RFGI WORKING PAPER No. 35

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

RFGI Handbook II
Implementing Improved Natural Resource Governance in Practice

An Action Learning Handbook for Sub-Saharan Africa

Edmund Barrow, Gretchen Walters, Barbara Nakangu,
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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 forest-dependent 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:

- http://www.codesria.org/spip.php,
- https://www.iucn.org/theme/forests/our-work/locally-controlled-forests/responsive-forest-governance-initiative
- https://sdep.earth.illinois.edu/programs/democracyenvironment.aspx

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The Council for the Development of Social Science Research in Africa (CODESRIA) is an independent organisation whose principal objectives are to facilitate research, promote research-based publishing and create multiple forums geared towards the exchange of views and information among African researchers. All these are aimed at reducing the fragmentation of research in the continent through the creation of thematic research networks that cut across linguistic and regional boundaries.

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*, *Journal of African Tranformation, Méthod(e)s: African Review of Social Sciences Methodology, 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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Executive Summary

The Responsive Forest Governance Initiative (RFGI) is a research, training and practice program that focuses on environmental governance in 12 countries in Africa. This work was based on the premise that nations worldwide have introduced democratic 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 decentralization processes since they provide local governments and local people with much needed revenue, wealth, and subsistence. Fair and sustainable natural resource management requires more permanent local institutions that integrate local needs with broader objectives. This handbook demonstrates how practitioners can apply the 13 RFGI principles, which are derived from a large and growing literature on local democracy and governance research, to improve natural resource governance in their landscapes and/or project sites.

Improving governance is a learning process for intervening agencies such as local administrations, communities, and project implementers. Intervening agencies can change the power dynamics and influence local governance when they choose the organisations with which to work. These dynamics can be improved by supporting local institutions that represent local people's needs and aspirations. However, making changes to work more closely with representative local authorities is not easy, as there are many other issues at play. This handbook shows how Action Learning (AL) can be used to improve natural resource governance at project sites, and is designed to be used by practitioners, government staff and NGOs.

The findings from the RFGI research demonstrated what happens when there is poor accountability, low representation, no citizenry, and poor participation by local people. When grouped together, some trends or 'symptoms' emerge, and include: a) local people disengaging from, resisting or sabotaging projects; b) elites capturing benefits; c) benefits derived from natural resources being unequally and inequitably shared; d) project interventions, even when attending to gender

inequality, often compromising gender representation; e) project interventions often weakening the community voice by failing to help communities obtain sufficient information, resources and skills to demand representation and accountability from those who govern; and f) project design resulting in local implementing agents and beneficiaries being upwardly accountable to the project organizers and institutions rather than downwardly accountable to the people.

These symptoms are a result of: a) projects not engaging with existing elected local government authorities; b) democracy being considered 'inconvenient' and 'time consuming' by donors, development agencies, or other international or national implementing agencies or NGOs; c) democracy being talked about but not implemented in practice; instead emphasis is placed on participation; d) projects working with customary chiefs who may or may not be accountable; and e) projects working with project-created local committees even when there is an elected local government body with jurisdiction over resources.

In some cases chiefs and well-structured and monitored project committees can be more representative and accountable than dysfunctional elected local governments. Circumventing local government risks undermining their improvement and long-term development of local democracy. NGOs can also be corrupt and unaccountable to local people. Forestry interventions often fail to provide local people with the resources they need to act as citizens so as to be able to influence those who make forestry decisions. Communities are often portrayed as lacking capacity to manage forests; even where the capacity is not necessary, foresters often use technical and science-based arguments to take away, or to withhold, powers and decisions from communities.

To field-test such research findings we introduce how project interventions impact local governance. We then introduce AL and how AL was used to test the RFGI findings in 'project situations' through a series of guiding questions (based on the research findings). We explain some complementary insights into the term 'community', stakeholders, and working with customary authorities.

RFGI focused on representation of local people through leaders who have the means to respond to people's needs, and are likely to be responsive because they are accountable to the local population in geographic areas where decentralization is occurring. This is called democratic representation and is a type of participation that is an important part of local institutions by which people can hold their leaders accountable. In using AL, we see how natural resource governance project partners can influence the accountability and responsiveness of their local institutions and leaders. When natural resource projects are implemented they choose local institutions to work with. This is called institutional choice. Through

institutional choice local institutions are recognized and so empowered to act. These choices, and the recognition they result in, shape local representation and citizenship. These kinds of changes occur when intervening agents 'choose' to work with specific partners. Where they choose locally elected bodies, these may represent their constituencies and should be responsive to their people's needs.

AL refers to any approach that involves learning from actions carried out, particularly when this involves learning from one set of actions to improve future actions, while Action Research (AR) is a form of AL that aims to assist improved action in a particular context and to contribute in some way to knowledge beyond that context, i.e. research. The terms AR and AL are often used interchangeably. In AL stakeholders and rights holders meet to discuss what they want to do about an issue, implement agreed actions, reflect and learn from that implementation so as to improve and plan for further action. The key idea behind AL is that a group of people with a shared concern collaboratively, systematically and deliberately plan, implement and evaluate actions. The investigation informs action, and we can learn from critical reflection on the actions.

AL has the following six characteristics: a) it is not 'learning through trial and error', but is, rather, a careful and disciplined reflection process; b) it involves a group of people united around an issue. This can include people from different backgrounds e.g. women, men, pastoralists, farmers; c) this group consciously and systematically moves through a series of repeated cycles of action, observation, reflection and planning; d) learning enables more effective action; e) learning occurs through action; and f) in addition to learning for a specific purpose, AL generates insights and ideas relevant to other situations and for research. AL is an overall methodological framework, which, through specific cycles where various participatory tools and approaches can be used, provides a learning-based approach to deal with complex situations. Conscious and deliberate use of AL can be useful in programme or project implementation because it provides a framework within which critical planning, monitoring and evaluation can become a basis for project implementation, and for trust building. The intention of AL is not to provide recipes for implementation, but to provide insights which can inform a specific situation, and which others may find useful in related contexts. It can be conducted at multiple levels. If it includes policy makers, it can help inform policy.

To ensure that the governance principles are used and reflected upon, at the community and village levels and within the organisation and the projects we manage, a cyclical process of AL was used. The outputs of AL can provide useful broader learning and may provide ideas and evidence on some of the learning taking place:

Step 1: Deciding what governance issue should be addressed: based on the recommendations from research or other studies, a number were selected; these differed, which recognized that some recommendations may be appropriate for intervening agencies while others might be aimed at local administrations and organisations.

Step 2: Choosing which level of organisation to conduct AL: Once the governance issues were identified, then the level at which to conduct the AL was decided. AL levels could occur at village or community levels, women, user groups; or at a district level with multiple villages involved. In other situations, it may be appropriate to conduct AL at a higher level to achieve regional or national improvements. The AL process should be community-owned and driven, though intervening agents may launch the process.

Step 3: The Action Learning cycle: AL is cyclical and it is important to keep simple records from each meeting in a simple table format. Meetings generally need not run for a long period, e.g. 1-2 hours, though if there is much to discuss they might last half a day. The key is not to make it too time consuming.

First round of Action Learning: It is important to have a general introductory meeting with all the group (or community, or village), or groups separately or individually, before actions are agreed. The first meeting is an action-planning meeting to decide on what actions and activities they are going to undertake. The AL Group agrees to address particular issues and draws up a simple work plan to identify who is going to do what, and when. Here it is important to identify the stakeholders. One to two people should make sure that the discussion is properly recorded and written up. This is important for the community to record such meetings, in a table.

Second round of Action Learning: The second meeting reviews the progress of the action plan, and identifies further action points. Then the question is asked of the group or sub-groups: 'So what did we learn?' This will often result in a lot of discussion which might take some time. The group should be allowed the time to do this properly and completely. In filling in the table it is important to provide as much detail as possible on progress made. Then the group will discuss what the next steps are based on the actions undertaken and lessons learnt.

Third and subsequent rounds of Action Learning: This is a repeat of the second round to ensure continuous feedback on implementation. In this way, the process continues for as long as wanted or needed by the villages and teams. Such AL may become embedded in the routines of the village or group as they increasingly see the importance of the work for themselves. As such, AL may go

well beyond the confines of project cycles, as the group may continue to use the process for their own planning and reflection. At the same time the data and material gathered can be important for monitoring and evaluation at different levels.

Many of the terms used in the RFG Principles, Handbook I or various studies may not easily translate into local languages or across disciplines. It is important that these issues are understood in simpler terms. Here we propose modified definitions, based on Handbook 1, and then a series of questions that can be used to discuss governance issues that may be relevant to the situation during AL work. There are five key terms that are addressed: a) democratic representation; b) accountability; c) citizenship; d) institutional choice; and e) participation. Lastly Part 2 of this volume provides some discussion and insights on the following three concepts: community, stakeholders, and customary authority.

In concluding this handbook, it is noted that democracy can be supported or undermined by the choices that projects and interventions make, whether or not democracy is their goal. Projects choose local authorities (or institutions), and give resources to such authorities. This influences accountability relations, by supporting accountability measures or by choosing to work with publically accountable authorities as opposed to unaccountable ones. It is important to remember that when forest or natural resource management programmes or projects are intervening, that the programme or project is choosing a set of local institutional arrangements composed of authorities with powers and accountability relations. In so doing it is making a choice as to whether or not, and to what degree, it is supporting local justice, rights and democracy, and whether the process is consensual or based on representation. It is hoped that this volume will help address how projects can make different choices that empower communities to make decisions, by working with institutions that represent them or are considered legitimate by them.

Responsive Forest Governance (RFG) PRINCIPLES

The RFG principles are derived from a large and growing literature on local democracy. They are generated from the thirty-four research case studies in thirteen countries that were carried out under RFGI. RFGI focuses on Enabling Responsive and Accountable Decentralization in forest and natural resource management to strengthen representation of, in particular, forest-based rural populations within local government decision-making. The RFG principles that were generated from this research are summarized here (and further details can be found in RFGI Handbook I). The following are the RFG principles, many of which will help practitioners to plan and implement better projects.

Orienting Principles

1. Educate Policy Makers, Government Officials & Agents, Development Practitioners, Environmentalists, and Donors about Local Democracy: These 'intervening agents' need to learn what democratic representation is (what its basic parts are and how it works) so that they can support it. It should not be assumed that the target audience (e.g. local government, civil society organization) knows what democracy is, what it involves, or why democracy matters for sustainable forest and natural resource management.
2. Foster Social Sustainability: If local people do not feel that a law, program or project is just, they are not likely to engage, and are more likely to resist or sabotage implementation. Giving local democratic representatives negotiating powers over law, program and project decisions helps make interventions locally relevant, and socially sustainable.

Principles for Working with Elected Local Governments

3. Choose Democracy: Choose to place public decisions with decision makers who are accountable and responsive to the local citizens by working

through elected democratic local government where it exists. When local governments exist but are not democratic, work should focus on making them more democratic. In some isolated areas such local government may not actually exist, so other institutions would need to be chosen.

4. Strengthen Local Democracy: Do not try and by-pass poorly constituted or corrupt local governments. Where local governments are weak or unaccountable, strengthen them and make them accountable. Where local governments are corrupt, fight corruption. Do not assume local governments are any more corrupt or less efficient than 'parallel institutions' such as NGOs, customary chiefs, village committees, private companies or central governments.
5. Provide Power to Democracy: Ensure that democratic local authorities have sufficient and relevant decision-making powers and resources so that they are able to be responsive to local needs and aspirations.
6. Give Local Democratic Authorities the Powers to Negotiate with External and Higher-level Actors: To represent citizens and to negotiate effectively, democratic authorities need to have the right to say 'no' or 'yes' to outside interventions.
7. Do not Treat Elected Local Governments as Mere Implementing or Service-delivery Agencies: The power to deliver services that people need or demand is part of democracy. The power to deliver pre-determined services prescribed by projects or by higher levels of government is not democracy. To be responsive (the essence of democracy) local authorities need the power to deliver discretionary rather than prescribed services.
8. Make Democratic Authority Accountable to Citizens: Elections alone are never sufficient to ensure accountability. Use multiple means, in addition to elections, to keep the activities of democratic authorities transparent and accountable.

