POLICY Brief 28

COMMONS GOVERNANCE IN SOUTHERN AFRICA

*The CROSCOG project team**

Introduction

The commons (or common-pool resources)[1] are the most important resources in southern Africa. The livelihoods of the majority and economies of most countries depend on them. Although common property regimes are often condemned as environmentally unsustainable, economically unviable or socially anachronistic, this mode of natural resource tenure and governance remains vitally necessary in the livelihoods of the rural poor across much of the region (Hara et al., 2009). Away from a limited number of project-based efforts for community-based management (often focused on specific natural resource sectors), such as Zimbabwe's high-profile CAMPFIRE, millions of poor, rural people across the region continue their own integrated efforts to manage and live from the ecosystems that surround them. This, above all, is a challenge to governance. The poor must tackle it – and governments and development agencies must support their endeavours (ibid.).

This Policy Brief is based on synthetic studies undertaken by participants in the Cross Sectoral Commons Governance in Southern Africa (CROSCOG) project between 2007 and 2009, funded by the European Commission (European Commission: FP6-2002-INCO-DEV/SSA-1, contract no. 043982). The objective of the project was to share existing research and experience in the governance of large-scale natural resource commons across various ecosystem types in southern Africa. CROSCOG took its starting point as the insight of Turner (2002), that 'finding long-term solutions to natural resource degradation in Africa means finding ways to identify; reproduce and encourage existing positive practices of commons management across wide scales in order to meet the two major inter-related challenges for governance of commons; conservation of natural resource biodiversity and poverty alleviation'. The programme's work spanned fisheries; floodplains; and grasslands, savannas and forest patches, and had two phases.

During the first phase, participants summarised the status of commons governance in selected cases around southern Africa, spread across these ecosystem types (case studies to be published in Development Southern Africa* Issue 26 Vol. 4 (October 2009)). These summaries situate the conditions of commons governance and try to address the issues in terms of knowledge, political economy and power. The second phase, planned for presentation in a special issue of the *International Journal of the Commons*, will address the broader and more practical challenge: how to transfer commons governance experience from the usually localised scenarios in which it has been studied, and the generally limited situations in which it currently succeeds, to the communal areas of southern Africa as a whole. This Policy Brief summarises the findings and lessons from the programme:

1. In line with international debates we define 'commons' (or 'common-pool resources') firstly as 'resources that are difficult (but not impossible) to exclude other users from, and secondly as 'subtractable', meaning that units used are no longer available to other users.

PLAAS
Institute for Poverty, Land and Agrarian Studies
School of Government, UWC

1. The commons are ecological systems that are critical for livelihoods!

Most ecological systems in southern Africa are commons and shaped by human use that must be managed. This is true from local fisheries and grasslands to global commons such as the atmosphere. Commons are not empty relics; they play a critical role in livelihoods and ecological systems even at relatively higher scales. For example, forest commons on the local level make an important contribution to solving problems of climate change that are themselves a global-scale commons. Commons need protection and the state alone cannot provide this protection. This requires local involvement. Local involvement means attention to meeting basic needs and promoting fair access to resources through effective policies.

2. What is the government's responsibility in enabling local involvement?

Commons are usually owned by defined groups of people and government must create a legal and policy framework that respects group ownership rights. The problem is that commons tend to be treated as if there were no commoners, as if no one had rights to them. These rights need to be defined and enforced. In Africa these rights often stem from customary law. They can also be subject to rules developed by local communities through democratic processes. Community structures need to be legally empowered instead of repeating the all too frequent tendency to criminalise livelihoods through micro-management of the commons. Policy makers need to reinforce the critical role played by local communities and customary practices because they reflect the community's various moral, social, political, and economic incentives that drive human behaviour. Government achieves its objectives when problems are solved by local communities. The role that government must play is ensuring that these processes are transparent, fair and legitimate.

3. Scaling up existing practices is a key to sustainable commons.

The great challenge is that many commons involve huge numbers of communities, which requires government to take up a coordination role. Some commons, such as the fish in a river, are shared over large areas; other commons are very complex because they involve combinations of resources. Large-scale and complex commons can in fact be managed when local people are involved. Governments should start with what they find on the ground. Some actions tear commons down while others preserve and sustain them; it is these latter actions, these practices of sustainable commons management, which must be replicated to meet the challenge of large-scale and complex commons. Many commons are cared for on smaller scales by existing practices such as resisting inappropriate fishing gears, organising the collective use of pastures, or monitoring forest and wildlife resources. The local rules regulating these practices and government should facilitate the replication of these practices.

