



GRASS-ROOTS ADVOCACY FOR CBNRM POLICY REFORM

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Community
Partnerships for
Sustainable
Resource
Management in
Malawi

Grass-roots advocacy for CBNRM policy reform: The institutional mechanisms, sectoral issues and key agenda items

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ACRONYMS

ADC	Area Development Committee
BCFP	Blantyre City Fuelwood Project
BVC	Beach Village Committee
CBNRM	Community based natural resource management
CBO	Community based organisation
COMPASS	Community Partnerships for Sustainable Resource Management in Malawi
CURE	Coordination Unit for the Rehabilitation of the Environment
DDC	District Development Committee
DEAP	District Environmental Action Plan
DFID	Department for International Development
DNPW	Department for National Parks and Wildlife
EAD	Environmental Affairs Department
EU	European Union
FD	Forestry Department
FiD	Fisheries Department
FR	Forest Reserve
FRIM	Forestry Research Institute of Malawi
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit
GVH	Group Village Headman
IWM	Indigenous Woodland Management
LCFA	Lake Chilwa Fisheries Association
LOMADEF	Lipangwe Organic Manure Demonstration Farm
MoNREA	Ministry of Natural Resources and Environmental Affairs
NARMAP	National Aquatic Resources Management Project
NASFAM	National Smallholder Farmers Association of Malawi
NCE	National Council for the Environment
NICE	National Initiative for Civic Education
NGO	Non-governmental organisation
NDI	National Democratic Institute
NFP	National Forestry Programme
PCE	Parliamentary Committee on the Environment
PFM	Participatory Fisheries Management
PRA	Participatory Rural Appraisal
RRA	Rapid Rural Appraisal
SOER	State of the Environment Report
SOW	Scope of Work
TA	Traditional Authority (a specific post within the TC)
TC	Traditional Chieftaincy (the institution as a whole)
TCE	Technical Committee on the Environment
VDC	Village Development Committee
VFA	Village Forest Area
VH	Village Headman
VNRMC	Village Natural Resource Management Committee
WSM	Wildlife Society of Malawi

EXECUTIVE SUMMARY

In response to the continued degradation of Malawi's natural resource base the Government of Malawi has, in recent years, adopted community-based natural resource management (CBNRM) as the basic approach to environmental management. However, despite some localised successes CBNRM is yet to take root as an effective natural resource management strategy in the country. The purpose of this study was to explore some of the reasons why this is so. In particular two different, but related, potential constraints to the implementation of CBNRM initiatives in Malawi were explored.

The first, the extent to which resource users, user organisations and community-based NGOs (the grass-roots) are able to enter into policy debate and the second, the suitability of the natural resource management-related policies themselves. Whilst exploring the policy issues it becomes apparent that the recently re-formulated sectoral policies – many of which embrace CBNRM – have yet to be fully implemented. The consultants therefore also considered other constraints to CBNRM implementation, not related to policy, such as government and community capacity to actually develop CBNRM approaches on the ground. The report therefore carries three main intertwining threads throughout:

- Constraints to CBNRM that are to do with non-facilitating policies
- Constraints to CBNRM implementation not directly related to policy
- Constraints to grass-roots advocacy – many of which overlap with the implementation constraints such as lack of institutional capacity at the grass-roots

Constraints to CBNRM that are to do with non-facilitating policies

In the absence of full policy implementation it may appear rash to move into a further cycle of reform. This is a valid consideration but nevertheless constant policy review is always important and the introduction of the Local Government Act does create a need for a review of sectoral policies and legislation.

Constraints to successful CBNRM which were related to inadequate policies include: over dependence on government "permission" from the Minister or Departmental Heads, lack of clarity about rights and responsibilities, inconsistent approach to role of traditional leaders, incompatibility of national legislation and communities' ideas about local regulations and cumbersome procedures required to legitimise CBNRM. Some policies seem to advocate CBNRM in a limited form, such as the Wildlife policy whilst others, such as the Forestry policy are enlightening to read but reveal inconsistencies on closer analysis. To what extent the policies actually limit CBNRM in practice is hard to define, as many of the people who should be affected by them do not know what they contain.

Constraints to CBNRM implementation other than natural resources-related policies

The consultants suggest that these constraints to CBNRM probably outweigh the constraints concerning policies, but because this topic was not a major part of the Scope of Work it did not receive the comprehensive and thorough analysis which it deserves. Some of the non-policy limitations include the following:

- The communities themselves lack comprehensive knowledge and understanding of community-based natural resource management and also lack the institutional

capability required. In particular, village-based organisations lack co-ordination and strength.

- The government departments appear to lack “drive” in the adoption and implementation of the (new) policies for community management of natural resources. This possibly stems from a multitude of other factors such as lack of conviction in the feasibility of the approach, lack of experience of how CBNRM works best and lack of capacity to carry out an approach to natural resource management which relies heavily – in the initial stages - on intensive quality extension (which is lacking or dormant in many government departments). The attitude within public institutions is also a constraint, some see CBNRM as the relinquishment of power and this leads to resistance.
- Rural society, which once depended on strong social obligations to the community and respect for the chief, is being eroded, and this enables some to exploit the natural resource base at the expense of the community at large.

Constraints to grass-roots advocacy

Evidence was collected which showed that the grass-roots are inherently weak in Malawi – the people themselves lack information and self-confidence and as a result of this have not developed local-level user organisations who can speak for the people in appropriate fora. The policy makers, donors and national NGOs are kept informed of people's needs and opinions through consultations such as PRA. Though valuable, there are, however, inherent weaknesses in this approach.

Whilst local resource users have not developed new institutions through which they are able to channel their environmental concerns other local institutions are to be found. These tend to be government structures, such as Village Development Committees, or traditional, such as the Traditional Chieftaincy. The value of these institutions and others to promote grass-roots advocacy is examined. Higher up the channel of communication we explore the existence, strengths and weaknesses of various policy-influencing fora. On the whole they exist but some are out of touch with the grass-roots. NGOs have a critical role to play but have tended to lack discipline and focus in their advocacy programmes to date. It is recommended that the NGOs rectify this because, in the absence of “empowered” resource users, the NGOs, in the meantime, have a very important role to play.

Discussions of these topics are concluded with the development of two main outputs a) an Agenda for Advocacy and b) an Action Plan for how the grass-roots can be enabled to take part in the policy debate. Some of the most pertinent measures proposed for enhancing grass-roots advocacy on issues relating to both CBNRM-related policies and CBNRM implementation are noted here:

1. Improve communication and provide information on CBNRM, especially to enable those already implementing CBNRM to inform and encourage others to take the initiative, especially at the grass roots. (The fisheries co-management radio programme “Usodzi wa Lero” is perceived as a model for this proposal). Experiences of CBNRM in other countries within the region can also be promulgated through the same media.
2. Support and strengthen grass-root organisation for CBNRM through training and the formation of associations of user groups. The National Initiative for Civic Education (NICE) which is active at the village level in all districts in Malawi is identified as a potential partner to government in this role.

3. Form linkages and strengthen the natural resource management advocacy role of environmental NGOs, in particular:
 - a) through the newly launched NGO coalition interaction with the Parliamentary Committee on the Environment, facilitated by National Democratic Initiative (NDI) and
 - b) through the CURE-coordinated Advocacy Task Force. To increase impact it is recommended that this Task Force develops an enhanced advocacy strategy and establishes official links of communication with the CBNRM working group.

Both these mechanisms are best applied to the whole range of natural resource management issues and not specifically CBNRM.

4. It is also suggested that policy makers gain insight and experience at village level by participating in dialogue with villagers in village PRA on local natural resources and their management (this process has proved extremely rewarding, and successful, especially on the part of the policy makers, in other countries in Africa).
5. Clarify the role of the Traditional Authorities with respect to the management of the natural resources within their areas of jurisdiction. It is proposed that COMPASS considers sponsoring a forum for the Traditional Authorities and representatives of CBNRM associations to explore this issue and also the advocacy role that TAs may play.
6. Consider the implications of the decentralisation of government according to the Local Government Act. The impact for natural resources management could be considerable and needs to be taken into account in planning and developing CBNRM implementation. It would be useful to allow for some more dialogue, at all levels, about the possible implications and what sort of preparations are needed to avoid confusion.

This report is divided into three sections. The first section – Background and Analysis of Findings discusses the task in hand, explores the limitations to policy implementation, describes and discusses various potential grass-roots advocates and policy-influencing fora. The second section consists of the Agenda for Advocacy and the Action Plan for how the grass-roots can be empowered to take part in the policy debate. Section Three consists of the appendices. Appendix Four is particularly pertinent as it discusses in some detail the inconsistencies in the current approach to the role of the Traditional Authorities in CBNRM.

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INTRODUCTION AND OBJECTIVES

In November 1999, the Environmental Affairs Department organised (with support from COMPASS) a national workshop that brought together over 30 people from key organisations to discuss the principles and approaches to CBNRM in Malawi. Keynote speakers made presentations on the progress made to date promoting CBNRM in the Forestry, Fisheries and National Parks & Wildlife sectors. The presentations and subsequent debate elucidated and clarified many lessons that have been learned to date but also highlighted many issues that remain to be addressed. In December 1999, COMPASS conducted a study of the policy and legislative framework for policy reform in Malawi relative to CBNRM. This study also concluded that though significant progress has been made in creating the policy environment that will enable adoption of CBNRM, many challenges remain to be addressed before CBNRM can become the norm in Malawi. Finally, in February 2000, COMPASS helped facilitate a workshop organised by the National Democratic Institute (a Washington-based organisation) that was intended to strengthen Malawi's Parliamentary Committees. A key focus was how to involve grass-roots organisations in the debate on national issues and sectoral policy reform. One of these committees is responsible for the environment sector. In effect, it has become clear that while at the national level many of the policy and procedural issues that constrain wider adoption of CBNRM are recognised and are being addressed, much remains to be done at the grass-roots level.

Through its Target Result 4 - Process of Policy and Legislative Reform in Favour of CBNRM Supported - the COMPASS Team aims to promote greater and more effective involvement of grass-roots organisations in the debate on national policy reforms that impinge on improved management of natural resources by communities.

In order to achieve this, it is first essential to identify and document the key natural resource management issues that stakeholders feel most strongly must be addressed. Secondly, it is necessary to assess the willingness and capability of NGOs and CBOs in Malawi to engage in the debate on policy reform. These two goals were tackled simultaneously by two consultants working together to conduct an assessment of natural resource management issues and an evaluation of the commitment and capacity of grass-roots organisations to intensify their involvement in bringing their concerns and opinions to the key decision-makers.

Based upon the findings of such an assessment, two outputs have been produced. The first is a tentative agenda for policy reform in each of the natural resource sectors. It makes well-reasoned recommendations regarding what issues can be reasonably be expected to be addressed and which at the same time, will have tangible benefits to practitioners of CBNRM. The second is an action plan that outlines the requirements in terms of procedural measures and capacity building to encourage and enable greater involvement of grass-roots organisations in policy reform relating to CBNRM.

These findings will be presented at a national conference on CBNRM that is tentatively scheduled for September 2000.

SECTION 1: DISCUSSION AND ANALYSIS OF FINDINGS

This main section consists of three chapters that detail the findings of the study and present the discussion and analysis.

Chapter 1. Setting the scene – what are we talking about? This chapter sets the scene, explains the key concepts referred to in the document and introduces the subject.

Chapter 2. Issues concerning implementation of CBNRM policy. This chapter explores in a general way how policies are actually implemented or not, whilst recognising that the right policies are only useful if they are implemented as intended.

Chapter 3. Institutional issues concerning advocacy and policy formulation. This chapter looks in some detail at the “ingredients” required for grass-roots advocacy and attempts to highlight which of these ingredients are in place or absent or in need of strengthening.

CHAPTER 1. SETTING THE SCENE – WHAT ARE WE TALKING ABOUT?

1.1 What is policy for?

Effective policy is an important requirement for effective natural resource management. Policies that are inappropriate or ineffective can contribute to natural resource degradation.

Policy can be defined in several ways. Concerning natural resources we might view policy as providing principles or direction as to how society manages available resources to achieve certain national objectives. Furthermore policies are the basis for laws and legislation. In the context of this study we are dealing with *government* policies concerning CBNRM. As there is no overall CBNRM policy we are in fact concerned with the community participation elements within sectoral policies of the forestry, fisheries and wildlife sectors as well as other policies which might have an impact upon CBNRM, such as land tenure policy. Government policies are principally designed to steer government departments – providing guidelines for how they should execute their duty.

There is some debate however, about whether NGOs – and this includes church organisations - are bound to follow government policy. With reference to NGOs there has been mention for example of “uncoordinated implementation ... without following priorities set by government”; “repeated demands made by [foresters] ... to hold NGOs' activities in check so that they are subservient to the Forestry Policy and Act and operate according to the priorities set” (Kayambazinthu 1999). On the other hand “NGOs and the churches are wary... of increased government surveillance or additional laws and regulation that will impact upon the scope and nature of their development activities” (Rogge 1999). It should be noted that policies not backed up by legislation, however, couldn't be enforced.

Following government policy is all very well if the policies are satisfactory and provide the right frameworks and incentives¹ to all stakeholders to achieve the overall goal but this is not always so. Inappropriate government policies have often been blamed for providing the wrong incentives thereby having undesirable consequences for the environment. There is wide scope for resource degradation through failure of policy, legal and regulatory institutions. On the other hand, there is wide scope for actually improving resource management through incentives under policy and legislative institutions.

