Responsive Forest Governance Initiative (RFGI)
Supporting Resilient Forest Livelihoods
through Local Representation

Representation through Privatisation

Regionalization of Forest Governance in Tambacounda, Senegal



Melis Ece

Representation through Privatization

Responsive Forest Governance Initiative (RFGI) Research Programme

The Responsive Forest Governance Initiative (RFGI) is a research and training program, focusing on environmental governance in Africa. It is jointly managed by the Council for the Development of Social Sciences Research in Africa (CODESRIA), the International Union for the Conservation of Nature (IUCN) and the University of Illinois at Urbana Champaign (UIUC). It is funded by the Swedish International Development Agency (SIDA). The RFGI activities are focused on 12 countries: Burkina Faso, Cameroon, DR Congo, Ghana, Kenya, Mozambique, Nigeria, Senegal, South Africa, South Sudan, Tanzania, and Uganda. The initiative is also training young, in-country policy researchers in order to build an Africa-wide network of environmental governance analysts.

Nations worldwide have introduced decentralization reforms aspiring to make local government responsive and accountable to the needs and aspirations of citizens so as to improve equity, service delivery and resource management. Natural resources, especially forests, play an important role in these decentralizations since they provide local governments and local people with needed revenue, wealth, and subsistence. Responsive local governments can provide forest resource-dependent populations the flexibility they need to manage, adapt to and remain resilient in their changing environment. RFGI aims to enhance and help institutionalize widespread responsive and accountable local governance processes that reduce vulnerability, enhance local wellbeing, and improve forest management with a special focus on developing safeguards and guidelines to ensure fair and equitable implementation of the Reduced Emissions from Deforestation and Forest Degradation (REDD+) and climate-adaptation interventions.

REDD+ is a global Programme for disbursing funds, primarily to pay national governments of developing countries, to reduce forest carbon emission. REDD+ will require permanent local institutions that can integrate local needs with national and international objectives. The results from RFGI Africa research will be compared with results from collaborators in Asia and South America in order to enhance RFGI comparative scope, and to broaden its geographic policy relevance.

RFGI Working Paper Series Editors' Note

James Murombedzi, Jesse Ribot and Gretchen Walters

Struggles for control over and access to nature and natural resources; struggles over land, forests, pastures and fisheries, are struggles for survival, self determination, and meaning. Natural resources are central to rural lives and livelihoods: they provide the material resources for survival, security, and freedom. To engage in the world requires assets that enable individuals, households, and communities to act in and on the world around them. The ability to accumulate assets and the ability to access government and market services depends partly on such resources along with the political-economic infrastructure - rights, recourse, representation, markets, and social services – that are the domain of government. Democracy, which both enables and requires the freedom to act, is predicated on these assets and infrastructures. Since the 1980s, African governments have been implementing local government decentralization reforms aimed at making local government more democratic by making them responsive and accountable to citizen needs and aspirations; in many places this has been done through a decentralisation of natural resource governance to local administrations. In order to be responsive to individual, household and community demands, local governments, too, need resources and decision-making powers. There must be a public domain - a set of public resources, such as forests or fisheries, which constitute this domain of democracy, the domain of decisions and services that citizens can demand of government. Natural resources, when decentralized into the domain of local authority, form an important part of the resources of individuals, households, communities and governments, making possible this move toward local democracy.

Natural resources provide local governments and people with wealth and subsistence. While nature is not the only source of rural income, the decentralization of natural resources governance is a core component of local government reform. However, governance reforms have been implemented in a context broadly characterized by an enduring crisis of the Western economic and financial systems, which in turn has stimulated privatization and liberalization in every sphere of life, including nature. The process has deprived local governments of public resources - depriving individuals and communities of a reason to engage, as a powerless government is not worth trying to influence. Privatization is depriving forestdependent peoples of their access to formerly 'public' or traditionally managed resources. National governments, as well as international bodies such as the United Nations programme, titled the Reducing Emissions from Deforestation and forest Degradation (REDD), further this trend as they collaborate with private interests to promote the privatization of natural resources. The resulting enclosures threaten the wellbeing of resource-dependent populations and the viability of democratic reforms.

The specter of climate change is deepening the crisis of enclosure. A key response to climate change has been the attempt to mitigate greenhouse gas emissions through enhancing the capacity of forests in the developing world to store carbon, ostensibly for the benefit of the atmosphere as well as the communities who use these forests. UN REDD seeks to pay communities, through their national governments, to conserve their forests as carbon storage. A plus '+' was added to REDD, forming REDD +, to call for improved ecosystems services, forest management, conservation, forest restoration and afforestation to enhance the capacity for carbon storage. Designed on the basis of similar payments for environmental services (PES) schemes, REDD+ has the potential to inject vast new sums of money into local resource use and governance. In the context of fragile local governments, nascent democracies and powerful private interests, such cash inflows result in the commercialization and privatization of forests and natural resources and the dispossession of local resource users. This financialization of natural resources grossly diminishes the scope for democratic natural resource governance schemes. To be sure, the implementation of REDD+ can also learn from and avoid the pitfalls experienced in these PES schemes, especially if they represent local interests in natural resource governance decision making.

The Responsive Forest Governance Initiative (RFGI) is an Africa-wide environmental-governance research and training program focusing on enabling responsive and accountable decentralization to strengthen the representation of forest-based rural people in local-government decision making. Since January

2012, the programme has carried out 33 case studies in 12 African countries, with comparative cases Nepal and Peru, to assess the conditions under which central authorities devolve forest management and use decisions to local government, and the conditions that enable local government to engage in sound, equitable and pro-poor forest management. Aimed at enabling local government to play an integrative role in rural development and natural resource management, these case studies are now being finalized and published to elicit public discourse and debate on local government and local democracy. This Working Paper series will publish the RFGI case studies as well as other comparative studies of decentralized natural resources governance in Africa and elsewhere that focus on the interesction between local democracy and natural resource management schemes. Using the concepts of institutional choice and recognition, the cases deal with a comprehensive range of issues in decentralized forest management in the context of REDD+, including the institutional choices of intervening agencies; the effects of such choices on accountability and representation; and the relationships between local government and other local institutions. The series will also include syntheses discussing the main findings of the RFGI research programme.

Based at CODESRIA, and funded by the Swedish International Development Agency (SIDA), the RFGI is a three year collaborative initiative of CODESRIA, the University of Illinois at Urbana-Champaign (UIUC) and the International Union for Conservation of Nature (IUCN). RFGI working papers and documents, including the background papers, the RFGI programme description, and the RFGI Methods Handbook, can be found on line at:

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CODESRIA publishes Africa Development, the longest standing Africa based social science journal; Afrika Zamani, a journal of history; the African Sociological Review; the African Journal of International Affairs; Africa Review of Books and the Journal of Higher Education in Africa. The Council also co-publishes the Africa Media Review; Identity, Culture and Politics: An Afro-Asian Dialogue; The African Anthropologist and the Afro-Arab Selections for Social Sciences. The results of its research and other activities are also disseminated through its Working Paper Series, Green Book Series, Monograph Series, Book Series, Policy Briefs and the CODESRIA Bulletin. Select CODESRIA publications are also accessible online at www.codesria.org.

