

PASTORAL LAND TENURE SERIES No. 3

Who Should Own the Range? New Thinking on Pastoral Resource Tenure in Drylands Africa

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WHO SHOULD OWN THE RANGE? NEW THINKING ON PASTORAL RESOURCE TENURE IN DRYLAND AFRICA¹

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ABSTRACT

Pastoralists in dryland Africa are often accused of degrading the resources they use, because they are unable to create and maintain an effective tenure system for managing their natural resources. New thinking about range management and tenure theory are challenging this 'old orthodoxy'. This paper looks at the implications for tenure issues of the 'non-equilibrium' approach to range management in the light of the 'Tragedy of the Commons', 'Property Rights' and 'Assurance Problem' approaches to resource tenure issues, drawing on case study material from throughout Africa. The paper argues that pastoralists are well able to manage their natural resources if they are empowered to do so, and an essential pre-requisite for this is secure access rights to range and water. The paper describes the threat to herders' livelihoods from the creeping privatisation of key pastoral resources, and concludes with an agenda for action to support herders' own tenure systems.

INTRODUCTION

Development interventions in rangeland areas in Africa have failed to generate higher levels of productivity, improve the welfare of local communities, or protect rangelands from degradation (Sandford 1983). Indigenous pastoral land tenure systems are often identified as the obstacle to achieving these goals. It is often argued that when pastoral resources are held as 'common property', this bars the way to producing higher levels of commercial off-take, and to protecting land from over-use. This 'evidence' has provided the basis for reform of indigenous land tenure systems by the application of new administrative requirements and revisions to national legal frameworks.

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The 'old orthodoxy' (Lane & Swift 1989) or 'mainstream view' (Sandford 1983) portraying pastoralists as economically irrational and operating with inherently destructive communal land tenure systems has been challenged and is now recognised as a flawed basis on which to design future rangeland development strategies. However, the 'old orthodoxy' and associated policies continue to flourish. Pasture land is being taken out of pastoral production for the benefit of farmers, by individuals and the state, for commercial production, and for the conservation of wildlife.

The viability of opportunistic grazing systems within non-equilibrium environments², and the need for mobility as an essential component of African rangeland resource management have been well argued by Sandford (1983) and more recently by Behnke & Scoones in their paper 'Rethinking Rangeland Ecology: Implications for rangeland Management in Africa' (1993). However, it remains to be seen how this thinking can be put into practice through the design of new administrative provisions and tenure arrangements.

INDIGENOUS LAND TENURE

Land tenure is defined as the 'terms and conditions on which natural resources are held and used' (Bruce 1986:xxvii). It can be described as the manner in which pastoral resources are owned: that is, the relations of property that are sanctioned by individuals and the wider society in which they live. 'Property' has been defined as:

'...a claim to a benefit (or income) stream, and a property right is a claim to a benefit stream that some higher body - usually the state - will agree to protect ...Property is *not* an object but is rather a social relation that defines the property holder with respect to something of value against all others. Property is a triadic social relation involving benefit streams, right holders and duty bearers' (Bromley et al., 1992: 4).

² 'Non-equilibrium' environments are those where there is no stable equilibrium between animal and plant populations because of the effect of highly variable rainfall and temperature fluctuations both in time and in space. It follows that conventional notions of 'carrying capacity' are not applicable in these areas and that 'opportunistic' grazing strategies - where herders can respond flexibly and quickly to changing conditions - provide superior returns to herders (Behnke and Scoones 1993)

It is important to make a distinction between 'property' and 'non-property' particularly with regard to pastoral resource tenure. This is because of the widespread confusion that exists both in the literature and in policy debate over 'open access' resources, which are not by definition owned by anyone, and are not subject to tenure rules (and are therefore not property at all), and 'controlled access' resources which may be owned by several overlapping bodies. 'Controlled access' resources are generally managed by either one, or a combination of the state (national property) or communities (communal property), or by individuals (private property, sometimes known as 'closed access resources').

All pastoral resources are held in Africa under 'controlled access' systems, often communal in form. 'Communal' land tenure relates to that system of tenure in which 'access to land [is] based upon membership in a group such as a lineage ... defined by common descent' (Bruce 1986:ix). Birgegard (forthcoming) expands this definition beyond man's relationship to land, and argues that tenure is a social institution in which there is a relationship between individuals and groups which govern a series of rights and duties with respect to the use of land. As such it touches all aspects of life through its role in peoples' survival, the distribution of wealth, political power, cultural expression etc. This means that enforced changes in tenure are likely not only to alter the way people relate to land as a resource, but have a profound effect on the entire social fabric of society. As we will see in the case material reviewed below such effects are unpredictable and have a destabilising influence on national as well as local affairs.

As mentioned above, pastoral range resources are owned in Africa under three 'controlled access' property regimes: as state (national) property, communal property and as private property, and many pastoralists may use the whole range of these property types in pursuing their livelihoods. As Behnke has pointed out, the tenure system of herders can be conceived as incorporating all these property rights:

'These tenure systems can be envisaged as a matrix in which rights to different resource categories are partitioned within a hierarchy of different ownership groups ranging from the individual producer up to the largest tribal or ethnic group. Mobility is possible because these ownership groups are not territorially distinct but possess overlapping and potentially conflicting rights to different categories of resources in one area.' (1992: 9-10)

This tenure system differs from western systems of tenure with more uniform individual title that can be sold on a land market, but it does not mean that African communal land users have a less strong sense of property, nor customarily lack security of tenure with respect to their land (Bruce 1986).

CONVENTIONAL APPROACHES TO AFRICAN PASTORAL RESOURCE TENURE

Broadly speaking there are three prevailing economic models of African rangeland use and tenure that have influenced thinking on tenure in the pastoral context (see Table 1 on Page 4): (1) that which advocates privatisation of property under the assumption of Hardin's 'Tragedy of the Commons' theory (1968, 1988); (2) the 'Property Rights' theory (Behnke 1985, 1991); and, (3) a school of thought led by Runge (1981, 1984, 1986) and others (which might be termed the 'Assurance Problem Approach') which advocates common property resource management (Bromley, Cernea 1989). All three models are based on simple and persuasive theories about the relationship between natural resources and how they are used. None of them is free from ideology, yet they are presented as objective models of reality, on the basis of which policies are designed, despite inadequate empirical testing and rigorous evaluation.

The 'Tragedy of the Commons' theory argues that indigenous common land tenure systems are an obstruction to development, and management rules must be imposed to bring about sustainable land use. This argument has been enormously influential - amounting almost to dogma - and has been used to justify policies for tenure reform that have generally meant the privatisation of land, the registration of title, and programmes of land use planning. The 'Property Rights' school argues that as resources become more valuable (due to rising market demand, increasing population pressure etc.) these resources will become increasingly controlled. In these conditions herders can develop their own management institutions in line with the scarcity of availability of resources. The 'Assurance Problem' school argues that in the past pastoral societies had effective management institutions that allocated access to resources between co-owners and excluded outsiders and that these institutions have been undermined by wider political, social and economic factors. As a corollary, it argues that sustainable management systems based upon appropriate tenure arrangements can be generated by herders themselves, but only if they are provided with adequate support and encouragement to do so.