Principles for Working with Parallel Authorities

9. Keep Customary Authorities, NGOs and Private Bodies Focused on Private Decisions of and for Their Groups: Actors such as indigenous leaders and chiefs, NGOs and corporations have many important roles within society. But in a democratic society they do not make public decisions, except where they have been elected to do so or have been delegated decision-making powers by democratic leaders.

10. Promote Equity: When working outside of local government, engage with local organizations representing all classes, genders, orientations, castes, ethnicities, and ages so that there is greater understanding of equity. Level the playing field through practices and policies that affirmatively favour the poor, women, and other marginalized classes and groups.
11. Local Public Decisions Belong with Local Democratic Government: When working on public decisions with groups or individuals outside elected local government, these groups or individuals should operate under the authority of or through delegation from a local democratic authority.

Principles for Working with Citizens and Local People

12. Inform Local People of Their Rights and Powers: Let local people know which decisions are public, which powers their local authorities hold, how local authorities use them, what services local authorities can deliver, what means of accountability they are able to exercise, and how they can access those means of accountability.
13. Empower Local People to Sanction (Punish and Reward) Government: Support the rights, and provide the means for local people to influence and hold to account the authorities that govern them. These means should be made available to all the residents of the area or jurisdiction within which the natural resources under consideration are located, and may involve the means to bring people, for example corrupt officials, to court.

1

Action Learning, Introduction and Implementation

How the RFGI Handbook I and Handbook II Work Together

RFGI Handbook I provides you with a summary of the RFGI research findings, how the RFG Principles were generated on how to improve local democracy, a method for assessing the state of local democracy in your situation, and guidance for developing preliminary recommendations.

RFGI Handbook II (this volume) is a companion to RFGI Handbook I. It describes one way in which these principles and recommendations can be put into practice, through Action Learning. Supplementary sections in RFGI Handbook II deal with defining communities, stakeholders, and working with customary authorities. Throughout this handbook, references are made to useful material to be found in Handbook 1.

Introduction to RFGI Handbook II

Handbook II is designed for field use to improve project implementation. Improving governance is a learning process for local administrations, communities, project implementers and managers. Research demonstrates that projects implemented by intervening agencies (organisations intervening in a site) can change the power dynamics when they choose the organisations with which to work, and then transfer resources to those organisations. Power dynamics change and influence local governance and power balances (Box 1). These dynamics can be improved by better supporting local institutions that represent local people's needs and aspirations. However, making changes to work more closely with representative local authorities is not easy, as there are many other issues at play.

The RFGI Handbook II shows one means to improve natural resource governance at project sites, and is designed to be used by practitioners, local government staff and NGOs. It complements RFGI Handbook I which can be used as resource material, though we summarize and simplify some of the key issues here.

Box 1: Examples of Local Governance Issues

In Ghana, one powerful national NGO used a local community natural resource management institution to generate projects for their own gain and to the exclusion of other actors (Box 7).

In Burkina Faso, when an intervening agency chose to implement a project with the mayor's office, the mayor became more accountable to the agency for project spending rather than accounting to the people for project actions. This frustrated the local population and reduced the impact of the project itself (Box 8).

Sometimes local administrations become frustrated with intervening agencies and demand accountability from them, as in the case of the Karamoja region of Uganda (Box 6).

In RFGI, over 30 case studies were conducted in Sub-Saharan Africa that focused on the interventions of intervening agencies. The research found, in most cases, project interventions were not effective, harming both people and the environment, with poor governance being a root cause. These case studies address what happens when there is poor accountability, low representation, no citizenry, and poor participation by local people. When grouped together, some trends emerge. We could call these 'symptoms' of poor natural resource governance, and include:

Symptoms:

- Local people disengaging from, resisting or sabotaging projects;
- Elites capturing benefits;
- Benefits derived from natural resources being unequally and inequitably shared;
- Project interventions, even when attending to gender inequality, compromising gender representation;
- Project interventions weakening the community voice by failing to help communities obtain sufficient information, resources and skills to demand representation and accountability from those who govern; and
- Project design resulting in local implementing agents and beneficiaries being upwardly accountable towards the project organizers and institutions rather than downwardly accountable to the people.

These symptoms are a result of:

- Projects not engaging with existing elected local government authorities;
- Democracy being considered 'inconvenient' and 'time consuming' by donors, development agencies, or other international or national implementing agencies or NGOs;
- Democracy being talking about but not implemented in practice. Instead of democracy, emphasis is placed on participation;
- Projects working with customary chiefs who may or may not be accountable and can abuse their powers; and
- Projects working with project-created local committees even when there is an elected local government body with jurisdiction over natural resources.

Nonetheless,

- In some cases chiefs and well-structured, monitored project committees can be more representative and accountable than dysfunctional elected local governments, but circumventing local government risks undermining their improvement and the long-term development of local democracy;
- NGOs can also be corrupt and unaccountable to local people;
- Forestry interventions often fail to provide local people with the resources they need to act as citizens so as to be able to influence those who make forestry decisions; and
- Communities are often portrayed as lacking capacity to manage forests, even where the capacity is not necessary; foresters often use technical and science-based arguments to take away, or to withhold powers and decisions from communities.[1]

None of these are desirable outcomes for any stakeholder or rights holder. So how can we, as practitioners, improve local governance of natural resources? One way is through increasing our understanding of natural resource governance principles, helping communities understand these, and applying these concepts to our work.

The RFGI Handbook II is split into three parts. Part 1 provides an introduction to how project interventions impact local governance and introduces Action Learning (AL). Part 2 simplifies governance terms and provides guiding questions for the AL process. Part 3 provides complementary insights into the term 'community', stakeholders, and working with customary authorities.

The Impact of Projects on Local Governance Dynamics

The governance of natural resources is defined in Box 2. There are many principles of governance (e.g. legitimacy, voice, subsidiarity, fairness, doing no harm,

direction, performance, accountability, transparency, access to information and justice, participation, coherence, rule of law, and human rights). RFGI focused on particular elements of governance: representation of local people through leaders who have the means to respond to people's needs, and are likely to be responsive because they are accountable to the local population in geographic areas where decentralization is occurring. This kind of representation is called democratic representation and is a type of participation that is an important part of local institutions by which people can hold their leaders accountable.

Box 2: What is Natural Resource Governance?

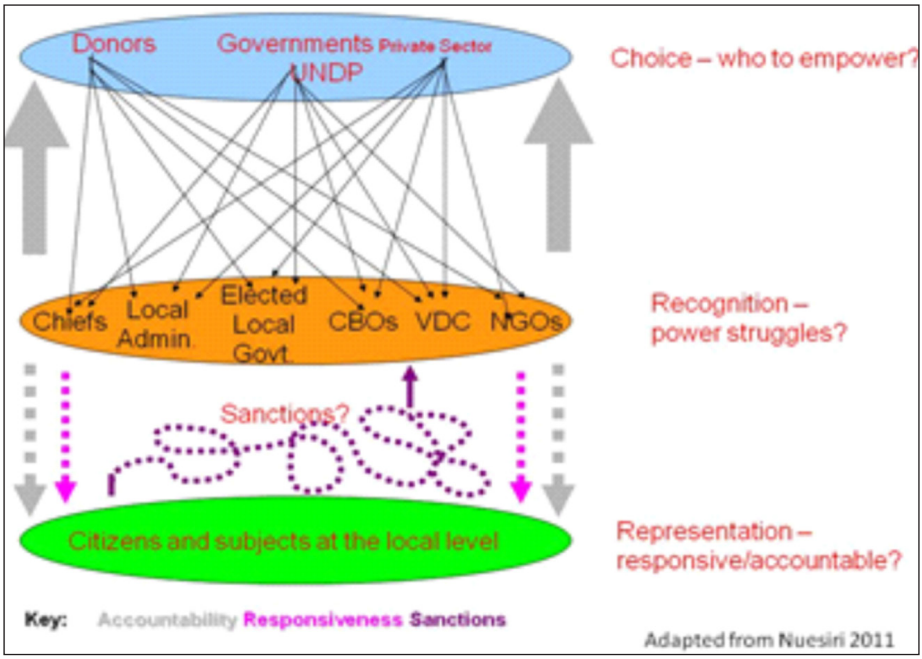
> 'Natural resource governance is the interactions among structures, processes and traditions that determine how power and responsibilities are exercised, how decisions are taken, and how citizens or other stakeholders have their say in the management of natural resources - including biodiversity conservation' (IUCN 2004).

This handbook (RFGI Handbook II) addresses how natural resource governance project partners can influence this accountability and the responsiveness of their local institutions and leaders. When natural resource projects are implemented and they choose local institutions to work with, this is called institutional choice. Through institutional choice local institutions are recognized and so empowered to act. These choices, and the recognition they result in, shape local representation and citizenship. These kinds of changes occur when intervening agents (e.g. government agencies, NGOs, private sector) 'choose' to work with specific partners (e.g. local NGOs, local administrative bodies, customary chiefs). Where they choose locally elected bodies, these may represent their constituencies and should be responsive to their people's needs. Where they choose customary chiefs, NGOs or companies, it may be less likely that these actors will completely represent their populations, though there are exceptions to this. This is conceptualized in Figure 1 (Nuesiri 2011; Ribot 2004) which shows three levels of interaction (intervening agents, local representatives and actors, and communities). The choices between the upper two levels can have impacts on power relations at the lower level.

Choosing the right local partner can be critical for ensuring good governance of natural resources and for project delivery. In choosing only partners that are project funded or do not systematically represent their people (e.g. other NGOs), we risk having interventions that only last as long as a project cycle, and which are not necessarily responsive to local needs. Organizations that represent and are responsive to the people (e.g. locally elected officials and customary chiefs in

some instances) are more likely to be working in the interest of their populations. They are more likely to be responsive if they are also systematically accountable. In most instances, when such organizations or groups do not represent or respond to people's needs, there are at least some available means for the citizens to use various forms of holding elected officials accountable (e.g. voting, negative media, boycotting, sorcery, gossip, sabotage, reporting of actions to higher levels of government) to communicate the message that their needs have not been met, as promised by the representative. These accountability sanctions and demands can then stimulate a response. Similarly, when people are well served, they can also give feedback through positive reinforcement (including voting for a candidate, paying taxes on time, and making supportive statements).

Figure 1: Institutional Choice and Recognition can Impact Power Dynamics across Multiple Levels



When we work with local institutions, our projects can help institutions respect their mandates, and improve local governance. However, neither NGOs nor local administrations are perfect in the way that they function. As such, when we choose to work with local institutions (e.g. Community Resource Management Areas or

CREMA in Ghana, Box 7; or local councils in Uganda, Box 6), we need to be aware of existing governance issues. Our choice of working with a partner may have an impact on how those partners account upwardly to their donors or large conservation organizations and/or downwardly to the people that they may represent. This may also influence how responsive they are to the needs of those they represent. They may also not understand their mandate to be accountable to their people. Part of our work can help them understand and fulfill this responsibility.

The networks of structures, organizations and committees found at a local level can be complex. Often a multiplicity of community structures can be found at village, tribal authority or district level. Some of these are existing structures, for example village government, women's or youth groups, traditional water or grazing institutions. Others may be driven by the participatory ideologies of rural development and the specific, and often uncoordinated, agendas of sectoral agencies, NGOs and large donors. Some of these organizations may have similar functions, may be linked to different authority structures or government agencies, or may be in competition with one another. Some are short-lived and disappear when a particular activity ends. Such a plethora of networks, institutions and organizations, many of which are externally driven, can cause confusion and can undermine important existing institutional arrangements for community cohesion and stability (see RFGI Handbook I, Institutional Mapping Section).

None of these are desirable outcomes for citizens or intervening agencies. So how can practitioners, including project managers and those interacting with local communities, administrations and chiefs, improve local governance of natural resources? One way is through increasing our understanding of governance and local democracy, helping communities understand these, and applying these concepts to our work.

Action Learning[2]

Action Research (or Action Learning as we refer to it in this document) was first developed in the 1940s (Lewin 1946) and is a methodology that uses a repeatable reflection process. Action Learning (AL) refers to any approach that involves learning from actions carried out, particularly when this involves learning from one set of actions to improve future actions, while Action Research (AR) is a form of AL that aims to assist improved action in a particular context and to contribute in some way to knowledge beyond that context, i.e. research (Fisher 2013). Action Research aims to identify lessons or insights that may be relevant to people working in different but similar contexts. For example, insights learned from implementing

community forestry in a particular village in Nepal may be useful to people working in participatory forest management elsewhere. Drawing lessons of wider relevance than the immediate context is the 'research' element in action research.