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Abstract

The 1996 Senegalese decentralization reforms, known as regionalization, were celebrated as a significant step towards democratization of natural resource governance. The reforms claimed to deepen decentralization by establishing elected regional councils and initiating a controlled transfer of additional powers to elected councils at all scales. While the new wave of decentralization allowed elected councils to commercially exploit forests under their jurisdiction following management plans, it also opened a space for contractual 'agreements' between the state and local elected authorities, allowing internationally funded environmental projects to exert their influence through forest management plans. The projects implemented by PROGEDE and Wula Nafaa illustrate that despite their 'participatory' discourse, such projects re-introduce and re-enforce non-democratic practices, bypassing elected base-level rural councils by creating new institutions, whose mandate is narrowly defined according to the projects' neoliberal vision. On the other hand, through assigning the role of intermediaries of development to regional councils, and establishing regional development agencies in their midst, the reforms have created new opportunities for privatepubic partnerships, geared to facilitate contractual agreements at the regional scale. The regional councils have been instrumentalized both by the Forestry Department and the environmental projects to push for different privatization alternatives. Far from offering a 'participatory and deliberative' forum of decisionmaking, they became sites for the Forestry Department and internationally funded environmental projects to make representation claims about 'local people' in line with a market-based neoliberal rationality. This article shows how 'communitybased' environmental projects further the privatization and commodification of forests, while regional-level elected authorities are instrumentalized to facilitate these goals. I suggest that rather than providing a long expected 'opening' for local democracy, the new decentralization in Senegal is narrowed by the influence of neoliberal processes.

Introduction

Since its rise as a hub of trade and a passage point for peanuts at the beginning of the twentieth century, Tambacounda has been divided by the railroad. On one side there are buildings occupied by development projects, the Regional Tribunal and governmental offices. Townspeople live on the other side. The weekly market is set on the side of the development projects, where the administrative affairs are also conducted. This integrated area of development projects, centres of commerce and government offices is particularly convenient for, or may be related to, the 'development industry' in Tambacounda. The Regional Council of Tambacounda, a product of the latest wave of decentralization reforms in Senegal, is also located on that side of the railway. This location suited perfectly the special role assigned to the Regional Council, as the new 'intermediary of development.'

In October 2004, a public meeting was held at the Regional Council to discuss the implementation of decentralization reforms in the field of natural resource management. The participants included high-level representatives of the central government institutions (the Forestry, National Park and Agricultural Departments) and the staff and project managers of internationally funded environmental projects focusing on 'community-based' forestry in Tambacounda. The most prominent among these were the Sustainable and Participatory Energy Management Project (PROGEDE), whose funding was administered by the World Bank, and USAID's Agriculture-Natural Resource Management Program, which went by its adopted 'local' Mandinka name, Wula Nafaa (meaning 'the benefit of the forest')¹.

The meeting was initiated by Wula Nafaa, which had chosen to hold it under the aegis of Tambacounda's regional council. With the 1996 decentralization reforms, regional councils (assemblies) were re-instituted and regions acquired the legal status of 'local' government authorities (*collectivités locales*), similar to municipalities and

rural communities (RdS 1996a). The constitution of elected councils at the regional level was celebrated as a step towards the deepening of 'democratic' decentralization in Senegal (Diouf 1998). The donor community acknowledged the newly elected regional councils as 'representative institutions' (Snook et al. 2013), and regarded the newly elected councils as the focal points for achieving a more 'cost effective' and economically efficient 'public service delivery' (Ribot et al. 2006). In state and donor discourses, the 'local' status of regional councils was not questioned. On the contrary, regional councils were quickly subsumed under the category of 'local', which putatively conferred on them both legitimacy and representativeness.

The topic of the meeting, decentralization of natural resource management, concerned all the elected authorities that operated in 1,463 villages in 35 rural communities (RdS 2005). One would have expected a high level of attendance of base-level elected councils (the rural community councils), yet only the presidents of two elected rural community councils were present in the meeting. None of them spoke during the debate, during which, as I will explain, the terms of the debate were pre-set by Wula Nafaa, PROGEDE and the Forestry Department. This low attendance contradicted the regional council's role as a deliberative democratic forum, where the base-level rural councils could express their interests, needs and demands. Only at the very end of the meeting did the President of the Regional Association of Rural Community Councils take the floor to make the following comment on behalf of the rural community councils. He said:

The management of the environment is a power transferred to rural communities. However, what the State gives with its right hand, it takes back with its left hand. The management of natural resources generates financial resources. How will the state allow these resources to be devolved to local populations? Wula Nafaa program is a very good initiative for this.

In his intervention, the President conveyed a general sense of disappointment about decentralization prevalent among the rural councils. Decentralization reforms and new Forestry laws had transferred a number of powers concerning the management and exploitation of forests in *terroir* zones² to the elected councils of rural communities, municipalities and regions (RdS 1996a; RdS 1996b). These powers of 'management and conservation' focused primarily on the commercial exploitation of forests and production of forest-based commodities (charcoal, timber, gathered plants etc.) (RdS 1998)³. They allowed the rural councils to plan for and authorize commercial tree cutting and to claim a share from forest revenues obtained from commercial exploitation of forests on village *terroir* zones. The President's comment indicated that despite these power transfers, the elected councils were unable to exercise their

powers, as these were taken away by other means. His comment was directed to centralized conservation institutions (National Parks and Forestry Departments), which cemented the image of the 'state' as a powerful and external 'entity' through coercive and exclusionary coercive conservation practices in Tambacounda, especially following the forced evictions from the Niokolo-Koba National Park during the 1970s (Ece 2009; Ece 2012). He implied that these institutions were able to take back the authority to manage forests and forested land, granted to rural councils through decentralization laws.

It has been pointed out that in natural resource decentralizations, when elected authorities lack necessary financial and technical means, and discretionary authority, or when these are constrained, and/or used to cultivate upward accountability, their responsiveness and representativeness can be compromised (Agrawal and Ribot 1999; Larson and Ribot 2005; Ribot 2003; Ribot 2004). In such cases, the elected authorities would not be able to respond to their constituents' needs and demands, despite and against the stated aims of decentralization reforms (Ribot 2004). Ribot, following Manin (Manin et al. 1999), considers responsiveness and accountability as two main defining characteristics of democratic representation. He states that: 'to be democratic, institutions must be representative: accountable to people and empowered to respond' (Ribot 2013). He defines responsiveness as the ability of the representatives to 'translate the needs and aspirations (of the represented) into policy and policy into practice' (Ribot 2011; Ribot et al. 2008). To influence policymaking in a way that reflects the needs and aspirations of the represented, and to put such policies into practice (to be responsive), representatives must have discretionary powers. If discretionary powers are not granted or they are constrained by oversight, the elected authorities will not be able to be responsive and would lose their legitimacy in the eyes of the represented. The second aspect of representation concerns the issue of accountability. Similar to responsiveness, accountability is defined as a relationship that presupposes the ability of the represented to hold the representatives answerable through positive and negative sanctions (Manin et al. 1999; Ribot 2013). Agrawal and Ribot (1999) define accountability as the 'exercise of counter power' against arbitrary action. Elections are considered as a necessary but insufficient condition for accountability, as the represented can sanction or reward the elected authorities through voting for or against them. Besides elections, Ribot and Agrawal (1999) mention a long and 'non-exhaustive' list of mechanisms of recall, among which they cite independent monitoring and provision of information by NGOs.