4. What has CROSCOG learned about the roles of different groups in scaling up commons practices?

Communities are different from one another. There are differences both within and among communities. Communities have choices about how to conserve their commons and part of scaling up is offering a choice of commons governance structures. Practices change and so do the groups using them. Lessons on scaling up and dealing with complex commons include:

a) Different types of platforms are possible where the various users can meet and negotiate the choice of practices across various scales. For example, effective fisheries management on Lake Mweru has involved two completely different kinds of community management committees with different memberships, the Fishers Associations and the Village Management Committees, and both kinds of groups interact with the Department of Fisheries and traditional leaders on both local and regional scales.

b) Experience with scaling up practices has shown that traditional leaders must be involved if the replication of practices is to be successful over the long term, but their involvement has also proven problematic because there are so many different kinds of leaders and many are only weakly accountable to the broader community. The failure of the fisheries co-management programme on Lake Bangweulu can be linked to a decision by that programme not to work with the traditional authorities.

c) The creation of local bylaws on the Kafue Flats showed the possibility of multiple stakeholders developing an agreement on management practices on a large and complex commons.

d) Government intervention is required to compensate for the distortions created by commercialisation and relative prices that undermine the ability of local people to limit levels of commons exploitation. This can be seen in conflicts between subsistence fishing, commercial fishing, sports fishing, and wildlife tourism in the Okavango Delta.

e) The use of markets as a tool for addressing historical injustices has not been successful. Use of this approach to allocate rights in

commercial small pelagic fisheries in South Africa and the kapenta fishery in Zimbabwe highlight problems with this approach.

f) Access to the commons is complex. When common resources are valuable and/or marketed over a large area local commoners are often not able to take advantage of the resources and must rely on external investment and expertise. Government has an important role in monitoring these relationships in order to ensure fairness and create a support structure for local commoners. Various approaches to tourism in the Okavango Delta demonstrate both the possibility of partnership and the danger of exploitation.

g) It is to the clear detriment of the commons that women are often its primary users but remain marginalised by many current decision-making processes and power structures that affect its condition. Any truly participatory, equitable approach to managing the commons must include space for the voices and concerns of both women and men, as well as different racial and ethnic groups. On a broad scale, this hinges on a strong commitment to the establishment and protection of human rights, without exception, as well as the recognition that users of the commons have many responsibilities beyond natural resource management. Increasing human-elephant conflict in the Okavango Delta, for example, multiplies the burden for women who must work in fields affected by crop damage, share water points with elephants, and grapple with food security under environmental pressure, thereby increasing vulnerability rather than addressing social and economic inequalities.

Policy makers should also be aware of the need to scrutinise new threats to commons. This will require intergovernmental cooperation. Examples include large-scale movements to use land for biofuels and carbon sequestration that do not take local needs into account. Local voices must not be ignored at the international level. The role of research and public debate here requires greater investment because knowledge is patchy, scanty and incomplete.

Conclusion

Whether our agenda is active intervention or simply accurate analysis, understanding the governance of the southern African commons requires us to consider the dimensions that affect their sustainable use, such as knowledge, economics and power. We also need to learn how to scale up good practices. The underlying argument is that if more commons around the region were studied from these analytical perspectives used under CROSCOG, it might be easier to share experiences and lessons in ways that can usefully inform development and conservation policy and programmes.

References

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PLAAS
Institute for Poverty, Land and Agrarian Studies
School of Government, UWC

PLAAS engages in research, policy support, post-graduate teaching, training and advisory and evaluation services in relation to land and agrarian reform, community-based natural resource management and rural development.

School of Government,
University of the Western Cape
Private Bag X17, Bellville 7535, Cape Town,
South Africa
Tel: +27 21 959 3733;
Fax: +27 21 959 3732
plaas@uwc.ac.za
www.plaas.org.za

* The CROSCOG Team:

Mafaniso Hara, Institute for Poverty, Land and Agrarian Studies, University of the Western Cape, South Africa

Frank Matose, Department of Sociology, University of Cape Town, South Africa

Doug Wilson and Jesper Raakjær, Aalborg University, Denmark

Lapologang Magole, Lefatshe Magole, Harry Oppenheimer Okavango Research Centre, Botswana

Rachel Demotts, Department of Regional Economic and Social Development,

University of Massachusetts-Lowell,

Friday Njaya, Department of Fisheries: Malawi, Malawi

Stephen Turner, Independent Consultant

Bram Buscher, Institute of Social Studies, The Netherlands

Tobias Haller, Institute of Social Anthropology, University of Berne, Switzerland

Peter Mvula, Lucy Binauli, The Centre for Social Research, University of Malawi, Malawi

Harry Chabwela, University of Zambia, Lusaka, Zambia

Cyprian Kapasa, Lindah Mhlanga and Kefasi Nyikahadzoi, Aquaculture and Fisheries Information, Zambia

CROSCOG received financial support from the Commission of the European Communities as a Specific Support Action under the 6th Framework Programme Contract No. INCO 043982. The information contained in this policy brief does not reflect its views and in no way anticipates the Commission's future policy in this area.