Inappropriate policy issues (see Box 1) however are not the only issues that can lead to unsuccessful CBNRM implementation and lack of positive results.

Other factors that lead to failure are:

- Poverty
- Rapid population growth

¹ In this sense we use the word incentive to mean a factor which provides motivation to behave in a certain way (and not artificial allowances, etc.)

- Implementation failure (lack of technical capacity and/or financial resources. These shortfalls can happen at government, NGO or community level)
- Lack of absorption capacity – e.g. at community level.
- Lack of ownership or knowledge of the policies by possibly government or communities – this can result in lack of commitment to execute change
- Institutional failure (lack of necessary government structures, legislation and regulations)
- Market failure (where a lack of clear prices or values for natural resources, or poorly functioning markets and distorted relative prices can result in misallocation of resources, resource exploitation and subsequent degradation)
- Other e.g. drought

Some of these issues will be discussed later in the report.

BOX 1 EXAMPLE OF CONSEQUENCES OF CERTAIN POLICIES

Certain tree species are protected in Malawi. If such a tree grows naturally in the garden of a certain farmer he can choose to protect it or clear it away along with other unwanted vegetation. In the young sapling stage no one will know. Given that if he protects it, he will not in the end be free to use the valuable timber when it is mature what is his incentive for protection? The answer is none and he removes the sapling. The policy is having undesirable consequences.

There is no special watershed protection policy in Malawi. When discussing the management of the Forest Reserve surrounding the Mzuzu Dam the local chiefs and local people indicated that they wished to see the area strictly protected. Some officials from the Forestry Department did not agree. The FD indicated that part of its mandate [Forest Policy] was to collect revenue from Forest Reserves and that it would continue to issue permits to anyone wanting to collect deadwood. The controversial issues were a) those who entered to collect deadwood would sometimes cut live trees therefore “creating” deadwood to be collected on another day and b) the people who were issued these permits came from all over the city and not just those from the local vicinity. The question arose as to whether the existing policies could adequately protect the watershed. [The Forestry Act can cater for special protection under Section 26 but this is not specific to watersheds and is not used in cases such as these and nor does it address the more crucial issue as to the role of the Water Department or the local community in such protection].

Impact of other policies

The policy decision that led to the removal of fertiliser subsidy had the effect of increasing food insecurity for some communities. Many were consequently forced to look for alternative sources of income with which to buy food. The sale of natural resources is an easy alternative because it requires neither capital outlay nor skills. In some localised areas the consequence is increased deforestation.

In the context of this study: In order for CBNRM to be of interest to the people of Malawi, the policy must be in accordance with the people's views, needs, capacities and priorities. To look into what extent this is the case is one of the objectives of this study.

1.2 What is CBNRM and why is it being promoted and how does it work?

CBNRM is an approach to the use of renewable natural resources that relies on the empowerment of community groups to use those resources as they see fit using strategies arrived at through consensus.

Rural people in Malawi depend very heavily on natural resources for subsistence goods, environmental services and income. They benefit from its wise management and suffer if the environment is degraded. This fact legitimises why they should be the people who are entrusted with management of natural resources. Having said this, the reality of the situation is that any natural resource yields multiple benefits, to different sectors of society at the same time. Some of these sectors are more powerful than others. To cater for these complexities a collaborative approach is usually more appropriate with the government often playing an integral role. The government might play a backseat role as facilitator or mediator or play a more active role as law enforcer, manager or beneficiary. The government is almost always required to legitimise the CBNRM initiatives of any community even those communities who act most independently of the government.

One of the most fundamental principles upon which CBNRM is based is the fact that the rural people in Malawi live in communities rather than as groups of individuals. The implications of this are huge – it is assumed for example that members of a community behave in certain ways dictated by sets of social norms existing in that community. There is also the belief that the community members have a common goal or understanding and that with regard to some aspects of life the goal of the community is more important than the needs of any individual at any one time. In fact some communities **do not** behave as communities but **do** behave as groups of individuals or as groups of different user groups with varying needs and priorities. This is certainly one of the biggest problems limiting CBNRM in Malawi and can only be overcome by developing innovative and tailor-made approaches to CBNRM which rely heavily on collaboration of various stakeholders, clearly spelt out rights, responsibilities and benefits and an analysis of power disparities.

There has been much written about CBNRM in Malawi across all sectors. The purpose of this consultancy was not to review all previous literature or all CBNRM initiatives in Malawi. The document from the November national workshop (COMPASS Document 10) provides an up-to-date overview as does Jere *et al* (2000) and Lowore and Lowore (1999).

The definition of CBNRM presented in italics above can be further qualified by describing CBNRM as a continuum, ranging from strict government control of natural resources through co-management to community-based management at the other extreme. The continuum concept is presented in Figure 1 on page 7. Guiding principles for CBNRM in Malawi were drawn up at the November workshop. These are presented and discussed in Appendix Three.

BOX 2 PARTICIPATORY FISHERIES MANAGEMENT IN MALAWI – POLICY-IN-ACTION.

The examples of participatory fisheries management (PFM) from three Lakes in Malawi, Lakes Malombe, Chiuta and Chilwa tell us a lot about CBNRM and policy. PFM is taking place in all three lakes but with very different institutional arrangements in each. These differences reflect the varied socio-economic dynamics surrounding the fishing activities in each location. It is to the credit of the fisheries policy and legislation that a) it is sufficiently flexible and b) implemented in accordance with the principle of being locally relevant that this has been allowed to happen. In this respect the policy is being used as a guide rather than a blueprint. An overly prescriptive policy would have not allowed locally appropriate arrangements to develop.

Furthermore it is interesting to note that now that a certain level of devolution has occurred the Fisheries Policy does not influence the day-to-day management of the lakes. In the most extreme forms of CBNRM – fisheries management on Lake Chiuta might be one example – the primary stakeholders act almost independently of government. The only change in policy that would influence them is one that reversed the policy promoting PFM. PFM on Lake Malombe is still to some extent “managed” by the Fisheries Department (FiD) and dialogue between the fishermen and the FiD is essential. Much of this dialogue, is however, concerned with day-to-day implementation of the policy rather than the policy itself.

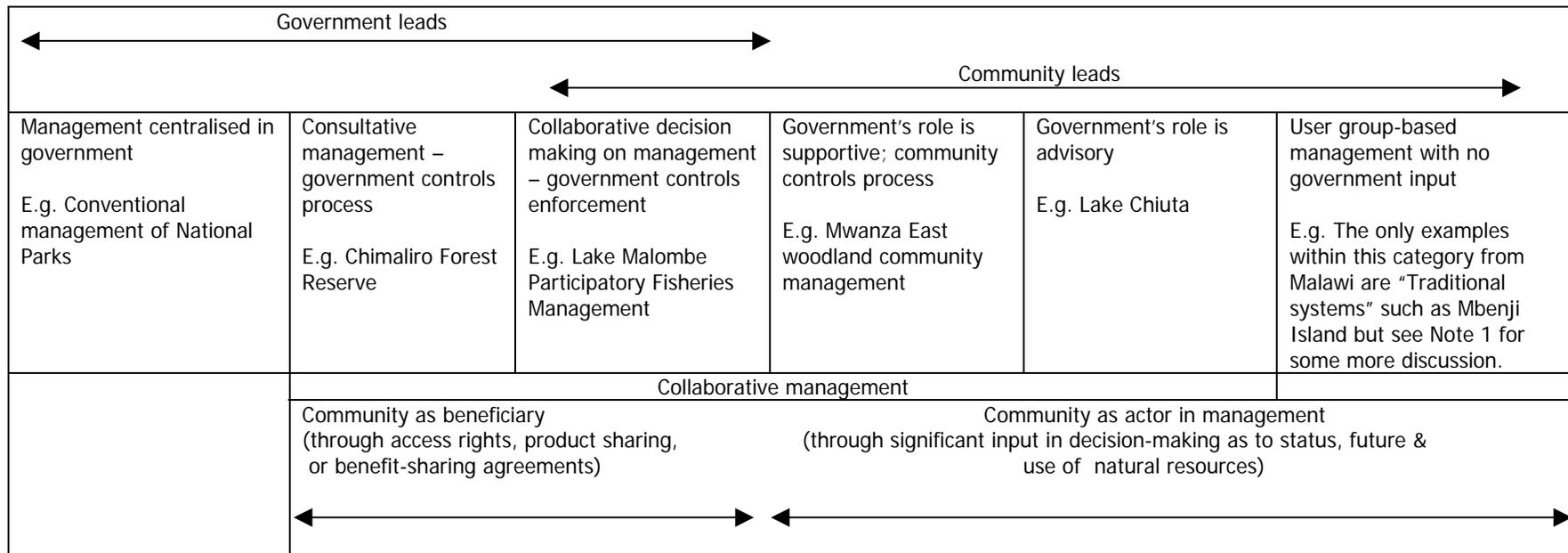
Before leaving this topic it is also useful to stress the ultimate goal of natural resource management which is sustainability. This hard-to-define conceptual goal is very difficult to measure let alone achieve and as an overall goal is, at the same time, often “taken for granted”. These two factors mean there is some merit in trying to identify more “down-to-earth” workable objectives. Such objectives could be the achievement of:

- Less unsustainable natural resource management practices
 - Improved well-being of rural populations
 - Improved capacity of local stakeholders to adapt to and manage change
- (adapted from Dubois and Lowore 2000).

In the case of Participatory Fisheries Management on Lake Malombe progress has been made in the setting up of local management bodies and the sharing of responsibilities between fishermen and government, but if, as is the case, 60% of the catch are still juveniles the overall success of the programme is still in question (Collins Jambo pers. comm. 2000).

In the context of this study: CBNRM is all about communities having some power to shape the future management of the natural resources on which they depend. This study is taking a look at how the people can also have some role in shaping the policies that govern this idea.

FIGURE 1 CONTINUUM OF FORMS OF COLLABORATIVE MANAGEMENT



Based on Hilhorst and Aarnink (1999) and Arden Wily (2000) in Dubois and Lowore 2000

Notes about Figure 1.

- A) It is difficult to find a place in the continuum for CBNRM where the authority lies with Traditional Leaders and NOT the users themselves e.g. Lake Chilwa (the users are the fishermen and the chiefs – who make up the Lake Chilwa Fisheries Association - are not fishermen). As far as the fishermen are

concerned they are still bowing to the pressure of a higher authority just as others bow to the authority of the government. This complexity is compounded by the fact that some development workers tend to assume "community" management is synonymous with "participatory" management. The role of Traditional Leaders is discussed at length in Appendix 4.

- B) Some people use the term CBNRM to apply to the far right of the continuum only i.e. the management lies solely with the community. Everything else is called Collaborative Management, co-management being a form of collaborative management. Most players involved in CBNRM in Malawi (including COMPASS) tend to use the terms CBNRM and Collaborative Management interchangeably.

1.3 Who are the grass-roots and what is a community-based institution?

Members of households belong to groups, communities, localities, districts, etc. in an ascending hierarchy and with diminishing interest and intensity. By a system of indirect representation, household needs and ideas can be communicated at higher levels, and decisions at those levels can be conveyed to households and individuals on whom implementation depends (Uphoff 1992).

Table 1 has been drawn up to show what sorts of institutions have a role to play in CBNRM implementation and policy advocacy and their relationships to one another.

TABLE 1 CONTINUUM OF LOCAL INSTITUTIONS, BY SECTOR

	Voluntary / participatory sector	Elected government	Government administration	Traditional
The People	Resource users	Constituents	Citizens	Subjects (organised into clans and lineages)
Community level (Village institutions)	BVCs, VNRMcs, Clubs			Village Headmen
Area level institutions	e.g. Lake Chilwa Fisheries Association (although made up of Chiefs and in fact cross-district)	Ward councilors (local)	Extension workers	GVHs and Chiefs (TA)
Local (district or regional)	e.g. Greenline, RUFA, LOMADEF, Livingstonia Synod etc.	District Assembly (local)	District staff (and prior to decentralisation the DC)	Paramount Chiefs (in some places)
National	NASFAM, CURE, WSM for e.g.	MPs (national) Parliamentary Committee on the Environment	Ministers Cabinet Committee of Health and Environment Principal Secretaries Departmental Directors NCE	

(with some material from Uphoff 1992)

The shaded box in the last row shows the policy-makers. This is the group that the grass-roots need to target with their issues. In order to do this the grass-roots themselves i.e. the people who are shown in row 1 must be organised. The column on the left shows how the grass-roots can be organised at different levels and grows up from the grass-roots to grass-roots organisations to those organisations representing the grass-roots organisations. The small NGOs, such as Greenline, are usually closer to the grass-roots on the basis of their location and the people within the NGO. National NGOs, such as CURE, are **representing** the grass-roots but are no longer the grass-roots themselves. Community-based organisation (CBO) is another much used term and can be applied to any organisation based within the community - it may be synonymous to some grass-roots organisations as well as

some that are representing the grass-roots. The paucity of institutions in the left-most column between the People (row 1) and National NGOs (final row) is major factor contributing to the weakness of grass-roots “voices”.

BOX 3 WHAT IS AN INSTITUTION?

There are many types of institutions, some of which are also organisations (like banks, local governments, or courts) and others that are not (like money, taxation or the law). An institution is a complex of norms and behaviours that persists over time by serving some socially valued purpose, while an organisation is a structure of recognised and accepted roles (Uphoff 1986).

