countries including Africa are no exception. The coexistence of rich wildlife and stark poverty of the majority of Africans deeply entangles environmental issues in Africa with economic as well as socio-political issues. Any solution requires a comprehensive approach for effectiveness and sustainability.

Debate between “conservation” and “development” in Africa carries historical legacies.¹ Africa’s post-independent states were highly centralized, because national elites felt a strong state was needed to support national integration and economic growth. These states then continued to practice conservation in a “top-down” manner. Central authorities imposed restrictions on resource use, often without prior notice to local residents. It was no surprise that local residents showed little cooperation with conservation authorities.

♦ This article is based on the fieldwork in 2002, which was funded by Socio-Cultural Research Institute, Ryukoku University, Japan. Some preliminary ideas appeared in my previous work (Saito, 2004). Then, a rough concept paper was submitted to 11th IASCP Biennial Conference, Bali Indonesia, 19-23 June 2006, where I received very useful comments from Jesse Ribot and Tomila Lankina of the World Resources Institute. Also I have been benefited from activities of Local Human Resources and Public Policy Development System Open Research Centre (LORC) at Ryukoku University, and Graduate School of Development Studies, Nagoya University.

¹ See Beinart (2000) and Broch-Due (2000) for excellent reviews of the contemporary history of environmental issues in Africa. See also Keeley and Scoones (2003) on science, power and discourse which provide good perspective to see African environment.

This “fortress conservation” approach has proved undoubtedly ineffective, resulting in a new thinking on how to balance environmental concerns and poverty alleviation requirements (Hulme and Murphree, 2001b). Consequently, practitioners began to experiment with inclusive natural resource management where consultation with local resource users came to be emphasized. Thus a new notion of “community conservation” has been advocated to overcome the limitations of the earlier “fortress conservation” approach.² Community conservation can be defined as policies and practices that grant greater involvement in management processes of diverse natural resources and that attempt to give residents close to precious resource more equitable benefit in such processes (ibid, p. 4). A main rationale of community conservation is that this approach would induce more cooperative attitudes by local residents on conservation activities, which in turn becomes more effective in the long run (ibid).

In addition, in parallel to the shift in natural resource management, there has been an important change in thinking about development administration. During the 1990s, decentralization reforms have been legislated throughout the developing countries. As a result, participatory development for sustainability merged with the decentralized state. Because environmental issues differ widely from one area to another, as argued, local-level management is more suitable to meet different requirements (Barrow et al., 2000, p. 144). Decentralized management is deemed more appropriate for facilitating community conservation (Dubois and Lowore, 2000; Fortmann et al., 2001; Ribot, 1999, 2001, and 2002; Okoth-Ogendo and Tumushabe, 1999). Various donors and international NGOs have therefore advocated this approach, and several projects were subsequently implemented. As a result, community conservation, by the end of 1990s, has now almost become a “new orthodoxy,” particularly in Africa (Adams and Hulme, 2001, p. 18; Barrow et al., 2000).

But several questions remain (Lind and Cappon, 2001): is the community conservation approach really a panacea as argued by donors and advocates? Several recent empirical findings increasingly point out that while decentralized environmental management presents a certain possibility in bringing well-intended outcomes, the reality “on the ground” requires more caution (Larson and Ribot, 2005; Saito, 2004). Recent studies commonly suggest that decentralization policies are essentially political processes and decentralized environmental management practices inevitably relate to shifts in power relations among diverse stakeholders of essential natural resources. Therefore there is no automatic link between decentralization and improved resource management (Batterbury and Fernando, 2006; Larson and Ribot, 2005).

These studies illustrate that future research should pay more explicit attention to the effects of politico-institutional reform (decentralization) on local democracy. This attention has a couple of importances. First, the socially disadvantaged is often the sufferers of

² There is a lexicon of terms. Some analysts (for instance, Ostrom, 1990; Gibson et al., 1998) use the term “common property resource management.” Other examples include integrated conservation and development projects; community-based conservation; community-based natural resource management; community wildlife management; collaborative (or co-) management (Barrow and Murphree, 2001, p. 37). Good review of the literature can be found in Agrawal, 2001; Brown, 2000; Ribot, 2001 and 2002.

mismanagement of natural resources (often by elites) in developing countries. Unless they can participate in processes in deciding the rules of resource management, they are likely to remain marginalized politically, economically, and environmentally. It is therefore crucial to examine whether decentralization endeavors enhance their participation in political process: strengthened local democracy. Second, if attaining sustainable development in the southern countries is the ultimate goal in which poverty reduction and resource conservation are in harmony, achieving sustainability is also an important question of democracy. This is because sustainability raises a question of equity and encompasses social inclusion, economic welfare and distribution of environmental benefits for the socially disadvantaged.³

The purpose of this article is to contribute linking between decentralization, democracy and environment, based on the local experiences in Uganda. The case materials drawn from Uganda are rich since the country started to implement decentralization policies relatively earlier than other developing countries and it is by now one of the most prominent experiments in decentralization in Africa (Saito, 2003). After the National Resistance Movement (NRM) took power in 1986, it has been implementing a consistent decentralization program, which is one of the most clearly defined and elaborated on the African continent (ibid.). In addition, the NRM government has also been improving the regulatory framework of environmental control, management and conservation by implementing a series of legislations. Thus, the case study of Uganda presents a unique opportunity to see whether decentralized environmental conservation can contribute to resolve one of the most serious global challenges as of now.