Several factors complicate the accountability and responsiveness relations described in this framework. First, the existence of 'free and fair' elections is presumed as a defining condition of downward accountability and responsiveness (democratic

representation). However, both theoretical debates and empirical evidence from Senegal indicate that the patrimonial politics as well as the design of the electoral system can produce candidates that are 'upwardly' accountable to political party leadership and/or to 'customary authorities' (e.g. religious leaders) (Agrawal and Ribot 1999; Beck 2001; Stokke and Selboe 2009). In addition, other factors can also limit the capacity of elected authorities accountability and responsiveness. Among those, Ribot underlines the importance of transfers of authority, technical and financial means to parallel local institutions (Ribot 2013). International donors, through the projects that they fund, play a central role in creating and recognizing such institutions, at the expense of elected authorities, thus compromising and even hollowing out the accountability and responsiveness relations between elected representatives and their constituents.

This theoretical framework, which emphasizes the importance of discretionary powers as a condition for responsiveness of elected councils, is key to understanding the failure of decentralization reforms. However, in its emphasis on the lack of or constraints over discretionary powers of elected authorities as the main obstacle for representation, it also overlooks one key point. The powers transferred to elected local authorities are not simply limited but also framed in a way to enable commodification of forests and their privatization under the aegis of decentralization. If this is the case, as I argue in this article, the responsiveness of elected authorities may be framed in a narrow fashion, as the ability to open their forests for commercial exploitation under specified limitations (e.g. technical management plans) and as their ability to capture the benefits that accrue from the sale of forest-based commodities.

The discourses, policies and practices of 'participatory' and community-based conservation projects, such as Wula Nafaa and PROGEDE discussed in this article, illustrate the role that international donors play in natural resource decentralizations. These projects proliferated in the region of Tambacounda after the 1996 decentralization reforms. Promoting the merger of conservation with development, and the view of 'natural world as capital' (Anderson 2004), they were the forerunners of neoliberal conservation, and paved the way for more recent carbon forestry interventions based on payment for ecosystem services (Brockington et al. 2008; Igoe and Brockington 2007; McAfee and Shaphiro 2010). As the empirical evidence shows, the modus operandi of such projects in Senegal (and elsewhere) is to create and recognize new local institutions, under the umbrella of local environmental 'committees,' and treat them as private commercial bodies, set up for the purpose of commercialization of forest products. If, as Ribot and Agrawal (1999) argue, the transfer of powers to private individuals, corporations, NGOs or community groups is not decentralization, but privatization, then 'community-

based' projects do not simply promote local democracy but also the privatization of governance of resources.

If rural councils are both constrained and led to choose among different options for privatization offered by donor-funded projects like Wula Nafaa and PROGEDE, what is the role of the regional (and rural) councils as representative authorities? Can they offer a deliberative and participatory decision-making forum for baselevel rural community councils? The 1996 Senegalese reforms were framed as a step towards deepening the democratic decentralization, where the re-institution of elected regional councils was celebrated as the new 'local' authorities. In this context, the 'local' was deployed as an idiom for representativeness. This was based on the presumption that local institutions have better access to 'time and place-specific information' about their constituents' needs, conditions and priorities; that with such information they would make better, understood as more 'efficient and cost effective,' public policy and service delivery decisions (Agrawal and Ribot 1999; Conyers 2007; Larson and Soto 2008; Ribot et al. 2006). However, the regional councils were also given a different role than base-level rural councils as 'intermediaries' of development (RdS 1996a; RdS 1996b). Thus, the powers devolved to regional councils (particularly concerning the environmental planning) while constrained in specific ways, were framed in a way to put them also in a position to act as a 'partner' for international donors. In that role, they were involved in negotiating contractual relations (including forest management plans) with base-level councils. This, I argue, contributed to the attempts to confine the regional councils' role to the 'filtering' of development demands from below, or worse, to their instrumentalisation for commodification of forests and increased forest exploitation.

Recent debates about participatory and deliberative democracy have further strengthened this celebration of the local through decentralization (Fung and Wright 2003; Toure 2012). In theory, the regional council is one of the arenas where the represented can 'voice' their needs and aspirations, and hold the central state conservation institutions accountable and answerable. Yet the low attendance, the 'lack of participation' and the silence of rural community councils present at Tambacounda's Regional Council meeting indicated that this is hardly the case. However, this absenteeism and silence cannot be simply explained as 'lack of interest,' as it is often related to the failure to be informed or invited (Ribot 2009). At the same time, many villagers refuse to attend such 'public meetings' as they consider the terms and results of the debate as being pre-set. Similarly, as I will explain, during the meeting held at Tambacounda's regional council, PROGEDE, Wula Naafa and the Forestry Department played a key role in defining the meeting's agenda. I contend that when donor-funded projects and the Forestry Department set the terms of the

debate, and engage in claim making that re-present the 'interests' and 'needs' of 'local people' in line with neoliberal market rationality, public deliberative forums like the regional council can become theatres of democracy.

This article is organized in three sections. The first examines the legal and administrative aspects of the 1996 decentralization reforms looking at the mechanisms of displaced oversight that placed limits on the powers transferred to elected councils. It argues that while the question of the limitations of the autonomy of rural councils is central, attention to the question of autonomy also distracts from another aspect of the reform: providing the 'enabling environment' for new marketbased forms of development cooperation through 'local agreements', of which the 'community' forest management plans are an example. The second section focuses on 'community-based' forestry projects implemented by PROGEDE and Wula Nafaa in Tambacounda. While these two projects initially differed in their relationship with the Forestry Department, they share a similar goal: the commodification of forests under the jurisdiction of the rural councils and privatization of their governance through commercial peasant organizations. The third section focuses on regional level institutions and how, in their role as intermediaries of development, regional councils are instrumentalized as a forum to push forth the Forestry Department's decisions and environmental projects' neoliberal vision of natural resource governance. At the end of this section, I return to the meeting held in Tambacounda's Regional Council and look at the discourses and positions of the actors present in the meeting. I suggest that, far from offering a 'participatory and deliberative' forum, this meeting constituted a re-enactment of unequal authority relations that exists 'outside' of the meeting room, and it was used to establish the market-based rationality as a dominant discursive framework.

The New Decentralization: A Reform of Freedom, Proximity and Contractual Agreement

The year 1996 has often been described as the year marking the 'great decentralization movement' in Senegal⁴ (Toure 2012). This latest wave of decentralization was a culmination of a long process of 'disengagement of the state', initiated through Structural Adjustment Programmes under President Abou Diouf, who summarized it through his well-known slogan: 'less State, better State' (moins d'Etat, mieux d'Etat) (Blundo 1998; Ka and Van de Walle 1994; van de Walle 2003). Decentralization was one of the key elements of this standard reform package, and constituted a substantial portion of the World Bank's lending under 'capacity building' (O'Bannon 2013). At the beginning of the 1990s, the economic failure of SAP measures, the popular unrest that they generated (Mbodj 1992; O'Bannon 2006; Sy 1998; Thioub et al. 1995) and the passage to a multiparty system helped to propel decentralization reforms to the head of the government's political agenda (Dickovick 2005).