Table 1: Major Theories of Land Tenure

The Tragedy of the Commons

- Most influential theory held by policy makers in Africa today
- Animals held individually, while the range is owned by 'everyone' or 'no-one'
- Herders will always invest in more animals because benefit accrues to individuals while costs of 'overgrazing' are borne collectively by all users.
- Herders cannot develop their own management institutions
- Privatisation of the resource is essential to avoid degradation

The Property Rights School

- As resources become increasingly scarce they will become progressively more controlled
- Increased population pressure will convert opportunistic grazing strategies to continuous use
- As costs of policing resources become less than benefits, incentives are created for herders to develop management institutions of their own

The Assurance Problem Approach

- Where communities have low incomes, are critically dependent on natural resources and have uncertain income streams, communal forms of property are more efficient
- Institutions act to co-ordinate actions to promote voluntary support for an agreed management system
- Communal forms of property enable mobility through reciprocal access rights

THE 'TRAGEDY OF THE COMMONS' ARGUMENT

As mentioned above, it has become a dogma of the development community in Africa that pastoralists will degrade the resources they use if they are left to their own devices. It is argued that herders own their animals individually, but the range they exploit is 'open access', or belongs to 'everyone' or 'no-one'. Herders will seek to intensify the use of a resource without managing it, because the benefit of increasing production (adding another animal to their herd) will accrue to them individually, while the cost of degrading the resource will be borne by everyone. Since each herder follows the same strategy and invests in more animals, there is a 'tragic' movement towards over-exploitation; herders are aware of the decline of pasture, but in pursuing their self interest will, or can, do nothing to prevent it.

An analytical foundation for the 'Tragedy of the Commons' thesis is that of the 'Prisoner's Dilemma' (Clark 1981, Runge 1981)³. This school of thought uses game theory to argue that if two competing users of a public good have a choice between 'conserving' or 'depleting' a resource, then they will follow the latter strategy. Each believes that if one 'conserves' the other will 'defect' in order to exploit the other's restraint and to maximise his own gain. Actors who take advantage of others' restraint in this manner are known in the literature as 'free riders'.

The 'Tragedy of the Commons' hypothesis directly links resource degradation to a 'common' system and suggests that a sustainable environmental policy can only evolve from the promotion of private property and/or through coercive measures. According to the 'Tragedy' argument the costs of exploiting the pasture are 'externalities' - costs everyone using the resource has to bear - and it logically follows that the resource will never be rationally used unless those who benefit individually have also to pay the

³ The game is set round the behaviour of two prisoners who have committed two offences together. The first offence is a minor affair, but the second is much more serious. The authorities can prove they committed the first offence, but not the second unless either one or both confess. The police interrogate each prisoner on his own and each is told that if they confess to the more serious offence and the other prisoner is convicted, the confessor will go free. Neither prisoner trusts the other one not to confess in these circumstances, thus each confesses, and both get long prison sentences, even though if they had both remained silent they would have got off with much lighter terms. By failing to cooperate and deny the charges they fail to get the minimum sentence. This is because they are motivated by self interest and neither can be sure of the other's behaviour. On the basis of imperfect information and without the opportunity to collaborate, confessing is the optimal strategy (Lane 1991).

costs of their actions. Private property achieves just such an end by 'internalising' the 'externalities' of non-exclusive resource exploitation (Behnke 1985). It is inherent in this belief that there is a fixed 'carrying capacity' for any particular piece of range. Herders left on their own will not bring about this change in tenure, thus it needs to be done by an agency outside their society, most often by the state.

Believing his theory of the 'Tragedy of the Commons' is being misinterpreted, Hardin has tried to make more clear the type of common good to which he was referring in his original statement (Hardin 1988). He concedes that his theory only applies to 'open access' commons, and thus the 'tragedy' is confined to unmanaged commons. However, it is clear that pastoral commons are not included in the three categories of commons he describes ('privatism', 'socialism', 'commonism'). It is also evident that in talking of 'open access' systems he is not referring to pastoral property regimes, because 'open-access' systems are not property, by definition. In his new classification, 'socialism' is closest to pastoral communal land tenure. But by insisting on the importance of the prospect of individual gain as the prime motivator of people's actions, he is adopting an economic model to explain behaviour. This fails to acknowledge the existence of the benefits (mutual support, security etc.) that come to individuals from collaborating with other herders within traditional pastoral societies.

THE PROPERTY RIGHTS SCHOOL

Hardin himself points out that where 'there is no scarcity, there is no problem' (1988:78). The role of scarcity in the evolution of property rights has been taken up by the property rights school and has most recently been put forward by Behnke (1991), who advocates a tenure model based on the application of property rights analysis.

'Central to this approach is the notion that property does not consist of things and objects, but rather is the socially recognised right to possess the flow of benefits that arise from the control of things or objects.'
(*ibid*: 17).

In orthodox property rights theory the evolution of individual rights to land and the mechanisms to enforce such rights are related to:

- 1) levels of resource productivity;
- 2) effects of population pressure; and
- 3) the application of rural technologies.

Under increased population pressure, intensification of land use is reflected in a shift from opportunistic grazing - where pastures are exploited in periods of maximum production and then left to recover - to more continuous use. Intensification of land use will occur mostly with regard to more productive resources such as fertile dry season grazing areas.

The theory of property rights is still very much rooted in economics. In this theory the value of property determines the nature of the rights that pertain to it. According to an early proponent of the theory, common property regimes exist where resources have low value and the cost of control over their use is relatively high (Demsetz 1967). As a resource acquires greater value or scarcity, it becomes more and more worthwhile for people to manage its use. Institutional innovations then occur to conserve it. These generally take the form of a shift from non-exclusive to more exclusive forms of access to property.

However, providing greater control over resource use incurs costs. Shifts from open to private property rights only occur where the transaction costs, or what Demsetz called the costs of 'policing' is exceeded by the benefits afforded by control of a resource. Demsetz suggests that the persistence of Native American communal hunting grounds on the North American Great Plains was due to the fact that the costs of containing roaming herds of bison were too high. Like Anderson and Hill (1979) he believes that enclosure of the plains by cattlemen only occurred once relatively low cost barbed wire became freely available.

If this process is left to develop to its logical conclusion, land users will invest in more controlled systems of access in order to maintain the capacity of pastures to sustain continuous grazing. This investment can be made in the form of capital or time and effort. In the absence of effective controls over land use, where herders are unable to impose access rules, it will result in a 'Tragedy of the Commons'. The incentive for investment comes from the right to exclusive use. If this is not found in customary tenure arrangements then it must be provided by the state legislature.

These examples suggest that the privatisation of common property is inevitable where resources attain high value, or where there is growing scarcity. The recurrent theme in this analysis is the inter-relationship between an increase in grazing pressure and the relative costs of protecting land. Where there is grazing pressure and the costs of protection are exceeded by the value of production then land will be enclosed. Were this not to happen, common property rights would be unable to limit 'free rider' behaviour and destruction of resources would inevitably follow.