The terms AR and AL are often used interchangeably. We use the term AL in this document. Stakeholders and rights holders meet to discuss what they want to do about an issue, implement agreed actions, reflect and learn from that implementation so as to improve and plan for further action. The goal is to improve identified situations in a project area. The key idea behind AL is that a group of people with a shared concern collaboratively, systematically and deliberately plan, implement and evaluate actions. The investigation informs action, and the researchers can learn from critical reflection on the actions (Sriskandarajah & Fisher 1992). AL has the following characteristics:

- It is not 'learning through trial and error', but is, rather, a careful and disciplined reflection process;
- It involves a group of people united around an issue. This can include people from different backgrounds e.g. women, men, pastoralists, farmers;
- This group consciously and systematically moves through a series of repeated cycles of action, observation, reflection and planning (Figure 2);
- Learning enables more effective action (i.e. learning a way through a problem);
- Learning occurs through action; and
- In addition to learning for a specific purpose, AL generates insights and ideas relevant to other situations and indeed for research as well (though research is not the primary objective).

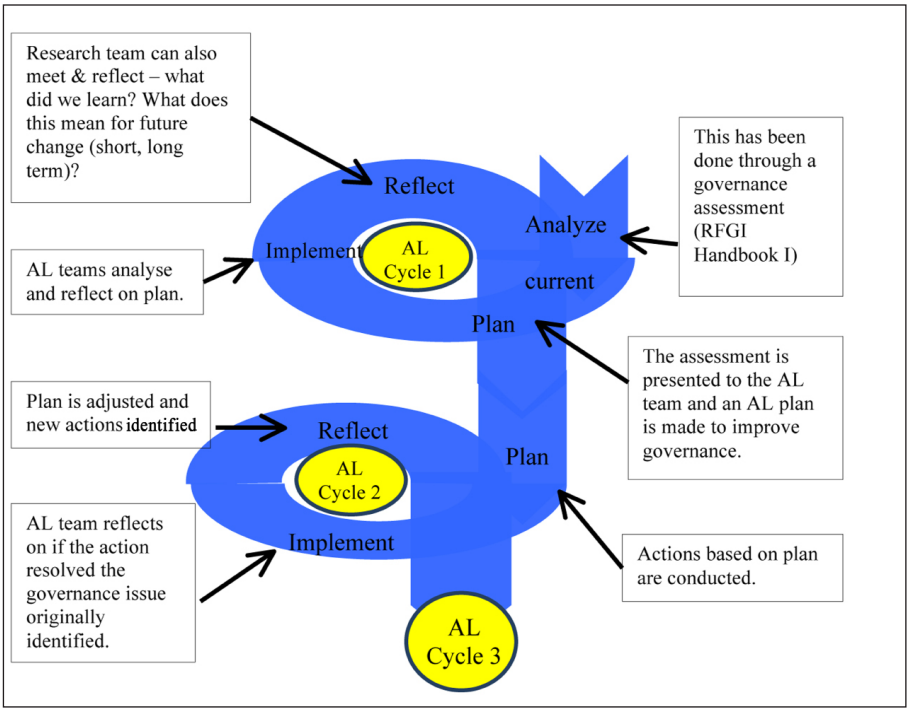
Box 3: Trust and Local Communities

There are many types of trust that can be established between intervening agents and communities including trust based on procedures, personality (people who inherently trust others), perceived usefulness of working with another group, or based on shared values or social connectedness (Stern and Coleman 2014). Trust also arises from positive experience with others.

AL is an overall methodological framework, and through specific cycles (Figure 2, Box 4) where various participatory tools and approaches can be used (e.g. ethnography, social surveys, livelihood assessments, etc.), and provides a learning-based approach to deal with complex situations. Conscious and deliberate use of

AL can be useful in programme or project implementation because it provides a framework within which critical planning, monitoring and evaluation can become a basis for project implementation, and for trust building (Box 3). Indeed it can be used by communities or groups independently of formal projects.

Figure 2: The Action Learning Cycle, Adapted from (Kemmis & McTaggart 1988)



AL is a team approach that involves stakeholders and rights holders around an issue or issues of common concern. There are advantages for implementation when stakeholders are involved. A variety of perspectives is gathered and assessed before action commences. This increases the likelihood that obvious, unintended consequences will be avoided. False assumptions will be identified. Stakeholders and rights holders will then have a sense of ownership of, and commitment to, agreed actions.

Membership of a collaborative AL group can help to build mutual understanding and trust (Box 3). For this to occur there must be a genuine commitment to meaningful collaboration. Token involvement of less powerful stakeholders is not enough. However one of the advantages of democracy is that it requires

accountability and representation so that all parties are able to have influence, and conflicting parties can agree on a balance. This can create collaboration where there is polarized conflict, or it can maintain polarization but still proceed with action.

People involved in natural resource management, conservation and development, especially government officials and politicians, sometimes suggest that AL may be irrelevant. They point out that there is no need for further research because 'we already know what to do for natural resource management', or 'we know our people'. One response is to stress that AL is first and foremost an approach to implementation, not a means of gathering more information. It is focused on increasing the group's understanding of implementation processes. It also helps rural people take more ownership of what they are doing; indeed AL can and should be empowering. It allows people to see what works, what does not, and so allows identification of some of the issues.

This background on AL offers a different way to help rights holders and stakeholders to increase local governance quality, democracy and ownership. AL provides a way to learn in order to implement better interventions, through a conscious process of reflecting on, and monitoring the effects of actions. Box 4 provides an illustrative hypothetical example of some of the cycles of Action Learning.

Box 4: Hypothetical Case Study: A National Park in Country XX

The case relates to a complex project working on collaborative management in a national park. The project goal is conservation of the biodiversity and ecological processes in the park through promoting sustainable natural resource management. At the beginning it was known that (a) the livelihoods of the local people were partially dependent on using the natural resources in the park; and (b) that some of the current usage was incompatible with the conservation objectives of the park.

Preliminary situation and assessment: Harvesting of wild fish from the park by artisanal fisher-folk was depleting fish stocks. This was considered to be unsustainable and incompatible with park objectives. Several activities contributed to an assessment of the situation: a) there was a collaborative analysis of the situation which involved rural communities, park authorities, project staff and district authorities; b) rural assessments were undertaken by rural communities, the park and project staff; and c) technical investigations were undertaken by park and project staff, without community involvement.

Action Learning cycle 1: A plan was made to investigate the development of fish farming. This involved undertaking research with selected farmers. Some trial fish ponds were constructed and fish farming piloted. The conclusion from this was that fish farming is technically, economically and socially feasible.

(Continued)

Action Learning cycle 2: The action undertaken was to promote fish farming by the project and fish farms were established. The assessment revealed that further investigation showed that harvesting of wild fish had not greatly diminished. Research also showed that most fish farms had been set up by contract farmers, not by artisanal fisher-folk.

Action Learning cycle 3: The action undertaken was to promote fish farming among artisanal fishers and incentives were provided to encourage fish farming. The assessment revealed that wild fishing declined, and fish farming was being adopted by artisanal fishers. The income of rural communities increased through the sale of smoked fish to local markets, but fuelwood was harvested from the park to feed fish smoking. However, the park considered fuelwood-harvesting levels to be incompatible with park objectives.

Action Learning cycle 4: The action undertaken was to investigate alternative fuel sources. It was found out that alternative on-farm fuelwood sources could be initiated provided the park authorities allowed harvesting of dry wood in the park until the fuelwood lots had been established. This process is continuing.

Discussion: The overall outcomes of the activities described are of two types. The main one is the gradual modification and improvement of project implementation (improved practice). A second, if modest, outcome was an increased understanding of the linkages between development activities and conservation outcomes. This case study reminds us that the connections are not always simple and that the linkages need to be much more explicit. In this sense, there is a 'research' outcome, as some insights that can be generalised contribute to our understanding of park management in general.

In cases where there is uncertainty about what to do next, or even what to do first, Action Learning provides a way to commence implementation and avoid being paralysed by the fact that everything is not known (or needs to be known) in advance. In situations where outcomes of activities will always be somewhat unpredictable, AL enables mistakes to be detected and learned from, so that improved actions can be undertaken. AL is also a way to reduce bad assumptions even when not all the assumptions are known at the start.

The intention of AL is not to provide recipes for implementation, but provide insights which can inform a specific situation, and which others may find useful in related contexts. AL can contribute to monitoring and evaluation of existing projects. It can be conducted at multiple levels (e.g. gender, village, government departments, politicians etc.). If it includes policy makers, it can help inform policy. However in this handbook, ultimately it is about taking recommendations from RFGI Handbook I (or other relevant studies), and using them to improve local governance in the field.

Action Learning 'Empowers Participation'

We tend to give different emphasis to aspects of participation. Real participation begins with problem identification and planning, and ends with monitoring and evaluation of the completed activity, leading to empowerment, and involves all sections of the group, e.g. family, society, administrations, etc. Participation should be empowering and often raises questions of control and authority and the extent to which we (project implementers) are prepared to really involve others (stakeholders, project beneficiaries). How many of us really involve rural people in such a way that control and authority is devolved to them? How many participatory social forestry or natural resource management programmes do that? (Barrow 1996).

Participation, in many cases but not all, is a process designed to develop and strengthen the capacities of rural people to gain responsibility for, and authority over, local natural resources and effectively contribute to all decisions related to how these resources are used (Oakley 1991). Various typologies for participation have evolved, and Table 1 illustrates one (Pretty 1994). This shows how participation can vary from top-down message delivery to empowerment. Our focus for Handbook II is this latter end of the spectrum (empowerment).

Table 1: How People Can Participate in Development Programmes

Participation typology	Some components
Passive participation	Being told what is going to happen or has already happened. Top-down, information shared belongs only to external professionals.
Participation in information giving	Answer questions posed by extractive researchers, using surveys etc. People not able to influence outcomes.
Participation by consultation	Consulted, and external agents listen to views. Usually externally defined problems and solutions. People not really involved in decision making.
Participation by material incentives	Provision of resources, e.g. labour. Little incentive to participate after the incentives end.
Functional participation	Form groups to meet predetermined objectives. Usually done after major project decisions made, therefore initially dependent on outsiders but may become self-dependent, and enabling.
Interactive participation	Joint analysis to joint actions. Possible use of new local institutions or strengthening existing ones. Enabling and empowering people to have a stake in maintaining structures or practices.
Self-mobilization	Already empowered, take decisions independent of external institutions. May or may not challenge existing inequitable distributions of wealth and power.

Participation can be at the individual, household, community groups (e.g. youth, gender, functional groups), or at the community level. Community priorities may differ from that of a household. These priorities become more exaggerated the more different the people comprising that community are. Who participates in a programme and how representative they are of the community are of central importance. There are a number of issues to consider including:

a) Sustainability, ownership, and communal responsibility, especially in areas where resources are perceived to be communal;
b) Projects' suitability. Do they meet community and individual needs or are they biased in favour of one group?; and
c) Shared costs and responsibilities by the people and the project.

Adopting participatory approaches that encourage, enable and empower people is a powerful tool in project implementation, but may not in itself provide a guarantee of equity in the distribution of project benefits. Participatory project management styles give voice to project beneficiaries but do they always give voice to everyone who is affected by the project? For instance, vocal men may dominate discussions to the exclusion of women who may be the main resource users. You always have to ask: has anyone been left out? Are there people who are negatively impacted by the same technologies and activities that benefit others? Part 2.1 provides a summary of what is embraced in the term 'community', a term that is too often over-simplified.

Action Learning Step by Step

We now want to ensure that these governance principles are used and reflected upon, at the community and village levels and within the organisation and the projects we manage. For this we use a process of Action Learning. We use the experience from Ghana at a project site where RFGI research was conducted and then AL was used to work with the Community Resource Management Area (CREMA) Executive Secretary and its members to increase local democracy (Box 7).

Step 1: Deciding what Governance Issue Should be Addressed

Recommendations were developed from RFGI Handbook 1 or other studies. Some of these recommendations may be appropriate for intervening agencies while others might be aimed at local administrations and organisations.

