IASCP, 10th Biennial conference

Oaxaca, 9-13 August 2004

Sahel: Safeguarding marginal lands through recognition of local land use

Lars T. Soeftestad **Hans-Werner Wabnitz**

Supras Consult **World Bank**

Email: mail@supras.biz

URL: www.cbnrm.net/web/tft

CONTENT

1. Presentation of Mauritania Technology Fosters Tradition (TFT)
2. Knowledge: Management and systems
3. Property rights
4. Drivers and trends
5. Some conclusions

1. Presentation of TFT, Overview

- Location, environment and people
- Objective and character
- Law and legal paradigms
- Methodology and approach
- Output
- Scales, stakeholders and epistemology
- Partners
- Code Pastoral

Location, environment and people

- Location
  - SE Mauritania, near town of Aïoun
- Environment and ecology
  - Semi desert and emphemeral wetlands
  - Isohyet for 400 mm precipitation moves south
- People
  - Mostly Maure and Haratins/Black Maure, some black Africans

Objective and character

- Objective
  - Document and formalize traditional property- and use rights to natural resources, specifically rangelands, together with local people, and through using GIS/GPS and ICTs

- Character of operation
  - Not investment, but research-cum-action

Law and legal paradigms

- Legal pluralism
  - Traditional law, Islamic law, French law
  - Problems of application and co-existence
- Characteristics of codes
  - Written and unwritten
  - Roles for interpretation and use
  - Applicable to a certain area or scale of culture/society

Approach

- Area assessment (survey)
- Identify land-use (interviews)
- Codify in local languages, translate into Arabic and French
- Establish a legal rural registry
- Set up new national co-management institutions
- Create GIS map, publish on Internet

Methodology

- To be adapted to purpose and location
- Mix of qual. and quant.:
  - Focus groups, interviews, surveys, ICTs, GIS/GPS, satellite imagery
- Participatory Research Mapping (PRM)
  - local people help identify research issues and collect data
  - Elements: (1) socio-economic survey, (2) toponymy, (3) resource use, (4) property rights

Output

- Body of trad. knowledge pertaining to natural resource management. Available in print form in relevant languages and on the Internet
- Institutional and legal reform
- Decrease in the amount of conflicts
- Dissemination elsewhere in the Sahel
- World Bank policy paper

Partners

The partners (at the present time):

- External
  - CBNRM Net, GLIN (and NASA), GTZ, World Bank

- Domestic
  - Government

Scales, stakeholders and epistemology

Users and beneficiaries at various scales:

Global - Donors, Law comm., Sahel countries

National - Donors, Govt., Public sector

Regional - Courts, Donors, Regional adm.

Local - Donors, Farmers, Herders, Trad. leaders

2. Knowledge: Management and systems, Overview

- What is knowledge?
- Characteristics of knowledge
- Knowledge management
- Stakeholders: Societal sectors, relations and co-management
- Knowledge systems

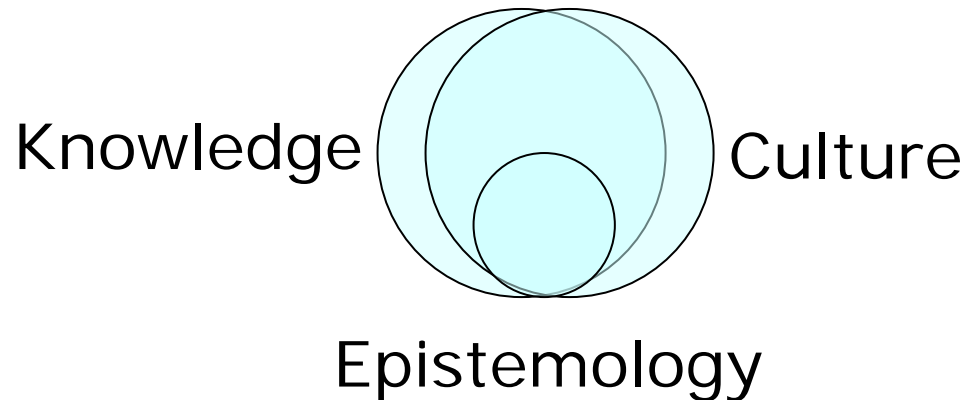# Knowledge vs. information, ethics, power and empowerment

"In the terms of modern communication theory, information ... is everywhere, but knowledge can occur only within the eco-systemic context of a goalseeking adaptive system peopled by goalseeking subsystems. If this is the case, then we are required to ask how the knowledge has been coded and filtered; and what it is being used for, and for whom." (Anthony Wilden)

What is knowledge, 1?