In this study we are concerned with institutions that have an organisational basis.

In the context of this study: Two main principles upon which we base this discussion of grass-roots advocacy are:

- *Those who are affected by natural resource management policies should be able to have some influence over its shape.*
- *In order to have some influence the grass-roots must be organised and select representatives who can advocate their interests in decision-making fora. For maximum effectiveness these organisations should be institutionalised so that the mechanism for advocacy persists over a long period of time.*

One of the objectives of this study is to look at what institutions are already in place to promote advocacy and how they are functioning.

1.4 Informing policy – consultation or advocacy?

Advocacy is all about putting across your point of view in the form of a verbal argument. The intention is to have your view incorporated into (in this case) government policy and ultimately legislation. An **advocate** is a person or institution who supports or who speaks in favour of other people.

In the context of this report we are talking about how can the grass-roots, through various organisations or institutions (advocates), argue for policy reform with particular reference to policies pertaining to CBNRM.

In Malawi within the environment sector advocacy is not a well-developed approach for influencing government policy. To date the approach most used for incorporating the views of the grass-roots into development planning or policy formulation is through **consultation**. Since the advent of the “participatory era” community consultations have become the norm prior to any development activity. In fact some practitioners are concerned that PRA is not being used for the purpose for which it is intended i.e. an ongoing process for genuine dialogue and interactive participation in the planning, implementation and monitoring of development but “as an extractive research method, policy-making tool or as a pre-condition for donor funding” (Rogge 1999). Suffice to say rural communities are being repeatedly subjected to PRAs and community consultations to such an extent that some Village Headmen are tired of receiving PRA teams. These repeated consultations have not always led to subsequent development nor empowerment of the community but they have at least led to a vast accumulation of literature describing the socio-economic status of the

people plus their needs, priorities and views on a whole range of environmental topics.

One could suggest that this approach satisfies our demand to allow the grass-roots a means to influence policy formulation. The recent Parliamentary Commission of Inquiry on Land Reform undertook extensive community consultations as did the on-going National Forestry Programme in the form of "ground-truthing" an exercise designed to deliberately test forest policy on the ground.

The consultation approach does have some drawbacks and Rogge (1999) amply discusses these.

"... the agencies who are in control of the situation, the ones with the most power to fashion solutions by mobilising resources and by bringing about institutional change, have a vested interest in constructing the problem a certain way. They make broad sweeping assessments of the problem and assign roles to the various actors necessary for bringing about a resolution to the dilemma. Communities are seldom in a position to make effective counterclaims or arguments to the contrary. The dominant narrative is further reinforced by an avalanche of official documentation (task force reports, EIAs, project support documents, evaluations, selectively sourced research papers etc.) that supports the scenario and lends legitimacy, by sheer weight and volume to the subsequent analysis and policy prescriptions. The development machine is put into overdrive; theories are hypothesized, project proposals are developed ...and before long the logical framework is produced. In the end the process has not only reduced the overall complexity of the task into discreet, fixable problems but is has also helped to privilege certain discourses and agendas over others".

In short those who do the consulting still have the power to make their own conclusions and deal with the issue in their own way.

The advocacy approach differs in the following ways.

- The people make their own analysis in their own time (not responding the pre-set questions)
- People make their own conclusions and design their own solutions
- These issues (those which require action by "higher" authorities) need to be communicated – usually via representatives having access to these authorities
- The authorities must be somehow "obliged" to take note and act – this can be achieved by having power (mainly voter power in a democracy) and having credibility. Power is best achieved by numbers of people, which is why associations with a large base of members e.g. NASFAM can be so effective. Credibility can be best achieved by presenting arguments in such a way that the issue cannot be easily disputed.
- Advocacy relies heavily on democratic principles.

FINAL NOTE:

In reality Government policies are heavily influenced by another set of policies – those of the donor and international community. These present "an external force which forces us to form policies in line with international standards" (Faiti 2000, pers. comm.). The donor and international community are in turn influenced by their own

culture, framework of understanding and experiences of their own society as well other countries in the region. Whilst not 100% mutually exclusive – any decision can be influenced by more than one force - to move from this situation to one where policies are heavily influenced by the common villager is a significant shift which will not happen lightly.

***In the context of this study:** Consultation as a method of incorporating people's views is currently the norm for Malawi. Advocacy however requires certain conditions to be in place before it becomes a viable additional approach. What these conditions might be is the subject of this study.*

CHAPTER 2. ISSUES CONCERNING IMPLEMENTATION OF CBNRM POLICY

Over the past decade there has been some significant policy changes concerning greater community involvement in management of natural resources, for example see Forestry Policy 1996 and Fisheries Policy 1999. Before embarking upon a discussion about *further* policy reform we should spend some time looking at the impact of the recent policy changes. This is particularly important because of the following reasons:

- We might have sound policy, legislation and regulations governing CBNRM. However, if these are not implemented effectively, CBNRM still might not occur. In short then, new policies might not always lead to policies implemented. Implementation failure arises for a number of reasons and these are worthy of attention.
- Most resource users only experience CBNRM through the implementation and delivery of such policy. This therefore becomes the main mechanism through which they can develop an understanding of the implications of CBNRM. Some resource users manage natural resources communally under their own initiative without any “external” support but such examples, whilst particularly notable, are not very common (e.g. Misuku evergreen forests, Lake Chiuta fishery)
- There is a relationship between the ability of the community to have influence over the way policy is implemented and to have influence over the way policy is made. The channels of communication and influence will not be totally different. It is also likely that those communities, which have, for one reason or another, the greatest capacity to embrace CBNRM will have a capacity for analysing CBNRM policy issues.

2.1 Policies do not always lead to their intended objectives

In order to discuss policy reform we must examine the existing policies. The best way to determine the validity of an existing policy is by seeing how it performs “in action”. This sub-section is dedicated to discussing how a look at policies-in-action shows us that some policies are never implemented, others are implemented in a distorted way, others are implemented with less than successful results whilst others are implemented as intended with positive outcomes. The constraints to successful implementation of CBNRM related policies fall into several categories. The three most pronounced are:

- The policy is inappropriate or faulty in some way.
- The policy is not implemented fully or as intended due to a failure with the delivery agents.
- The target group does not receive the policy – possibly due to lack of knowledge or capacity. This is also implementation failure but by the target group rather than the delivery agents.

For the sake of clarity the majority of discussion about policy-in-action is consigned to Chapter 4 where the AGENDA FOR ADVOCACY is presented. In this way the description of the issue is followed immediately by impact and action points. Here

the Forestry Policy will be examined to provide some examples of how policies work and do not work.

THE FORESTRY POLICY AND LEGISLATION IN ACTION.

Faulty policy / legislation

It was recently decided by the Forestry Department (FD) that it was impossible to sanction the by-laws determining the way the Chimaliro co-managing community could use the forest reserve because the fines which they agreed to impose upon themselves were lower than that indicated in the Forestry Act for infringements occurring in forest reserves. The Act would need amendment before the co-management activity could be given a legal basis.

In fact the consultants are of the opinion that a legal document could be drawn up between the co-managers and the Forestry Department in which the Minister could agree to waive the penalties indicated in the Act. The waiver would only apply to the members of the co-managing community and not to non-members. An alternative would be the passing of subsidiary legislation. The Forestry Department could not argue that such a waiver would lead to over-exploitation as currently the existing penalties are hardly ever (if ever) enforced.

Another area of doubt is the wisdom of requiring Forest Management Agreements to apply to Village Forest Areas (VFA). On the one hand Section 31 (1) asks that "for proper management of village forest areas, the Director of Forestry may enter into a forest management agreement.....". Section 31 (4), however, allows for the management of VFAs in the absence of management agreements, which begs the question "what is the benefit of a Forest Management Agreement"? for woodland on customary land. Given that to date (Act passed in 1997) almost no Forest Management Agreements have been drawn up, this question becomes even more pertinent.

Unofficial policy

The Forestry Act allows for co-management of forest reserves but to date co-management has been instituted only on a tiny scale. It would appear the FD has adopted an unofficial policy of "going slow" with regards to CBNRM of forest reserves. The document "Instituting Co-management" produced by the Forestry Department in July 1999 requires that the government should retain 80% of all/any forest produce collected from a forest reserve. The statement did not limit the benefit sharing to money therefore implying that 80% of a basket of mushrooms should be handed over the government! There is no doubt that practically every forest reserve-adjacent community in Malawi already gets **more** than this through illegal offtake (with very little difficulty) and so any incentive to engage in co-management is thereby removed.

One could argue that given the paucity of experience of community management of forests in Malawi it is unwise to initiate the concept in forest reserves as opposed to woodland on customary land. There is some merit to this argument where there is forest on customary land but:

- a) There are 60 forest reserves in Malawi, which contain over half a million hectares of indigenous woodland. Some of the woodland can be found in areas where the local people have almost no other access to forest products. Not engaging in co-management is denying rural people vital subsistence goods (see Box 4).

- b) CBNRM arrangements on customary land and in forest reserves will always be different on account of the different land tenure. Lessons from customary land CBNRM will not be 100% transferable to co-management of forest reserves.
- c) If local people continue to be “alienated” from forest reserves, the commitment to their protection will continue to diminish which, given the poor level of government policing, will end up with more disasters such as that in Thyolo Mountain forest reserve where the unique indigenous evergreen forest has been cleared to plant maize.

BOX 4 OPENING THE FLOOD GATES

Historically and even today the Forestry Department has a strong heavy protectionist approach to the forest reserves. One of the biggest fears amongst the department is that co-management of forest reserves will lead to an “opening of the flood gates” situation. In fact forest reserve-adjacent people do access these reserves even where co-management is not in place and collect products both legally and illegally. The illegal activity collection is very cost-effective for the users (no fee) and cost-effective for the forest department (few staff needed to allow illegal collection!) so one could argue that it is a satisfactory arrangement. Of course it is not a satisfactory arrangement because the eventual outcome will be that people become less and less inhibited with regard to harvesting produce and the “flood gates” will open wide. There is a risk that what the Forestry Department fear will be the outcome of co-management will in fact materialise because they do not engage in co-management.

Unofficial policy can be a good thing. Participatory Fisheries Management on Lake Malombe began before there was an enabling fisheries policy and legislation. This did not hinder great strides being taken in the CBNRM direction.

Unofficial policy is already in action in forestry – the Ndirande community are growing crops in a forest reserve (one of the most stringently forbidden acts) and planting trees at the same time. This is an excellent example of innovation, which is going on despite the official policy². Such innovation could equally well be applied to the Chimaliro situation.

Implementation failure

- Some communities are not been interested in co-management unless it comes with some incentives such as payment or providing some land. This tells us that the people perceive that co-management is working for the government and not for the people. This is not a problem with the policy but the way it is delivered.
- The policy provides for Forest Management Agreements to be drawn up for Village Forest Areas and areas of woodland in forest reserves. To date no Forest Management Agreements have been drawn up for indigenous woodlands.
- Some communities express reluctance to plant certain indigenous trees, as they understand that such tree species belong to the government. Investing in these trees would be doing so for the government. This policy has changed but the communities are unaware of the changes.
- The policy suggests that the custodians of customary land forest should be VNRMCs. Yet the FD still issues license for “outsiders” to fell timber from certain village lands without consulting the VNRMC or the local chief (R. Kafakoma pers. comm. 2000). This is an example of policy implementation failure.

² Of course there are no mature trees in Ndirande forest reserve so there is little risk to the FD.

The consultants did not do an in-depth analysis of the reasons for policy implementation failure, as this was somewhat beyond the scope of the work. Suffice to say, it is a result of a mixture of the following reasons:

- FD lacking operational funds
- FD staff not well trained in participatory forestry, still entrenched in old ways
- FD lacking overall strategic approach to the execution of it's duties
- Lack of motivation at all levels within the FD
- Lack of commitment at the higher levels – perhaps stemming from a lack of confidence in the CBNRM approach which in itself stems from lack of experience as well as the previous reasons

In short: Whilst policies have changed or improved, the implementation capacity of the forestry institutions leaves a lot to be desired (Kamangira and Kafakoma 1999).

Take-up failure

The policy objective which aims to *enact a law that removes restrictions to access to the use of forests and forest products* was achieved in the form of the Forestry Act 1997 allows villagers (organised into VNRMCs) to generate revenue from customary forestland. This is understood to mean that the FD no longer collects revenue from customary land.

In Nkhata Bay the District Forestry Office stopped collecting revenue from customary land when the new policy was introduced but after a year or two reversed the decision. It was observed that the local people were not yet organised and were lacking in know-how about how they were to fulfil their newly acquired responsibilities for managing the forests. Whilst the FD acknowledged that it is their responsibility to upgrade the capacity of the rural people to manage the resources the reason given for not doing so was lack of operational funds. The new policy is not being successfully implemented because a) the FD does not have the capacity to implement it and b) **the community do not have the capacity to respond to it.**

One main important reason for lack of policy-in-action concerning CBNRM is lack of capacity amongst the communities. Communities do not know the policies, they do not know their rights and they do not know the implications of the opportunity which CBNRM offers. Many have difficulties to present themselves as strong and capable institutions for natural resource management without assistance. This is discussed further elsewhere.