The Local Government Law and the official discourse summed up the principles that inspired the 1996 reform in two concepts: 'freedom' and 'proximity' (RdS 1996a). Elected local governments had reached certain 'maturity' (majeures) and it was time to grant them more 'autonomy' and 'freedom' by lifting the administrative oversight over their decisions (ibid, 1996a). 'Proximity' referred to two different types of devolution. On the one hand, it recalled political decentralization involving the transfer of authority to elected councils. This presumed that transferring authority to elected councils would bring the decision making 'closer' to the local level. On the other hand, 'proximity' referred also to the process of de-concentration⁵. The prior oversight of the central state was replaced by a 'closer' control of legality through de-concentrated territorial

representatives (RdS 1996a). The basis of the claims of granting more autonomy to local authorities lay in the removal of the pre-approval check of the Ministry of Interior over the elected councils' decisions (Fall 2004). The Local Government laws adopted in 1996 replaced this type of centralized administrative oversight with a posteriori 'legality check' in the hands of territorial administrators (governors, prefects, and sub-prefects). This tension between de-concentration and political decentralization became the centre of debates in Senegal. The reform's democratic claims through the argument of 'freedom' and autonomy led some scholars to hastily qualify it as a sign of the deepening of political decentralization. Others worried that the proposed changes would amount to the reinstitution oversight in new guises, legality checks, under the control of de-concentrated state-appointed territorial administrators (Cisse 2004; Dickovick 2005; Diouf 1998; Fall 2004; Sy 1998; Toure 2012).

The second most debated aspect of the 1996 reforms was the creation of the regions as new 'local collectivities,' with their own elected councils⁶ (RdS 1996a). The re-institution of the region as the new 'local' authority was an important justification of 'democratic' claims of the reform. The regional councils were represented on an equal footing as base-level rural community councils: they were elected councils that were expected to be democratic, deliberative institutions, like the rural councils. Yet, unlike the rural councils, the regional councils were given a strategic task of mediating and coordinating development efforts. For this purpose, the Agencies for Regional Development (ARDs) were created and mandated with providing 'free technical assistance' to base-level councils in development and environmental planning. The role of regions as 'intermediaries' of development with its own 'semi-autonomous' development agency is related to a less wellexplored, but yet key element underpinning the 1996 decentralization: initiating a (controlled) transformation of administrative relations linking centralized state institutions to local elected authorities, through a model of 'cooperation agreements.'

The 1996 Local Government Law allowed for the cooperation agreements among the elected councils (at the scale of region, urban commune and rural community), and between elected councils and de-concentrated state institutions (e.g. the Forestry Department)⁷. The purpose of these agreements was to promote 'common interests' of local collectivities in the fields of economic social and cultural development, education, and environment. The regions, communes and rural communities were encouraged to put in place a deliberative framework for cooperation agreements (*cadre de concertation*). But what this framework would be or should be was left open to interpretation of the parties involved (Granier

2006)⁸. Even though these cooperation agreements were akin to administrative contracts, as either the central state administration or its de-concentrated branches were necessary parties (ibid, 2006), they introduced for the first time the idea of a business-like contractual relationship between the central state administration and elected authorities.

Although international organizations are not allowed to be 'official' parties for these cooperation agreements, in practice, they play a central role. For example, the forest management plans in various forms, required from rural councils to be able to exploit and obtain commercial benefits from their terroir forests, are often interpreted by donors, and the 'community' based forestry and conservation projects, as a form of (or an opening for) cooperation agreement in the field of natural resource management (Granier 2006; Seegers 2005). However, the forest management plans are often discussed as one of the main limitations to the powers devolved to rural councils through decentralization (Ribot 2009). They are one of the main ways through which the Forestry Department and prefects can exercise displaced administrative and technical oversight to limit the powers of elected councils9. In theory, decentralization laws did not prevent the rural councils from drafting their own management plans. However, the laws point rural councils towards 'competent¹⁰ technical services of the state' (the regional Forestry Department) for 'assistance' (RdS 1998). On the one hand, the Forestry Department has the authority to set the rules on forest management plans, assuming or using the pretext that rural councils lack 'technical capacity' to do so. On the other hand, since the Forestry Department and elected councils lack the funds to carry out necessary studies and finalize such plans, in practice all forest management plans are drafted through the assistance of international development organizations, financial institutions and externally funded NGOs (Potteete and Ribot 2011). Technical jurisdiction over forest management plans has made these plans into a strategic tool to influence and control the commercial production in terroir forests both for the Forestry Department and international environmental projects (Faye 2014).

Privatization of Resource Governance in Community Forests and Biodiversity Reserves of PROGEDE and Wula Nafaa

In Tambacounda, Wula Nafaa and PROGEDE were two main projects funding and drafting the management plans of 'community-managed' forests and biodiversity reserves. PROGEDE, funded by the World Bank, started its activities in Tambacounda in 1997, a year after the adoption of decentralization laws (GEF 2004). As the Forestry Department was responsible for the implementation of project activities, PROGEDE's offices were located within the Forestry Department, which also appointed foresters who worked as the project's managerial or field staff (Faye 2006; Bandiaky 2008). PROGEDE's main goal was to meet the increasing 'urban demand for household fuels without the further loss of forest cover and the ecosystem's carbon sequestration potential and biodiversity' (WB 2005). The project aimed at provisioning charcoal to urban areas through the liberalization of the charcoal trade (demand component) and increasing the 'sustainable' production of charcoal while conserving biodiversity in rural areas (supply component) (World Bank 2005:15). These outcomes were justified by a logic and discourse that borrowed from neo-classical economics: liberalizing the charcoal trade would maximize the producer's revenues, which then would provide the 'right incentives' for the producers for conserving and exploiting the forests in a more sustainable way (ibid, p. 13). Rather than focusing on the elimination of the charcoal quota system¹¹ (Ribot 2006; Ribot 2009), the project directed its efforts towards providing 'institutional' assistance to the Forestry Department, to reform and transform it from an inefficient 'paramilitary law enforcer agency' into an efficient 'service provider' armed with technical tools of scientific forestry planning and management (World Bank 2005:5-11).

To supply urban areas with charcoal while preserving the biodiversity, the project planned to establish a series of 'community-managed' forests and 'community' biodiversity reserves around the Niokolo-Koba National Park (PROGEDE 2008). This idea was largely based on the concept of a 'buffer zone,' which provides a layer of protection for the 'core' protected areas. Although the National Park already had a buffer zone,¹² PROGEDE's community forests and biodiversity reserves were geared to extend it on a larger scale (PROGEDE 2009). While the 'community forest' model emphasized the production of charcoal, the biodiversity reserve model followed more closely the 'classical' conservation approach based on restricting the forest use (particularly agriculture) and exploitation.¹³

Wula Nafaa's entry to Tambacounda dates from 2003 (USDA 2004). Although the project reported to the Ministry of Environment, unlike PROGEDE, it was not administered directly by the Forestry Department, but by a US-based consultancy firm (IRG) that was subcontracted by the USAID. This approach differed from PROGEDE's nesting itself in a centralized state agency. Wula Nafaa's approach to 'sustainable' charcoal production and biodiversity conservation differed also from that of PROGEDE's. Charcoal production was not the priority of Wula Nafaa, as charcoal was only one of the 'potentially marketable' commodities that the project had identified (Weidemann Associates 2006). 15

Despite these important differences, PROGEDE and Wula Nafaa converged on the economic rationality justifying their interventions. Like PROGEDE, Wula Nafaa's discourse promoted the merger of 'economic interest' with conservation, arguing that increased revenues derived from new commodities would stimulate better natural resource management and conservation. One important commonality between Wula Nafaa and PROGEDE was to support local producer groups (or 'micro-enterprises') organized as Economic Interest Groups (GIE), which they considered as key locomotives for local entrepreneurial spirit, and as agents of development (USAID-Senegal 2013; WB 2005; Weidemann Associates 2006). GIEs are for-profit commercial peasant organizations, which had emerged after the dissolution of state-owned agricultural cooperatives¹⁶ (Bierschenk et al. 2000; Blundo 1994). As I will explain next, by supporting existing GIEs or treating the local-level environmental management committees that they helped set up as GIEs, both PROGEDE and Wula Nafaa contributed to the privatization of the governance of *terroir* forests.