Implicit in this is the notion that there is some kind of linear progression and historical continuum in the privatisation of rangelands. It suggests that commons date from the time when there was a surfeit of resources in relation to population density. As populations increase and resources become more scarce, property will become privatised. In other words common property regimes only work where resources are not scarce and it does not matter that maximising individuals operate as 'free riders'. However, whilst this provides an explanation of changes in property rights in some locations, it does not explain why some scarce and highly productive resources like Swiss Alpine meadows have persisted as commons for thousands of years (Netting 1978).

THE 'ASSURANCE PROBLEM' ARGUMENT

Much of the debate on common property has refuted the assumptions on which the 'Tragedy of the Commons' was based and has concentrated on the conditions in which communal property systems have, or might, come into being. The implicit notions in the 'Tragedy of the Commons' theory that all rural producers in a community practice the same livelihood, have the same interest in a resource, and can act entirely independently of their fellow producers is manifestly untrue for most inhabitants, including pastoralists, living in rural communities in the developing world.

Rappoport (1985) has shown that when the initial 'one play' game of the 'Prisoner's Dilemma' is run through several 'plays', a second position is possible in which users will cooperate to maximise sustainable yield. A learning process takes place between competing but linked users of a finite public good, as shown explicitly by Runge (1984). He argues that individual decisions are conditioned by the expected decisions of others. Thus, if expectations, assurance and actions can be co-ordinated, there is less necessity for people (i.e. herd owners) to pursue 'free-rider' strategies: indeed, co-operative behaviour might be a utility-maximising strategy. For Runge, the institutions of society exist to co-ordinate and predict behaviour. There may be significant incentives internal to any group to develop institutions which promote voluntary co-operation, and he suggests the 'Assurance Problem' theory as a key to understanding how public goods are used and might be managed in the future.

In later work Runge (1986) adds to this by suggesting that where communities have low incomes, are critically dependent on a local natural resource base, and face a high degree of uncertainty with respect to income streams, communal forms of tenure are cost effective and efficient. Relative

poverty imposes a strict budget constraint on rural communities with regard to transaction costs (costs of policing, registering and adjudicating titles), making the management of a private property regime too costly for a subsistence economy to bear. Where the distribution of basic natural resources - in particular rainfall - is random and where income streams are uncertain, communal property systems, by allowing access to other areas, act as a hedge against environmental risk.

At the village level, Runge argues, production decisions by individuals are based on the expected decisions of others, and this places a premium on the existence of customs, rules and conventions that co-ordinate decisions in a community. He suggests that in differentiated rural communities a certain number of producers will have an interest in 'free-riding' on customary institutions, but that if a 'critical mass' within a community coalesces around co-operative norms, communal property can come into being. He further argues that the more homogenous a community, the more likely optimal outcomes are, and the more heterogeneous, the more difficult co-operation becomes.

'It is a major implication [of this approach] that outcomes such as overgrazing do not necessarily arise from the strict dominance of free-rider strategy (although resource misuse may still occur) but from the inability of interdependent individuals to co-ordinate and enforce actions in situations of strategic interdependence' (Runge (1986:48).

A wealth of evidence is now becoming available to show how customary tenure systems in Africa have been undermined by the inability of rural producers to co-ordinate their actions, and that this inability is often due to the imposition of unsuitable land tenure legislation and pastoral development policy by both donors and the post-colonial state. At the same time field work and theory are converging to show that where local producers are given the opportunity and the resources to develop their own management institutions and tenure regimes, they are well able to do so. The following section of this paper briefly examines case material from herder societies in Africa, that illustrates some of the effects of range management policy in Africa on herder tenure systems.

THEORY IN PRACTICE

Three major processes of political and economic change are presently underway in Africa that are profoundly affecting pastoralists' tenure systems: the nationalisation of their resources; the sedentarisation of the herders

themselves (often involving land use planning and land titling); and the privatisation of the range.

NATIONALISATION

The 'Tragedy of the Commons' argument has provided the justification for government to take over the ownership and management of pastoral resources in many parts of Africa. It is commonly viewed as the legitimate task, even the duty of the state to intervene because it is believed by policy makers that herders will degrade their resources if left to their own devices.

In fact, current research using an 'Assurance Problem' approach is revealing that the nationalisation of herders' resources is creating very different outcomes to those intended: nationalisation of the range seems to break open and degrade customary tenure regimes without replacing them with an effective alternative.

THE INLAND DELTA OF THE RIVER NIGER

In the Sahelian West African country of Mali, the nationalisation of pastoral resources in the early 1960s followed upon the French colonial policy of considering all land that was 'unused' (i.e. not tilled for agriculture) as being un-owned, and therefore the legitimate domain of the state. In one particular area - the inland delta of the river Niger, which is one of the most important pastoral resources in the whole Sahel - this policy ignored one of the most sophisticated pastoral tenure systems found in Africa. Under this system, customary dry season flood-pastures, which form the hub around which about one million cattle transhume each year, were divided into some thirty pastoral territories allocated to sub-clans of Fulani transhumant pastoralists. Each of these territories had reciprocal grazing rights with each other to allow all Fulani groups access to the pastures as the floodwaters fell each year. Outsiders were only allowed access on payment of a fee. Herd movements were controlled in great detail, each herd belonging to a clan member having an appointed place within a hierarchy which established the order in which animals entered the flood pastures as the waters fell. According to the conditions pertaining each year, resource managers responsible for each territory set the dates on which crossings into the pastures took place. This system reached its most sophisticated form during the 19th century, when the delta was unified into a theocratic Fulani state.

With the nationalisation of pastoral resources, the government livestock service began to set the dates at which livestock were allowed into the area

and set these dates without reference to pasture conditions in the dry lands in that year. This inflexible policy endeavoured to keep animals in the upstream areas of the delta for as long as possible during the dry season in order to conserve pastures lower down the delta for later in the year. This meant that animals moved onto flood retreat pastures when they were dry, so preventing the regeneration of the pasture resource itself. Before nationalisation, a clear hierarchy existed which allowed clan members to have preferential access to the flood pastures each year, and clear rules applied to strangers wishing to use the area. However, after independence, the government considered all herders as citizens of Mali and at least in theory provided them with equal use rights.

Customary tenure systems were based on the widely accepted principle of the right of the first comer to priority access and to manage the pastures, while maintaining reciprocal access rights for herders from different parts of the delta, as well as providing consistent arbitration procedures. In contrast, the current system allows access to any citizen of Mali (whether or not they had ownership rights before) and maintains this system in an arbitrary fashion. Nowadays, access to the delta's resources can be gained via people of power and influence whose interests are often far removed from the sustainable management of the delta's resources. The lack of formal recognition by government of customary pasture managers has undermined the ability of rural producers, who most depend upon the resources, to manage them in their own interests. At the same time it has failed to provide an equitable and effective alternative tenure system to replace the original customary arrangements (Moorehead 1991).

More generally, the perforation of the Sahel through the provision of thousands of 'public' wells and boreholes is breaking down water tenure systems in a similar manner. Former clan-based ownership of wells dug by the herders themselves, which in the past effectively controlled access to pastures, has been destroyed by the provision of these 'public' facilities. Access to these wells is often uncontrolled, and sometimes heavily armed herders from elsewhere are able to monopolise use of these water points and exclude the traditional managers of the area (Thébaud, 1993). In Mauritania, religion has played an important part in dissolving customary management systems, as Koranic Law provides much broader access to water and grazing resources than the customary system: conflict between herding groups often arises (Zeïdane, 1993).