Other constraints

Another serious constraint to CBNRM policy implementation is the alleged corruption amongst forestry officials. For example in Liwonde Forest Reserve it is suggested forestry staff take bribes in return for allowing curio makers to help themselves to timber from the reserve, when a plan for community reforestation of Ndirande Mountain was first initiated some forestry staff were accused of "selling" portions of forest reserve land to people so they could grow trees on them and in Mulanje forestry workers have been accused of taking bribes to allow "outsiders" to saw Mulanje cedar and other timber. Such activities damage relations and set bad examples leading locals to conclusions such as "if the forestry staff sanction felling these trees then we can do it too". Another slant which was suggested to the consultants was that if FD staff personally make money from "selling" resources this will make them disinterested in greater community involvement as this will lead to conflict of interest.

Successful implementation

- The indigenous woodland management project in Mwanza East has yielded good results. Local people have been “empowered” to confiscate charcoal illegally cut from their village lands and to retain some of the money raised through selling the charcoal (with certificates). Local by-laws have been drawn up and sanctioned by the Minister. The sobering reality is, however, that only a handful of villages are involved and that success has come about with intensive donor assistance.
- The Forestry Department HQ is undertaking a co-management project in several different sites. This includes training for the VNRMCs. The project has taken time to get off the ground but has recently received a new lease of life.
- The Forestry Department has been undertaking extensive training of existing extension workers and DFOs in order to “reorient” them to implement the forest policy.
- The situation in Chimaliro mentioned above for its problems is also showing some very positive signs. The community is becoming increasingly active and motivated and it is anticipated – with the right support – this co-management experience will motivate the Forestry Department to extend community management to other parts of Chimaliro forest reserve and other forest reserves in the country.

2.2 The resource users as CBNRM activators or passive experimentees³

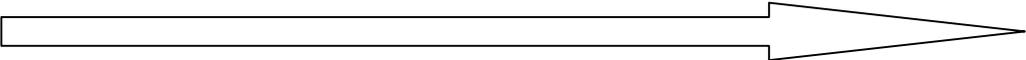
In this section we discuss the fact that for people to be able to have an impact on CBNRM policy they must be able to analyse their own situation and draw their own conclusions about how CBNRM policies would help them. For people to be able to do this they need information, knowledge and experience. To date information, knowledge and experience of CBNRM usually comes in the process of the *implementation of a CBNRM project or related activity*.

In addition, resource users also need something else which is sometimes called “empowerment”, they need to know that it is their right and their duty to shape their own lives. This must be coupled with the self-confidence and motivation to initiate change without simply “waiting for government”. With this in mind we need also to reflect that the *participatory era* is more than a decade old. The main thrust of *participation* is that the traditional “beneficiaries” of development projects should become actors in their own development and “own” the development process. Participation should not simply be means to an end but should lead to empowerment.

So we suggest that as people engage in participatory development (e.g. CBNRM) they will become more and more “empowered”. Table 2 attempts to show that today people achieve empowerment by starting at the beginning of a continuum and gradually progress from a relatively powerless state of ignorance and dependency to one of possessing knowledge and experience and the self confidence to explore and develop one’s own potential – both as individuals and as communities.

³ The term experimentees is deliberately used and not experimenters – see this section for fuller explanation

TABLE 2 THE CONTINUUM FROM PASSIVE EXPERIMENTEES TO ACTIVE LOBBYING INITIATORS



On the way to being empowered	Passive experimentees	Responding to stimuli – becoming more and more active. Taking control.	Active practitioners – initiating developments	Active practitioners – initiating developments and lobbying for changes
Characteristics	Limited by the fact that Government very cautious about what happens in FR. Forced to wait for the government to take steps at their (the government's) own pace. The FD is not inciting the people to take control of the process (not the FR itself).	Considerable investment has been made in awareness raising and giving people opportunities to take control	Driven by a felt need – this is not an experiment – this is the real thing. Cohesive community with shared goal.	The only CBNRM practitioners to be found in this category are NGOs whose aim is to serve the grass-roots. They are “the people’s” representatives. These organisations have sometimes been accused of being “confrontational”.
For example	Chimaliro co-managing villages	Mwanza East villagers Lake Chilwa fishers	Lake Chiuta fishermen	Greenline RUFA

Whilst we can identify that different people fit into different parts of the continuum the stark reality is that most people in Malawi – with respect to management of natural resources – are at the beginning. In fact the majority have not even got on the scale.

THOSE AT THE BEGINNING

The term we have used to describe those people at the far left of the continuum is “passive experimentees”. Some could argue that this is an overly harsh term suggesting that the people concerned are simply succumbing to external ideas and are being used rather like “guinea pigs”. It is a fine line to say whether such people are being experimented on or doing the experimentation themselves. The deliberately harsh term is used to make a point rather than to be completely accurate. It is difficult for passive experimentees to shape their own development (let alone policies) because of the following:

- The policies did not come from the people so inherently there is a lack of ownership of the idea
- The government (whether as an institution or the individuals within it) whilst apparently interested in promoting CBNRM and participation⁴ are not very interested in giving up power

“... the great difficulty in transforming the civil service from a rigid, top-down hierarchy, into one that sees community-participation and the institutional implications of such an approach as something other than a threat to their power and prestige” (Rogge 1999)

⁴ Mainly bowing to donor influence and in order to access funding for CBNRM projects?

- The people in Malawi are so used to a domineering government that it is hard for them to embrace easily the opportunities which CBNRM has to offer and take a leading role
- The rural poor are not “empowered”; they lack information and understanding about their rights.

This discussion is by no means a criticism of the “experimental approach”. Quite the opposite: we will never know until we have tried and we must start somewhere. Ideally, the government should step up its “experiments” with the following cautions:

- a) As much as possible adopt an approach which allows the participants to become *experimenters* rather than *experimentees*
- b) Be aware that the “empowering” process (sometimes called transformation) takes time and can only happen if people are shown the way to take the lead and are given the right tools.

THOSE WHO HAVE MADE SOME PROGRESS

Some CBNRM initiatives have been more progressive. The Mwanza East community also started off as experimentees but the approach used, as much as possible, encouraged the local people to take a leading role and gave them the opportunity to become experimenters. The community did not initiate the activities of the project but they did contribute to its evolution and they are now taking control and playing a full and active role.

Some CBNRM practitioners showed the initiative without waiting for anyone to start it for them. Such examples are the Lake Chiuta fishermen. They responded to what they heard about PFM on Lake Malombe and then decided that they too wanted to be pro-active. They did not wait to be told what to do nor were they motivated by training courses and allowances. They were motivated by their own self-interest to revive their fishery and felt sufficiently empowered to take matters into their own hands. Their activities were legitimised by the Fisheries Department who also gave them support and advice as and when they needed it.

On the far right of the table we have indicated “*Active practitioners – initiating developments and lobbying for changes*”. Ideally with time we might see all and every community in this category. Those in the first category ideally should move into the last. To date we have found few examples. Those which we identified are not precisely community groups but small NGOs usually started up by charismatic individuals who felt personally motivated to “do something” about the state of Malawi’s natural resources. They work closely with the grass roots and advocate for changes on their behalf. The fact that some of these small NGOs have been labelled as “confrontational” by the government tells us a lot about where we are in Malawi with respect to “lobbying” but it also tells us to be cautious.

This discussion is not intended to imply that the majority of the rural people in Malawi who live close to and depend upon natural resources are not aware of their importance nor have any idea about how they can be managed. This would be to underestimate their level of understanding. The ground truthing work under the NFP was very enlightening with this respect. For example, it revealed that communities were well able to understand that in order to manage forest use in open access areas they need not only rules and regulations but also a credible institution to provide adequate local-level authority. This discussion is, however, intended to show that we should not try to run before we can walk. Ideally a higher degree of active

involvement in CBNRM implementation must develop before we can expect the resource users to take the initiative, stand-up and say “No, let’s do it this way”. Not until our passive experimentees have become active CBNRM practitioners can we take the next step.

This subject – which forms the backbone of much of this study – will be addressed again in Chapter 3.

2.3 How are communities involved in CBNRM planning and implementation?

In the previous paragraph we suggest that we should perhaps be looking for a higher degree of participation in policy implementation and the development of CBNRM activities before we can expect a higher degree of involvement in policy debate. This paragraph takes a look at the *institutional arrangements* for involving the resource users in development planning and implementation of CBNRM with the view to looking at whether these same institutional arrangements can also serve as a means of involving the grass-roots in policy debate too.

COMMUNITY CONSULTATIONS AND PROJECT-CENTRED DIALOGUE

We have already discussed how pervasive the current fashion of community consultations has become. Almost any CBNRM and or related project is preceded by PRAs such as the Mwanza project, Lake Malombe PFM, Community Environmental Micro-project Fund, PRA for management plans in Chimaliro, community consultations around the southern national parks etc. Some of these projects have built in regular fora for information and idea exchange e.g. Lake Malombe BVC quarterly meetings. The cost of such meetings does however raise questions about their applicability on a wider scale.

At a higher level the regular CURE environmental coordination meetings allow for exchange of information and ideas.

DENTRALISATION AND ENVIRONMENTAL PLANNING

The new Environmental Planning Framework institutionalised within the Environmental Management Act 1996 states that a district environmental action plan must be prepared every five years and will identify all environmental problems at district level. The District Environmental Officer shall prepare a report on the state of the environment (for the district) once every two years. The District Environmental Action Plan will collate information made available through the Village Development Committees and subsequently the Area Development committees. To assist these latter institutions in their task there is provision for the setting-up of Environmental Sub-committees (could also be called Focal Points) who will address environmental issues and inform the respective Development Committees. The District Environmental Officer will play an integral role in engaging local people in planning for environmental projects.

The limitations of the approach are that it is cumbersome and longwinded. It also states (Section 23 (2)) that: *No person shall implement a development activity or project in any district otherwise than in accordance with the District Environmental Action Plan for the district in question.* Under some circumstances this condition could be seen to be overly limiting.

The strengths of the approach are that it sets up wide-reaching institutional arrangements into which local people can tap to get their views “on board” the District Development Planning process. It is permanent and should reach all parts of the country.

2.4 Summary of Chapter 2

- We should examine the current policies and how they are being implemented before we think of policy reform. The policies might be adequate but there could be problems of implementation.
- It is through taking an active part in CBNRM that resource users can begin to analyse the implications and opportunities of CBNRM and subsequently form their own ideas about how CBNRM should be developed. Furthermore their institutional capacity is developed to the point where the user group has a voice, especially if the advocates are elected representatives of a larger number of interested parties.
- For various reasons the fact is that the majority of resource users embark upon CBNRM as passive experimentees (being experimented upon by change agents rather than being experimenters) and only through the accumulation of experience can their role evolve to one of activators. Whilst this process cannot wholly be avoided the fact is that the resource users must have evolved to some extent out of the experimentee role before they can become lobbyists.

Conclusion

An important mechanism to enable resource users to engage in policy development is first to engage in CBNRM at the implementation level and develop strong institutional capacity. The more they can be empowered in the process, the greater their chance of influencing policy.

CHAPTER 3. INSTITUTIONAL ISSUES CONCERNING ADVOCACY AND POLICY FORMULATION

One of the two main objectives of this study is to make recommendations for how grass-roots advocacy for CBNRM policy reform can be promoted. So far in Chapter 1 we “set the scene”, as it were, explaining what this means. In Chapter 2 we pointed out that we should first examine how and to what extent CBNRM is currently being implemented under the existing – recently re-formulated – natural resources related policies.

The Table 3 shows some of the conclusions from these first two chapters which also show why grass-roots advocacy should be encouraged.

TABLE 3 WHY GRASS-ROOTS ADVOCACY IS IMPORTANT

Drawn from Chapters 1 and 2	Why should we promote grass-roots advocacy
1) The policy formulation process has been/is heavily influenced from external (international) forces	1) Ideally we want to move away from the situation whereby policy is heavily influenced by outsiders – and this will only happen if there is a credible alternative force
2) Local people's views are incorporated following frequent community consultations	2) The consultation approach has limitations.
3) Other factors apart from the policies themselves are constraining the positive impact of community participation policies	3) The policies have undergone recent reform but policies should always evolve and change to adapt to changing needs. The policy reform process should be ongoing.
4) Implementation itself is an important mechanism to allow for grass roots involvement in development planning and subsequently policy formulation.	4) Implementation itself is important for community development but certain advocacy promoting mechanisms – such as channels of communication, attitude of mind – need also to be instituted for maximum effect.

In this Chapter we discuss to what extent grass-roots organisations and the communities which they represent are able to engage in advocacy. This includes a further look at capacity and knowledge (building on Chapter 2, section 2.2) and also a discussion of the institutional arrangements currently in place. The chapter concludes with a paragraph on “challenges” facing grass-roots advocacy for CBNRM policy.

3.1 Existing capacity and knowledge at the grass roots

The Scope of Work asks for an assessment of the “willingness and capacity of these organisations to engage in the debate on policy reform”, “an evaluation of the human resources and skills available within specific organisations” and “the characteristics of CBOs that enable them to have an impact on policy”. Table 4 presents some analyses of these requirements.