In order to illustrate the gaps between the assumptions and realities in decentralized resource management, some essential notions are introduced: agency, deliberation, and publicness. To what extent can the poor exercise their agency meaningfully in decision making of rules related to resource uses and thus be able to obtain the much desired benefits from such resources? Can they exercise their rights effectively so that they are in practice citizens rather than passive recipients of rules decided by others? To what extent are local committees and organs (in which the rules are decided) representative of the poor and the socially weak? Do these committees represent public interests adequately? Is decentralization opening up spaces in which opportunities for deliberation are increased out of which possible collaboration between the (local) government and the residents are realized? How is the distribution of benefits generated by resource use? To what extent any change is attributed to the effects of decentralization? These are essential questions and mutually related. Thus, finding answers to these questions open up the possibility of whether decentralization processes and community participation in natural resource management have contributed to sustainable development.

The article is organized as follows. The next section presents the theoretical assumptions related to decentralization, local democracy and environmental management. Then the

³ Holling (1995, pp. 32-33) explains: "Sustainable development is neither an ecological problem, a social problem, nor an economic problem. It is an integrated combination of all three. Effective investments in sustainable development therefore simultaneously retain and encourage the adaptive capabilities of people, business enterprises, and nature. The effectiveness of those adaptive capabilities can turn the same unexpected event (e.g. drought, price change, market shifts) into an opportunity for one system, or a crisis for another. These adaptive capacities depend on the processes that permit renewal in society, economies, and ecosystems. For nature it is biosphere structure; for business it is usable knowledge; and for society as a whole it is a trust."

following section describes the case in Uganda. This is followed by the discussions of to what extent the reality in Uganda reflects the assumed reasoning. Finally, a brief conclusion is drawn.

This article is drawn from evidence collected in my fieldwork in 2000, which focused on education and health services. Then in 2002 a briefer fieldwork was conducted with an emphasis on environmental resource management; interviews were conducted with local leaders and stakeholders in several locations. Since the duration was not extended, the article also draws from research conducted by others. The article therefore presents a kind of normative argument based on my limited first-hand observation and from other secondary materials.

The case in Uganda shows that community conservation is an extremely demanding task through which to achieve both economic progress in mitigating wide-spread poverty as well as environmental conservation halting the increasing degradations of various natural resources. Nevertheless, a positive balance can be struck. The current practices in the name of decentralized resource management are often far short of political authority and resources transferred from the central to local governments. In short decentralized resource management has not been started in reality. In order for decentralization to go beyond the rhetoric to become reality, more transfer is therefore needed. This should also be accompanied by a wide range of simultaneous policy reforms. Even if the problems associated with recent decentralized management are not trivial, reverting to the earlier approach of top-down management is not promising.

2. Theoretical Implications of the Research Gap

For decentralized resource management to work sustainability, several theoretical assumptions need to be realized in reality. First, the socially disadvantaged need to be represented in the decision-making processes of resource use. Many argue it is preferable if they can be directly included in such processes. When their voices shape politics and practices of resource use, the outcomes are more “pro-poor.”⁴ In practice, however, usually such direct participation is impossible. The communities located close to precious wildlife habitat are far from urban centers where political authority and economic wealth are concentrated. They rarely influences when policies related to natural resource management are planned. Furthermore, even within the communities, women, elderly, youth, ethnic minorities, inter alia, tend to be marginalized and are not included in such policy-making processes. Therefore, this kind of situation needs to be rectified at various levels. The poor and the socio-politically weak need to have some mechanisms in being represented in decision-making processes.

Inclusion and representation require a deep understanding of agency. For effective participation by the poor, agency needs to be exercised in embedded socio-political contexts. Here the language of citizenship is both useful and problematic: it is useful that citizenship connotes that all have equal rights to participate in processes that affects one’s life. It is

⁴ See Hicky and Mohan (2004), for instance, as a good review of recent debate on participation.

problematic because rights are difficult to guarantee especially in developing countries. Citizenship implies that individuals are autonomous, purposeful actors and able to make choice (Jones and Gaventa, 2002, p. 6). As the debate of citizenship illustrates, however, the poor and the socially disadvantaged usually do not demonstrate the characteristics of citizenship. For them to realize their legal claim, multi-dimensional empowerment is often needed. As the notion of citizenship covers multidimensional rights, so does empowerment. For the socially disadvantaged, political participation, social inclusion as well as security of livelihoods are interrelated. Without such multiple-empowerment, citizenship identified as covering diverse rights remains an empty shell without much meaning (Kabeer, 2005).