Step 2: Choosing Which Level of Organisation to Conduct Action Learning

Once the governance issues are identified, then the level at which to conduct the AL can be decided (see Box 4 for a hypothetical example). For example, in Ghana,

in discussion with CREMA executives and members, it was decided to have the CREMA executives call a meeting to discuss the accountability issues raised by the assessment (Box 7). However, the AL levels could occur also at village or community levels, women, user groups, or at a district level with multiple villages involved, or in different combinations. In other situations, it may be appropriate to conduct AL at a higher level to achieve regional or national improvements or awareness of governance issues. For example, in a case from Uganda, an intervening agency developed AL questions to reflect on governance issues within their project and in their work with the local administration (Annex 1). In Burkina Faso, the administrative levels of government were used to identify the entry points for conducting AL. These administrative bodies might hold regular meetings through which it might be easy to facilitate AL discussions. Here you might consider having the AL group led by someone accountable to the local administration. If external staff (e.g. of a project) are present, they should be observers. The AL process should be community-owned and driven, though intervening agents may launch the process.

Step 3: The Action Learning Cycle

AL is cyclical and it is important to keep simple records from each meeting. Meetings generally need not run for a long period, for example 1-2 hours, though if there is much to discuss they might last half a day. The key is not to make it too time consuming, as rural people have busy lives. In the case of Ghana, a first informal meeting was held bilaterally with CREMA executives and some community members to gauge if there was interest in an AL process. As a result there was general agreement to undertake AL and the CREMA executive agreed to convene a meeting to discuss the issues with their members.

First round of Action Learning: Action Planning Meeting

Purpose of the meeting: It is important to have a more general introductory meeting with all the group (or community, or village), or groups separately or individually, before actions are decided upon. Once such an awareness-raising meeting has been held, agreement can be reached on who (stakeholders and rights holders) will be part of the AL groups and how the AL group will report back to the larger group. At the first meeting, the RFG principles and/or results of your assessment can be discussed. The group might discuss some of the simplified key findings to see which they feel should be translated into actions. In translating these to action, it may help to use the questions under each of the concepts in Section 5 to facilitate discussion.

The first meeting of the group is a planning meeting to decide on what actions and activities they are going to undertake. The AL group agrees to address particular issues and draws up a simple work plan to identify who is going to do what, and when. For example, in Ghana, the results were discussed by three groups. One of the emerging issues identified was the need for more regular meetings, transparency of document sharing, and implementation of the CREMA constitution.

Who attends and how to decide: In order to understand who should participate, it is important to identify the stakeholders (see Section 2.2 of this handbook for a stakeholder and rights-holder analysis), though stakeholders are of two broad types: those who are affected by a policy or intervention or action, and those who can affect that policy, intervention or action. Some stakeholders both affect and are affected by such processes.

The group of people should involve the main stakeholders and rights-holders, and ensure a responsible gender balance, which may mean that there will need to be gender-disaggregated groups so that women and men can have their own meetings. It is also important to include people who have no direct use of the resource, but who are part of the community (as well as being citizens or residents), and therefore may have rights even if they do not use the resource. The general public can also be included in the discussion; these people may have other ideas about how to use a forest than woodcutters, sawmill owners, hunters, medicinal plant gatherers, or conservation advocates, for example.

At the first meeting, the group should discuss whether everyone who has rights is represented in the group and is present and, if not, how more representative participation can be established. This verifies and helps triangulate the institutional mapping and stakeholder analyses that may have been done. Using stakeholder mapping or power analysis (see Section 2.2. of this handbook) identifies participants for the AL group. In the case of Ghana, the CREMA executives convened a meeting which was attended by representatives from the CREMA member communities, and other stakeholder institutions such as the Forest Services Division, Wildlife Division, NGOs, District Assembly, representatives from the Community REDD+ Multi-stakeholder Platform, and executives from two other CREMAs from the Northern and Western regions and the International Union for the Conservation of Nature.

Remember that, as you proceed with your discussions, rights-holders all have stakes, even if they do not exercise their rights, but not all stakeholders have rights, as only stakeholders who are also rights-holders have rights. So, stakeholders are included so that rights-holders can better understand their interests and understand what the stakeholders can offer. They are not there to make decisions; that is what rights-holders

do. This distinction is very important. It is the basis for ensuring that the residents and citizens make decisions over the resources of public interest.

How to record what decisions were made: One to two people should make sure that the discussion is properly recorded and written up, which could be done on flip charts, notebooks, or on a computer. This is an important part of the community record of such meetings (which they can keep), and can also be used by others for reporting, monitoring, and broader learning. During the discussions some people might have stories to illustrate what they are saying; these should also be documented and attributed. In general it is important to be able to record what the different stakeholder groups are discussing or proposing. This will both support follow-up and ensure that the stakeholder groups are adequately represented.

These plans can be recorded in the AL Table (Table 2, columns 1-3). For example in Ghana, 'it was agreed that the CREMA constitution should be revised and a secretariat should be established'. With that agreed, the group then decides on when they should next meet, for example in three to four months' time, as meetings should be regular and not too far apart, so as not to lose momentum. Who will implement the 'action' should be noted in the table, as they will be responsible for reporting back on progress at the next meeting. Remember, a recommended action is only a good recommendation if there is someone who actually can and will implement it. Hence, the costs of implementation as well as the remuneration (whether it is future benefits or payments) need to be discussed and agreed. All this information should be documented by the group as a record, and the group should agree as to who should record the material.

Second Round of Action Learning

The second meeting reviews the progress of the action plan. The AL group meets as agreed to review progress (Table 2, Column 4), reflect on what they have learned, and identify further steps or actions points. Column 4 is filled in on the progress. Then the question is asked of the group, or sub-groups as needed; for example, there might be a separate women's sub group, 'So what did we learn about the CREMA executive body?' This will often result in a lot of discussion that might take some time (e.g. one or more hours), and the group should be allowed the time to do this properly and completely, and ensure reality checks, such as: Are our objectives still relevant? Do we need to revise them?

In filling in the table it is important to provide as much detail as possible on progress made for each action item. The group will identify the challenges, and opportunities faced together with what the AL group has learned about implementing the agreed actions (Column 5). As a result of the work done, what did the group learn? Did they

face any challenges (what were they? How were they resolved?)? Were there any other opportunities and good things that came as a result of the work? What are they?

Then the group will discuss and agree on the next steps (Column 6) based on the actions undertaken and lessons learnt. As a result of the work done and progress to date, what other things does the group need to do as next steps (i.e. also what things may need to be done differently and why)? From the Ghana example, next actions included the formation of a Constitutional Review Committee, development of Terms of Reference for the Committee, and reviewing and revising the Constitution. The agreed next steps are then put in the next sheet, as the plan for the next AL cycle and columns 1 to 3 are filled in in a new table.

The duration of this AL sessions should be 2 to 3 hours, though it can take longer. The timing should be flexible and determined by the AL participants. The implementation team should ask for and agree with the group that they be allowed to make copies of the AL forms as they are filled in. The original forms should remain with the group. This can now be easily done by taking clear photos with a mobile phone.

Table summary: Table 2 contains six columns. Column 1 will already be filled in from the first AL meeting. In reporting on who implements activities (Column 2), it is important to provide details of who actually did the work (e.g. ten women from village X, or 25 men from village X and village Y) and when (Column 3). In reporting progress in AL meetings (Column 4), provide as much detail as possible, especially in terms of numbers, e.g. ten women planted a total of 1,000 trees during the last three months and all are surviving. In recording lessoned learned (Column 5), record what the group learned, if they faced any challenges or difficulties, how these were resolved, and note other opportunities that came as a result of the implementation and the discussions that took place. In Column 6, note the results of the work done, what people have learned, and the next steps. Identify the actions and activities and who should carry out further activities, what the roles of different groups are and when the activity will be carried out.

Table 2: Action Learning templates: First Action Learning cycle – An Example from Ghana

Action Learning report for: Country/Area _____ Group (village, men/women, district government etc.)_____

Who compiled report _____ Date of report: _____

List who is present in an annex to the report.

Action	Who	When	Progress	What we have learnt (so what)	Next steps
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
List the activity or action from the work plan	Who is responsible for actual implementation	When was the activity supposed to take place?	What progress has been made, by whom?	What were the challenges, and opportunities? What did we learn as a result of doing this activity, and why is that important?	Based on the progress to date, what other actions and activities do we need to undertake, and who will carry out these activities (and when); this forms the basis for the next action plan
Action 1: Formation of Constitutional Review Committee	Legal consultants under responsibility of CREMA executives	Next four months			
Action 2: Development of Terms of Reference (TOR) for Committee	Legal consultants under responsibility of CREMA executives	Next four months			
Constitutional review meetings by committees	Executives, review committee and consultant	Next four to eight months			

Third and Subsequent Rounds of Action learning

This is a repeat of the second round to ensure continuous feedback into the work. In this way, the process continues for as long as wanted or needed by the villages and teams. Such AL may become embedded in the routines of the village or group as they increasingly see the importance of the work for themselves and other works. It becomes an empowering process, and may go well beyond the confines of project cycles, as the group may continue to use the process for their own planning and reflection in future and beyond the project cycle. For example, as part of an AL process in Somaliland (to work with villages to generate community-owned participatory land use plans), the process was taken further when at least two of the villages used their action plans to attract donor support in order to be able to implement some of the actions, e.g. soil conservation terracing (Barrow et al. 2000).

At the same time the data and material gathered can be important for monitoring and evaluation at different levels (e.g. for the project, government, NGO, donor). For example, in one district in Ghana the results of AL have informed district level reporting.

2

Simplifying RFGI Concepts for other Audiences and Guiding Questions for Action Learning Discussions

This section will help you guide the discussions during your AL process.

Many of the terms used in the RFG Principles, RFGI Handbook 1 or various studies may not easily translate into local languages or across disciplines. In many cases, you will want to discuss these issues in simpler terms. Here we propose modified definitions, based on Handbook I and then a series of questions that can be used to discuss governance issues that may be relevant to your situation during your AL work and process. There are five key terms we address: a) democratic representation; b) accountability; c) citizenship; d) institutional choice; and e) participation.

Democratic Representation

Democratic representation is when local leaders are accountable and responsive to the needs and aspirations of the people. To be responsive, local leaders must hold the powers necessary to respond to those needs. Leaders are democratic when they have the resources (e.g. financial, technical, logistical) that they need to work for their people, and the people have ways to hold them to account, or reward the leaders for bad or good actions or decisions they make.

The following questions can be used when your assessment reveals problems with a leader's accountability to a community. These questions can be used during discussions with community organizations or local administrations in AL exercises. For a general understanding of democratic representation and how to answer the questions below, please see Handbook I[3]. Here are some questions for project participants and local communities to consider to help clarify representation issues in their situation[4]:

1. Why do we need democratic representation for natural resource management?
2. What is beneficial about representation and to whom?
3. Why can all of us not represent the people or ourselves?
4. Who can represent the people and speak on their behalf?
5. Whose interests need to be represented?
6. How do you evaluate whether an institution or authority is representative of the people?
7. What powers does a representative need to actually be responsive to people's needs?
8. What resources does a representative need in order to respond to people's needs?
9. Women, men, youth, and marginalised groups all have a voice. How can the voices of different groups be represented?
10. How can we help different groups have an equal voice and equal response when addressing leaders?
11. How can constituents influence leaders? What are the means and methods?

Accountability

Accountability is a counterbalance to a leader's power. It is when there are means to sanction (Box 5) that a group can hold accountable or reward leaders for their actions. They can be sanctioned for what they do or what they say, including whether they transparently relay information about project interventions to the people. Holding leaders accountable is needed to a) guide leaders to do what people want, and b) to motivate leaders to report back to the people on what they have done. The following questions can be used when issues of accountability arise in your recommendations. See Handbook I for general guidance on accountability. Some questions for project participants to consider in order to clarify accountability issues in their situation are the following:

1. Who should know what information and why?
2. Why and when do representatives need to provide information on their actions?
3. Why should our representatives tell us what they intend to do, and what they have done? (e.g. summaries of meetings, sharing of benefits)
4. What methods can leaders use to report back to us? And how can we comment on the information provided? How can information be taken back to constituents?