TABLE 4 AN ANALYSIS OF THE CONDITIONS WHICH FAVOUR GRASS-ROOTS ADVOCACY

WHAT IS NEEDED	WHAT DO THEY HAVE – AT RESOURCE USER (VILLAGER) LEVEL AND AT THE LEVEL OF GRASS-ROOTS ORGANISATIONS?
<p>Knowledge of existing policies and information about the consequences of different ways of managing natural resources.</p>	<p>On the positive side: There have been and are on-going efforts to communicate policies, legislation and information to chiefs, villagers, NGOs and government field staff. The Forestry Department’s Social Forestry Training and Extension project (EU funded) has as one of its express purposes to educate the FD staff in the new forestry policy, how they can implement this on the ground and communicate the implications to the public at large. There are indications that this is having a positive impact. There was also a recent meeting in Lunzu where Chiefs met with the FD and other interested parties to discuss their role in the implementation of the new forest policy. The FD is also undertaking an exercise to educate local magistrates concerning the Forestry Act as they have been dealing with cases in ignorance of the law. The radio programme “Usodzi wa lero” has been a valuable information spreading and sensitisation tool that has inspired fishermen from as far as Likoma Island to Karonga to initiate Participatory Fisheries Management. The consultants perceived that many people are aware of the decentralization process but there is some confusion about the details. A chief near Ntaja was interviewed and asked what he thought about the fact that chiefs will be non-voting members of the District Assembly. By way of reply he said that this was not so and that chiefs were to be voting members⁵ thereby demonstrating that he had been misinformed or had misunderstood.</p> <p>On the negative side: In spite of the above progress the level of understanding about government natural resource management policies is relatively low. This applies to villagers, local chiefs, various local-level organisations and even MPs. Some of the “messages” have been communicated to village level such as, “<i>community participation is encouraged</i>”, but the level of <i>understanding</i> about how these messages should be <i>translated</i> and put into practice is low. For example many villagers perceive co-management to be working for the government – a modern form of “<i>Thangata</i>” (bonded labour). Others do not understand the change in the regulations with respect to the planting of protected indigenous tree species i.e. that they belong to the one who planted them and no longer the government. Some FD staff members still implement the previous policy and grant permits for timber felling on customary land to anyone without consulting the local VNRMC. There is widespread confusion about who is the custodian of natural resources not within protected areas – it could be the chiefs, VNRMCs or BVCs, the government departments or even the forthcoming District Assemblies. With respect to community involvement within the Wildlife Policy (not yet officially approved) there is very little known as the grass-roots level.</p>

⁵ This is incorrect. The chiefs will be non-voting members.

Analytical skills	<p>On the positive side: Many community consultation exercises such as the Systematic Client Consultation exercise undertaken for MOREA in 1995, the Ground truthing exercise carried out for the National Forestry Programme in 1999, the Mulanje Mountain Conservation Trust community consultation in 1999 and many more, reveal that local people do have a good grasp of the importance of environmental protection and are well able to understand the environmental causes of many problems which they face. One example of villagers demonstrating a perceptive understanding of some forestry issues is the following: The villagers of Maonga and Maosi in Thyolo said that they needed to address the problem of deforestation of bare hills through natural regeneration and not through tree planting but the FD places too much emphasis on tree planting so much so that whilst they knew how to grow trees they did not know how to encourage natural regeneration (Ground truthing 1999). Water (drying of rivers and flooding) is always given as a high priority environmental problem and several CBNRM initiatives started up with this focus e.g. Greenline in Machinga, the efforts of GVH Chilin'goma, Rumphu and villagers of Katobo Village in Misiku Hills.</p>
	<p>On the negative side: The concept of management of natural resource in Malawi is still rather vague. Natural resources in Malawi have been traditionally regarded as "God-given and self-replenishing". Some villagers who claim to be practicing community management of Village Forest Areas are in fact "preserving" woodlands and not using them at all, whilst the woodland outside the VFAs are treated as open access and not subjected to any management at all. As admirable as this might be in one sense (the protection of the VFA) this belies a lack of understanding that all resources need managing and management consists of wise use AND conservation at the same time. It is not practical to preserve large areas of woodland⁶ in Malawi given the high demand for wood products and land and neither is it wise to use areas of woodland with no thought for management at all. Villagers when consulted about environmental problems are often well able to describe what they are and even the causes. There is sometimes a lack of understanding, however, about what they can do to alleviate the problems and people say that "it is up to the government to help". The solutions to water problems are usually given as more boreholes and rarely as increased protection of the water catchment area.</p>

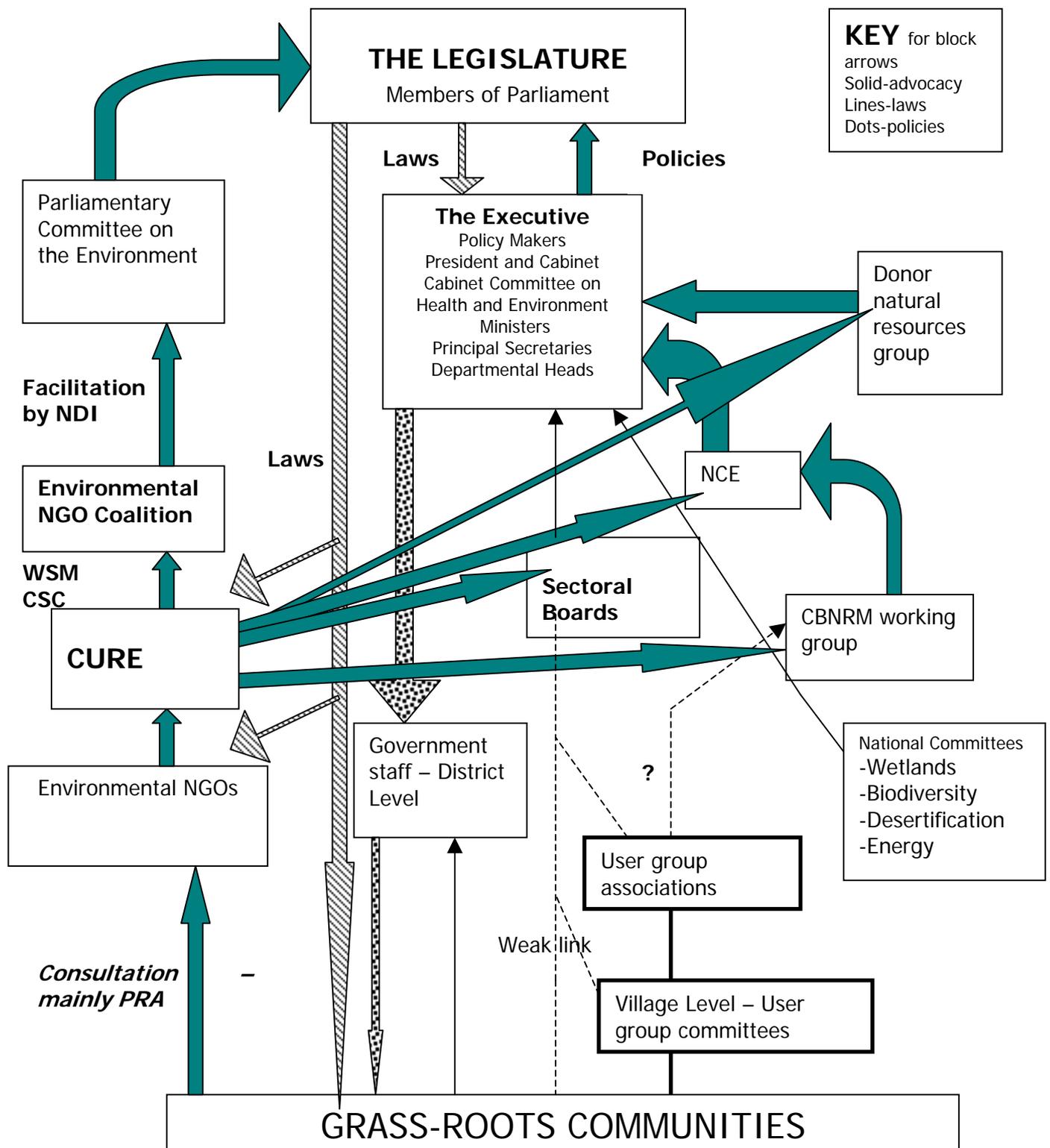
⁶ Except some areas of valuable watershed protection forests and even these can sustain some limited controlled offtake.

Confidence / sense of importance / Gender issues	<p>On the positive side: To a certain extent the introduction of democracy in Malawi (for all its problems) has allowed people to speak freely. When consulted villagers are usually (not always) free to speak their mind. They may, however, present issues with bias e.g. feign ignorance in order to attract training. Women are becoming encouraged to take part in development – and even surpassing men in some arenas e.g. the Malawi Rural Finance Company gives loans to women in the Lake Chilwa area but has stopped giving loans to male fishermen because they rarely repay. Even in remote areas communities are aware that it is appropriate for women to be represented on development committees. Villagers feel free to openly criticise government field staff if they perceive they are guilty of misdemeanours e.g. in a single village meeting held between villagers and the Department of National Parks and Wildlife (DNPW) the villagers cited 6 cases in the recent months of park staff violating park laws. Villagers will also sometimes point a finger at the Village Headman if he is not seen to be acting for the development of the village.</p>
	<p>On the negative side: Poor Malawians are suffering from a “dependency syndrome”, dependency on government or donor projects. Villagers in Nkotakota said there was nothing they could do about reforestation without the government who should provide free inputs such as polythene tubes, wheelbarrows and watering cans, better still free seedlings (Kamangira and Kafakoma 2000). Villagers downstream of Zomba Hospital effluent reported this environmental problem when asked but did not raise the issue on their own initiative despite that fact that the Environmental Management Act declares “Every person shall have a right to a clean and healthy environment” and Section 5 of the same Act details what action people can take to assert this right. The culture of the country suggests that people who “speak out” are troublemakers and opposing authority is seen as a dangerous act as one never can predict the consequences⁷. Constituents do not yet have the power to influence the activities and actions of MPs who tend to follow their own agenda rather than that of the constituents – although this is slowly changing.</p> <p>People living close forest reserves are often told to keep out and yet they see the army entering and casually felling large areas of trees which they carry away in lorries. The poor villagers just accept this; “we can say nothing”.</p> <p>In his thesis on CBNRM in Malawi, Rogge (1999) discusses how “the Banda regime not only had an impact on the material aspects of poverty, but also had an impact on the hearts and minds of the Malawian people”. This impact is still with us.</p>

⁷ See the outcome of the recent peaceful demonstration in Lilongwe on Monday 15th May.

<p>Sense of vision – community based</p>	<p>On the positive side: Some communities seem to live cohesively – differences among them can be resolved so that the outcome benefits the community as a whole. Communities such as these are more able to establish common goals for environmental management and natural resource use and conservation. Communities such as these are both strengthened by a strong traditional leader and in turn offer support to that same institution giving it viability. Communities such as these are more likely to be able to agree about what is preventing them from achieving their common goal. An unlikely example of where multiple interests have converged into community action is evidenced by the Ndirande Mountain Rehabilitation Committee, which has succeeded in setting up a tree-planting scheme in Ndirande Mountain.</p> <p>On the negative side: Some so-called communities appear simply to be a collection of individuals living in the same place. They each have different ideas about how to use natural resources and fail to reach a common consensus. One significant factor that causes community breakdown is when individual economic interest overcomes community interest. This can be seen where members of the community engage in charcoal burning, firewood selling and curio making. Such individuals can make significant sums from engaging in these activities and are not interested in sacrificing their personal benefits for the good of the community. Another characteristic of such communities is lack of strong traditional leadership – to some extent lack of community cohesion causes a weakening in the chieftaincy (some people fail to respect its authority) and is a result of lack of strong leadership.</p>
<p>Organisational capacity – human resources, skills</p>	<p>On the negative side: People who are illiterate have difficulty in using the newspapers as a means of expressing their opinions. Those who have no radio suffer from lack of information. Some communities fail to be united (see above) which in turn makes organisation difficult. Organisation is essential for both CBNRM implementation and advocacy. Any village –level organisation is still “small” and can achieve more if it unites with other organisations with similar goals. Representatives who can carry the issue to relevant fora need to be elected. Organisations will achieve more if they are “institutionally anchored” and linked into decision-making fora on a regular rather than sporadic basis.</p> <p>On the positive side: Traditional Malawian culture relies heavily on consultation and consensus for decision-making. This facilitates successful organisation.</p>
<p>Awareness of institutional mechanisms (also see sub-section 3.2)</p>	<p>On the positive side: The grassroots need to know where to go with their issues. The most obvious targets are Chiefs and extension workers. Those CBNRM practitioners who have been influenced by an external change agent such as a project will automatically address their concerns to this same change agent. E.g. Chimaliro villagers will address concerns to FRIM, the BVCs at Lake Malombe will address concerns to FiD / NARMAP.</p> <p>On the negative side: The Village Development Committee (VDC) is rarely used as a mechanism to address natural resource management issues for two main reasons 1) in many places the VDC does not function and 2) where it does function the agenda seems dominated by physical-structure oriented development. People rarely address natural resource issues to MPs.</p>

FIGURE 2 CHART TO SHOW CURRENT INSTITUTIONAL STRUCTURES PERTINENT TO NATURAL RESOURCE POLICY ADVOCACY



3.2 A discussion and analysis of the current institutional arrangements for grass-roots advocacy

This chapter discusses and analyses the effectiveness of various mechanisms already in place which do or potentially could advance advocacy. Some of the mechanisms are institutionalised within the policies themselves such the Fisheries Management Board and the NCE whilst others are not. To limit this discussion to CBNRM policy is overly limiting. Channels of communication and capacity building which can enable grass-roots organisations to play a role in CBNRM-related policy debate can also enable grass-roots organisations to play a role in other areas of natural resource management and environmental policy OR have an impact on other constraints to CBNRM other than policy. This discussion therefore does not repeatedly refer to CBNRM-related policies only but covers this issue by default.