- Broad view: the sum total of a culture's accumulated experience, incl. transfer, views on itself, the environment, and relationships with the environment
- Knowledge and culture
  - Knowledge is part and parcel of culture
- Knowledge and epistemology
  - Epistemology as a theory of nature and the grounds for knowledge, including its limits and validity, is part of a culture's knowledge

What is knowledge, 2?

Relations between knowledge, culture and epistemology:

Knowledge   Culture

Epistemology

Characteristics of knowledge

Knowledge is understood a set of over-lapping and dichotomized variables, that operate between and within scales:

- Absolute ⟷ Relative
- Abstract ⟷ Concrete
- External ⟷ Internal
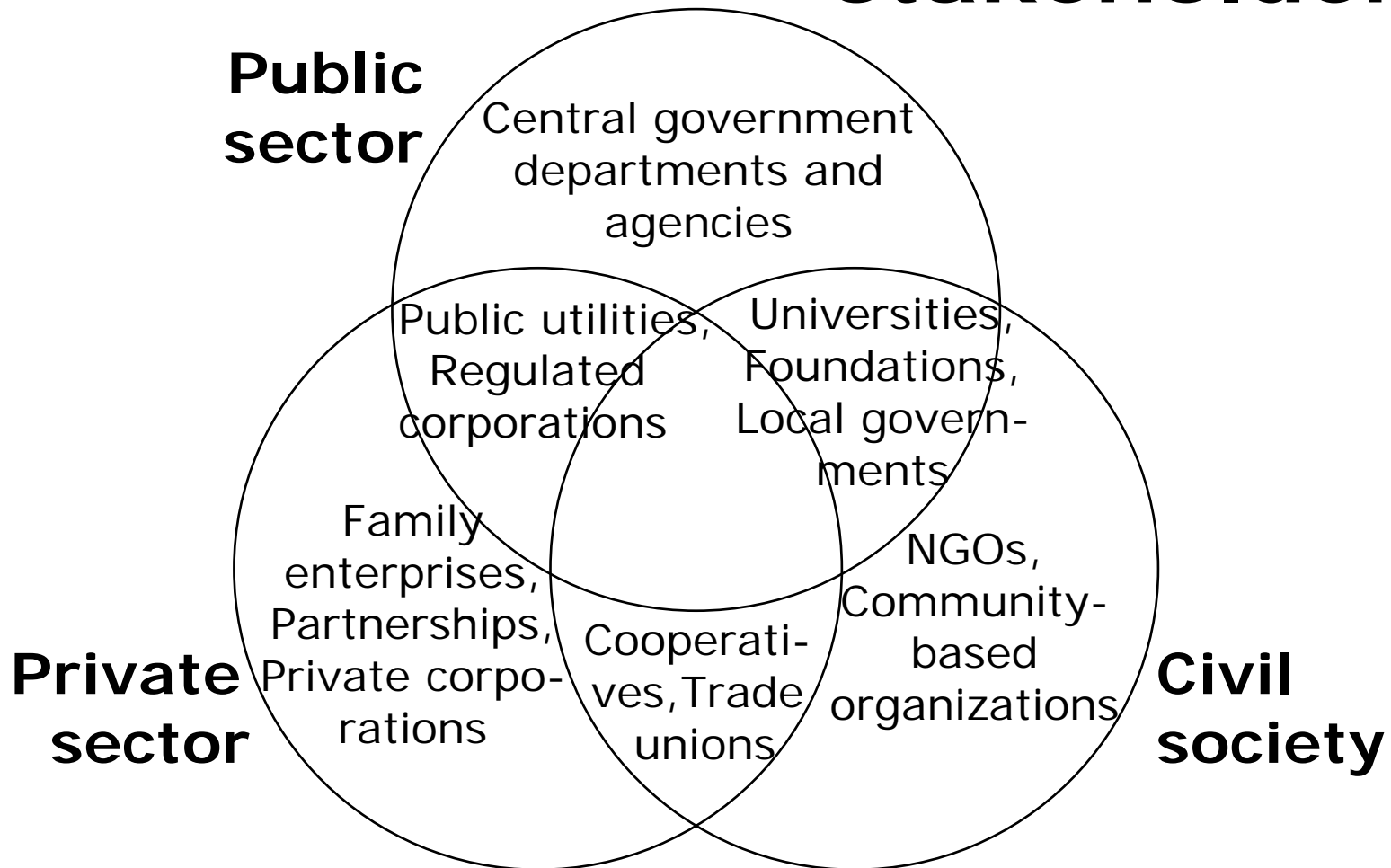- General ⟷ Specific
- Objective ⟷ Subjective