5. How can we ensure that our comments are considered?
6. How do our representatives ensure that all relevant groups are well informed?
7. What can we do when leaders do not deliver the infrastructure, services and goods that people demand or were promised?
8. Do we have the means to sanction our leaders when they do not account for their actions?
9. Which sanctions work for us?
10. What other means might be used to encourage leaders to act on our behalf?

Box 5: Sanctions

There are many ways that communities can negatively sanction their leaders including: voting against their leaders, sabotaging projects, media, demonstrations, gossip, and sorcery accusations.

Citizenship

Citizenship is the ability to influence public leaders by holding them to account, where a public leader is one that is subject to broad public accountability. Citizenship is the ability to be politically engaged and shape the fate of the area in which one is involved[5]. In the AL work of RFGI, those under the rule of a public authority but without the ability to influence that authority are called subjects. The following questions can be used when issues of citizenship have arisen in your recommendations. See Handbook I for general guidance on citizenship. Some questions for project participants to clarify citizenship issues in their governance system include:

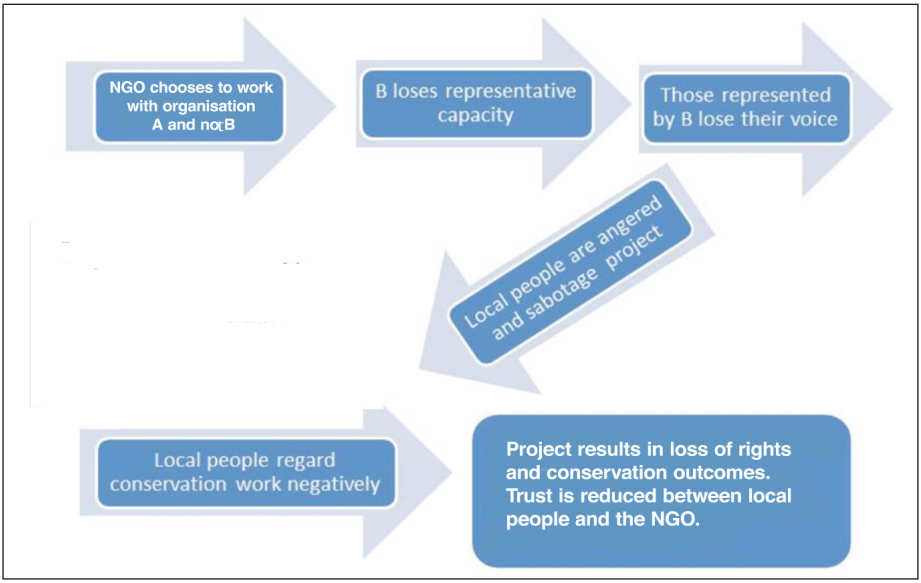
1. Do you feel like you are able to contribute to discussions? Do your inputs/ interests count? Do you think the decisions benefit you?
2. Who has the right to ask leaders for information on their official activities?
3. How can we ask for information on their activities? And how can we use this feedback to our benefit?
4. How can we, as community members, better understand the constitution and laws and how these inform our rights and responsibilities?
5. Do we think these laws and policies adequately address our interests?
6. How can our experience make existing laws, regulations or policies more effective?

7. What means do we have to influence those who govern us?
8. What decisions or actions of those who govern can we influence? Through what means can we influence natural resource management decisions?

Institutional Choice

Intervening agencies implement projects in sites and need partners to implement the work. These agents then choose with whom to collaborate. The intervening agencies then transfer powers or provide support to such local partners. This is a critical step in developing projects. Your choice of local institutions, that is your 'institutional choice', subsequently impacts the ways in which local citizens are represented in project decisions. The effect of choice is recognition of local partners and may result in recognising some partners over others.

Figure 3: A Depiction of how Project Choices Can Impact Outcomes



To support local representation your choices need to be made with great care. You need to choose local institutions that sustainably represent local people, so that the local leaders are accountable to the people and responsive to their needs and aspirations. You need to choose the local institutions that a) can be empowered to be responsive to local people, b) are systematically accountable to local citizens, and c) are likely to be present and able to sustain activities beyond the end of your project. Representation should be the outcome of your choices.

In arenas where there are no elected local governments, this is a much more difficult choice and you must develop your recommendations in close consultation with local people. However, it is always important to recognize that local people may find the institutions they live under, no matter how despotic, to be legitimate and may feel that these are the best institutions for them, especially when they have not lived under alternative institutional arrangements. The RFGI Handbook 1 focuses on areas where there are elected local governments where decentralisation has occurred. Therefore, in areas without decentralisation, it will be important to assess existing institutions to see how democratic they might be, which are the most appropriate for the situation or project, and how best to work with them. However, there may be many additional tensions such as customary knowledge, institutions and power structures, for example, which are still central to much natural resource management in Africa. Section 2.3 of Part 2 of this handbook provides some suggestions and guidance.

As you reflect on ways to make this happen, the following questions may be useful to you. An example of where institutional choice can have negative impacts on people and their environment is summarized in Fig. 3. See RFGI Handbook 1 for general guidance on institutional choice. Box 6 highlights a Ugandan example. Some questions for project managers to clarify institutional choice issues influencing their governance system include:

1. What partners should be/are involved? Why?
2. Which are not? Why?
3. How would you identify the best partner for representing the people in natural resource management decisions in your project site?
4. What ecosystem/site/landscape/land use is important for project outcomes? And why? Does this choice exclude working with other institutions?
5. Do we avoid areas of conflict? Do we favour areas that will give us quick project results? Does this choice exclude working with other institutions?
6. What are the consequences of choosing partner A over partner B?
7. If you are not working with representative institutions, why not? What would it take to change this in your project implementation?

Box 6: Local Authorities Holding NGOs Accountable in Uganda: 'Your services are no longer needed in the district and it is directed that you vacate the district and take your services elsewhere'

By Barbara Nakangu and Richard Omoding

Karamoja, Uganda is considered the last frontier for pastoral forms of livelihood. It is also considered the most underdeveloped, if we use the western modern criteria of development that considers infrastructure, health and education. Due to its extreme underdevelopment, compared to the rest of the country, Karamoja has the highest number of active NGOs.

A few years ago, the local leadership in Karamoja realized that most of the NGO operations were not benefitting them at all. So they decided that the only way to harness the opportunities from NGOs was to take control of monitoring their work. Therefore the practice now is that each NGO as well as any central government program is required to register with the District Department of Social Services if it is to operate in that district. In the process, they are required to submit their overall project work plans and budgets. Upon review an NGO may be asked to adjust activities, area of operation and most importantly budget (the budget cannot have more than 40% of costs attributed to administration). Regular work plan and budget submissions to the District Local Government are required and monitoring should occur. If non-compliance becomes the norm, the District Council reserves the right to limit the activities of the NGO. If the District Council in its informed opinion feels there has been total non-compliance, the District Council would be left with no option other than to ask the NGO to relocate their services elsewhere.

In 2011, Action Against Hunger (ACF) claimed to have constructed the very same latrines that were also claimed by UNICEF under their Hygiene and Sanitation Program. This was complicated by the ACF policy of having a minimum of 2 vehicles in each trip, yet refusing to provide transport to local government staff. Close collaboration with local government in implementing and monitoring their work was also very weak. When this was brought to their attention, ACF could not address the problems adequately. Due to non-compliance, ACF (amongst other NGOs) were thus told to vacate the district and in doing so they were asked to leave behind the equipment since these had been acquired in the name of the Karamajong people. Based on supporting decisions from the high office of the Prime Minister, District Council and ACF, it was agreed that ACF could continue their work in a limited way. By contrast, another health organization, Samaritan Pass, was negatively affected because their operational costs were well over 60% of their activity implementation budget. They failed to reduce this cost and were thrown out of the district.

Participation

Participation[6] is a process designed to mobilize or engage people in shaping and implementing policies and projects. It is a very broad concept and can range from mere consultation to participant control over a process (see Table 1, this handbook). It is a process open to abuse in which people can be mobilized to provide, for example, involuntary labour. But participation can empower people to take control of their own fates, and so create greater ownership. The following questions may be useful to project implementers when understanding how they conduct participatory processes. Some questions for project participants to clarify participation issues influencing their governance system include:

1. When is participation mere mobilization of people for project purposes?
2. When does participation constitute representation of the people? Who is informed? Who are the beneficiaries? Who is involved in the project?
3. Who is invited to meetings? Why are they invited? Who should be involved for participation to be democratic? How are they chosen? Who would have to participate for the process to be representative of stakeholder and rights-holder interests?
4. What decisions are being made by those invited? What decisions should be made by those involved?
5. Participation occurs on whose behalf? Whose decisions count?
6. What benefits come from participation?
7. Was the participation influential? Why?
8. Are the participants part of the project design, implementation, monitoring, evaluation, and learning processes of the intervention?
9. Are project resources enough to have sufficient/optimum participation?
10. If a representative participates, does s/he think that s/he represents others? Does s/he have a mandate to represent the people in question? Does the person know their constituency? Do they articulate the needs of their constituency?
11. How many should participate? What constitutes a significant sample or cross-section of the population?

Box 7: Action Learning in Ghana, Based on an Assessment and Recommendations from Baruah (2015) and IUCN-Ghana Action Learning reports

Community Resource Management Areas (CREMA) in Ghana are employed by the government to address wildlife management outside protected areas. CREMAs are meant to promote conservation and livelihood diversification by devolving authority to local populations and empowering them to make decisions about their resources.

In 2004, an Accra-based NGO received a grant for the establishment of the Bontori CREMA; the NGO now serves as its Secretariat. In 2010, post-project, the CREMA was granted a Certification of Devolution by the government, transferring the authority for management and utilization of resources within the CREMA to the people in the participating villages. The Bontori CREMA Constitution states that all individuals residing within the area and having land-based livelihood interests can become members. But those who identified as members did so on the basis of their tree-planting activities, interest in the environment, and attending 'forestry'-related meetings.

During the assessment, the villagers expressed dissatisfaction with the CREMA, had low expectations of their elected representatives and the government, and perceived them as unresponsive, unaccountable and untrustworthy. Furthermore, under the guise of running a community-driven initiative, the NGO Director used it as a means to obtain funds. This study shows how, in spite of the stated commitment towards more inclusive forestry policies and reforms to democratise resource management, non-democratic local institutional arrangements in forestry were established. Non-representative and unaccountable Community Based Organisations and NGOs were empowered and maintained in the name of democratic decentralization and participatory forestry in Ghana.

To help improve local democracy in this CREMA, IUCN began an AL process with the CREMA executives and members in 2014. First, the results of the research were discussed by IUCN Ghana staff with CREMA executives and members. There was agreement with the assessment which indicated that the CREMA design lacked real transfer of financial and decision-making resources to the CREMA, that it depended on external funds and the project-based engagement by NGOs with the CREMA, that there was inadequate accountability by local leaders, and lack of elections that allowed the CREMA leadership to be concentrated with the same group of actors. The CREMA executives called a meeting where it was agreed to initiate an AL process. Groups identified priority actions including the importance of holding regular meetings, the need for transparency of CREMA documents, and the need to amend the constitution to have increased accountability of the CREMA leaders to the people. At the next meeting, the CREMA members met again to define the actions needed. These included the formation of a Constitutional Review Committee, development of Terms of Reference for the Committee, and reviewing and revising the Constitution, which is expected to take three to six months. Follow-up meetings to monitor progress occurred. It is believed that strengthening this local institution's governance over their natural resources will help the local community to have more decision-making power over their resources and become more empowered as they exercise their rights.

3

Unravelling the Concepts of Community, Stakeholders, and Customary Authority

Gaining a Common Understanding of the Term 'Community'[7]

The definition of community is rarely addressed in detail and remains one of the vaguest and most elusive concepts in social science, and it continues to defy precise definition (Sjoberg 1964). Communities can be functionally defined in several ways including through representative structures, area, common interest, ethnicity, affinity, resource user groups or land use. Communities may be typified by their variation (between social groups, for instance gender), variegation (within social groups), and stratification (by wealth and power). No community lives in isolation but is connected to other communities and to a larger society in general. Communities are dynamic and variable over time. Elites exist in all communities and tend to be over-represented in leadership roles. A basic problem is defining 'who the community is' and an over-simplified definition is frequently used by different groups having different interpretations of what constitutes 'community' (Agrawal & Gibson 1999; Kepe 1999). Without a clear understanding of some of the key elements that make up the term 'community', problems of representation and accountability will likely arise. In addition an over-simplified understanding of the term community may also be assumed.