3.2.1 REACHING THE POLICY-MAKERS

The policy-makers were identified in Table 1. Grass-roots advocacy can be achieved when channels of communication are established between the resource users and the policy-makers. These channels of communication need to be “institutionalised” through the establishment of appropriate structures and procedures and are only effective however where there are “advocates” or middlemen to relay the messages from one end to the other.

3.2.2 THE ADVOCATES – EXISTING AND POTENTIAL

This sub-section describes which institutions and/or organisations can serve as advocates (concerning environmental issues) for the every day public.

Chiefs

Chiefs (Traditional Authority level) have an opportunity to represent the interests of their people at the following policy-influencing fora:

- 1) District Development Committees
- 2) Sectoral management boards – Forestry, Fisheries, Wildlife
- 3) Others such as the board of Mulanje Mountain Conservation Trust
- 4) Local Advisory Committees for National Parks

In addition, the Group Village Headmen sit on the Area Development Committees.

The question is “are Chiefs good representatives of their people”?

Box 5 shows that concerning CBNRM, Chiefs have a vital role to play because they are the *de facto* leaders of the community and CBNRM is a community activity. Activities that are undertaken at the group or club level are less likely to involve the chief. Some people suggest that CBNRM is best implemented through the Traditional Chieftaincy whilst others argue that this is just a way the government departments can “pass the buck” or implement their policy through the colonial-style “indirect rule”. Some people suggest that chiefs have an essential role to play because they are respected and can represent authority which is needed to legitimise CBNRM whilst other people point out that the institution is weak and corrupt and no longer respected. Some people say the chiefs have skills in traditional natural resource

management whilst others say they eschew the participatory and democratic approaches embodied in “modern” CBNRM and point out that chiefs can employ highly top-down approaches to development not very different from the conventional government style.

This is not a subject to be treated lightly and Appendix 4 has been dedicated to exploring the subject further. In summary, we conclude that if the institution is so dysfunctional to be of no value then it should be discarded. If not – and this appears to be the opinion of most people – then it needs to be developed and effectiveness enhanced. This development could take several forms but should cater for the fact that the institution is weak in some localities and strong in others, that chiefs will not be willing to take on extra responsibilities without additional rights and that there must be mechanisms for ordinary people to bring chiefs to account. The Chieftaincy might offer a vehicle for the development of indigenous solutions but if it used by the government as a means of “indirect rule” the potential advantages to the resource users themselves is lost.

BOX 5. GROUP LEVEL VERSUS VILLAGE LEVEL AND IMPLICATIONS FOR LEADERSHIP.

Several women might be interested in raising tree seedlings so that they might have trees to plant and some seedlings to sell. They form a group, liaise with the local Forestry Assistant and start up. Because they will be making decisions and collecting money they organise themselves into a committee with a chairperson, treasurer etc. They resolve their own conflicts.

The next year the Forestry Assistant talks to them about trees in general and how the area of indigenous woodland, which falls within the village open area, is being degraded. He suggests the women form a committee to address this issue. The women however are not the sole owners of this area of land so they go to the Village Headman to discuss the idea. He is interested and suggests that a committee should be formed to deal with the issue. Some of the ladies are elected as members because they have already gained some experience of tree planting and in addition other charismatic and influential members of the village are also elected. This latter committee also has to make decisions and deal with money because they have been given a grant by a local NGO to plant trees and they also plan to make some additional money by selling some firewood from the area.

In the case of the latter committee the VH takes an active interest, when the committee cannot make a decision he is asked for his advice. When the committee earn some money he wants to know the details.

The VH is not a member of either committee BUT he is the overall in charge with respect the second activity but has no role to play in the former activity. The first is a “private affair” and out of his jurisdiction (although he could be called in extreme cases and if the ladies so chose) whilst in the second case he is the *de facto* in charge and the committee is in fact subservient to him and he can heavily influence what they do. This is the difference between group level and village level and shows how the role of the Village Headman changes.

Note:

- 1) This is still the case even if the conservation and management of the area of indigenous woodland still only interests a portion of the community.
- 2) CBNRM can happen at group or village level.

In answer to the question do Chiefs make good advocates for the people, the answer is some do and some don't but that the institution as a whole is in a good position to develop this role. The Chieftaincy consists of tiers - VH, GVH, sub-TA, TA and Paramount Chief, although not all layers are found all over the country – and this means there is already a mechanism which allows bottom to top communication. For many villages the chief would be the first port-of-call to express concern over issues.

One example of this comes from the fishermen of Chia Lagoon. Interested in becoming involved in Participatory Fisheries Management, a group of fishermen approached the Chief Malengachenzi who took the issue, on their behalf, to the District Fisheries Officer.

Members of Parliament

Constituents have elected their members of parliament for the *express purpose* of representing their interests in Parliament. MPs therefore surely must be good candidates for advocating their concerns over the environment. To date there is little evidence of this being so. From the results of some interviews it was disclosed that politicians cause more problems than they solve. They give out money to attract votes rather than present issues; they reduce the concept of development in the mind of the villagers to physical structures such as schools and clinics that they promise they will deliver. They place popularity over and above "real" issues and even distort reality in order to achieve their aims. Few MPs ask the people what they want and people see MPs as government employees as they get loans and cars from the government.

BOX 6: MEMBERS OF PARLIAMENT – HELP OR HINDRANCE?

Mulanje Mountain

"The issues surrounding encroachment of the reserve have become highly politicised. On the one hand with the coming of democracy, people think that they can do as they please. Some encroachers said that they had started clearing land because they had heard politicians saying that they were free to cultivate any land that was not being used, such as indigenous forest, or in between trees in plantations. From the reports made to the Forestry Department, and from what our informants told us, it was clear that many of the ringleaders were party chairmen. Several informants also claimed that the local MP had encouraged them. In fact it was reported that relatives of a local MP had closed the forestry road in order to farm without being hampered by forestry workers.

Despite the democratic dispensation, politicians including the MPs and party functionaries intimidate many people, including civil servants. The Forestry Department, with the support of the Ministry as well as from MMCT, needs to be firm in educating politicians to uphold the rule of law. In co-management politicians should not be given a bigger role than they deserve".

Source: De Gabriele (1999)

Few of the grass-roots informants indicated that the MP would be an obvious channel of communication concerning environmental issues.

To a certain extent this situation is to be expected. Many communities themselves do not rate environmental concerns as their priorities and until this is so MPs are unlikely to do so. The onus is on the communities themselves to show to the MPs what they expect from them and communities should be encouraged to take the lead in this respect.

The evidence is not all bad though. Several MPs have been seen to take a keen interest in environmental concerns, which is initial progress in to taking up a role as advocates. Recently, MPs have received training and workshops to try to re-orient them towards the needs of the people. The fact remains, however, that MPs concern themselves with all developmental issues and not just natural resource issues. The Parliamentary Committee on the Environment has recently been formed although it is yet to meet. This could become a valuable target for grass-roots advocacy.

MPs also have the opportunity to propose a private members bill to Parliament concerning any issue they choose. If this bill is passed it becomes law. This is a mechanism for bringing about changes whilst by-passing the “conventional” government policy-making processes (i.e. through the relevant Ministry and Minister) which can be cumbersome. Such a process could be used to address omissions in certain policies.

Environmental NGOs and church organisations

Large NGOs, which are well known and respected, can make good advocates for the grass-roots. CURE for example is recognised as an umbrella organisation for all environmental NGOs and is a credible organisation in the eyes of the government. CURE sits on the following policy-influencing fora:

- Forestry Management Board, Strategy Area Co-ordinating Committee for Indigenous Woodland Management Research
- Meetings of the Donor Natural Resources co-ordination group
- NGO coalition for liaison with the PCE (NDI initiated)
- National Council for the Environment (pending)⁸
- CBNRM working group that reports to the NCE

Other strong NGOs with interest in the environment are Christian Service Committee and Wildlife Society of Malawi who also join with CURE in the NDI-supported NGO Coalition for liaison with the PCE. In 1995 CURE also established an Advocacy Task Force which consists of a range of NGOs. Many of these have their own advocacy programmes.

Smaller NGOs such as Greenline or RUFA can also serve as mouthpieces for the communities with which they work. They work very closely with the grass-roots and are more accessible to the grass-roots than even a larger organisation such as CURE. On account of their size such organisations are, however, less likely to have a big impact alone and linking with larger NGOs such as CURE is also advisable.

Churches have immediate links with the grass roots through their congregations and the Livingstonia Synod recently used questionnaires to ask the congregation and ministers to identify priorities for the development department.

Resource user organisations

In this context we are making a distinction between small NGOs such as Greenline or LOMADEF and associations or committees such as NAPEMERAMA or the Ndirande Mountain Rehabilitation Committee see Box 7.

Box 7. DIFFERENCE BETWEEN NGO AND USER ORGANISATION.

Quite simply a user organisation is made up of the resource users who are organised. Usually they form committees and one or two members from many committees can then join together to form an overall association. A local NGO is usually an organisation established by one or two people (who may well be community members) whose purpose is to serve the needs of the grass-roots. The main difference is that the former are the resource users whilst the latter serve the resource users.

⁸ Currently the NGO member of the NCE is Plan International and CURE is an invitee. It was discussed, however, that CURE should replace Plan as the member and this has been agreed.

These user organisations have the potential to advocate for their own causes but to date they tend to be small and they are not institutionally anchored into policy-influencing fora. Sometimes Chiefs are members in such associations, such as the Lake Chilwa Fisheries Association (LCFA) who do have access to the relevant fora (TA Mwambo is, for example, Chairman of the LCFA and sits on the Fisheries Advisory Board). A user organisation such as the Timber Growers Association is a member of Forestry Board but the main interest of this organisation is not CBNRM. The Ndirande Rehabilitation Committee, for example, has no direct access to any appropriate fora. Either their chiefs or organisations such as CURE or WSM represent these organizations.

Ward councillors

Ward councillors will be elected as part of the decentralisation process. They will be elected – like MPs to represent the interests of the people who vote for them in a forum where decisions about their development will be made i.e. the District Assembly.

Ward councillors are potentially good advocates for the people, as they will be operating at district level. It should be noted however that policy-making will remain the responsibility of central government and not the responsibility of District Assemblies.

Government departments - Extension staff, District Environmental Officer.

It would be a mistake to constantly assume that NGOs are “near the people” and government is not. Many government departments have extension workers and field assistants who are “near the people”. Whether such people can serve as good advocates for the grass roots is discussed in sub-section 3.2.3 under Extension Feedback.

Summary of sub-section 3.2.2.

Advocates	In summary
Chiefs	Chiefs are very important – but we should not rely on them entirely on account of certain weakness in the institution.
MP	MPs could be important but at the moment they are not very promising. The onus is on the constituents themselves to force the MPs to change (voter power). They can only do this if the constituents themselves undergo the type of transition discussed in sub-section 2.2 and acquire the characteristics described in Table 4.
NGO	Crucial but the advocacy programme of the NGOs could benefit from being more focused and more ambitious. The NDI initiative is a very positive development.
User organisations	To date the development of user organisations as an advocate for the users is poorly developed. This is potentially a very important area that could benefit from development. The reasons for lack of impact to date are linked to the limitations addressed in Table 4.
Ward councillors	So far they are not in place. They could play an important role, as they will have considerable power at district level. The drawback is that they are not focused on environmental issues only.
Government extension workers, DEO, etc	Such people probably have a very good understanding of the issues facing village people on a day to day basis. Some are however “conditioned” to think in a certain way, which would prevent them from being open-minded – although this is changing. The biggest limitation is distance between the fieldworkers and Departmental Heads and that fact that there is a natural resistance to “reforming oneself” if this involves giving anything up.

3.2.3 THE FORA (EXISTING MECHANISMS AND INSTITUTIONS)

Management Boards

The Forestry Act provides for a Forestry Management Board, the Fisheries Act a Fisheries Advisory Board and the Wildlife Act the Wildlife Research and Management Board. The role of the boards is to advise the Minister on all matters relating to the sector.

The main mechanism by which the grass-roots can influence the discussions at the board level is through the Chiefs, NGOs such as CURE or WSM who sit on the Forestry Board and Wildlife Board respectively or representatives of various associations such as the Lake Chilwa Fishermen's Association (this is the only user organisation represented on any of the boards)

The strength of this approach is that the Minister responsible is (in theory) obliged to take heed of recommendations made by the board. The weakness of this approach is that it is heavily influenced by the respective government departments, (through provision of secretariat, choice of chairperson and those members not determined by their office), they are notoriously non-functioning e.g. the Wildlife Board seems defunct, Forestry has met just once (although the Act was passed in 1997) and the Fisheries Board is not yet gazetted.

The National Council on the Environment

The NCE was established by the Environmental Management Act 1996. Its primary role is "*to advise the minister on all matters and issues affecting the protection and management of the environment and the conservation and sustainable utilisation of natural resources*". It is an obvious conduit for informing policy on the strength of its proximity to the policy makers. Grass-roots organisation can influence the discussion through CURE (an invitee), the NGO member (Plan International), or by approaching the Council directly. The NCE are also informed by the details within the DEAP for each district which shall in turn identify the environmental problems of each district. The strength of the NCE as a policy-influencing forum lies with the members who are or are close to the policy makers. Following the advice and evidence presented by the NCE the President recently agreed to make a Presidential Statement about the state of soil erosion in Malawi. The weakness of the approach is that it is government oriented and unlikely to address itself to controversial issues. Furthermore the members concern themselves with all environmental issues, are not focussed on CBNRM and according to the NCE Chairman (pers. comm. 2000) many of the Permanent Secretaries have never attended a meeting. The NCE is a long way from the grass-roots and the links are not strong.