Extension of Coercive Conservation in 'Community-managed' Biodiversity Reserves

Even though the focus of PROGEDE was charcoal production in 'community' forests, PROGEDE had planned to establish three biodiversity reserves next to the Niokolo-Koba National Park. The Malidino reserve, situated in the rural community of Dialakoto, was one of them. The reserve included a section of the gazetted forest of Diambour and part of the terroir areas, in the Rural Community of Dialakoto next to it. As such, it fell into the grey area between the jurisdiction of rural councils and the Forestry Service (Seegers 2005). As it included part of the gazetted forest, the laws required a Memorandum of Understanding between the Forestry Department and the rural council¹⁷. PROGEDE did not attempt to submit to or discuss a Memorandum of Understanding with the rural council at that time¹⁸. Instead, it proceeded with the drafting of a reserve management plan and guidelines for by-laws (charter). At the same time, local management committees were set up in the villages (Bandiaky 2008:115-116). This was carried out despite the fact that 98 per cent of the villagers from the village in the centre of the reserve had land inside the proposed area and were against the land appropriation for biodiversity conservation. The bylaws drafted under the watchful eve of PROGEDE did not consider these objections, and did not foresee any compensation mechanism for those who would be dispossessed of their farmland (Bandiaky 2008:129-150). The reserve management plan and bylaws were 'approved' only by the rural council's president and the Forestry Department in 2002. Even though the bylaws stated that the reserve was 'under the institutional authority of the Rural Community', neither the management plan nor the bylaws were submitted for deliberation and approval of the rural council (Bandiaky 2008:150). After these two documents were already 'approved' by the rural council's president and the regional Forestry Department, a request for land allocation was submitted to the rural council in 2003 (Ece 2008). Even though rural councillors¹⁹ objected 'loudly' to the land allocation, the Forestry Department's representative and the sub-prefect who attended the meeting pressured the council to approve the decision, as the creation of the reserve was already a fait accompli.

The process of establishing the Malidino reserve illustrated the model of 'participation' that PROGEDE adopted in its 'community-managed' forestry interventions. PROGEDE and its staff of appointed foresters drafted the forest management plans and played a defining role in proposing a model for bylaws and in determining the structure and goals of the management committees. The

reserve's plan and bylaws ignored the residents' opposition to eviction from their farmland. The management plan drafting process sidestepped the rural council, and, finally when the rural council opposed the land allocation for the reserve, both the Forestry Department and the sub-prefect stepped in to pressure the council. PROGEDE's approach prioritized the Forestry Department's goals and objectives to the detriment of rural councils to establish a coercive conservation regime on forests under their jurisdiction. PROGEDE retained the same approach in 'community-managed' charcoal forests.

Privatization of Charcoal Production in 'Community' Forests

As they resisted giving up productive farmland for 'community' biodiversity reserves, the rural producers in Tambacounda were also resistant to charcoal production (Bandiaky 2008; Faye 2006; Ribot 2009). PROGEDE forestry agents promised increased revenues, used deceptive tactics, and managed to orient the inhabitants towards increasing charcoal production (Faye 2006). Similar to the community biodiversity reserve discussed above, PROGEDE drafted the management plans and local charters for community forests, whose process of approval at the local level bypassed the rural community councils. In fact, the project pressured the presidents of the councils to sign the management plans and local codes without consulting the rural council, which was a situation similar to the case biodiversity reserves (Ribot 2009). The authority of rural councils over commercial exploitation in *terroir* areas was further limited and undermined by local management committees set up by PROGEDE, which did not report to the rural council, but were held accountable only to the project and to the Forestry Department (Faye 2006; Faye 2014).

One important aspect that deserves more attention is that the management committees that PROGEDE helped to create are also treated as *de facto* private GIEs acting as contractual parties in charcoal sales to urban merchants (Faye 2006). The Forestry Department, as the 'competent' authority that approves the management plans and as the shadow manager of PROGEDE, grants access to commercial exploitation of *terroir* forests through management plans and committees created under the aegis of PROGEDE. It is therefore expected that the approval of the management plans and local codes by the Forestry Department, which 'validates' them as local agreements allowing exploitation, will run quite smoothly. This is not necessarily the case for management plans proposed by other projects, or for the rural producers who would like to develop their own management plans (Ribot 2009). This indicates that which project recognizes the management plans

or the committees does matter. It is not any project, but PROGEDE, funded by the World Bank and acting as the extension of the Forestry Department, that seems to have greater likelihood of being approved by the Forestry Department.

In contrast to PROGEDE, Wula Nafaa initially aimed to work directly with local producers and rural communities to promote market-based production and the sale of forest-based and agricultural products. The project was also engaged in the preparation of management plans and local codes to set up charcoal-producing community forests. While there is no detailed information on how these plans and codes have been adopted at the rural community level, the project claims to have consulted with the rural councils, placed management committees under the oversight of rural councils, and directed the village chiefs to obtain the rural council's approval (Faye 2014; USDA 2004; Weidemann Associates 2006). However, this does not necessarily make Wula Nafaa an inherently more 'democratic' project. Wula Nafaa had been supporting some of the village management committees that were already set up by the Forestry Department (Faye 2014). Like PROGEDE, the project's approach to management plans are framed in terms of 'technical prescriptions' that are geared to increase charcoal production, without granting due consideration to local resistance against it (Faye 2014). Wula Nafaa may be viewed as presenting a 'better option' compared to PROGEDE in allowing more 'freedom' to rural producers and rural councils in controlling the commercial exploitation of terroir forests. However, considering the importance of the efforts that the project puts into fuelling commodity production through GIEs as private for-profit local organizations, what Wula Nafaa offers is merely a variation in the terms of privatization in charcoal production.

In the next section, I return to the regional council and the regional level institutions that were created by the 1996 reforms. At the end of this section, I will also discuss the meeting of the regional council that served as an opening to the paper, to illustrate two points. First, regional councils are also subject to similar pressures as the rural councils. Second, the relations between the actors concerned that I have described so far are also played out in the regional council's meeting, analyzed in the next section. Far from offering a deliberative forum to debate substantive demands and interests of the base-level rural councils, the meeting became a theatre for the Forestry Department, PROGEDE and Wula Naafa to push forth their neoliberal agenda and to instrumentalise the regional council in the process.

Performing Democracy: Regional Council as the Mediator of Development

The creation of the regions was an important focus of the 1996 decentralization reforms, which gave the regions the strategic role of intermediaries between the central state, other elected councils and third parties in environmental and development cooperation. This, I suggest, contributed to the attempts to confine the regional councils' role to the 'filtering' of development demands from below or worse, to their instrumentalisation as a theatre for performing democracy.

The 1996 Local Government Code did not establish a hierarchical distinction between the local collectivities (rural communities, communes and regions) and forbade administrative oversight²⁰ of one council (e.g. the regional council) over another (e.g. the rural council). However, in its role of 'promoting' and 'coordinating' development-related investments and actions (including the implementation of regional development, land use and environmental plans), the regional council had the ability to constrain and shape the rural community council's decisions (Ly and Diedhiou 1997; Toure 2012).²¹ To carry out this important function of development coordination and planning, a special agency was created in the midst of the regional council: the Agency for Regional Development (ARD).