These considerations make any attempt to provide an overall definition of community very difficult, except at a level so generalized as to be analytically and practically not useful. As a result an actor- oriented, functional approach is suggested for AL. Any organizational vehicle for understanding 'community' is likely to require an understanding of four major characteristics: cohesion, legitimacy, delineation and resilience.

Cohesion and identity: This refers to a sense of common identity and interest that brings people together for collaborative action, and leads them to collectively differentiate themselves from others. This characteristic commonly arises from a shared history and culture, although it may be a product of political and economic factors that force people to share a finite resource base. Whatever its history, cohesion becomes one part of the social 'glue' which persuades people to act collectively to enhance mutual interest and represent it to others, though this is not necessarily so clear or simple. For example, pastoralists in search of seasonal pasture may result in such pastoralists as being part of a more sedentary community (e.g. in Burkina Faso) or not (e.g. where the Fulani pastoralists are not seen as part of more sedentary communities in many parts of West Africa).

Demarcation: A parallel requirement of a community is demarcation, which sets the boundaries of jurisdiction for the collective regime. This demarcation is usually based on spatial criteria, e.g. delineation of a fixed land area and the resources on it, such as the lineage-based lands in the savannahs of the Bateke Plateaux of Gabon, Republic of Congo and Democratic Republic of Congo (Walters et al. 2015). It may, however, be drawn on the basis of socially sanctioned access to given resource categories, as in the case of pastoralism for dry season grazing and water access. Whatever the criteria used, the definition of organization limits the authority and responsibility for the collective grouping and is necessary for efficient organizational activity.

Legitimacy: Just as a community requires demarcation, it also requires legitimacy for its processes and leadership. Legitimacy may be conferred by an external authority (e.g. national policies and laws) but this on its own is insufficient. Internal legitimacy is more important, arising from socio-cultural and socio-economic criteria. In many contexts these criteria are at odds with those which modern African states currently seek to impose on rural populations. The persistence and adherence to these criteria then creates tension and conflict. An internal legitimacy that is internally agreed and sanctioned by the state is likely to produce a robust base for organization. For example, a pastoralist management system evolved under 'traditional' conditions, and is given legitimacy as a group or village ranch, or a residential identity that can give legitimacy to migrant groups (as in many parts of West Africa).

Resilience and risk: In rapidly changing rural landscapes, the components of organizations are dynamic. The roots of social cohesion may change in their substance and combinations with other social entities. Boundaries of jurisdiction may shift. The sources of legitimacy may change. Effective organization must be able to accommodate such changes evolving over time. Resilience, that is the

rights and capacities (of people) to adapt in content and structure (Walker & Meyers 2004), permits it to do so and is a key tool to the management of risk in risk-prone environments and livelihood systems, for example the community-led greening of the Sahel (Sendzimir et al. 2011). Not only does this characteristic provide durability to organizations, it also provides the scope for them to improve through processes of adaptive management.

Understanding the Power Dynamics of Stakeholders and Rights-holders

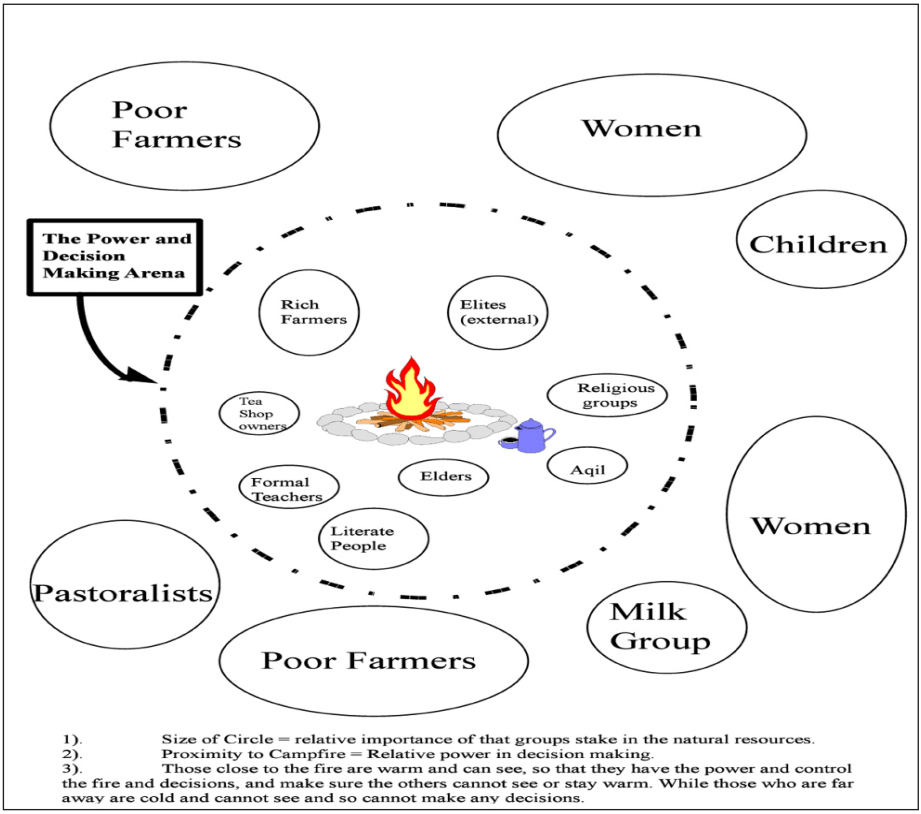
Another challenge in project design and implementation is how to identify stakeholders and the power structures of which they are part. The RFGI Handbook 1 gives one method of institutional analysis. The power analysis method (Barrow 1998; Barrow et al. 2000) presented here will also help to understand the relative importance of different stakeholders and to understand who makes decisions about natural resource management, irrespective of the actual stake they might have[8]. The following steps should be undertaken by practitioners after they have gathered data on the different stakeholders and their relative stakes, together with the decision-making processes. Institutional mapping and stakeholder analyses (see Handbook 1, and Section 5.4 of this handbook) will assist in the understanding of the range of stakeholders and their stakes, as well as who makes decisions. When these observations have been gathered, you can help create a power analysis diagram to analyse the stakeholders, rights-holders, and decision-making issues with respect to the relative importance different stakeholders have with respect to different natural resources (Figure 3). This tool can help ensure that we do not ignore important stakeholder groups from either the decision making or their actual stake/dependence on the resource, as follows:

1. The different stakeholder and rights-holder groups (e.g. women, pastoralists, poor, teachers etc.) are identified and drawn in circles in accordance with the perceived relative importance (by external facilitators in the first instance as a basis for discussion) of their stake. The bigger the circle the more important that stakeholder group is with respect to the natural resources;
2. It is important that this work is done separately by different stakeholder groups, as the diagrams are likely to be different with different groups. Once it has been done by different groups, one collated diagram can be generated and agreed upon;
3. On a diagram, a campfire is drawn in the centre, representing the natural resource being discussed. Then the identified stakeholder groups are placed

on the diagram with respect to their decision-making power and authority. Those who are the most important decision makers are placed closer to the campfire (so that they can see, keep warm, prevent others from getting close), and those who are the least important decision makers are placed furthest away;

4. A diagram is built up (Figure 3). Lines may or may not be drawn to show the linkages amongst the decision makers and other stakeholders. A circle may or may not be drawn around the main decision-making groups;
5. This diagram is then presented and discussed with the village, community, or stakeholder group concerned so as to gain broad agreement. Ideally the draft diagram should be left with the community (or even sub-groups, for example divided by gender) for further internal discussion and refinement;
6. In all these situations, power is key for accountable decision making. Those with power tend to be the more visible and represent the community to outsiders. The weaker or marginalized are not heard, yet it is usually they who depend foremost on the natural resources for their livelihood security. Without a proper understanding of community relationships (especially power relations), such people can be further disenfranchised to the benefit of the more powerful, both within and externally to the community. Understanding power and decision-making dynamics at a community level is crucial to the understanding of the institutional complexities, as well as to the complementary (or contested) power balances between customary and representative structures. There are various forms of power struggles between different groups, and several types can be identified.

Figure 4: Power Analysis of Stake and Power Relations for one Village in Somaliland



Power linked to gender: Not only may women be excluded from decision-making processes and also may have little recourse to higher authority, they are often further marginalized by increased levels of commercialization. Culture and tradition are often cited as reasons for this marginalisation, yet the reality is that it is related to power issues at an intra-community level, and this may be an extension of culture and traditions. Women have long been disadvantaged in customary law regarding access to land. In general, single women have no rights to land, and for married women the land is registered in the husbands' names and 'belongs' to them. For example, in some tribal authorities in South Africa, single women were given land rights, demonstrating a change in customary law, provided their families support this (Cousins 2011; Shackleton & Willis 2000).

Power linked to recognition and position: This can relate to administrative power (e.g. chiefs), political power (e.g. elected councillors and leaders, civic

organizations), and economic power (shop owners, etc.), and power related to levels of education (e.g. teachers). Many community members turn to such people as leaders and 'representatives', and such people may represent a community to the outside world by their position in society, but they may or may not act in the community's interests and may not have a mandate to represent the community. As communities take responsibilities for their natural resources, inevitably the politicization of natural resource management increases, and local elites will vie for an increased stake. Such inequalities produce dividing lines between who 'has a say' within the community, those who do not, and those who are able to influence decision making. The strength of the legal position (whether based on existing practice or in law, or both) determines the power by which such groups can negotiate for their rights. When the rights are weak, the responsibilities are likely to be equally so.

Customary and modern power struggles: Struggles can be manifested between different types of power, for example between customary authorities and political leaders or representatives (modern power), which can disrupt community-based processes. Customary authorities have in the past exercised control over the use of natural resources. While their authority has been eroded, they are often fighting to retain the power they have, or re-establish the authority they lost (Cousins 2011; Jones & Mosimane 1999). Compromises may be required so that each power group feels that it has been accommodated, for example the inclusion of traditional leaders as ex-officio members of local government, as members of group ranch committees or as administrative chiefs.

Power in decision making: Power and decision-making processes are at the core of good community work, yet it is often not given proper attention by projects. Rapid participatory processes do not necessarily provide the chance to develop trust with community members, and do not provide an adequate understanding of power or institutional issues at the community level. Such an understanding is central to even a rudimentary understanding of the power and decision-making forces at play, and is not gained by rapid appraisal-type exercises, but requires time, effort, and trust (Box 3). If not addressed, the very groups that a project is designed to benefit, may not only be excluded but can be further marginalized.

Power linked to externalities: There is an overbearing force imposed by the linkages between local patterns of resource use and behaviour, and the global economy. Liberalization and democracy are being promoted without the matching development of industry and behavioural ethics seen in western economies or political education. Commercial interests often force what might have been sustainable subsistence use into unsustainable commercial exploitation and might disregard local solutions to their problems (Easterly 2014).

How can we Address Customary Authorities in our Work?

Introduction

The terms Representation, Democracy, Accountability, Public Domain, and Citizens (Section 5) have all become more complex and nuanced over time, influencing how people organize their lives to better ensure fairness, equity and accountability. Customary norms and institutions are another way in which people around the world have historically dealt with these concepts. RFGI research did not focus on customary authority specifically, although did identify some good and bad issues around this type of authority (e.g. Matata Makalamba and Oyono 2015; Eteme 2015). Yet it remains very important in contemporary Africa, even if roles may be changing (Nuesiri 2014). Here we provide some discussion and suggestions about how best to work with customary authorities in your project areas.

The term 'customary authorities' is fraught with complexity. There is no simple analogy to 'elected officials'. Rather these customary authorities comprise complexes of knowledge (different types, gender, for different needs) and institutions with different rules for different issues and needs. These are under the responsibilities of different institutions. Examples include: water rights (Rendille, Kenya); tree ownership (Turkana, Kenya; Barrow 1990); grazing management (most pastoralist societies); marketing of milk (women, Somaliland, Barrow et al. 2000); security (Shinyanga, Tanzania, Barrow & Mlenge 2003); and fire-based savannah fertility (Bateke Plateaux, Gabon, Republic of Congo and Democratic Republic of Congo, Walters et al. 2014).