Ironically the takeover of pastoral resources by the state is now creating a 'Tragedy of the Commons'. Where the state is unable to provide adequate management and yet at the same time insists that 'everyone' has a right of

access through citizenship, herders have an interest in investing in more animals individually, while ignoring the public cost of such action. This is for the simple reason that if they do not make use of the pasture, someone else will. They no longer have any say in who the 'someone else' is, and can take no action to prevent their entry onto the range. This situation has arisen in part from the 'failure' of the state to be able to manage, while an ambiguous tenure system also serves certain interests. State officials can gain significant formal and informal revenue from the arbitration of conflict, while allowing the elite to have access to pastoral resources to which they never had rights before (Diakité 1993).

SEDENTARISATION, LAND USE PLANNING AND LAND TITLING

It is a short step, using the 'Tragedy of the Commons' perspective, from believing in the innate incompetence of herders to being persuaded their mobile pastoral strategies are evidence of their disorganised lives, and from there to imposing policies aimed at settling herders down, often in unsuitable places. Governments often see herders as escaping their administration (especially where they move across national frontiers), as potential threats to security, and as evaders of tax. As a result African governments today want to sedentarise their nomadic and transhumant populations.

Settlement constitutes the greatest single transformation of pastoralism as both a production system and a way of life. It contradicts the need for mobility to exploit natural resources effectively. Settlement of nomads has been pursued as either an overt policy objective (ie. 'villagisation' in Tanzania), the product of administrative action (famine response in Sahel), or as the inevitable consequence of land tenure reform and the push for 'privatisation' sponsored by western aid donors.

VILLAGISATION IN TANZANIA

Tanzania offers perhaps the most concerted attempt in Africa to settle its rural population. The scale and uniformity of Tanzania's 'villagisation' programme has posed particular problems for pastoralists. 'Ujamaa villages' were to become 'islands of socialism in a capitalist sea' (Coulson 1979:3). Yet, 'villagisation' was also to pose the greatest threat to communal land use.

The demarcation of communal rangelands between villages can seriously disrupt pastoral land use. New village boundaries sub-divide customary rangeland areas into discrete administrative units. In doing so, they often

deny herders access to resources they have always used. This is because village boundaries are unlikely to enclose the whole area needed by herders, particularly distant forage and water resources used during drought. Fortunately for herders, only a limited number of villages have actually been demarcated so far. Mobile pastoral land use has continued. The few concessions made to pastoral communities - like 'Operation Imparnati' in which Maasai communities in Monduli were allowed to mark out a home area rather than obliged to build their homes in a village centre (Ndagala 1982) - have not significantly helped herders retain access to their traditional range.

According to Professor Shivji, Chairman of the Presidential Commission of Inquiry into Land Matters, the movement of people into villages was achieved with 'little regard to existing land tenure systems and the culture and custom in which they are rooted' (URT 1992:61). A 'top down' approach was applied to land tenure reform and land administration to unify the diversity of customary land tenure arrangements into more centralised statutory tenure. Contrary to intention, the lack of clarity in law of the new tenure arrangements has facilitated 'arbitrary encroachment, invasion and alienation in favour of outside individuals and institutions (including government) against the interests and wishes of villages' (URT 1992:61).

This is particularly prevalent in rangeland areas where there is thought to be a surfeit of fertile land. A quarter of a million pastoralists (mainly Maa & Tatoga speakers like the Barabaig)⁴ who rely on communal lands for livestock production, now find the best of their lands taken and their movements restricted. This is perhaps best illustrated by the Barabaig case in which more than 100,000 acres of prime grazing land was acquired by government for a parastatal wheat scheme. Indications are that the scheme has completely undermined the Barabaig grazing system (Lane 1991), which has had an adverse effect on the environment (Lane & Scoones 1993), and Barabaig welfare (Lane 1991, Borgerhoff Mulder 1990).

The 'villagisation' programme presents particular problems for herders. How long can former *de facto* communal tenure arrangements be maintained within the new village structure? How can livestock belonging to one village share resources with another when the land use authority has passed from traditional institutions to new village administrative units? How can migration continue beyond village boundaries when the resources herders

⁴ Estimates only, as ethnic origin has not been included in Tanzanian census data since 1967.

move to have now become the property of villages other than their own? These will become crucial questions as village titles start to supersede customary land tenure arrangements.

LAND USE PLANNING AND LAND TITLING

Throughout the rangelands of Africa, governments are investing in land titling programmes. It is believed that only registered titles can provide a sufficient level of security to achieve higher levels of production and protect resources from destruction. Land tenure reforms are based on the premise that indigenous land tenure systems are an obstruction to development and only through formal title will rural land users be encouraged to invest in their land, or lenders be induced to finance such investments through the provision of credit.

TANZANIA

Tanzania again provides a good example of the application of this doctrine. The genesis for village titling is found in the National Agricultural Policy document (URT 1983), which recommends that all villages be given title deeds and individual villagers sub-titles to land. A party (CCM)⁵ directive issued in 1987 declared that village demarcation and titling was to be achieved by 1992. The purpose of this was to provide greater security of tenure to villagers through control of encroachment. However, as will be shown, it has singularly failed to protect village land from alienation by outsiders, and has created problems of its own.

Under the new administrative structure each village is granted statutory title to land. This has been imposed on customary arrangements causing a double system for allocating rights. For villages created between 1970 and 1977 the issue has been resolved by legislation in 1992⁶ extinguishing customary rights to land (Lane 1993). This legislation has been ruled unconstitutional in the High Court, but will go to appeal. Under the titling programme, the village council is to allocate individual parcels of land to each villager. This amounts to privatisation of land, in all but name. The survey and registration of titles for over 8,000 villages is fraught with practical problems associated with the creation of millions of leases. Difficulties also arise from conflicts over boundary locations. Demarcation of village land and conflict resolution require a commitment of resources that is likely to be beyond the

⁵ Tanzania is ruled by a single party (Chama cha Mapinduzi) government.

⁶ The Regulations of Land Tenure (Established Villages) Act, 1992.

Tanzanian government. For these reasons it is not surprising that in ten years, only 22% of villages have been surveyed, in only 15% of villages have certificates been prepared, and only 2% have been registered. At this rate it will take over 20 years to complete village demarcation (URT 1992).

Village titling presents a double edged sword to pastoralists. There are obvious advantages from having registered title to land as protection from land grabbing. But titles also pose the problem of how to maintain mobile grazing systems when confined to a permanent location. A study by Kjaerby of villages in Hanang district shows that those Barabaig who settled in villages on the semi-arid Hanang plains were forced to compromise their herding strategies by limiting their migration to the distance their herds can travel in one day. The concentration of animals within the village has had an adverse ecological impact, encouraged a trend towards agro-pastoralism, and resulted in a decline in levels of production (1979).