In order for the marginalized to exercise citizenship meaningfully, one of the key relevant concepts is deliberative democracy. While the notion of liberal democracy is based on individual preferences being aggregated through voting, deliberative democracy emphasizes communicative processes of opinion formation as a suitable mechanism of aggregating different preferences of populations. Deliberative democracy is not to replace representative democracy, but is an expansion of the conventional representative democracy which has been facing serious problems in many different parts of the world (e.g. political apathy and low voter turn out in elections) (Chambers, 2003). For the socially weak, especially in the developing world, this kind of democracy is more suitable than vote-centric and individualistic understanding of democracy. For collaborative natural resource management to work, effective deliberative processes are essential since different resource-users have competing requirements, and diverse individual preferences need to be aggregated effectively.

As a relatively new understanding of democracy has emerged, the notion of “publicness” needs much more careful review. In the past, democratic government with the support of the citizens was considered to have constituted and represented the “public.” However, as the demands from the citizens became more heterogeneous, many of the government have not been able to respond to this diversification. Populations in many sections of the world have lost faith in the governments as a main custodian of public services. The governments no longer enjoy legitimacy fully from the majority of the population (Pitschas, 2006).

In response to this difficulty, often decentralization is proposed as a solution. A key term related to decentralization is (local) governance. While the government used to be considered as the main provider of services (such as in the case of the welfare state), the concept of governance highlights the interactive processes of multi-stakeholders (including government) in order to resolve common problems. The government alone is no longer the sole agent to resolve all problems. Governance can broadly be defined as processes and outcomes of consultative processes of different constituent members including public, private, and civil organizations in order to resolve common political, economic, and social issues (Evans et al., 2005; Kooiman, 2003; Saito, 2003).

The governance notion significantly changes what “public” is all about. With governance, entities other than government offices participate in the process of discussing and implementing solutions to resolve issues which affect different constituent members. These new private or civil participants are now co-managers of essential services and co-producers

of solutions (Kooiman, 2003; Pitschas, 2006). “Public” is no longer set by the government. The new “publicness” is (re)defined by multiple stakeholders in governing processes.

No other subject but natural resource management can illustrate this point clearly. The government is only one of the many stakeholders in the management process. The government together with other individuals and organizations share public responsibilities, otherwise durable solutions cannot be found let alone implemented. It is against the background of the shared concerns that collective action can take place (Olson, 1992; Olowu and Wunsch, 2004, p. 1). If governance is an academic term in describing governing processes, then practical action is collective action.

Apparently these notions of representation/agency and publicness/governance are inter-connected. As the advocates of deliberative democracy assert, the stakeholders engage in dialogues with the spirit of public-mindedness, the process are likely to foster mutual respect. The deliberative processes can enhance the quality of decisions which is based on much broadly-informed discussions. The entire processes of consultation enhance legitimacy of decisions, hence resulting in mutually agreeable outcomes (Chambers, 2003, p. 316). The interactive processes also improve accountability since participants share information through dialogues. Therefore, the processes of deliberation and co-management of common problems go hand in hand. This inter-connectedness is obviously important for natural resource management since diverse stakeholders need coordinated solutions for competing requirements.

It is undoubtedly an uneasy task, on the other hand, for any to mitigate competing interests of diverse stakeholders over precious resources. But it is assumed that mitigation conducted close to the resources can be more effective than similar attempts made by some remote entities. This is often a contested reasoning, but supporters argue that local communities tend to share common identities and reaching agreement is more likely locally. Thus, decentralization advocates prefer local solutions to the one imposed by central governments.

In this scenario, local governments, as a custodian of “publicness,” are expected to play the role of fair mediator. This is especially the case where the political representatives preside over administrators and local residents seek accountability from their governments. For this role to be effectively played, the local governments need more support and not less.

3. Evolution of Environmental Sector in Uganda

It is now time to analyze if the assumed reasoning actually holds or not in the case of Uganda. Uganda’s current environmental management policies and practices date back to colonial times. This legacy has created a protectionist perception in which resource users are problem makers. This perception guided the establishment of protected areas where resource uses were restricted. The total of these restricted areas comprises approximately 8% of Uganda’s total land area (Green, 1995, p. 2, quoted in Hulme and Infield, 2001, p. 106; Barrow et al., 2001, p. 59).

In the mean time, two relatively recent developments have influenced the environmental regime in Uganda. First, as international environmental concerns attract global attention, Uganda signed important conservation conventions (Barrow et al., 2000, p. 14). Second, partly influenced by this Uganda's participation in conventions, a new constitution, 1995, clearly stipulates that environmental issues form one of the important matters for the state and the people in Uganda (Uganda, MoFPED, 1999).

Following the new constitution, the National Environment Statute, 1995 was passed to establish the National Environment Management Authority (NEMA). While NEMA is responsible for monitoring, planning and coordination of environmental matters, implementation is the responsibility of relevant ministries (Ogaram and Wabunoha, 1997).