Knowledge management

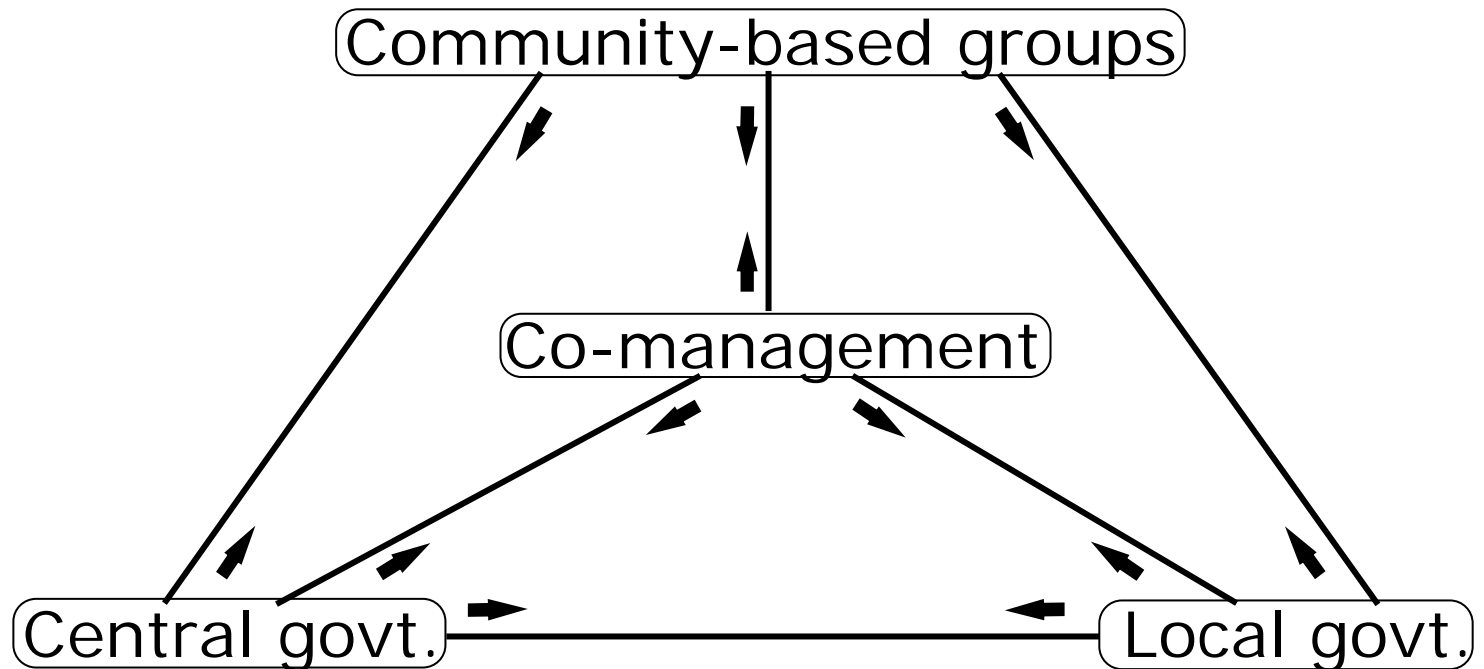Aspects of managing knowledge within and between scales:

- Dimensions
  - With whom to share, what to share, how to share

- Tasks
  - Collection, evaluation, categorization, storage, retrieval, dissemination, as well as production of new knowledge

Societal sectors and stakeholders

Public sector

Central government departments and agencies

Public utilities, Regulated corporations

Universities, Foundations, Local governments

Family enterprises, Partnerships, Private corporations

Cooperatives, Trade unions

NGOs, Community-based organizations

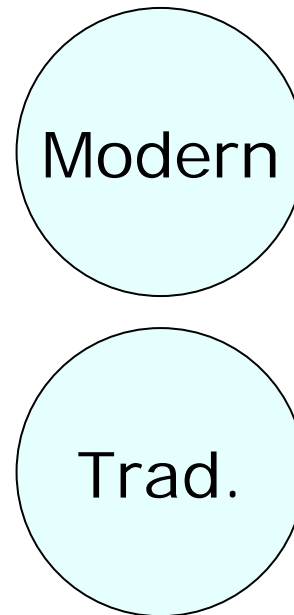**Private sector**

Civil society

Stakeholders

Relations between key stakeholders:

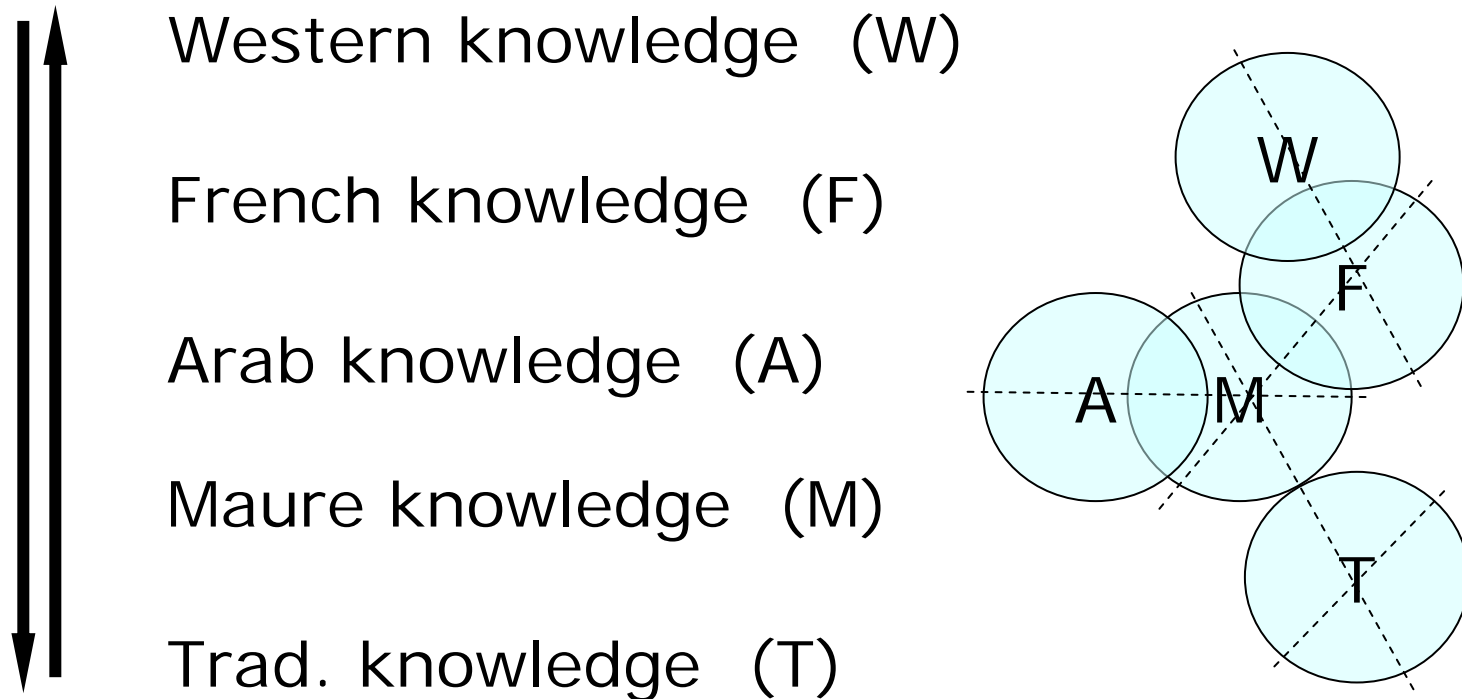# Knowledge systems: Traditional view

Two types, with different knowledge, for separate use, by separate stakeholders, and vertically related:

Modern

Trad.

Knowledge systems in Mauritania

Knowledge systems and relations:

Western knowledge (W)

French knowledge (F)

Arab knowledge (A)

Maure knowledge (M)

Trad. knowledge (T)