CBNRM Working Group

In order to advise and direct the NCE with respect to CBNRM issues specifically a CBNRM Working Group as recently been established. Amongst its roles we see:

The WG shall coordinate the formulation and implementation of policies and programmes/projects relating to CBNRM in the country.

- *Ensure the development of elaborate procedures for ensuring representation of local communities in the CBNRM process.*
- *Give guidance on the development and review of sectoral policies that impinge upon CBNRM activities in the country.*

CURE is also a member of the CBNRM working group. The strength of the group as forum for grass roots advocacy is its proximity to the decision makers and the nature

of its TORS. The weakness is the lack of direct links between the grass roots and the WG that is also heavy with government representatives compared to non-government representatives, which will have an impact on the nature of the discussions.

The environmental NGO coalition

A recent initiative has been undertaken by National Democratic Institute to support a process of informing the Parliamentary Committee on the Environment (PCE). The PCE is in a position to present certain environmental issue to the Cabinet but it is really a **target** for the grass-roots advocacy programmes rather than a **conduit**. Via a number of NDI supported workshops an environmental NGO coalition has been formed which consists of CURE, WSM, NICE, Nkhomano Centre for Development and CSC. There is also an agricultural coalition. Having discussed various issues the coalition have decided upon a certain issue which they consider to be a priority for the people of Malawi. They then collect all relevant data and information to confirm this choice and to demonstrate the relevance of the issue and what can be done about it. This issue, plus supporting evidence, is presented to the PCE.

This coalition is a temporary structure with an advocacy agenda limited to one specific issue – in this case the issue of alternative fuels and fuel efficiency. In the future another coalition with interest and experience in a slightly different environmental field might liaise to bring a different issue to the attention of the PCE.

The strength of this approach is that it is very direct from the grass-roots representatives to the PCE. The coalition – whilst avoiding controversy at this stage – can present a position independent from the government. Another of the strengths lies in the formation of linkages that should be maintained thereby opening a quick channel of communication from grass-roots to parliament. The process of getting NGOs actually working together also has the effect of enhancing their strength both by sharing experiences but also by presenting a united front. The temporary nature of the NGO coalition is a drawback and the approach is also yet to be completed and tested to the full.

This process also enables feedback. Members of Parliament can take issues learnt from the coalition back to their constituencies.

Donors Natural Resources Co-ordination Meeting

This informal forum, also attended by CURE as a representative of the grass roots, is valuable because the donor and international community have enormous influence over natural resource issues. The meeting is chaired by UNDP and includes members from USAID, DFID, EU, DANIDA, the World Bank, the Director of Environmental Affairs and the Principal Secretary for the Ministry of Natural Resources and others. Like the PCE it could be seen as a target for advocacy programmes rather than a conduit. The consultants learnt that some key players do not regularly attend thereby weakening the meeting's influence.

Extension feedback and government departments

This approach relies on the close relationship between extension workers (be they from government or NGOs) and the CBNRM practitioners. Many villagers feel most comfortable explaining their views and ideas to those people with whom they work

on a regular basis⁹. Furthermore these people are easily accessible. Depending upon the working framework within which these extension workers find themselves issues can be transmitted to their superiors. Their superiors might well have access to policy-influencing fora. One example is the PFM on Lake Malombe. There, regular meetings are held between the BVCs, the Fisheries Department and the NARMAP project. The particular purpose of the meeting is to encourage two-way dialogue about PFM issues. Such interactions helped to feed into the Fisheries Policy.

The strengths of this approach is that the resource users feel free to express themselves to people they see everyday – and do not necessarily wait to be asked – and the immediate recipients are concerned with the very issue on hand (unlike for example members of a VDC who are concerned with **all** development issues). The weakness is that not all extension workers have good access to a reliable conduit for issues from the field. They might be able to inform the District Officer who might not take the issue further. Other limitations have been mentioned in sub-section 3.2.2. With decentralisation this method might become more effective as the target group (one at least) comes nearer to the people.

The Forestry Policy, to its credit, includes a number of strategies for updating the policy such as:

2.3.4.1 Introduce regular policy meetings for partnership participation that includes the public and private sectors, NGOs and the local and peripheral communities.

And

2.4.1.16 Review the national forest policy biennially and ensure that any updating of the policy should be done in harmony with other related policy issues.

There appears little evidence that either of these strategies has been implemented but the Forestry Department – through the NFP – has recently undertaken a ground truthing exercise for the purpose of testing the policy on the ground.

Decentralised Planning and District Level Environmental Committees.

One way for the District Assembly to be informed about environmental issues will be through the State of the Environment Report (SOER) which must be prepared once every two years. The preparation of the SOERs should involve widespread and thorough investigations of all environmental issues in the district. Villagers wanting to influence action plans concerning the environment can do so through this mechanism, which will in turn influence policy. The strength of this approach is that it is institutionalised, covers the entire country and repeated regularly. The weakness is that it is cumbersome and longwinded.

Environmental sub-committees

In order to make up for the fact that VDCs, ADCs and DDCs are multi-sectoral there is a provision for any number of sub-committees to be formed as appropriate. This is a mechanism that allows local environmental issue to be discussed. For grass-roots organisations and local NGOs to obtain access to such committees would add to their

⁹ Some respondents complained that some government extension workers did little, were corrupt or drunk or there were none in the locality. In cases such as these certainly no “close relationship” exists.

value as a fora for grass-roots advocacy. One example of a District Level Environmental committee is the broad-based Mzuzu City Environmental Action Committee formed in January 1998 in order that a wide range of stakeholders concerned with environmental issues in Mzuzu might have a forum to discuss issues, co-ordinate activities and jointly solve cross-sectoral problems. Having a wide base and good access to decision makers at city level makes such fora valuable for addressing grass roots issues.

Associations

Associations as advocates for the grass-roots have been discussed in sub-section 3.2.2.

To date associations are not institutionally “anchored” into the framework depicted in Figure 2. Ideally they should be represented on district level environmental committees or sectoral boards and have good links with NGO advocates such as CURE, WSM or CSC.

The NGO advocacy programmes

NGOs such as CURE and WSM, etc. have their own advocacy programmes. They may employ several different means to “get their point across”. To date NGO advocacy programmes have been “quiet” with more emphasis on awareness raising rather than tackling issues. To date the most notable recent progress made has been.

- The formation of the environmental coalition for lobbying the PCE
- WSM, CURE and Christian Service Committee (CSC) have recently been reviewing their advocacy strategies.

CSC, for example, is the secretariat for a group of church-related NGOs called the Churches Development Coordination Committee (CDCC). This Committee will draw up an advocacy programme for a range of issues (not just CBNRM or policy issues) which is likely to consist of mounting campaigns, use of radio and newspaper etc. Recognising that “numbers matter” and that different NGOs have interests in different issues CSC also envisages linking with other NGOs (not members of the CDCC) to form temporary alliances in order to tackle specific issues. This avoids duplication of effort and enhances effectiveness. Issues will be identified through consultation with the development departments of all members of the CDCC.

3.2.4 OTHER METHODS

Other mechanisms for promoting community involvement in policy debate that are worth mentioning are:

- The DEA organised a field trip for Ministers and MPs to Nkhula Falls power station in 1997. This was intended as an educational trip to inform and educate the policy-makers. In this case there was no follow-up and overall impact is unknown. As a method this direct approach of “taking the decision-makers to the problem” has a lot of advantages (also see Box 8). It also suffers, however, from some of the drawbacks of the consultation approach in that it is up to the decision-makers how they use the experience.

BOX 8 THE USE OF RRA TO INFORM POLICY

The material for this box is drawn from a paper which describes how top policy makers in Guinea participated in some Rapid Rural Appraisals specifically to prepare them for the formulation of a new Land Policy. Here are some extracts.

"The Guinea project took a different and, I am convinced, a better approach. Most of the team members were mid- to upper- level government officials from a wide range of ministries responsible for writing and implementing the landcode"

"For many, participation in the RRA allowed them to reactivate their own cultural intuition and value their personal indigenous knowledge"

"They were deeply touched by what they had learned and were convinced of the importance and relevance of the information to the policy debate"

"Instead of a team of outside consultants having to convince key government actors to accept the credibility of their information the Guinea officials has the task of convincing their colleagues based on their own experience"

"Policy makers have and will continue to benefit from RRA reports prepared by outsiders for their consideration. But learning is more profound and lasting when it comes from personal experience"

The paper goes on to discuss the practical details of involving top officials in RRA, the cost, the need for regular immersion in such learning experiences – not one-offs – and how the approach can be complemented by other methods.

Finally on a bittersweet note the author concludes: "Good RRAs expose competing interests, challenge orthodox assumptions and reveal complexities that make decision-making very difficult.

(FREUDENBERGER 1996) (ALSO SEE APPENDIX 5)

- In 1998 a Traditional Leaders Environmental Forum was proposed by Makosi ya Makosi M'belwa. The intention was to provide an opportunity for Malawi's Traditional Leaders to develop a common approach to natural resource management in the modern context. For one reason or another this never materialised.
- The National Institute for Civic Education (NICE) has a very extensive programme of sensitising the grass roots to topical issues e.g. elections, thereby promoting their capacity to engage in debate and dialogue concerning such issues. There is a NICE officer in every district and the environment is one of the key themes. The district officers train "para-civic educators" who can then train other community members. In this way, some districts have nearly 3000 trained civic educators. The aim is to ensure there are information conduits reaching every village in Malawi.
- Consultations: The consultation approach has already been discussed in Chapter 1. Recent examples of consultation directly concerning or at least related to CBNRM include:
 - The Presidential Commission of Inquiry on Land Policy Reform used public hearings, special hearing and workshops to learn the views of ordinary people, local leaders and others.
 - On Lake Malombe the Divisional Fisheries Officer undertook consultation in order to inform the Fisheries Department about what sort of policy to develop with respect to artificial reefs as fish sanctuaries
 - The on-going NFP undertook a ground-truthing exercise whereby the Forest Policy was "tested" on the ground by carrying out extensive community consultations.

3.3 Challenges facing grass-roots advocacy for CBNRM

The disparity between what are the requirements of the grass-roots to engage in policy debate and the actual capacity clearly offers a challenge. There are however other challenges which might constrain this transition some of which are particularly pervasive.

- It is necessary to reorient people in positions of authority to the view that communities should lead the process and this applies to NGOs and CBOs themselves. Whilst there is an assumption that NGOs “are nearer to the people”, even NGOs can have a top-down, we-know-best approach to community projects.
- Government has a tendency to try to retain overall control. Promotion of community participation is all very well – up to a certain point. Thereafter, the government might see community empowerment as a threat and there is indeed some logic behind this. Civil servants might feel they “are being asked to ‘reform’ themselves, their power bases and their livelihoods out of existence” whilst elected members of government will be forced to tackle real issues rather than spout rhetoric if the population becomes more demanding. It is difficult (but not impossible) to empower another without relinquishing some of your own power.
- Development activities in Malawi are being hindered by the “incentive” culture that is being encouraged by some projects and NGOs. In short some communities are being given incentives (which amount to them being employed or bribed) to participate in development projects – which in turn leads the people to believe that they are being motivated in order to achieve the objectives of the project rather than their own objectives. This occurs to such an extent that they subsequently feel disinclined to participate in other development initiatives even when they are being introduced as much as possible in a way to encourage self-ownership and self-development. In short, the “incentive culture” is disempowering local communities.

3.4 Summary of Chapter 3

- The grass-roots (or the resource users) have some of the characteristics needed to engage in policy debate but overall their limitations outweigh their assets.
- In particular, the grass-roots are weakened by their lack of knowledge and information concerning their rights and lack of organisation at user level.
- At the next level up there are, however, several advocates whom the users can target and several enabling institutional arrangements.
- In order to promote grass-roots advocacy it is necessary to highlight and target the “weak links” rather than establish new institutions.
- There are several pervasive constraints to grass-roots advocacy, which will take time, commitment and a change of attitude, especially on the part of government, to combat.

SECTION 2: OUTPUTS

This is the output section and consists of two chapters as follows:

Chapter 4. Agenda for Advocacy. Initially intended to be an Agenda for Policy Reform this output has instead encompassed both policy issues and implementation issues. One of the main findings of the study is that policy alone is not a major constraint to CBNRM and that there are other issues to do with implementation¹⁰. This section is confined to a description of the issues, discussion and action required.

Chapter 5. Action Plan for enabling greater grass-roots advocacy on natural resource policy. This output is confined to describing action that needs to be taken to enable grass-roots a greater voice in future.

There are some issues that could be included in both outputs. For example “communicate policies to the grass-roots in user-friendly formats” would remove one constraint to policy implementation as well as enable greater grass-roots advocacy. The consultants have tried to deal with this complexity as logically as possible and have indicated such dual-purpose action where appropriate.

¹⁰ Not **all** implementation issues have been addressed. Initially, in accordance with the Scope of Work, the consultants confined their deliberations to policy issues until it became obvious that implementation issues could not be avoided. However, time did not permit a full analysis of all constraints to implementation of CBNRM related policies.