Village land use planning has also been proposed as an adjunct to the titling programme. However, it has been implemented by procedures developed for urban planning that have proved inappropriate for the diverse tenure systems found in rural environments.

The shortcomings of village titling programmes for cattle herders is well illustrated by the example of Dirma village in Hanang district. Here Barabaig herders traditionally migrate out of the village in the dry season to gain access to permanent water in neighbouring villages. In return they allow herders from other areas to enter Dirma in the wet season to make use of the rich pasture resources found there. Yet the basic assumption on which the village plan was based regarded the traditional grazing pattern as haphazard (*kiholela*) and inconsistent with development objectives.

‘[The] planners have arbitrarily assumed that current land use is inadequate and destructive to the environment and the plan prescribes replacement of existing agricultural and pastoral practices with ‘modern’ and ‘scientific’ methods (*ya kisasa* and *ya kitaalamu*), without elaborating on what these concepts mean.’ (Johansson 1991: 1).

Maps of ‘planning areas’ designating fixed ‘land use zones’ fail to take account of the diversity of natural resources within the village boundary, and provide for the complexity of the traditional land use pattern, nor accommodate the interrelationship between resources in and beyond the village. It treats all villagers as a homogenous group and gives no recognition to the different interests found within the village. Some villagers and leaders see the plan as a means to protect land from encroachment.

Others want to be able to take up the more fertile land for themselves by acquiring individual title and sub-leasing it to commercial farmers. What none of them realised when the planning process started was that this same process could also restrict the traditional migratory pattern and ultimately deny them access to water in the dry season. According to a rapid rural appraisal conducted by the World Bank, as part of the Tanzanian Forest Resources Management Project, the planning process was not 'transparent and intelligible' to the villagers. As so little account was taken of their views or detailed environmental knowledge the plan is likely to damage the local pastoral economy, degrade the environment and prompt the out-migration of pastoralists from the area (Johansson 1991).

Land use planning, like the titling programme, has also proved impractical and expensive. In 1990 only 79 village land use plans had been approved and another 96 were in preparation. In the same year the Ministry of Lands received funds sufficient for a maximum of only 27 plans (URT 1992). This begs the question of why it remains national policy to persist with a programme that has so many pitfalls for local people and is unlikely to achieve its objectives if ever it is concluded.

SAHELIAN WEST AFRICA

In Sahelian West Africa there is growing support, particularly among donors, for land use planning based around the concept of 'village territories'. The approach aims to clarify issues of tenure, redefine the responsibilities and rights of local communities to manage their resources and to pursue a participatory diagnosis with local people of the many environmental, economic, institutional and social problems they face (Toulmin 1993). On the surface, this approach appears promising for re-establishing the ability of local groups to manage the resources they depend upon. The approach lays down a series of steps involving the participation of rural producers including: discussion and diagnosis of problems; the election of local resource management committees; the establishment of legal boundaries to settlements' resources; the elaboration of a management plan and the subsequent implementation of the programme. In terms of the fundamental shift this approach entails in the nature of relations between local people, the state and extension agents, this initiative is without a doubt a great improvement on the 'top down' approach practised before.

The 'village territory' approach, however, has major implications for pastoralist tenure and access rights. The 'territory' concept is derived from settled farming villages with a defined set of resources surrounding them. Herders, particularly in more marginal areas, rarely use a contiguous set of

resources within a comparatively manageable area to make their livelihoods: indeed, one of their principal strategies is to move continuously between and within agro-ecological zones. This means they rarely possess defined 'territories' and often use resources exploited by other production systems at other times of the year (i.e. crop residues on fields belonging to farmers), and may only have secondary or tertiary rights of access to these resources (Behnke 1994). There is a danger that the 'territory' approach may empower sedentary farmers to exclude transhumant and nomadic pastoralists from grazing areas they previously had access to. This may be particularly the case where the farmers themselves are beginning to own and herd their own livestock, or where population growth is leading to the cultivation of former areas of pasture.

PRIVATISATION

The privatisation of pastoral resources is the logical policy result of the 'Tragedy of the Commons' hypothesis, and has led neither to better resource management nor to an improvement in herders' livelihoods.

In Botswana, for instance, the introduction of borehole drilling technology has allowed a new elite of wealthy landowners to monopolise the development of new water sources. They own an increasing share of the national herd and control the best grazing areas. The Tribal Grazing Land Policy ranches that were set up in the late 1970s to improve the productivity of rangelands singularly failed either to reduce numbers of livestock to a notional 'carrying capacity' or to improve rates of return to investment, and it has been argued that they were actually less efficient than cattle posts in communal areas. Under the new national policy for agricultural development, it is proposed that communal lands should effectively be fenced. There are good reasons for believing this will allocate grazing land as *de facto* private property to wealthier borehole owners, reduce the carrying capacity of the land for supporting livestock, and deprive up to 60,000 people of their livelihoods on the cattle posts, in particular the poorest sector of the population made up of the Remote Area Dwellers (White 1992). At the same time Abel and Blaikie (1990) have shown that a 'tracking' strategy would allow higher numbers of animals to be kept on the range and utilise surplus feed in wetter years.

The case of Botswana raises the important issue of the co-existence of private and common property rights within the pastoral system. Both in Botswana (White 1992) and in Kenya (Galaty, 1993) the privatisation of some ranges has had disastrous consequences for herders using the

communal areas. Private owners 'dual graze' their stock, using the communal lands when the grazing on their private pastures is exhausted, or when they want to regenerate their private land. Herders on the communal lands, by contrast, do not have access to private rangelands.

In Kenya, group ranches have failed because it has been impossible to promote trust between their members so that they collaborate to manage a shared resource. Group ranch members come from disparate backgrounds and therefore do not form a homogenous group. Communal land has been divided into private plots and individuals use that land as collateral for loans or for speculation on the land market. The ranches have no effective political power to exclude outsiders. Finally, there are no clear rules governing inheritance between sons (Oxby 1982).

In contrast to ineffective privatisation of group ranch land, there are many examples of herders themselves acting to restrict access to land when it becomes more valuable (e.g. Behnke 1985), in line with the Property Rights model. Perhaps one of the more interesting recent examples of this comes from Senegal, where conflict between Fulani herders and Sérère cultivators surrounds land that was abandoned by the Sérère 40 years ago and used by the Fulani since then (Guèye 1994). The plan to build the Cayor canal to supply water to Dakar has meant this land now has a high potential for irrigation and is consequently very valuable. In the first instance this provoked conflict between the Sérère and the Fulani over who had customary rights over the land, but when powerful outside interests began to try and get access to the irrigable land beside the canal, the Fulani and Sérère communities came together to prevent these outsiders from trying to take their land. These two communities have now agreed to exploit the area - on a household basis, and mainly for agriculture - and to manage allocation as a joint enterprise. In this process land that was customarily exploited as household property to farm, became communal pasture, and is now in the process of becoming more tightly controlled at the household level once again.

The fundamental premise that degradation can be averted and pastoral productivity improved by privatising land has been shown to be flawed. In a comprehensive study of household survey data from Ghana, Kenya, and Rwanda in 1987, Place and Hazell found, with few exceptions, that 'land rights are not found to be a significant factor in determining levels of investment in land improvements, use of inputs, access to credit, or the productivity of land' (1993:10), and thus provide little support for ambitious land registration and titling programmes underway throughout Africa.