ARD is mandated to provide 'free technical assistance' to rural councils in all activities related to development, including the coordination of environmental and development plans, and following up on agreements with international donors. Donors (including USAID and the World Bank, as well as foreign elected assemblies) consider them as important interlocutors and facilitators of 'private-public' partnerships and provide them funding under 'capacity building' (Keshishian et al. 2010). However, de-concentrated state administrators also

have an important influence over the 'technical commission' of ARDs, which have prime responsibility over environmental and development planning. This commission, although presided over by the President of the regional council, is composed of appointed regional representatives of the key state departments, including the regional director of the Forestry Department.²⁴ This makes the ARDs 'hybrid' institutions (Ndiaye 2013), where both the international donors and state departments demands and interests are negotiated, and situates them as key 'partners' for all environmental projects. In fact, in Tambacounda, the 'local agreements' establishing the charcoal producing community forests signed between the Forestry Department, sub-prefects and the rural council presidents were hosted by the ARD.

As shown earlier, the forest management plans financed and carried out by international projects and the Forestry Department are drafted and implemented without consideration of the demands and despite the opposition of the rural community councils and rural community residents. This indicates that regional institutions, more specifically the ARDs, prioritize the demands and expectations of the donors and the Forestry Department over rural councils' demands, and by extension, do not serve to 'deepen' local democracy. Also, research on charcoal production in Tambacounda suggests that regional councils and their presidents are not only unable to respond to such demands, but also cannot offer a forum for the base-level rural councils to hold Forestry Department accountable. Even though they are given the authority to distribute the charcoal quotas through decentralization,²⁵ the regional councils are unable to exercise this authority. In 2004, the same year when the regional council held a meeting to present Wula Nafaa, another meeting was held at the regional council to deliberate the quota allocations. The observers at the meeting reported that even decentralization reforms had given the Regional Councils the authority to set the charcoal quotas, and despite the request of some rural councils to be consulted on the matter, the Forestry Department used the meeting to simply announce pre-set regional charcoal quotas (Ribot 2009). This incident illuminated how regional councils can be sites for the Forestry Department to continue to coerce and silence the demands of rural councils. The meeting convened at the regional council to discuss the natural resource decentralization and Wula Nafaa, which I will discuss next, constituted another example where regional council was instrumentalized by both the Forestry Department and the projects, this time not for quota allocation but to promote the environmental projects and the neoliberal rationality that underpins the latter's interventions.

The Meeting of the Regional Council

When in October 2014 the Regional Council held a public meeting on decentralization of the natural resource governance, under the aegis of Wula Nafaa, it was an event that attracted not only the attention but also the discontent of the Forestry Department and PROGEDE. Although the meeting was convened to discuss decentralization, its main purpose was to introduce Wula Nafaa. The time allocated to Wula Nafaa's presentation during the first part of the meeting was considerably longer than the time reserved for the comments of other participants. The second part of the meeting, much shorter than the first, was reserved for the comments of other participants. Representing the regional council as the 'host' of the meeting, the Vice President of the Regional Council made an opening statement, where he presented the Wula Nafaa as a 'program of the Government of Senegal supported by the United States of America to fight poverty and development in Senegal'. He reminded the assembly of the two important goals of the Senegalese government: decentralization and privatization. He then continued:

Today, nature is a wealth (*richesse*) that populations are claiming. These claims are based on common functions of any human society, to carry out agricultural production and cultural reproduction. If these functions are not carried out in sustainable way, we will face environmental problems. This is why Wula Nafaa is an important development project intervening in the region of Tambacounda.

The Vice President's presentation emphasized the 'legitimacy' of Wula Nafaa in the eyes of the government, and expressed the council support for decentralization and privatization. He underlined that the 'populations' were 'claiming' the economic wealth derived from the commercial use of nature, and their rights to use it for agricultural production and 'cultural reproduction'. By stressing all at once the market value, the subsistence use-value and the cultural values of nature, the Vice President claimed also to represent the rural people and their point of view. Yet his emphasis on subsistence and cultural valuing of nature would become submerged under the dominance of the discourses that single-handedly focused on market value.

The Director of the Wula Nafaa program in Dakar, who presented next, made sure that he stressed one important issue: Wula Nafaa was focusing on 'sustainable use' and 'valorisation' of natural resources in agricultural areas. He strategically underlined the rural council's authority, instead of the Forestry Department's and PROGEDE's claims over village forests. The Regional Director of Wula Nafaa

in Tambacounda explained further the project's view of nature as follows: '.... in poor countries, within the total capital available to the country, the natural capital has a much larger share. This means that it is best to focus on natural capital to eradicate poverty....'.

Nature, for the director, was the most marketable commodity of the poor countries. It was the commodification and marketing of nature that would help countries like Senegal to create 'wealth' and help eradicate poverty. Wula Nafaa's economist elaborated this idea by arguing that an increasing population would lead to an increase in demand for natural resources, more economic 'dynamism' and more 'market opportunities' for populations. He contended that 'Wula Nafaa's approach to nature as capital means that like any economic good, nature can bring economic benefits over the long run', and therefore, there was a need 'to look at natural capital to overcome poverty'. By turning the 'population argument' on its head, the economist argued that when population increases, so would the profit derived from natural resources. The increased use and demand for natural resources would create 'market opportunities' for 'populations.' Once nature had become a commodity everywhere, its 'economic benefits' would, 'in the long run', trickle down to rural people (eradicating poverty). He elaborated on why the commodification of nature mattered for 'populations' as follows: 'If the management of natural resources doesn't have an economic interest for people, they will not do it. Our purpose is to create a framework to people to make best decisions possible in line with their own interests [my emphasis]'. The economist framed the projects' claim of representing the 'local point of view' by arguing that to protect nature, people needed to have an 'economic interest'. This reasoning privileging the market value of natural resources, assumed that 'local people' were acting uniquely according to the tenets of neo-classical rational-choice theory, comparing economic costs and benefits based on market value. This echoed the neoliberal discourses that dominate the present new green development pushed by the World Bank and international development institutions. It highlighted the market value of nature as capital, the importance of revenues obtained from commodification of nature and extrapolated the neoclassical economic rationality of 'cost-benefit' analysis to peasants. In the project's perspective, the 'interest' of the 'populations' was limited to economic interest and the project was answering this interest by creating a 'framework' to allow people to follow their own economic interests and make 'best decisions'.

Another important theme in Wula Nafaa's presentation was private property. The Project Director in Dakar explained this issue as follows: 'The Power component of our program focuses on natural resources as a means to consolidate

democracy and to reform governance. We need to clarify the rights of the local populations over resources.... To whom do trees belong? Who makes decisions about their exploitation? We need to make sure that the power to manage natural resources is given to institutions, which are better placed to exercise those rights.' The Director claimed that the project's aim was to 'consolidate democracy' and it aimed to attain this by 'clarifying the rights of the local populations over resources'. By democratic 'rights', the Director implied *property* rights, and left open the question of what kind of right the project was advocating for (rights of rural councils over forests or private individual rights over trees etc.). He also emphasized that the project was aiming at giving the property rights to the 'right' institutions, without specifying if these were elected rural councils, the GIEs or the individuals. The economist clarified this point further by stressing the need for a new land tenure reform, which was indeed proposed in 1996 at the time of the passing of the decentralization laws:

The assumption that nature belongs to the State is not valid any more... We need to make sure that the managers of the natural resources have secure access to natural resources and that they have the knowledge of this access. By this I mean, we need a new system of land tenure, other than the traditional land tenure, which is not sufficient for development. It is necessary that populations have the feeling that by investing in natural resources that they will derive benefit from it.