Legal paradigms in Mauritania
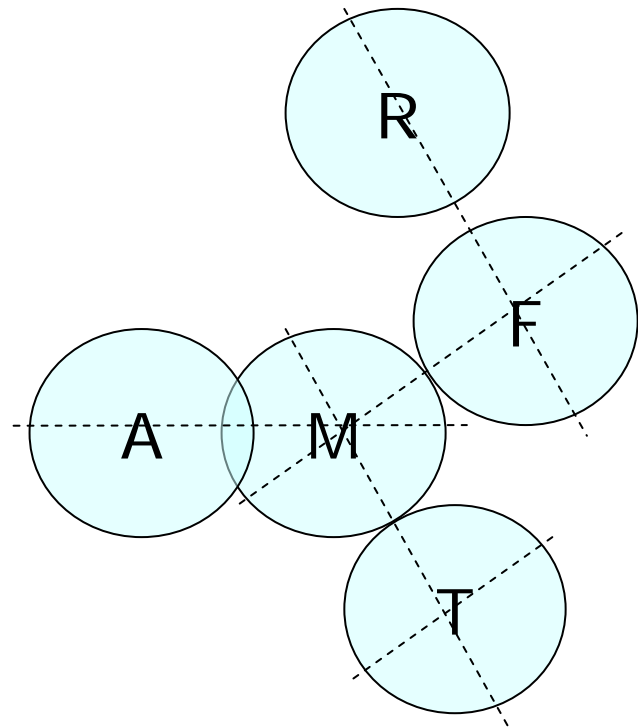
Legal paradigms and relations:

Roman (R)

French (F)

Islamic (A)

Maure (M)

Trad. (T)

3. Property rights, Overview

- Role of pastoralism
- Role of history
- Evolution of the system
  - Rulers and ruled
  - Colonial legacy
  - Islam, or Sharia, and NRM
- Outcome
- Analyses: etymology and systemic changes

Pastoralism and history

The present property rights system cannot be understood without understanding the role of pastoralism and history:

- The key usage of the resources has always been pastoralism, and the way in which this livelihood has adapted to the local environment

- History: immigrations, wars, rulers

Evolution of the system

- Done through understanding the evolution of pastoralism
- Rulers and ruled: local politics
- The role of the French
- Sharia and NRM

Outcome

- A system that was well adapted to the specific character of the ecosystem
- Emphasis on making resources available to those that needed it
- A non-equilibrium system

Analysis: Etymology

- Key terminology in 3-4 languages:
  - Arabic/Hassanya, French and English
- Arabic/Hassanya: moulkiyah
  - Owned by a person on behalf of somebody
- French/English: property
  - Owned by a person
- Other terms: property right, ownership
  - Do not convey the fluid character of the relationships between people and resources

Analysis: Systemic changes

- The trad. property rights system was a common property system for the then users, the members of the Maure tribe Ould Nacer, Faction Wahib

- The lack of a fit between the trad. system and today's situation is growing.

- Today the situation can be characterized as open access

4. Drivers and trends

- Drivers vs. trends
- Drivers
  - Driver 1: population increase
  - Driver 2: desertification

Trends, I

These trends are partly overlapping, and the causalities are complex:

- Ecological system under stress
- Deforestation
- Decentralization and role of the State
- Diminishing role of traditional law
- Privatization
  - Of land (fencing)
  - Of water (dams, access to wells)

Trends, II

- Change in production systems
- Absentee pastoralism/agriculture
- Sedentarization
- Valuation of land
- Infrastructure developments
- Increase in conflicts
- Increased focus on biodiversity
  - RAMSAR

5. Some conclusions, Overview

- Modern law making in Mauritania
- Institutions and institutional analysis
- Power and empowerment
- Scaling legal paradigms

Code Pastoral

An example of law-making:

- National law on nomadism/herders, initiated by local NGO, supported by GTZ/World Bank

- Characteristics: Participatory process followed, Based on Sharia/trad. law, Good language that is easily understood, Conflict resolution mechanism

- TFT aims to implement it in its project area, and emulate its drafting methodology

Institutions and institutional analysis

- Understood both as organizations and in the sense of institutional economics

- Facilitates and constrains the flow of knowledge and data between scales

- Important for understanding and assessing power and empowerment

Power and empowerment

The way to address power – and achieve empowerment – follows largely from the methodological approaches chosen:

- Ethics - knowledge to be used by whom and for what?
- Consensus-building, Consultation, Participation, Governance, Involvement, Transparency, etc.
- Trad. knowledge as both means and goal
- Scaling of knowledge has to be a bottoms-up approach

Scaling legal paradigms

On each scale three operations are involved in dealing with knowledge:

- Interpretation
  - Analysis of incoming knowledge/data

- Transformation
  - Adaptation to present scale

- Translation
  - Enabling transfer to next scale

Flow chart: Scaling legal paradigms

Data, Information, Knowledge

Interpretation

Input/Output

A scale

Transformation

Data, Information, Knowledge

Translation