SUMMARY

The case study material presented above provides clear examples of how pastoralists are being marginalised in the process of land tenure reform which ostensibly aims to increase local participation in natural resource management. Of particular note are: the take-over of key resources in the process of land use planning and titling by rural producers better connected to the state structure than herders; the transaction costs of titling and land-use planning which may be beyond the means of community and state alike, and the importance of different interest groups within and outside communities.

This overview of land tenure policy and its relationship to the major theories of land tenure allows us to make three observations:

1. The privatisation model provides neither equity nor efficiency for pastoralists in non-equilibrium environments; both nationalisation and privatisation can have debilitating effects on communal tenure systems, without providing in themselves effective or equitable alternatives;
2. There is a need to move away from technical solutions, towards social and economic issues, such as improving the manner in which reciprocal tenure agreements can build consensus between different resource users in the management of resources upon which they depend. It is being increasingly appreciated that conflict resolution between different interest groups in range resources (between and within production systems) is a strategic issue in creating equitable and efficient tenure systems.
3. Increased attention needs to be paid to the physical characteristics of resources and their relationship to tenure systems, and to the relationship between tenure systems and institution building.

THE IMPLICATIONS FOR LAND TENURE OF THE NEW DIRECTIONS IN AFRICAN RANGE MANAGEMENT AND POLICY

The foregoing review of theory, policy and practice has shown that the 'Tragedy of the Commons' approach has not provided a satisfactory solution to pastoral land tenure and indeed has done much to destroy tenure systems evolved by herders themselves. The 'Property Rights' and 'Assurance Problem' schools, while providing powerful tools for understanding the decline of pastoral tenure systems have not been able to generate appropriate

policy options for pastoral tenure systems in Africa. One reason for this might be that political and economic issues are placed at the forefront of the analysis, and challenge powerful and entrenched interests in the administrative and political structures of the countries concerned.

Rapid population growth in pastoral areas of Africa and ever larger areas being put under agriculture are making it increasingly difficult for herders to maintain their mobility. Of particular importance is the take over of key dry season pastures by farmers. This removes from herders' control the resources they need to sustain production from more marginal resources (i.e. the northern Sahel and the southern reaches of the Sahara) at other times of the year. Herders can make efficient use of these more marginal resources only because they have access to more humid areas in dry periods. The loss of access to key pastures in wetter areas, which allow herds to survive the dry season, will put the entire pastoral system in jeopardy.

The processes under way in many countries of Africa of decentralisation, political liberalisation, structural adjustment and conditionality present both opportunities and threats to herders. Opportunities include a growing commitment to participatory approaches by which local producers will be able to choose their own priorities, and gain the responsibility and power to manage the resources they depend upon. Threats involve the risk that decentralisation may be co-opted by sedentary farmers who are better represented in political and economic power structures, and thus lead to marginalisation of herders' interests in land use planning and titling initiatives.

There is a growing knowledge of how pastoral land management systems used to work and how pastoral livelihoods have been undermined. This knowledge, combined with the new climate of political liberalism, decentralisation of power and participatory approaches should be used by planners and development workers in the pastoral sector to lobby for management systems adapted to herders' needs, and which support their tenure rights. Thinking about 'non-equilibrium' land use places the natural characteristics of pastoral resources at the centre of the debate. Where pastoral resources are subject to high variability within and between seasons and across large areas, tenure systems for herders should support their tried and tested strategies of mobility.

There are three key hypotheses which underlie the new directions in African range management policy (Behnke 1992) each of which have tenure implications (see Table 2 on page 22). The first argues that a rangeland's carrying capacity must take into account the local management objectives of

rangeland users as well as the botanical characteristics of the range. This implies a devolution of authority for tenure issues to local herders rather than the imposition of centralised control. The second, relating to the unpredictable nature of Africa's dry savannahs, implies a flexible tenure system which allows herders to move at short notice to areas of higher productivity, and by extension must not have cumbersome and time consuming management rules. Finally, the third hypothesis, dealing with the heterogeneous nature of rangeland resources, implies that tenure systems must either incorporate in one system or provide secure access to, a range of agro-ecological areas.

Table 2: Key Hypotheses of the 'new approach' to range management and its tenure implications

<i>Hypothesis</i>	<i>Tenure implications</i>
Carrying capacity has to take account of management objectives of herders	Devolution of authority to local groups
Unpredictable productivity	Ability to respond quickly Simple rules
Heterogeneous nature of range resources	Need for access to or incorporation of a range of agro-ecological areas into the tenure system

Customary tenure systems that embody these attributes are necessarily communal: pastures belong to a cohesive group of herders, often linked by ties of kinship and consanguinity, who may share reciprocal access agreements with similar neighbouring groups who have the same interests in and dependency on, a defined set of resources. Within these larger groups, preferential access and resource management powers may be devolved to

'founding' sub-clans or lineages with lesser rights accorded to more recent arrivals, while outsiders may have to pay fees to enter the range. The legitimisation for such an order is often historical: tribes or clans may be indigenous to the area or may have acquired the right to use the area by force. Where herders impinge on areas used by different production systems - i.e. farmers - mutual interests may bring the two producing groups together: often farmers provide access to grazing in return for milk and other livestock products and give the animals they own to pastoralists to herd for them.

Many pastoral tenure systems practised in the past were appropriate to the management system followed by herders and the physical characteristics of the resources. They responded quickly and flexibly to unpredictable environmental events so as to maximise access to available pasture, while providing more regular access to a set of heterogeneous range resources over the seasons. Sufficiently large social groupings (federations of clans or tribes) owned the resources and could provide the policing necessary for effective management. Kinship links between these herding alliances provided a simple and quick decision-making structure. These pastoral groups often had the same religious beliefs and social customs, which provided a set of clear rules for resource use understood and accepted by everyone.

It may well be utopian to believe it possible to re-animate customary communal management systems to perform these functions. It is increasingly argued that many of the kinship and other linkages that existed in the past to hold pastoral communal tenure systems together have either been destroyed or severely undermined. The diversity of interests within the pastoral sector is often cited including those of the wider economic and political structure; absentee herd owners; and the increasing divergence between rich and poor herders themselves. Any land tenure policy for pastoralists that ignores these divisions is unlikely to succeed.

There are legitimate doubts over whether the re-animation of customary tenure systems can address increasingly severe issues of equity within the pastoral sector. There are many examples of key resources being taken over by wealthier and more powerful groups. Support given to traditional pastoral structures might only help these groups achieve greater control over valuable resources and further marginalise poor herders. Within agro-pastoral areas, herding groups using a patchwork of pastures within farming areas (such as the Wodaabe in Niger) might also be excluded in this process. Finally, it is by no means clear that many pastoral societies retain the capacity to organise themselves into effective management units: the most

telling example of this might be Somalia, where the breakdown of central government has led to internecine warfare between herding peoples.