The constitution also acknowledges decentralization as one of the major efforts for state (re)building after a long period of civil war and social turmoil especially from the middle of the 1970s to the 1980s. The processes of decentralization were accelerated in the early 1990s. The Local Council (LC) system, which is a hierarchy of councils and committees, became an important forum for local people to interact with authorities. The LC system has five levels ranging from district (LC5), county (LC4), sub-county (LC3), parish (LC2) to village (LC1). The political leaders of each level are elected by local population under whose leadership administration is to operate. With decentralization, LCs are responsible for overall planning and implementation of development activities, including environmental conservation. Although there are some recent backlash especially in 2006 resulting in the reduced local autonomy, the LC system enjoys political autonomy since decision made by the LC system are usually respected by the central government. Yet, financially the LC system is coming to be more dependent on the central government transfer, which inevitably affects their autonomy in real sense (Saito, 2003 and forthcoming).

The Section 15 of the National Environment Statute mandates the establishment of the District Environment Committee (DEC). The DEC is to ensure that environmental concerns are integrated into activities carried out by each district in accordance with the national environmental policy. In most of the district, there is a District Environmental Officer (DEO), who is responsible for overall planning and management of environmental concerns.⁵ Their tasks include creating environmental awareness, incorporating environmental activities in schools and other activities, monitoring economic activities which may have adversarial impacts, building data base on environmental issues in each district, and supporting implementation of environmental actions within the district (interview with Solomon Musoke, DEO Mukono District, 18 May 2000; Muhereza, 2006, p. 75).

At the grassroots level, the LC system is valuable as a forum for consultation, but local residents do not necessarily consider it as an effective problem-solving institution. At this level, there is no legal requirement for establishing committees for environmental management, but in limited places the committees have been formed. Accordingly, the

⁵ 51 out of 56 districts have DEOs (interview with Margaret Lwaga, District Support Coordinator, NEMA, 31 July 2002).

structure of decentralized environmental initiatives is now in place. The real question, then, is how to turn the newly created structure into effective practice.

Even if a significant degree of decentralization has been implemented in Uganda, central authorities still retain important controls over environmental regulations, particularly when they are related to national parks and forest and game reserves.⁶ The main problem is to secure institutional links between these central authorities and the LC system.

Even if there have been some attempts to promote collaboration between conservation authorities and the LC system, there has not been a clear link established between those two. Thus, quite often collaboration is based on personal ties rather than institutional arrangements. This situation puts local management committees on environmental issues, especially those which are asked to be in charge of national parks and state owned game reserves, in an uncertain position (Barrow et al., 2000. p. 91).

As a result, the kind of integration envisaged between the overall district development plan and various local environmental reports is seldom attained in reality (interview with Solomon Musoke, DEO Mukono District, 18 May 2000). Also ways in which policy guidelines are communicated to newly-established local environmental institutions tend to restrict the autonomy of the LC activities, which frustrates local leaders (Lind and Cappon, 2001).⁷

4. Collaboration / collective action

Even if Uganda is geographically a small country, there are varieties of the extent in which community conservation has been practiced. These examples show different resource ownership, the degree of participation, and decision-making processes. There are some examples by which grassroots people collaborate in organizing environmental activities. Some of them have been facilitated by the LC system and others have not.

4-1 Protected Area Outreach

The protected area outreach is often used to preserve fragile ecosystems and biodiversity by designating the habitat areas as national parks and game reserves, which are normally brought under state ownership. The state agencies determine resource management and decide required activities. This type of activities has been common in East Africa.

In Uganda, management of Lake Mburo National Park (LMNP) is one such example. The LMNP is the first park in Uganda to employ community conservation wardens and rangers

6 The Uganda Wildlife Statute, 1996 contributed to set up the Uganda Wildlife Authority (UWA) (that was created by the merger of former Uganda National Parks and the Game Department of the Ministry of Tourism and Wildlife).

7 Barrow et al. conclude (2000, p. 15): "While this localization and decentralisation is positive, the environment is still a low priority for most local authorities and districts compared with health, education and rural livelihoods. The link between the environment and the well being of rural people is still not clear, as it is no directly related to rural livelihoods. Such short term perspectives have led to potentially unwise decisions on the use of natural resources, for instance with respect to forest settlement, construction of dams and large irrigation schemes."

in 1991 (Hulme and Infield, 2001, p. 107). The LMNP borders with 13 parishes with an estimated population of more than 80,000 (ibid, p. 111). With various donors' assistance, efforts have been made to install an institutional mechanism for reflecting community concerns. Park Management Advisory Committee and Parish Resource Management Committees (LC2) were established. Through the committees' consultation, relations between the Park and local communities have improved. Small-scale development activities have been carried out, mostly in the form of social infrastructure such as schools, health clinics and trading centers (interviews with Christopher Musumba and Matovu Mutwalibi, LMNP, 7 August 2002). While these are tangible benefits for local residents, the estimated benefit of US\$ 2.3 per person per annum is far below the costs for wildlife conservation (ibid, p. 122; Barrow et al., 2000, pp. 126-8). The distribution of these benefits within and between local communities has not been totally fair either. Although income generating activities have also been initiated, many of them have tended economically unviable. Furthermore, while illegal activities of damaging wildlife within the park appears to be decreased, sustainable biodiversity conservation still requires much further efforts particularly outside of the park areas since the park itself is not "a self-contained" ecological zone (Kangwana, 2001).