Historically, customary authorities and lineage leaders were responsible for resource management and land allocation under systems of customary tenure and law. Past political (colonial and post-colonial) processes largely undermined the authority and legitimacy of traditional leaders resulting in distrust and disrespect. Yet in many rural areas such customary institutions are resilient and have continued to remain the primary decision makers in communal land and resource management, even though their role may not be acknowledged, understood, or respected by so-called 'modern democratic' government. In other cases this has resulted in the dissolution of existing institutional arrangements for natural resource management and land allocation such that open access systems are becoming the norm (Ainslie 1998, 1999; Pollard et al. 1998; Walters 2015).

Evidence from Africa indicates that both past colonial and post-independence governmental policies favoured elected or appointed local government administrators. This served to undermine (or destroy) customary leadership and

its legitimacy (Keulder 1998). Yet such customary structures are resilient and remain important politically and administratively. They should not be ignored or underestimated. If too much power is given to either elected local government councils or to customary authorities, then problems can arise relating to the participation of community members, particularly women, in decision making, and in the distribution of benefits (Karambiri 2015). As a result we often fail to understand existing customary processes that have been and, in many places still are, used as the basis for life in many rural areas. Such norms and institutions may or may not be officially recognized, but are often the de facto means by which communities organize their lives, negotiate relationships, and achieve equity and respect (Côte 2015; Nuesiri 2014). Therefore we need to understand these systems and see how they match up to 'modern day views'.

The strength, robustness, and legitimacy of local and customary institutions are often key to the success of decentralization. Local institutions can provide for efficient monitoring and sanctioning (Bromley et al. 1992; Ostrom 1990). However, the establishment or strengthening of community institutions encounters challenges such as:

- Defining boundaries, which can lead to a resurgence of otherwise dormant conflicts (e.g. Côte 2015);
- Gaining official recognition and relevant powers, which can determine their relative importance;
- Introducing responsive and accountable local government systems, which can conflict with the recognition of traditional authorities;
- Recognizing heterogeneity, which can raise intra-village or local power struggles; and
- Creating equitable gender representation, where equal representation does not necessarily result in equal participation in decision-making.

Given the importance and relevance of customary institutions and authorities in Africa and the world, it makes sense to assess how democratic they are in comparison to 'elected' or representative government. The reality is that there is often a complementarity between democratically elected government and customary institutions and agency. The important point to assess is not whether they are 'elected' or not, but how they represent their communities. This is more complex and context-specific, but such analysis should be included in your work, not alienated as quaint and antiquated. The fact that such customary institutions are still relevant (even if de facto and not formally recognized) is testament to their resilience.

This section describes two examples in Africa and assesses (in broad terms) how they match up with key principles of local democracy (Section 5) as this will help us know more about, and be able to better support, democracy with respect to often long-standing customary norms and institutions.

Two Examples – Turkana, Kenya and Shinyanga, Tanzania

Turkana – Kenya, District Forest Policy Based on Customary Rules and Institutions

In Turkana (Kenya) between 1984 and 1990, it was clear that Turkana pastoralists knew more about their landscapes, ecosystems and plants, and had the institutions in place to manage them, than outsiders did. So the Forest Department (with support from the Government of Norway) embarked on a programme of developing a district forest policy based on the customary knowledge and institutions of the Turkana people. While the resulting draft forest policy was never formally ratified by the Government, it was (at least as of 2012) used as the de facto basis for forest and woodland management by the Turkana people. But how does this compare to the principles of local democracy? In the study area, the answer is mixed. Power and representation are ultimately consensual and not voted on. Consensus may take time to reach. The elders are the key arbiters of such consensus making (and ultimately the 'senior customary chief or elder'). For much of Turkana life this is the de facto means for natural resource management. There are tensions between customary and governmental representatives that vary with the respect that people might have for different individuals. Where there is respect both are mutually re-enforcing; where there is little or no respect, contestation is often the result (Barrow et al. 2002; Barrow 1990, 1996).

Sukuma – Shinyanga, Tanzania – Successful Restoration based on Customary Institutions and Means for Sanction

By 1986, it was clear that nearly all aspects of ecological resilience had been lost in Shinyanga, Tanzania, including the erosion of institutions of land management (e.g. Ngitili or reserved forage areas, local guards or Sungusungu, and the local management institution of Dagashida). But knowledge of these important institutions had not been lost. In 1985, the HASHI (Shinyanga Soil Conservation) programme recognized and legitimated the importance of the traditional practices (knowledge, institutions) for managing forests with Ngitili. They then used traditional knowledge as the basis for restoration. The champion

of this restoration effort (the team leader of the government-led project HASHI) saw that top-down approaches to restoration did not work; he recognized the importance of building on and working with local knowledge and institutions, and re-oriented the restoration to this effect, and in the words of the Sukuma people: 'We want to restore our trees, not your trees'.

The success of the restoration was a result of local people restoring ecosystem functionality as a livelihood strategy. Local environmental knowledge was important for both the process and as a means for local empowerment. The reinvigoration of traditional institutional arrangements was essential for demonstrating that adaptive capacities, though weakened, had not been lost (Mlenge 2005). One major contribution of the HASHI programme was allowing traditional institutions to function, which worked by removing constraints (Barrow & Mlenge 2008), such as, for example, technical abilities for restoration, and local government policies which did not support restoration. Power and representation are to an extent consensual, but under the jurisdiction of the village government, which is elected. The customary elders may or may not be part of village government, yet there is respect for the customary institutions of Ngitili and Sungsungu as they are now well integrated as one key part of village government and broader environmental governance in Shinyanga (Barrow & Mlenge 2008; Mlenge 2005; Monela et al. 2005).

Representation and Customary Institutions

How representative are customary institutions? Most are not elected in the 'western sense of the word'. Many (especially elders) gain their position by age and respect, for example the committees of elders found in many societies, and who are often responsible for overall society well-being. Others gain respect by function; for example, there are groups of elders who manage traditional water access in droughts, or the group of women who manage milk marketing in Somaliland (Barrow et al. 2000). Such organs are not representative of the wider community, but represent their functional groups and so have legitimacy in the eyes of the group.

Accountability and the Ability to Sanction

In terms of accountability, groups of elders are generally accountable, where customary authorities are still intact. If the decisions they take fail, the whole community can suffer the consequences. In most cases customary institutions have well proven means of sanction (Ostrom 1990). Some, like Sungusungu, have gained legitimacy in the eyes of the local government. As an example, if pastoralist livestock are allowed to graze in a traditionally reserved grazing areas at the wrong

time, a livestock fine will be imposed on the owners of the livestock and respected by all, even if the sanction may not be legally enforceable, (e.g. through the formal court systems). In some cases, customary sanction systems have gained increased acceptability, especially at the local level for law and order which is often more effective than distant and alien court systems.

While customary institutions have their norms and procedures (e.g. elders, those who manage the water, or who market the milk for example), there are also well-respected means to ensure that 'unsavoury characters' are not part of such institutions (or are not listened to), e.g. people associated with crime, abuse or family neglect. For all these issues there are social means to enhance upward and downward accountability.

In many cases formal elected authorities are complemented by customary institutions. Sungsungu in Tanzania is one such mechanism; another is groups of elders in villages in southern Tanzania (Rufiji) who, though not represented in village government, actually ultimately legitimize (or not) village government or assembly-made choices and decisions.

Public Domain – Power

Public domain powers normally refer to powers vested from or to government. But such powers can be used to assess how relevant the power of customary institutions can be, and how these powers complement, contradict or contest public-domain powers. Such tensions can be healthy and respected at the local levels (Box 8). As decision making in many customary institutions is generally consensual, power issues may be balanced through consensus provided that all have a voice. Consensus may involve long periods of discussion and negotiation when many views are respected. Consensus evolves in such discussions, and decisions agreed to, though they may be summarized by the elders. Of course, the powers of customary institutions can be usurped and corrupted, just as democratic and elected processes can be as well!

Box 8: Burkina Faso – Local Administration and Upward Accountability to an Intervening Agency (Karambiri 2015)

In Burkina Faso, the policies, laws and regulations on forest governance increasingly encourage local participation in forest management. Decentralisation has a constitutional basis and has foreseen the transfer of natural resource management to rural communes since 2008. Eight years later, this transfer is not yet effective due to several economic and political factors.

In 1999, a state-led project was initiated to manage the protected forest of Sablogo, which was degraded due to extensive agricultural practices. After the creation of a delimitation committee, the project, with the rights-holders, delimited the zone in a consensual manner. In 2004, the project ended without having executed the plan. In 2007, as requested by the commune, the mayor of Bissiga, asked for IUCN to 'save' the forest. IUCN responded by putting a project in place during a time when forest use and access rights were contested by foresters, customary authorities, forest management groups, cultivators and pastoralists. The project developed a management plan, where the first step was to delimit it. The mayor became the privileged interlocutor in the project, and was in charge of the part of the project focused on information sharing with the local population, and project monitoring and evaluation. The co-administration of the project with the mayor offered opportunities to help increase the representation of the local people.

The plan provoked tensions amongst the various rights-holders and stakeholders and this was exacerbated by the mayor not accounting for project actions to the local people, while accounting upwardly to IUCN for project actions. This led to the local population being uninformed and unhappy about project outcomes. This was exhibited through a variety of sanctions including sorcery accusations. Although the choice by IUCN to work with the local administration was a good one, a lack of downward accountability by the local administration frustrated local people and reduced project outcomes.

Many well-meaning interventions often undermine both customary and representative organs and create or empower certain institutions ('the project committee' syndrome) for perceived 'quick wins' (Manor 2005). As the two RFGI Handbooks demonstrate, this is not acceptable. Any activity at the community level needs to include such institutional mapping (see Handbook I). But therein lies a paradox: the most visibly obvious structures will usually be formal government ones (elected committees, representatives), while the customary ones are less obvious and often hidden (and indeed some are 'secret'). These can only start to be understood by building trust between the intervening agency and the community with which one works. The women's milk marketing group in Somaliland, as an example, was only 'discovered' by IUCN by accident when a

group of women were observed, with the milk from the community for selling, getting on a pick-up to sell the milk at the nearby market! In another example, the institution of Ekwar in Turkana became known in a forest extension programme when arguments between 'elected' government (where no one owned the trees) and the customary authority of the Turkana elders arose (where important trees are owned, Barrow 1990). Once agreed that such customary tree ownership existed and was legitimate, it paved an important entry point for enhanced and more sustainable natural resource management.

Institutions for natural resource management may be obvious or hidden, and may or may not be linked to formal administrative institutions and organizations. Defining the appropriate institution and ensuring that resource users are not marginalized can be difficult and time consuming. However, if the institutions are not analysed properly from the perspective of democratic and elected, or customary and consensual, the real natural resource managers may lose their institutional power to either government administrative structures or to outsiders. Many of these institutional arrangements survive, not by statutory decree, but by the ability of their proponents to maintain and negotiate for such rules, norms and procedures with other community members and outsiders.

Customary and traditional forest resource management can be idealized and romanticized, as can representative and democratic efforts. Many customary groups have countless generations of experience of cohabiting with, and managing natural resources. In some cases, traditional institutions can play a strong and proactive role. Uncritical espousal of customary institutional and power systems is as unfortunate as that of dismissing it, and the same applies to representative ones. Customary uses and controls work under different pressures and livelihood patterns. The social cohesion, which was at least nominally present in the past, is being eroded and time-tested strategies that benefited local people and customary relationships and use patterns are being replaced by an often more selfish consumerism ethic. Development and conservation have generated new and different relationships and disputes with which customary forms of management may not be able to cope. It is clear that neither traditional knowledge and customary institutions, nor any single approach, can be a panacea to resolve all the problems of contemporary natural resource management (Ostrom 2007). They have often not adapted fast enough to the rapid changes that are taking place, particularly the pressure on resources caused by increases in poverty and population. The important lesson though, is to learn from what is good, useful and valuable from the traditional knowledge and institutional base, and integrate 'modern' knowledge and institutions with traditional ones.