The major constraints to establishing communal systems can be summarised as:

- Lack of support from wider socio-economic structures that have an interest in maintaining the chaos of the status quo;
- The capture of key resources by sedentary populations with better access to the political structure;
- The heterogeneity of interests within herder groups;
- Barriers across transhumant routes (international frontiers, village boundaries, and fenced, private property);
- Conditions of civil conflict.

OPTIONS FOR THE FUTURE

The foregoing review of approaches to pastoral tenure systems, and the changes that have taken place in pastoral tenure institutions, has shown the highly variable conditions in which herders live and the diversity of initiatives that have been tried to change their tenure regimes. It has also shown that centralised, uniform and imposed land tenure initiatives do not work, given the variable ecosystems which they exploit..

The development of appropriate tenure rights for herders needs a many stranded approach which will allow promising ideas to be tested on the ground, for eventual incorporation in the national policy of the countries concerned. This implies that the identification and adoption of new approaches to pastoral tenure rights will need to be carried out in three linked areas: research, applied approaches, and policy formulation.

RESEARCH

There is a clear need for an economic study of the relationship between common property systems and productivity. While there exists a considerable literature (e.g. Ostrom 1990) on the range of benefits derived from common property systems, almost no economic analysis of these

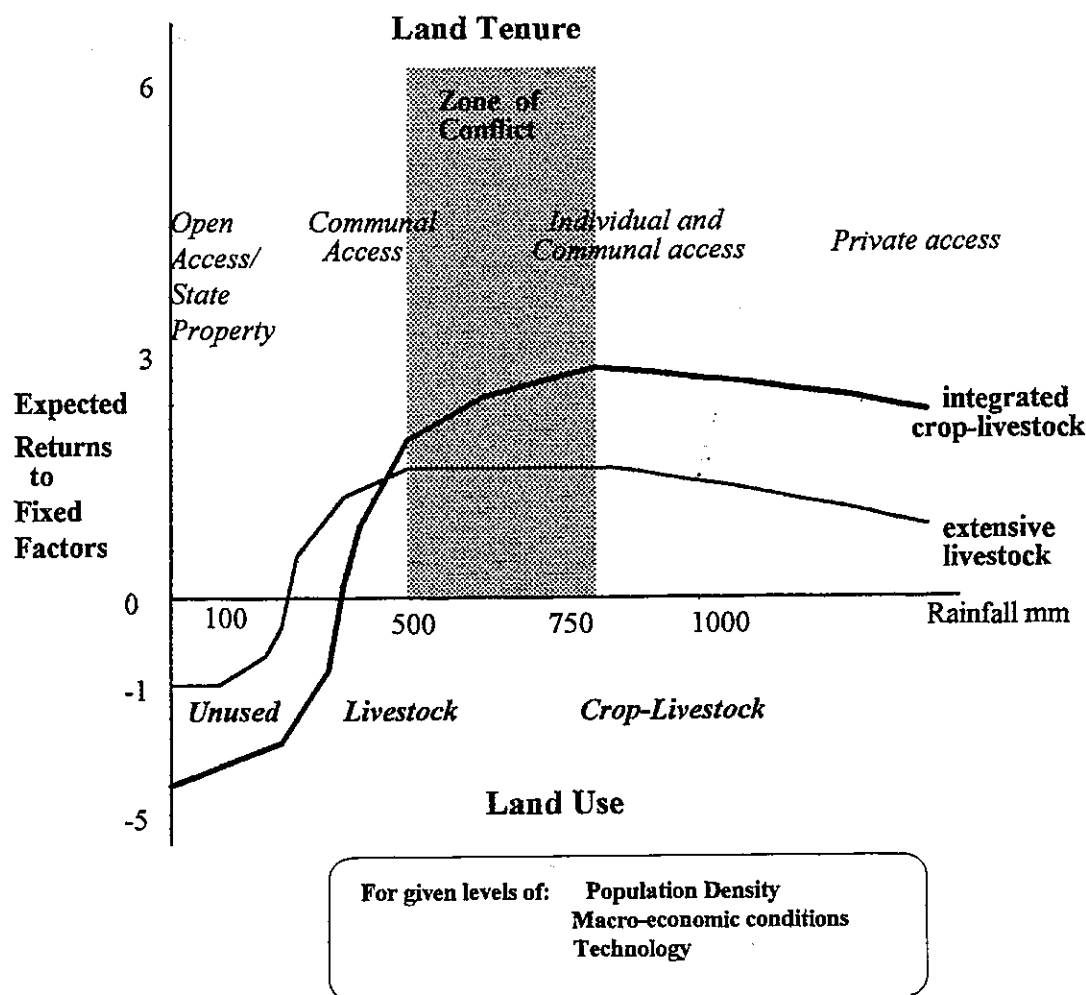
benefits has been done in Africa. The focus of this work should be on the economic aspects of comparative tenure regimes in order to complement work already carried out in drylands on productivity per hectare and per livestock unit.

There is considerable scope for increasing our understanding of tenure systems and the manner in which they evolve in response to various factors, using the 'Property Rights' theory. A model has been developed by Swallow (1993) (see Figure 1 below), which allows the typology of land tenure systems to be linked to a range of production strategies in different rainfall zones from extensive livestock production to integrated crop-livestock systems.

This model argues that in areas characterised by very low and highly variable rainfall (100-200mm), returns to extensive livestock production will be superior to those of agro-pastoralism. Because of the extensive nature of the production process needed to 'mop-up' dispersed grazing resources the tenure system will tend to be communal. As rainfall increases, productivity of the land rises, and the variability of rainfall falls, returns to agro-pastoralism will overtake those to extensive pastoralism, and the tenure system will become more controlled with more private forms of ownership. The model defines the production mix at which different forms of tenure are likely to make economic sense. It also defines along the ecological gradient where there is likely to be conflict between herders and farmers over access to resources, where tenure systems clash. The identification of these areas through field work in selected environments would be a useful tool for policy makers and planners. The framework of this model would allow linkages to be made between natural science knowledge of non-equilibrium environments, land tenure theory, herders' production strategies and policy formulation.

There is a clear need for research into the relative importance of different pastoral resources (dry/wet season ranges) to different interests in the pastoral sector in specific countries in Africa in the context of the 'Assurance Problem', and with particular attention to issues of equity within local management systems.

Figure 1: Tenure Change in Agro-ecological Zones



The work will need to pay particular attention to focal areas containing key resources including: water sources; salt licks; transhumance routes; low-lying areas of higher productivity; strategic fodder reserves (such as trees) and access to farm land; and should consider the access of herders to other important inputs such as agro-industrial by-products. The study will need to include an historical analysis in order to understand the range of overlapping interests and rights which have developed concerning a given resource over recent decades, and examine the issues of secondary and tertiary rights of access for pastoralists to ranges in different areas. It is only on this basis that groups of interests surrounding a defined set of pastoral resources can be identified, which will be the basis of any tenure or management system. An understanding of differentiation within these groups will be essential to assure issues of equity which will underlie the legitimation of the system.

Finally research needs to be carried out that will identify the positive role the state can play in supporting local tenure systems, perhaps through a process of 'procedural law' (Vedeld 1993). At present there is much ambiguity between different systems of conflict resolution, with alternative structures open to different people. Choice of structure will be determined by the kind of judgement being sought, and it is essential that the ambiguity relating to structures responsible for conflict resolution be clarified in the future (Lund 1993).