The economist stressed that neither the current land laws (establishing the 'State' as the owner of natural resources) nor the 'traditional' land tenure was fit for 'secure access' to resources. Underlying his reasoning was the idea that neither state ownership nor 'traditional' property regimes could propel enough development. Development could be achieved only if 'populations' as 'managers' of natural resources held property rights. The 'populations' were described as rational individuals who 'invested' in nature (as capital) and profited from this investment.

These presentations were also directed towards setting the terms of the meeting: commodification and privatization of natural resources and their governance. The responses of the participants were also framed in response to Wula Nafaa's arguments. These responses (and lack of them) showed the positions of the actors present in the meeting vis-à-vis the project and its goals.

Responses to Wula Nafaa

At the time when this meeting convened, considerable tensions existed between the Forestry Department and Wula Nafaa concerning the management plans of community forests (USDA 2004)²⁶. More than any other activity, Wula Nafaa's intention to extend its activities in charcoal production in community forests was not welcomed by PROGEDE nor by the Forestry Department, which saw it as an unwelcomed intrusion into their 'territory'²⁷. It was not surprising that the main objection to Wula Nafaa's goals and objectives came from PROGEDE's Regional Director:

Wula Nafaa experiences are based on other countries. Senegal's juridical and political context is very specific. Wula Nafaa works also with the populations living within the gazetted government forests. Gazetted Forests are under the responsibility of technical services. Talking to populations without mentioning technical services is a mistake.

The Director of Forestry Department in Tambacounda also supported PROGEDE's view:

Wula Nafaa is stepping outside the *terroir* zones. Wula Nafaa works with populations living within the gazetted forests. It should cooperate with PROGEDE. PROGEDE has to be included in management plans.... The community Reserve of Malidino at the periphery of the National Park is a good example. There are other examples of co-management of forests that are underway.... Local environmental bylaws are being developed and these will organize the valorisation and protection of natural resources.

Both PROGEDE's and the Forestry Department's directors criticized Wula Nafaa for cooperating with 'populations' outside of their purview. While PROGEDE insisted that Wula Nafaa should work with the Forestry Department, the Forestry Department stressed that the project should work with PROGEDE, which acts as an extension of the Forestry Department. PROGEDE and Forestry Service strongly opposed Wula Nafaa's attempts to work in the region unless the project integrated itself or agreed to work with them. Neither the Forestry Department nor PROGEDE objected to the neoliberal rationality and privatization that Wula Nafaa proposed. The Malidino Community Biodiversity Reserve was indicated as the example that Wula Nafaa should follow to underline that instead of recognizing the rural populations' authority, the project should help extend the authority of the Forestry Department and PROGEDE over *terroir* zones.

The representative of the Regional Development Agency (ARD) was also supportive of private ownership of natural resources:

If the peasant cannot sell his land, he cannot put it in productive use and increase its value. Similarly, if nature is not well managed, it will have no value. To help peasants generate value from land and nature, the State must help peasants. At the time of the colonizers, the resources were their property. Today these resources have become the property of the State. When will the populations derive benefit from this?

The ARD representative underlined the importance of private ownership and economic value of nature for its good management by arguing that if the 'peasant' was able to sell the land, he would also use land more productively and 'increase its value'. This argument echoed the well-known justifications of private property as collateral: private property rights will allow the peasants to use land to borrow money and re-invest this money to increase agricultural productivity. His rationale was clearly based on the idea that the value of land was in its market value. In that sense, the ARD seemed to be in perfect agreement with the neoliberal rationale that was promoted by Wula Nafaa's economist earlier on. Yet the ARD's position differed from Wula Nafaa in that it supported the idea of privatization 'assisted' by the state. The representative of ARD stressed that the 'state' must help the peasants to benefit from resources, by helping privatization, instead of helping the peasants to claim their rights.

In contrast, only the regional council and the President of the Rural Community Councils seemed to be more supportive of Wula Nafaa. The Vice President of the Regional Council justified the council's support of the project in the following terms:

Nature, Wealth and Power, what kind of relationship exists between these elements and in which context? Nature has a cultural element... My sensibility towards nature depends on where I come from. We are a developing country where the level of literacy is very low in rural areas. How does the peasant see nature? This nature does not belong to him. Nature is for everybody and for nobody. To change these attitudes, education is important. The peasant does not know documents that concern him. And even if he knows them, he does not know where to find them....

Again, the Vice President stressed the 'cultural' context of Senegal and attempted to bring into the debate the 'cultural' sensibilities and attitudes towards nature, rooted in local identity. This was a subtle way of critiquing the project's claims of representing the 'local people' and asserting the regional council's 'genuine' knowledge/representation of the 'local'. The Vice President provided his own version of how 'the peasant' thinks and acts. The peasant did not see nature as his private property. Instead, he saw it as a common (for everybody) and inalienable (not exclusively for anybody) property. This view of the 'traditional' tenure was unsuitable for the present needs and needed to be changed through education, he

contended. The Vice President did not oppose the idea of privatization suggested by the project, but emphasized the necessity to change peasants' 'traditional' attitudes towards property. For the regional council, Wula Nafaa was useful precisely in that sense, providing peasants with education, informing them about laws (on decentralization), and giving them tools to defend their access rights.

The President of the Rural Councils' Association on the other hand, supported Wula Nafaa for a different reason. He made the comment that was mentioned at the beginning of the article:

The management of the environment is an authority (Fr. 'compétence') transferred to rural communities. However, what the State gives with its right hand, it takes back with its left hand. The management of natural resources generates financial resources. How will the state allow these resources to be devolved to local populations? Wula Nafaa program is a very good initiative for this.

The President agreed on the importance of commercial exploitation as a means to generate financial revenues for rural communities. However, he was concerned that the revenue generated was not going to trickle down to 'local populations', particularly if the Forestry Department and PROGEDE continued to control the commercial exploitation of terroir forests. He used the metaphor of the right hand giving and the left hand taking it back, to criticize the on-going practices of the Forestry Department and PROGEDE. The 'state', through decentralization laws, had given the management of forests in terroirs to rural communities. But in practice, the Forestry Service and PROGEDE took these powers back. In this way, what was given was also taken back. Rural councils were forced to make a choice between the projects through which the commercial exploitation of forests is organized. If they have to make a choice between PROGEDE and the USAID project Wula Nafaa, the rural councils preferred the commercialization and privatization of forests under Wula Nafaa, which they hoped would allow them to benefit more from this process. The 'choice' that decentralization offers to elected rural councils of Tambacounda is a choice between different projects, and privatization options that they propose. This points to the existence of a 'choiceless' democracy in natural resource governance (Mkandawire cited in Ribot 2011, 2013).

Conclusion

The latest wave of Senegalese decentralization reforms reflected the tension between i) maintaining the displaced state control over ostensible power transfers to elected councils, and ii) opening the space for contractual 'agreements' between the state and local elected authorities and privatization. I argued that these seemingly contradictory goals of decentralization can and do work in tandem, and the state control can go hand in hand with the commodification forests and privatization.