Ugandan experience of the protected-area management confirms that this approach does not fully respect the notion of agency of the resource users. The state, especially the central government, substantially retains the control of decision making. The publicness is usually defined by the government. The local governments act as a kind of messenger. The outside support also tends to be given to central government offices.

4-3 Collaborative Management

Collaborative management seeks to forge agreements between local resource users and conservation authorities for negotiated access to natural resources, which are usually under the control of statutory authority. Through this kind of agreements, the objectives of conservation with some rural livelihood benefits are sought.

There are some examples of this approach in Uganda, including the involvement of the Uganda Wildlife Authority (UWA) in Bwindi Impenetrable Forest National Park (Namara, 2006); Mt. Elgon National Park; Rwenzori Mountains National Park (Barrow et al., 2000, pp. 50-56; Namara and Nsabagasani, 2001); and Mgahinga Gorilla National Park (Adams and Infield, 2003; Infield and Adams, 1999; Wild and Mutebi, 1996).⁸ These examples generate some lessons. The activities are all assisted by international NGOs which are keenly interested in environmental issues. The projects usually involved setting-up local users groups and identifying key resources to which local populations would like to maintain their access. The negotiation process evolved to reach an agreement with the UWA. This process normally improves the relations between the authorities and resource users. But sometimes such agreements do not fully reflect genuine support of both sides, which makes

⁸ In addition, "Uganda has the most advanced and coherent wetlands programme in the region. The policy actively acknowledges the important role of rural people and communities in wetland management" (Barrow et al., 2000, p. 53). See for the web site of www.ugandawetland.org. Raussen et al. (2001) report issues related to scaling up the innovations in collaborative forest management.

implementation difficult. It is often reported that the agreement is not really based on the equal partnership but rather interests of authorities dominate (such as their desire to reduce conflicts with local communities) than resource users (who prefer to gain more economic returns) (Bazara, 2006, p.28). Furthermore, there is not clear institutional links between the local user groups and the LC system (Muhereza, 2006, p. 73).

Also monitoring mechanisms are often not adequately addressed in the agreements, and sometimes unfair distribution of resources to those who are not a part of the agreement resulted. Benefits that communities receive do not compensate for actual and potential costs of conservation (Emerton, 2001; Hulme and Murphree, 2001a; Infield and Adams, 1999).

Of particular interest is that UWA was required by the Uganda Wildlife Statute, 1996, to share 20% of the entry fees with local governments for developing communities surrounding the protected areas (Barrow et al., 2000, p. 24; Barrow et al., 2001, p. 65; Hulme and Infield, 2001, p. 107). This sharing arrangement is one of the most innovative practices in Africa. But a loophole in the Statute still allows the UWA to retain the community share in their hands (Barrow et al., 2000, p. 50).⁹ In addition, communities are not fully convinced why it is 20% of the gate fee only and not the total revenue of the protected areas (Namara, 2006, p.51).

These examples demonstrate that this approach allows limited respect to the notion of agency. The primary decision-making authority, however, still remains in the hands of the government. Local governments play a more important role than the protected-area approach, but their role is still limited to support the central government policies. Thus, the central government still largely defines what “the public benefits” are all about. Some NGOs’ support is given to local communities that have improved their position in negotiating with the government. This improvement is an important difference from the protected-area approach.

4-3 Community-based Conservation

Community-based conservation seeks to achieve both sustainable uses of natural resources and adequate conservation practices through devolving control over those resources to local communities. Here, local resource users own land and resources either by de fact or de jure arrangements. For effective operation, developing local economy is emphasized.

In Uganda, the establishment of the LC system has been contributing this type of community-based conservation activities as well. Granting user rights and establishing community management areas have created the legal structures for community-based conservation and enabling institutional environment for dialogue between the state and communities (Barrow, et al., 2000, p. 73). The activities are led by community-based organizations (CBOs), which often operated with support by the central government and/or

⁹ For instance, although the statute ban extraction of resources as illegal, it allows UWA to allow “otherwise illegal activities” if they are considered to beneficial to conservation. This judgment is often made unilaterally by UWA with little explanation to local residents (Barrow et al., 2000, p. 50).

international NGOs interested in promoting conservation practices, especially in areas where local governments remain inactive. Some CBOs are well organized and have been in operation for more than 7-10 years. These CBOs have a clear organization structure. Decision-making process is reasonably transparent. Benefits of group activities are shared by the members. Disputes arising from competing requirements for resources can be resolved by consultative processes.