Responsibility for which type of tenure system (or mix of systems) should be practised in a given area should be left to local user groups. There can be no prescribed rigid model of land tenure: in different areas, tenure arrangements should be developed by the local users, who will learn at their own pace according to what is most suitable for them. As such the role of outside investors and development agencies should be facilitative, and should adopt an incremental approach to project planning which would allow adaptive management. This implies an appropriate role for government and other actors in the pastoral sector should be to strengthen institutions for conflict management, and provide information and legal support for weaker groups to assert themselves.

APPLIED APPROACHES BASED ON RESEARCH

New approaches to pastoral development must be firmly based on sound empirical research. The research described above will allow a number of 'best chance' areas and groups of herders to be identified in different countries where tenure agreements might be drawn up and initiatives tested in the field. These initiatives will need to be governed by a process approach which will allow a definition of the areas to be managed through negotiation between herding groups, and neighbouring communities practising different production systems, in consultation with government. Initiatives being tested in different countries should be co-ordinated, to provide a network to bring together the herders themselves as well as planners and policy makers.

POLICY FORMULATION AND ADOPTION

Of fundamental importance for the future will be the clear support by government and technical agencies of initiatives carried out on the ground, and to back those herding groups whose tenure rules have been broken by outsiders. Equally, it will be important to find means by which new tenure

arrangements can be brought speedily into effect, and by which herders can be reassured of their tenure rights.

In practical terms this must be preceded by a dialogue between the different actors. This could be facilitated by forums that include representation from land users, researchers and policy makers to be convened and conducted in a collaborative atmosphere. A number of elements will need to be considered in developing tenure policy, which include:

- communal vs private rights
- historical vs current rights
- ownership vs stewardship vs usufruct rights
- permanent vs temporary rights
- access to all resources vs selected resources at a given site
- free vs paid access
- negotiable vs fixed rights
- seasonal access vs year round occupation
- exclusivity vs inclusivity
- homogeneity vs heterogeneity of resource users
- restricted vs unconditional rights
- local vs national interests.

As a matter of urgency sustainable pastoral land use needs to be recognised formally as a means of putting land to good use (or 'mise en valeur'), to enable it to be considered on a par with cultivation.

To cope with the high levels of land tenure insecurity in rangeland areas it may be necessary, in the short term, to provide protection through zoning of pastoral lands. This protection from further alienation would give local land users time to explore the means by which they might re-assert communal land rights, help them design new tenure systems that make use of existing tenure arrangements, and enable links to be built between local tenure systems and the wider administrative framework.

Pastoralists are unlikely to be able to assert rights to communal lands in the push for privatisation that is well underway throughout Africa today. Without a shift in power from the state to local land users, from donors to recipients, from wealthy to poor members of pastoral society, then the current confusion and damage can be expected to persist. Devolution of power is unlikely to occur without concerted pressure from below. Rangeland users must be empowered if they are to compete on equal terms with other land users, provide a challenge to the top down approach, and begin influencing land policies in their favour.

CONCLUSION

There is growing concern in the development community at the way in which herders are being denied access to 'key resources' they formerly owned and managed. In East Africa, pastoral leaders and grass-roots organisations have called for an outright halt to the land titling process so that the true situation with regard to the allocation of private and village land rights can be established. In West Africa, increasing concern is being voiced over the erosion of herders' rights to the Senegal River Valley and the inland Niger delta in Mali. Conflicts between herders, and between herders and agro-pastoralists are growing in both these areas, and conditions of insecurity persist over large areas of northern Mali, Niger and Chad.

There are signs however that national governments and donors are starting to change their policies for the pastoral sector. In a series of meetings at the end of 1993 representatives of herders, donors, and policy makers from 13 countries in Africa agreed to re-orient their policies towards a much more participatory approach to pastoral development⁷. The importance of pastoral mobility was recognised, as was the need to provide herders with secure land rights, especially to 'key resource' areas. Participants at these meetings were unanimous that more investment should be spent on the rural sector and that pastoral institutions should be strengthened as part of the process of decentralisation.

Some donors have begun actively to promote the 'new' approach to pastoral development. GTZ, the German Government's development agency, has started a regional programme specifically aimed at providing support to the transhumant pastoral sector in Sahelian West Africa. In Senegal, the same agency is in the process of re-designing a project that has been running for 20 years away from private ownership of rangeland towards more communal, and flexible, tenure systems. More and more, NGOs and others working in the field are adopting Participatory Rural Appraisal techniques

⁷ IIED supported a meeting convened by the Pastoral Network of Tanzania (PANET) in October 1993 on pastoral land use planning and land tenure at which pastoral representatives, politicians, government officials, researchers, donor organisations and journalists were present. This was timely in the context of the land policy review process currently underway in Tanzania. In November 1993 IIED held a workshop in Nouakchott, Mauritania on land tenure and range management. During the same month sub-Regional workshops were held in Bamako, Mali and Arusha, Tanzania by UNSO on new directions in pastoral development policy, followed by an UNSO Technical Consultation of donors and specialised agencies in December, in Paris, France.

(PRA) to develop natural resource management plans for herding communities.

While these initiatives provide grounds for hope, there is still good reason to remain cautious. There is a danger that these new policies may never be carried through into field programmes on a significant scale. Perhaps more importantly, there is a real danger that decision-makers, donors and development practitioners will believe they have now found the solution to pastoral problems through this approach - and impose these solutions on herders much as they have done in the past. As the head of a national pastoralist federation in West Africa said recently at an international meeting in Mali:

"We agree with this new approach to pastoral development, because it reflects our own preoccupations. But in future you must invite more of us to these meetings because we are the people who are really concerned. If you are serious in saying you will listen to us and will let us decide what we want to do, you must also agree to respect the decisions that we make".

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IIED'S DRYLANDS PROGRAMME

The Drylands Programme at IIED was established in 1988 to promote sustainable rural development in Africa's arid and semi-arid regions. The Programme acts as a centre for research, information exchange and support to people and institutions working in dryland Africa.

The main fields of activity are:

- **Networking between researchers, local organisations, development agents and policy makers. Networks help exchange ideas, information and techniques for longer term solutions for Africa's arid lands.**
- **Support to local organisations and researchers to encourage sharing of experience and ideas, capacity building and establishing collaborative links.**
- **Action-oriented research in the practice and policy of sustainable development in Africa's drylands, focusing on the variability of resources and incomes on which populations depend, development-oriented research methodologies, and natural resource management systems.**

Pastoral Land Tenure Series

A programme for research support and institutional collaboration on pastoral land tenure in Africa was established in 1991.

The programme's goals are:

- **To influence the formulation of land use policy through the generation of research findings that support and inform the debate on common property resource management.**
- **Contribute to the resolution of conflicts over land.**
- **Clarify the policy options available to national planners and donor agency personnel.**
- **Provide the basis for more efficient land use in pastoral areas of dryland Africa.**

A series of papers arising from this work will be published with a view to making relevant information available to policy-makers and development practitioners.

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