Scholars have rightly pointed to the failure of decentralization reforms in Senegal and elsewhere, emphasizing that the elected councils were not devolved sufficient discretionary powers and/or these powers were constrained by state oversight (Ribot et al. 2006). Furthermore, the responsiveness and accountability relations between elected councils and their constituents have been found to be compromised by donor-funded projects, which tend to recognize parallel institutions, bypassing elected councils (Faye 2014). However, I emphasized in this article that powers transferred to elected authorities were not simply limiting but conducive to further commodification of forests and their privatization. Therefore, the responsiveness and accountability of elected authorities (their representativeness) can be framed in a narrow fashion, as the ability to open their forests for commercial exploitation under specified limitations (e.g. technical management plans) and as their ability to capture the benefits that accrue from the sale of forest-based commodities. The restrictive oversight in the form of supervision, approval and forest management plans only as obstacles for rural councils' exercise of their discretionary powers (Ribot 2003:62) needs to be considered also under the light of ongoing commodification and privatization processes. In the field of natural resource management, community forest management plans are often considered either as a means to restrain the authority

of elected councils, or as a means to allow 'local people' to secure forest rights (Mustalahti and Lund 2010). This article suggests that the requirement of forest management plans, supported by international donors and approved by central state authorities, is an important instrument through which privatization and commercialization can be furthered. Community forest management plans are, therefore, not simply 'technical' documents, as they can provide a political basis for international environmental projects to push forth a neoliberal economic rationality that considers nature as the main 'capital' of developing countries.

Despite their differences, these two projects offer distinct models of privatized resource governance: one under the Forestry Department oversight and the other without it. Both projects created and put their support behind projectbased commercial peasant organizations, promoted the privileged access to resources by these private actors, and recognized them as 'legitimate' authorities in the commodification of forest-based resources. Therefore, both PROGEDE and Wula Nafaa ultimately support the privatization of governance of terroir forests. At the same time, with their stress on the idea that conservation of forests can go hand in hand with their exploitation, and that revenue obtained from forest-based commodities would serve as an 'incentive' for 'local people', these projects constitute precursors of the current turn towards carbon forestry and payment for ecosystem services. Although the commodification of forests, the framing of forest users as 'rational' decision makers, and the promotion of market relations through 'community forestry' programmes are by no means specific to Senegal (cf(Nightingale 2005), PROGEDE and Wula Naafa exemplify how such programmes are embedded within particular country contexts and shape the path dependent processes of neoliberalisation (Castree 2008).

Rather than helping to 'deepen' local democracy, the regional-level elected institutions are transformed and instrumentalized in two ways: to impose the Forestry Department's decisions and to serve as 'hubs' for private-public partnerships in natural resource management. Even though the regional councils have been devolved additional powers to manage natural resources (notably in charcoal production quotas), the Forestry Department ignored them and continued to attempt to impose its own decisions. The special development agencies (ARDs) created in the midst of regional councils, on the other hand, emerged as key sites where international donors and state departments demands and interests were negotiated. The prioritizing of the demands of the Forestry Department's and of internationally funded environmental projects over the rural councils' concerns and needs, indicate that the regional level institutions are also pressured to act in accordance to the agendas and direction provided by these

powerful actors. Although regional councils were supposed to offer a democratic deliberative opening for all elected authorities, the meeting became another instance of enactment of unequal authority relations among the regional and rural councils, the Forestry Department, Wula Nafaa and PROGEDE. The Forestry Department and the two projects seized upon the regional council's meeting as an opportunity to perform democracy, making representation claims and steering the meeting debates effectively towards the neoliberal privatization agenda. The meeting of the regional council demonstrates that 'democratic deliberative processes' that are promoted to support local elected authorities and 'community-based' environmental projects can also become part of repertoires of domination (Poteete and Ribot 2010).

Notes

- 1. The project's name derives from its adopted Mandinka motto: 'Wula Nafaa ani Famaya' (Power and Benefit of the Forest).
- 2. After Independence, Senegalese territories were classified according to four development zones: protected zones, urban zones, pioneer zones and *terroir* zones. *Terroir* zones were areas designated primarily for agricultural production and they were put under the jurisdiction of elected rural community councils.
- The emphasis on commercial exploitation in the Forestry Law of 1998 and its application decrees is illustrated by the fact that the majority of the articles and an entire Section (Titre II) were dedicated to this issue.
- 4. During 1996, a total of 6 laws and 24 decrees were adopted. The main Local Government Codes consist of Laws 96-06 and 96-07 of March 1996.
- Unlike political decentralization, de-concentration refers to the scaling down of powers within the administrative hierarchy rather than to elected councils of local governments.
- 6. Due to the importance given to the region, this last wave of decentralization also came to be known as the reform of regionalization.
- 7. Law 96-06 (Articles 15, 17, 71, 179, 239).
- 8. The parties involved (the central and de-concentrated state institutions and the elected councils) were expected to deliberate and decide on the content, scope and purpose of this 'framework.'
- 9. Decentralization laws put the condition of management plan approved by the 'competent state' authority as a condition for the rural councils to be able to commercially exploit *terroir* forests (Law 96-07, Art. 7, 30 and Law 98-164, Art. R9, R11 and R14).
- 10. In French legal and administrative terminology *compétence* has multiple meanings. It can mean both jurisdiction/power and technical capacity (as the recognized ability and experience in a particular area). Therefore, its usage in legal texts allows the interpretation of technical capacity as constituting the basis of jurisdiction/power. I thank Jesse Ribot for drawing my attention to this.
- 11. In Senegal, through charcoal exploitation quota, the Forestry Department can decide where, how much and by whom the production will take place. The elimination of the

- national charcoal quota was central for the project's outcome of liberalization. However, as the Forestry Department was against such a measure, the project argued that the elimination of the quota was 'neither necessary nor a positive result on its own'.
- 12. A buffer zone of 1 km was established around the National Park when the Park became a World Heritage Site of UNESCO in 1980.
- 13. This does not mean that biodiversity reserves do not have a commercial purpose. In fact, such reserves are often created for ecotourism. However, in terms of the conservation regime they differ from charcoal producing forests.
- 14. The project's organization reflected a business model based on sub-contracting different components to different private firms and companies.
- 15. After conducting 'value-chain' studies of 49 potential commodities in Tambacounda, the project determined those that were most likely to be profitable on the market.
- 16. The *Groupement d'Intérêt Économique* (Economic Interest Groups), regulated by the Commercial Codes, are formed on a 'voluntary basis' by at least two people that share a common commercial goal.
- 17. According to the Forestry Code the rural councils have to pass a Memorandum of Understanding (*protocole d'accord*) with the Forestry Service to co-manage parts of the gazetted forests.
- 18. Research on the Malidino and PROGEDE documents does not mention any official Memorandum of Understanding signed between the rural council and the Forestry Department. The PROGEDE documents indicate that the management action plan and local charter were 'approved' by the village committees set up by PROGEDE in 2002, then by the rural council in 2006.
- 19. The rural council of Dialakoto at the time had two councillors from the villages included in the management of the reserve.
- 20. Article 13 of Law 96-07.
- 21. In fact, following the hierarchical 'pyramid' of planning, rural community-level plans are supposed to conform with the regional plans, and the regional plans had to fit into the national level plans.
- 22. These roles were defined in Decree in 1998 (Decree 98-399).
- 23. Even though the rural and urban councils are required to contribute to the budget of ARDs, given the limited resources available to them, most of the funding for the budget comes from international donors.
- 24. In 2008, a new Decree (Decree 2008-517) removed this 'technical commission'; however, it put the ARDs under the administrative oversight of the Governor.
- 25. Article 28 of Law 96-07 (Local Government Code), Article 66 of Law 98-164 (Forestry Code).
- 26. Due to these tensions, a team of experts from the United States Forestry Department were dispatched to propose a methodology for management plans and to mediate between the project and the Forestry Department.

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