The East African Cross-Border Biodiversity Project, supported by UNDP, GEF, and FAO to preserve the Sango Bay forest and wetland ecosystem is considered to be another example (UNDP/GEF, 2000). With the assistance of local NGOs, collaboration with the LC system was sought. Through the process of consultation, local residents increased their awareness of conservation value. But this has achieved through supplemental activities of promoting fuel-efficient cooking devices and income generating activities (interview with John Magalula, IRDI staff, 26 July 2000). As a result, relations between authorities and local residents have improved, as testified by local forest officer: “In the past, forest officer was considered to be an enemy. But now through the collaborative forest management practices, it is no longer the case. Frequent consultations with local people have changed the relationship” (Erick Twinomugisha, Assistant Forest Officer, 28 July 2000). This officer continued that if local people see illegal activities to cut trees in the protected area, then they report it to the local forestry officer (also confirmed by interview with John Magalula, IRDI staff, 26 July 2000).

In these examples, local governments play a role of facilitator albeit in limited ways, and community resource users are recognized as a legitimate stakeholder in constituting the “publicness” in the locality. The governing processes are shared by more diversified entities. But, while the notion of agency is more respected than the previous categories of protected-area and collaborative management approaches, the full recognition in practice tends to be problematic. On the one hand, the disadvantaged are allowed to voice their concerns, to partake in decision making. These are all encouraging. On the other hand, this approach has yet to be adequately translated into mainstream practices and procedures, particularly in wildlife conservation. It is therefore adequate to conclude that community conservation has been evolving in a piece-meal basis without overall strategic coordination – each example reflects specific contexts within the country.

5. Key Issues toward Effective Local Management

What would these diverse Ugandan examples inform us about assumptions behind key notions discussed earlier? The intersection of theories and realities inform us both limitations of current theories and possible directions for further research.

First, it is very important to remind us that the situation in Uganda presents a mixture of different orientations. On the one hand, decentralization was implemented with a strong political commitment and support. When the current regimen took power in 1986 after the long period of civil war, there was an “institutional vacuum” of any state organs. The efforts to retain peace and security at the grassroots though the LC system was in the

interests of both the regime in power and ordinary Ugandans, at least up to the late 1990s. On the other hand, in the natural resource management, the central government still maintains decision making authority.¹⁰ Many of the natural resources are still in the hands of the central government and the local governments are allowed to manage a small segment of resources.¹¹ The attitude of administrators is still centered on command and control. Often what matters is the views of regulatory authorities and not those of the local people when serious discussions and disputes take place (Namara, 2006). As a Chairperson of a national park in Uganda explained:

We are given responsibilities, but no authority. For example, park staff prefer to handle cases of conflict between them and the people by themselves. Communities now know that the management of the park has changed to become pro-people. However the park staff still prefer to use force, especially the junior staff who do not seem to be fully aware of the changing style of management of parks (Interview with a Chairman, March 2001, Kabale, quoted in Namara and Nsabagasani, 2001, p. 38).

It is against this mixed situation in which decentralized natural resource management was put into experiment. Thus, there are a number of important problems, which has a wider implication to Africa and the other developing countries.

5-1 Representation and Deliberation

In the quality of representation, there are at least two important issues. First, even if the LC system is valued highly as a useful form for discussing local issues (Saito, 2003 and forthcoming), the agenda is usually set up by the authorities and not by the residents. The agenda setting influences the rules of politics significantly. If the local residents cannot determine the agenda, their influence in deciding the rules is seriously curtailed.¹² Second, in many of the resource user groups (often set up with the assistance of NGOs) as in the collaborative management approach, the extent of representation in them is far from ideal. Often a small segment of diverse stakeholders are represented (Bazara, 2006, p. 27).¹³ "Participation in the decision-making processes was narrowly confined to a few individuals and so were the benefits" (ibid, p. 25). As a result, many do not consider the decision made in this way legitimate. It is no surprise that illegal extraction of resources unfortunately continues in such situations.

When representation is harmed, it is undoubtedly difficult to engage on meaningful

¹⁰ Muhereza (2006) emphasizes that one reason for the continued central influence is the political pressure by the elites who actually gain substantive benefits from exploitation of resources. In the case of forest control, the once localized resources were recentralized in the course of overall decentralization (p.76).

¹¹ Bazara (2006) points out that local governments can manage forests of less than 100 hectares (p.29).

¹² One may argue that as long as locally elected representatives can shape the agenda, this is not a democratic problem. In reality, the efficacy of the representatives is too limited to support this argument.