Conclusion

Democracy can be supported or undermined by the choices that projects and interventions make, whether or not democracy is their goal. Projects choose local authorities (or institutions), and give resources to such authorities. These influence accountability relations, by supporting accountability measures or by choosing to work with publically accountable authorities as opposed to unaccountable ones. It is important to remember that when forest or natural resource management programmes or projects are intervening, that the programme or project is choosing a set of local institutional arrangements composed of authorities with powers and accountability relations. In so doing it is making a choice as to whether or not and to what degree it is supporting local justice, rights and democracy and whether the process is consensual or based on representation.

Hopefully this handbook has helped address how projects can make different choices that empower communities to make decisions, by working with institutions that represent them or are considered legitimate by them. By showing examples from IUCN's work in Burkina Faso, Ghana and Uganda, we hope that you will be inspired to work with local administrations and communities in new ways that reinforce the rights of citizens to decide how to govern their natural resources.

Notes

1. For further reading on RFG findings, see the RFGI working paper series (Annex 4).
2. Based on Fisher & Jackson 1999 and Revans 2011, although they used the term Action Research.
3. It is a good idea to read the relevant parts of RFGI Handbook I before you start in order to have a more detailed understanding of representative democracy and its working parts.
4. Asking these questions may require some ice-breaking exercises particularly in the first cycle of AL. For instance, the participants may want to describe how they use natural resources, who makes decisions about natural resource use, what are the good and not so good things happening based on their experience.
5. Also citizenship more commonly refers to the status of a person recognized under custom or law as being a member of a state. A person may have multiple citizenships.
6. See for example Borrini-Feyerabend 1997a, 1997b; Chambers 1983, 1991, 1997; and the PLA notes provide a large resource based on participatory approaches http://www.iied.org/participatory-learning-action.
7. Based on Barrow & Murphree 2001; Fisher et al. 2005.
8. There are also many other power analysis tools which can be used, see http://www.policy-powertools.org/research.html However the Power analysis approach here has been tested in Somaliland, and found to be relatively simple to use, and provokes a lot of discussion.

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Glossary

Accountability: Accountability is a counterbalance to a leader's power. It is when there are means to sanction, that is punish or reward, leaders for their actions. Upward accountability occurs when someone with lesser power accounts to someone with more power. For example, upward accountability occurs when an intervening agency accounts to a donor about financial issues on a donor-funded project (where the decision-making power largely lies with the donor). Downward accountability is when someone with greater powers accounts to those with less. In most cases, this is when an elected representative (holding more officially recognized power than a citizen) accounts to the people s/he represents about official actions.

Action Learning: Action Learning (AL) refers to any approach that involves learning from actions carried out, particularly when this involves learning from one set of actions to improve future actions, while Action Research is a form of AL that aims to assist improved action in a particular context and to contribute in some way to knowledge beyond that context, i.e. research (Fisher 2013).

Citizenship: The ability for a person to be politically engaged and shape the fate of the area in which one is involved.

Democratic representation: Local leaders who are accountable and responsive to the needs and aspirations of the people.

Governance: Natural resource governance is the interactions among structures, processes and traditions that determine how power and responsibilities are exercised, how decisions are taken, and how citizens or other stakeholders have their say in the management of natural resources, including biodiversity conservation.

Intervening agencies: Higher-scale institutions, including governments, local, national and international NGOs, donor agencies, and international development agencies that make decisions concerning the design and implementation of interventions (e.g. projects) within a particular space (e.g. project site, landscape, etc.).

Institutional choice: The choice that institutions make during project implementation, often concerning which partners to work with. A result of this choice is recognition.

Participation: A process designed to mobilize or engage people in shaping and implementing policies and projects.

Public decisions: Decisions that are under the control of a public body, normally the government, and concern public resources (e.g. water, forests).

Recognition: The acknowledgement of another person, culture, or institution.

Stakeholder: A person, group or organization that has interest or concern in an organization or outcome. Stakeholders can affect or be affected by the organization's actions, objectives and policies. Some examples of key stakeholders are creditors, directors, employees, government (and its agencies), owners (shareholders), suppliers, unions, and the community from which the business draws its resources. Not all stakeholders are equal (Post et al. 2002).

Rights-holder: A participant in a process that has rights to resources being discussed in the process.

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Learning from Projects to Improve Conservation Interventions

Despite good intentions, conservation interventions sometimes have negative outcomes for the environment and local residents. The following research from the Responsive Forest Governance Initiative identifies some of the questions raised by unintended consequences of well-meaning decisions within the context of forest conservation, and it offers guidance on how to improve outcomes from future interventions.

- Achu Samndong, R., 2015, Institutional Choice and Fragmented Citizenship in Forestry and Development Interventions in Bikoro Territory of the Democratic Republic of Congo. Responsive Forest Governance Initiative Working Paper No. 13. Series editors: J. Murombedzi, J. Ribot, G. Walters, IUCN: University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.
- Baruah, M., 2015, Effect of Institutional Choices on Representation in a Community Resource Management Area in Ghana. Responsive Forest Governance Initiative Working Paper No. 22. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois and Dakar: CODESRIA.
- Côte, M., 2015, Autochthony, democratisation and forest: the politics of choice in Burkina Faso Responsive Forest Governance Initiative Working Paper No. 26. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.
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- Oyono, R. and F. Ntungila-Nkama, 2015, Zonage des terres, conservation des paysages et représentation locale déboîtée en RD Congo. Responsive Forest Governance Initiative Working Paper No. 10. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.

Sharing the Benefits of Forest Resources

In sub-Saharan Africa, there are many ways local communities are officially entitled to share in the benefits derived from their community forests. These interventions can include carbon projects, state-recognised community forests, and legal arrangements between local people and forestry companies. The following research from the Responsive Forest Governance Initiative identifies some of the issues that can trigger poor benefit sharing.

- Eteme, D., 2015, Gouvernance de la redevance forestière annuelle et citoyenneté au Cameroun: analyse des dynamiques locales autour de la redevabilité et leçons pour la REDD+. Responsive Forest Governance Initiative Working Paper 19. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.

- Hiraldo, R., 2015, Calling for Democracy? Villagers Experience of the Production of Class Relations for Ecotourism and Carbon Markets in Niombato, Sénégal. Responsive Forest Governance Initiative Working Paper No. 7. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.
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- Mbilizi, B.K. and A. Maindo Monga Ngonga, 2015, Déficit de redevabilité dans la gestion de la rente forestière communautaire: le cas de Yasekwe en Province Orientale (République Démocratique du Congo). Responsive Forest Governance Initiative Working Paper 18. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.
- Yamo, A., 2015, Représentation locale compromise dans la gestion de la rente forestière communautaire au sud-est du Cameroun. Responsive Forest Governance Initiative Working Paper No. 12. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.

Improving Representation of Local People

Working with local administrations in order to help represent people's environmental goals is often fraught with difficulty. This can include conflicting political and environmental goals, struggles between local NGOs and government administrations, and challenges in working with other types of representatives such as customary authorities. The following research from the Responsive Forest Governance Initiative identifies some of the issues around ensuring adequate local representation in conservation interventions.

- Osei-Wusu Adjei, P. 2015. Decentralization, Institutional Choice and the Production of Disgruntled Community Representation under the Modified Taungya Forest Management System in Ghana. Responsive Forest Governance Initiative Working Paper No. 33. Series editors: J. Murombedzi,

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- Faye, P. 2015. From Recognition to Derecognition in Senegal's Forests Hemming in Democratic Representation via Technical Claims. Responsive Forest Governance Initiative Working Paper No. 17. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.
- Kijazi, M., 2015, Resources, Rents, Representation and Resistance: The Struggle for Just Conservation on Mount Kilimanjaro. Responsive Forest Governance Initiative Working Paper No.30. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.
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- Oyono, P.R. and D. Galuak, 2015, Land Governance, Local Authorities and Unrepresentative Representation in Rural South Sudan: A Preliminary Exploration. Responsive Forest Governance Initiative Working Paper No. 27. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of

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- Ruta, D., 2015, Assuming Women's Representation in Carbon Forestry Projects: the Nile Basin Reforestation Project No. 3 in Uganda. Responsive Forest Governance Initiative Working Paper No. 25. Series editors: J. Murombedzi, J. Ribot, G. Walters. IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.

Carbon Forestry, Including REDD+

Conserving forests through creating carbon markets could be one effective means of reducing climate change. Reducing emissions from deforestation and forest degradation (REDD+) is one such approach being developed and adopted by many tropical countries. However, attempts to manage forests for carbon benefits will have definite impacts on the people living in and around those forests, and the construction of equitable interventions is not always straightforward. The following research from the Responsive Forest Governance Initiative identifies some of the social issues that arise as part of these interventions.

- Anderson, E. and Z. Hisham, 2012, The effects of REDD+ on forest people in Africa: access, distribution, and participation in governance. Responsive Forest Governance Initiative Working Paper No. 1. Series editors: J. Murombedzi, J. Ribot, G. Walters IUCN, University of Illinois, and the Council for the Development of Social Science Research in Africa. Dakar: CODESRIA.
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Annex : Action Learning Plan for IUCN in Uganda

Actions	Points of reflection	When to reflect	Expected outcome / outputs
Choice and recognition Assessment of the choice of implementing partners for Uganda pro-poor REDD+ project. Partners include ECOTRUST, Environment Alert, National Forest Authority, local governments, Uganda Wildlife Authority	Partners reflection on their core strengths, mandates and how these link to representation	Quarterly reflections of the Project Implementation Team.	Level of partners' appreciation of the nature of engagement (Do the partners feel fully recognized as per the project roles and responsibilities?)
Evaluation of partnerships and if they will help the project to achieve the interests / needs of the people ECOTRUST, EA, Steering Committee Local government actors include district, sub-county, parish, village	Reflection on clarity of roles of local government actors and the capacity for them to perform the roles	Quarterly reflections of the Project Implementation Team.	Level of partners' recognition and appreciation of capacity enhanced offered by the project (Do the partners feel that the project is adding value to their capacity/strengths to deliver on the mandates)
Community reflection to assess the choice of their representatives under the project – are the representatives elected by the people? What power do they hold, do they have the capacity?	Did we give them enough power? Did we build enough capacity Which tools and trainings were provided? Do we need to make adjustments? How? Where?	During field monitoring visits	Understanding of the selection criteria used to choose the community representatives (What is the level of community satisfaction of their representatives on the project?) Are the representatives elected by the people? What power do they hold? Do they have the capacity?

Community reflection on the roles and responsibilities of their representatives, in relation to meeting their expectations; justify the transfer of power to the committees.	Power given: money, capacity, knowledge Systems for accountability in place? Are they working?	During field monitoring visits	Level of community appreciation of representation of their needs and interests by their representatives. (Do the communities feel ably represented?)
The representational effects Map out the authorities that exercise power in the communities, beyond the committees which are already in place	What is the composition of the committee? What is their mandate? How were they selected? What are the interests of the people?	During site-level inception of the project to update baseline information.	Enhanced understanding of the power dynamics within the target communities.
Responsiveness Evaluation of measures put in place by community representatives to ensure people's views are responded to and interests put at the forefront of project implementation.	. Does the community provide a platform for people to air their views? . How are they responding to these interests? . Who is responding? . What is it that the programme can help achieve? . This can be done through their minutes, the decisions they are taking	During field visits; this is an ongoing process	. Effective participation of all categories of community members, with a clear feedback mechanism . The existing formal and informal structures for discussions and reflections among communities . Reported cases of discussions and resolutions made at the named fora

Accountability: evaluate the knowledge and means that communities use to hold their representatives accountable.	What systems are in place to provide accountability? How is the project strengthening the existing accountability mechanisms, and capacities? E.g. regular reporting, meetings, sharing information, e.g. radios, community meetings, notice boards, community office. Are they effective? Are people finding them useful? What are people using to hold their leaders accountable? Positive sanctions e.g. re-elections, adoption, positive remarks about the project Negative sanctions e.g. sabotage, witchcraft.	During field monitoring visits	Enhanced capacity of the communities to hold their leaders to account
Tracking that the governance arrangements that the project is putting in place are leading to tangible benefits to the communities; are the community interests being met?		During field monitoring visits	Equitable sharing of benefits among the community members. Are the governance arrangements facilitating the process of defining benefits and ensuring that people access their benefits?

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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). Natural resources, especially forests, are very important 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.

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