¹³ Bazara (2006) even says that the institutions of collaborative management were created by the central government for the sake of legitimize their policies (p. 27).

deliberation. Even if the idea of deliberative democracy may sound fine, realizing it in practice is often difficult (Ryfe, 2005). The experience in Uganda shows the lack of some important conditions for effective deliberation to be realized. First, when the local governments are not respected on the resources on which the residents depend, it is difficult to expect that any meetings called by the government can be conducive forum for deliberation. The commandalist attitude of officials (park wardens and forest officers) is one important source of distrust. Second, when local people see that the benefits are illegitimately consumed by traders, elites, and others but not by themselves (Muhereza, 2006), it is difficult to anticipate that they exhibit the attitude of tolerance in listening to opposing views by others. In rural Africa where poverty is still pervasive, public perception of fairness in benefits distribution matters significantly.¹⁴

Third, the notion of deliberation is deeply related to context-specific value systems (Delli Carpini et al., 2004). Articulating opinions and exploring possible solutions depend on particular contexts. The processes entail both cognition (the act of making sense) and culture (the act of making meaning). Effective deliberation in developing countries, especially in Africa, needs to find suitable methods to combine these two elements. While the notion of deliberative democracy often assumes rational and capable individuals who are free to make choice through reasoning processes, conceptualizing such individuals in developing countries may not contribute to better understanding of realities. Even if opportunities for deliberation are given, many Africans often prefer not to reveal their individual preferences because many value community cohesion (Schaffer, 1998).¹⁵ Therefore, Africa may need to find their own ways to make deliberation work. Although it is not self-evident, there are possibilities to devise ways of deliberation that are suitable in African context.¹⁶

5-2 Citizenship

The Ugandan experience also suggests complex problems related to the notions of agency. Following, Janoski and Gran (2002), Ribot (2005, p. 12) identifies the main elements of citizenship as membership, ability to influence politics, passive right to exist, universalistic rights applied to all, and equality in legal procedures. The LC system is illuminating since it guarantees most of these elements at least nominally. The residence in localities allows all considered to be a member of the LC system once registered. Discussions of LC system are to inform the policy making processes. The right to exist is recognized. All are equal in front of the law. The procedural equality is also noted. This kind of legalistic characterization, however, tends to conceal difficulties and disfranchisement of the socially disadvantaged in the natural resource management. The Ugandans cannot exercise their rights effectively, and thus they cannot enjoy citizenship effectively.

As the decisions of natural resource uses are heavily influenced by the (central) government

¹⁴ This has important implication for democracy. In several places in Africa, this kind of fairness constitutes one important element of real “democracy” in local people’s perceptions (Karlström, 1996; Schaffer, 1998).

¹⁵ As Schaffer (1998) argues, this is related how “democracy” is understood in African culture.

¹⁶ One possibility is story-telling (Ryfe, 2005). Africa has been historically very rich in narratives and stories. This tradition can be positively utilized for adopting what may perhaps be a Western notion of deliberative democracy.

and their officers, what local residents enjoy is “privileges” granted by the officers and not the results of “rights” that individuals exercise (Bazara, 2006). When the rules are made not in a transparent fashion, granting permits for accessing resources depends on the “benevolence” of officers. This kind of situation is a sharp contrast to what the rule of law anticipates. What is often taking place in Uganda is the rule of officers’ preferences and not by official rules.

Another negative consequence is the lack of accountability. When citizens do not and cannot exercise their rights, they do not hold their representatives accountable. Insufficient participation, inadequately exercised rights, unduly recognized agency resulted in the demise of local accountability. What is even more problematic is that while leaders may gain some benefits in receiving undue profits from exploitation of resources (such as forests, as shown by Muhereza, 2006) in the short run, the social consequence in the long run will be born by all. This is a grave concern, which needs urgent attention.

5-3 Publicness and Governance

It is evidently clear by now that environmental governance in Uganda’s localities is facing serious problems. When resources are exploited for personal gains especially by the powerful in official positions, such exploitation undermines efforts to establish common public interests. While the local governments in Uganda need collaboration with local communities, the private sector, NGOs and others, the space that is available for forging partnership is too limited. This is ironical that it is the African local governments that need such partnership precisely because there are numerous problems that they face and resolving them require support and collaboration with other stakeholders.

Put differently, it can be said that the current situation displays fragmentation of the public sphere held by the government, private, and civil leaders (Syrett, 2006), since each tends to impose its own interpretation for his/her benefits at the cost of the common concerns. What is even more problematic is that this fragmentation is exacerbated by external factors. First, since the current rationale of decentralization reforms derive from neo-liberal economics (that became dominant in the West since the 1980s), this ideological origin complicates to reformulate the publicness locally.¹⁷ While private actors may bring more economic efficiency, they usually do not represent the public interests adequately. Second, neo-liberalism often uncritically calls for making the states smaller. Since assisting local governments is considered illegitimate by some donors, support is instead provided for private companies, NGOs and civil society organizations. What is critical is that this kind of support in fact not only fragments effective support to localities but also undermines reforms taken by local governments. As a result, donors’ assistance often results ineffective (Ribot, 2005). Under these “poor governance” situations, the local governments cannot discharge the function of effective mediation.

The situation therefore apparently needs to be reversed. Ideally reconstructing publicness should be conducted in such a way that a common identity among conflicting stakeholders

¹⁷ As the neo-liberals favor privatization, sometimes it is considered as a form of desirable decentralization.

can be found through deliberation. Without establishing a public identity that accommodates a balance between resource use and conservation, restructuring governance would remain ineffective. Here again the role of local governments is important. Although it is no easy to change the attitudes of officials, the local governments need to transform themselves into trustful mediators/facilitators in the interactive processes of collective action. Their role is exercise facilitative leadership. This is a new kind of leadership. Instead of dominating the deliberative processes, they need to allow others to express views and widen the horizon of understanding. Here, the facilitators need to have good communication skills, open-mindedness, a broad perspective to redefine public interests, courage to experiment with something new, and capacity to manage the processes of such new projects with diversified partners.¹⁸ Becoming an effective facilitator is not equal to become a big and incompetent public office. Facilitator is a good mediator of competing interests, and its function differs from domination. Future research is indeed much needed to examine in what ways local governments are in reality be able to exercise this new sort of leadership.

6. Conclusion

The experience of Uganda in applying the policy shift from “fortress conservation” to “community-based management” clearly displays many serious problems. These problems relate to political, economic, and environmental dimensions. One may conclude that environmental democracy in Uganda is in crisis. But this kind of pessimism does not help resolve the compounded environmental management issues in developing countries in general and in Africa in particular. Although the range of issues discussed in this article demonstrates the extent of complexities involved in establishing sustainability in difficult circumstances, it does not mean that the old approach should be revived. The efforts should be made in how the assumed reasoning can be realized on the ground rather than abandoning the new approach.

In Uganda, while the institutional foundation was laid, how to turn this new opportunity into an effective deliberative processes in triple terms of political participation, economic well-being, and environmental soundness still remains a major challenge. The Ugandan experiences generate important lessons for other countries which face similar issues.

First, it is extremely important that reforms should be coordinated between national and local levels. Unless, regulations are nationally coordinated, any local initiatives, no matter how useful they can be, cannot be effectively enforced. This is especially the case in multi-dimensional policy shift is to be pursued. In order for local democracy to be viable, the overall situation of democracy at the national level needs to be consolidated. Securing any kind of local democracy without being supported by democratic efforts nationally does not seem promising.

¹⁸ The kind of qualification required for a new type leaders are well presented in Egan Review of England (UK ODPM, 2004). The term of “facilitative leadership” came out during the discussion of Researchers’ symposium of ICLEI World Congress, Cape Town, February 2006. The quality needed for such leadership resembles what Warner (2001) points out.

The transfer of resources from national to local levels would then need to go hand in hand with this kind of coordinated endeavor. If precious natural resources such as forests and game parks are still in the hands of the national authorities, if national bodies can effectively use them in order to support poor localities, then national control of resources has its meaning (redistribution). What is problematic is that in many African countries resources are not meaningfully used. Instead they are used as “rents” to consolidate neo-patrimonial rule at the cost of society in large.

Second, institutional reforms should be made in such a way that stakeholders would be motivated to use the new institution for attempting to find common grounds and solutions. If there is a lack of coordination in the institutional reforms, what results are frustrated local leaders and administrators (Joshua Esiepet, DEO Tororo, 9 August 2000). Another district environment officer summarized this situation succinctly:

People will not willingly take on duties where there is no personal gain (remuneration, allowances). Personal gain motivates people, and lack of it leads to dormancy. Environment protection is not well understood by local government representatives. Councillors often ask, “what income does the environment generate?” Politicians will mainly budget for issues they understand well, or issues in which they have interest like road construction, which show immediate results (District Environment Officer, Kabale, March 2001, quoted in Namara and Nsabagasani, 2001, p. 49).

Third, for effective design of complex institutional reform such as sustainable local democracy, coordination of multiple expertises is indispensable. Often, resource management tends to be guided by natural scientists without much consideration of socio-political complexities. Likewise, social and political advisers may not be fully conversant with ecological issues. The diverse dimensions are needed and should be orchestrated coherently. This is a serious challenge in practice especially for donors.

Fourth, even if participatory approaches to development are certainly no panacea for all issues, a sound participation in which even the poor and the marginalized are allowed to exercise their agency effectively still deserves a serious attention if the agenda of community-based conservation is to remain. Although Ugandan shows several obstacles, there are some examples in which the relationship between the management authorities and local residence improved due to the increased collaboration through participatory exercises (interview with Joshua Esiepet, DEO Tororo District, 30 May 2000).

These points highlight that more research is needed in linking decentralization and resource management by explicitly paying more attention to issues related to agency, representation, deliberation, governance, and publicness. Much more careful research design is crucial for empirical investigations. The research itself needs involve orchestration of diverse disciplines to confront with contradictions and conflicts involved in such complex social change as sustainable resource management.

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