CHAPTER 4: AGENDA FOR ADVOCACY

Impact Area	Type of issue	Rationale
1. Building capacity of communities to take advantage of CBNRM (transformation)	IMPLEMENTATION ISSUE, also an ADVOCACY ENHANCING ISSUE	One reason why policies are not being “instantly” effective is that communities are not capable of taking them up. Communities are lacking information and capacity. They are disempowered.
2. Local-level institutional arrangements for CBNRM implementation	IMPLEMENTATION ISSUE, also an ADVOCACY ENHANCING ISSUE	Institutional arrangements at the grass-roots are weak. The most robust institution, which can deliver CBNRM, is the Traditional Chieftaincy – but there are problems here. Alternatives must also be considered e.g. associations
3. Sensitisation and mobilisation of policy makers (transformation)	IMPLEMENTATION ISSUE, also an ADVOCACY ENHANCING ISSUE	For various reasons policy implementers are not “pushing” CBNRM, exhibiting a lack of will at the higher levels. Those at the top are “far” from the grass roots and not always aware of the problems on the ground.
4. Fisheries issues	IMPLEMENTATION ISSUE POLICY ISSUE	Despite some progress with implementing CBNRM within the sectors of fisheries and forestry very few (if any) management agreements, legitimising CBNRM, have been drawn up between the Minister and the resource users. CBNRM is lacking a legal basis.
5. Forestry issues	IMPLEMENTATION ISSUE UNOFFICIAL POLICY ISSUE POLICY ISSUE	Forest reserves cover a considerable area of land in Malawi and yet progress to involve local people in their management is minimal. It would appear there is an “unofficial” policy to “go slow” as far as CBNRM and reserves are concerned. In addition there is timber felling on customary land without VNRMC approval, confusion about the status of the “protected” tree species and collection of revenue from customary land still goes on.
6. The development of CBNRM of wildlife and national parks	POLICY ISSUE	CBNRM within the wildlife and national park sector is stumbling. Local people are permitted limited access to only very minor resources. Sharing of park revenue is having little impact and the approach is lacking focus. The severe limitations of the parks is acknowledged; nevertheless, the policy itself is weak.
7. Land and natural resource tenure issues	POLICY ISSUE	There is little evidence to suggest that Land Reform will have much of an impact on CBNRM. The legal tenurial arrangements over natural resources is, however, not clear and a possible stumbling block to CBNRM
8. The possible impact of decentralisation	POLICY ISSUE	Whilst decentralisation in many respects could promote CBNRM there are some risks. The risk is that in order to earn money the Assemblies will want to retain revenue that should be shared with the community managers – also power.
9. Water Resources Management	POLICY ISSUE	Water resources management impinges on many other sectors. There is some lack of clarity with regards to roles of sectors for watershed protection.

IMPACT AREAS 1 TO 2

These issues are described in Chapter 5. These issues will also have an impact on enhancing advocacy. The way the actions assist policy implementation and policy making are sufficiently similar as to negate the need for repetition.

Impact area 1 see Action Point 1 and 6

Impact area 2 see Action Point 3 and 5

IMPACT AREA 3: TRANSFORMATION OF POLICY MAKERS AND GOVERNMENT IMPLEMENTERS

This issue is also addressed in the Action Plan as clearly the “attitude” and of the policy makers has a considerable impact on the effectiveness of the advocacy programmes.

Issue 1. There is reluctance by government institutions and the individuals within them to devolve power to local people

There would appear to be some reluctance amongst government institutions to devolve genuine power and decision-making responsibilities to local people. Some decision makers appear to dwell on the risks associated with community management and not the benefits. This is commendable if the driving force is interest in wise natural resource management and the welfare of local people but less commendable if the driving force is self-preservation and power retention. Many of the policies concerning community management rely very heavily on government sanction (e.g. the Minister *may* enter into an agreement etc.) and as discussed elsewhere it would appear the government departments still intend to retain overall authority for many of Malawi’s natural resources be they in protected areas or on customary land.

Management agreements are important tools for power devolution as they can designate the roles of various parties, which include Right, Revenues and Responsibilities (the 3 Rs). They can stipulate a period during which time the 3Rs are in force and as a signed legal document on paper they represent a tangible indication of power-sharing and so they are a means by which a weaker party can bring a more powerful party to account. They can represent security in an otherwise insecure situation. They need not confer ownership which in itself is a rather difficult to define concept and not always useful. Another way of giving villagers secure right of management is the approach being recommended for the Nankhumba peninsular. In this case the village establishes itself as a trust which can then gain title to all the village land and all its natural resources.

Impact

The impact is an apparent lack of “commitment” and “drive” amongst the public institutions to proceed with CBNRM, which in turn hinders CBNRM development. Another impact is that CBNRM which is heavily government controlled might fail to instil the appropriate level of “ownership” of the process amongst the community

and the eventual outcome is not CBNRM at all, it is government management only with slightly different goal posts.

Action

- Use video made by the community themselves (with assistance) to show government officials how CBNRM is working in fisheries and forestry for example.
- Empower the communities so that they are able to a) demand more from the government (see Action Plan) or b) undertake CBNRM by side-stepping the public institutions.

Issue 2. Government departments are no longer functioning effectively

Sadly there is a general paralysis in many public institutions and those concerning management of natural resources are no less effected. These institutions do not function as they should and this affects implementation of all policies not just those related to CBNRM. For example, the Department of National Parks and Wildlife have a policy of conserving Malawi's wildlife but the reality is that Malawi's wildlife is rapidly disappearing policy or no policy.

Impact

The impacts are many and wide reaching. In CBNRM scenarios where the government is required (as dictated by its own policies) to play a significant role as partner, it is failing thereby negating the impact of these policies. As we see in Issue 1 above the government intends to retain an overall controlling influence on CBNRM initiatives but if it cannot do this the risk is that government will "block" CBNRM. Given that many communities in Malawi also lack capacity to simply "do things on their own" we find we have reached a stalemate situation as described and discussed in Box 9.

BOX 9 THE STALEMATE

Government maintains that it should retain overall control over natural resource management and this includes CBNRM initiatives. The main argument is that local people lack the correct level of understanding, skills and capacity to "go it alone". This is a fairly realistic argument. The problem is that the government must then enhance local capacity through extension and training. The Government appears not to have the capacity to do this. The end result is the government argues that it cannot proceed with CBNRM as this relies on an empowered local population that the government appears unable to create. End result = no progress. Similarly if the government insists on a partnership approach then it must also to be able to fulfil its part in the partnership. This it is also failing to do e.g. sanction management agreements, share revenue. If the government cannot fulfil its part in a partnership the partnership does not exist.

This stalemate situation is preventing progress in CBNRM

Action

The requirements needed to revitalise the public institutions are enormous and this remains a great stumbling block to development in Malawi. The raising of civil servant salaries and cutting the work force are the most oft-cited requirements. If this were not difficult enough (lack of money, donor policies, political connotations) these interventions alone would not reverse the current situation of decay in both

infrastructure and “attitude” with which the government departments are riddled. This document is not the appropriate place to discuss this issue in great length, suffice to say the following actions might have a positive impact:

- Decentralisation might be the change that is needed to revitalise the civil service
- Build community capacity – so that communities can do things on their own without waiting for government e.g. the NICE initiative amongst others
- Harness the energies and capacities of NGOs to complement government efforts

IMPACT AREA 4: FISHERIES

Issue 1. Legal recognition of participatory fisheries management

Legally recognised authority and ownership of natural resources is a basic requirement for full commitment of communities to manage the resource. It is also essential that roles and responsibilities of the participating partners in the management of natural resources are clearly defined, and documented.

The Fisheries Conservation and Management Act (1997) provides for local community participation in the conservation and management of fisheries in Malawi stating under Part III Section 8 (1): -

For proper management of fisheries, the Director may enter into fisheries management agreement with a fisheries management authority providing for

-
- a) *A management plan and*
- b) *Assistance to be provided by the Department of Fisheries*

The draft Fisheries Conservation and Management (Local Community Participation) rules 1998 states that:

these fisheries management agreements, and the rules through which they will be implemented, will be agreed between the Fisheries Department and the Fisheries Association (representing the BVCs of a fishing district) at the level of the fisheries district (or other equipment area represented by the Association).

The Director of Fisheries despite considerable donor support including GTZ (NARMAP) and UNDP since 1993, has not to date entered into a single fisheries management agreement.

Impacts

With no fisheries management agreements the 165 Beach Village Committees and the 3 Fisheries Associations and the entire fisheries co-management programme has no legal basis.

Without legal recognition of the BVC and Fishermen’s Association their office bearers are not appointed Honorary Fisheries Officers under Section 4 of the Act. This means they are thus are not legally empowered e.g. to arrest persons suspected of breaking the law or seizing and detaining fishing gear, etc. nor are they indemnified against civil or criminal actions arising from their performance in good faith of their duties under the Act. This considerably weakens community fisheries co-management.

Action

- CBNRM working group to bring this issue to the notice of the National Council of the Environment and through the Principal Secretary of the Ministry for the Environment and Natural Resources (who is a member of the NCE) bring pressure to bear on the Director of Fisheries to fulfil this formality through District Fisheries Officers.

Issue 2	Revenue sharing
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Fishery license fees are all remitted to the central government treasury, despite being collected largely by the Beach Village Committees

Impacts

The collection of license fees involves a cost to the community in time and effort. The functioning of BVCs and/or the fishermen's associations involves costs that need to be covered if these community management organisations are to continue to be effective. Currently their only source of income is in the form of fines imposed for breaking the regulations.

Action

- Along the lines of the approach adopted by the DNPW where a percentage of park entry fees are handed over the local people it is suggested that MoNREA should resolve this issue with the Minister of Finance and establish a mechanism whereby a significant proportion of the license fees are returned to the user group management body.

Note: With decentralisation to District Level the fate of all license fees will be radically changed and brought under the jurisdiction of the District Assembly who will also determine the level of fees and licences.

IMPACT AREA 5: FORESTRY

Issue 1: Village Natural Resource Management Committees are weak and unfocused

There are many villages in Malawi with no VNRMCs and there are others with VNRMCs who do not know what they should be doing, are not organised, have no skills or knowledge concerning trees, forests, leadership, bookkeeping or community mobilisation, have no "credibility" with the community or are simply defunct. The cause of this is lack of "intrinsic" capacity to manage natural resources and inability of the Forestry Department to build the capacity.

Impact

The impact is that communities have little capacity to take on the responsibility of community woodland management. The result is that despite the new Forestry Policy deforestation and environmental degradation continues unabated.

Action

First and foremost it should be recognised that on-the-ground extension support is the most effective tool for achieving capacity building, much more important than training courses which are sometimes over emphasised. It is not unusual for CBNRM initiatives to be delayed “waiting for training”, whilst such training courses often lack impact if they are undertaken in a vacuum or when the participants do not know what they are trying to get from the course. Worse still the participants often are replaced when the initiative really takes off, as it is only then that the community know who is the best person for the job. Training is best done later on when the actual training needs have become apparent and the indigenous skills and knowledge have had time to “surface”. Furthermore the participants are able to engage with the course more effectively when they understand how the skills will be used. On-going extension support, which could be seen as on-the-job training is far more valuable.

- The Forestry Department to step up its extension efforts to reach villages
- FD to seek stronger relationships with NGOs who have an important role to play in developing institutional capacity at the grass-roots e.g. NICE (see Action Point 4 of the Action Plan)
- FD to seek donor funding to continue to train forestry extension workers so that they may impart their knowledge to farmers and communities e.g. extension of the current Extension and Training Project (EU funded)
- Consider the appropriateness of current field manuals that are available for extension workers and communities and if necessary update, redesign and distribute.
- Training and institutional capacity-building of VNRMCs need not take place out of the village environment thereby reducing costs
- Training can be shared between forestry extension workers and others e.g. community development assistants
- Waiting for training should not be used as a “block” to CBNRM nor should its provision be used as an artificial “incentive”

Issue 2: Lack of clarity about who is overall custodian of customary land woodland

There is still confusion over who is the overall custodian of customary land forest. Is it all members of the community, traditional leaders, VNRMCs, the Forestry Department – or when decentralisation is instituted – the District Assemblies? The word custodian is used but the concepts that need clarifying are:

- Ownership
- Management responsibility
- Rights to benefits and access

For example there is confusion as to whether the protected indigenous trees species¹¹ are still protected. The Act itself is confusing see Section 34 and Section 83 (2).

Section 34 (1)

¹¹ These species such as Mlombwa and Mbawa appear to be selected not because they are endangered (there are other tree species which biologically are more threatened) but because they are valuable. This sends the message that local people are free to grow and manage invaluable tree species but valuable tree species are reserved for the Forestry Department alone. What sort of message is this?

Any person who or a community which protects a tree or forests, whether planted or naturally growing on any land which that person or community is entitled to use, shall acquire and retain the ownership of the tree and forest with the right to sustainable harvest and disposal of the produce/

Section 83 (2)

No indigenous endangered tree species shall be cut down without the written permission of the Director of Forestry

Also see Section 46 which states that:

Unless under a license, no person shall –

a) Cut, take, fell, destroy, uproot, collect and remove forest produce from a forest reserve, customary land, public land and protected forest area.

And section 50 (1)

Any resident of any village may collect forest produce from customary land other than VFAs for domestic use.

Also Section 32 (1)

The Minister may make rules that shall apply to all customary land outside forest reserve and protected forest areas

There is a pronounced emphasis on government authority over trees and forests on customary land.

At the recent workshop in Lunzu, organised by the Forestry Department, the Department placed emphasis on the role of the Traditional Leaders and yet according to the Forestry Act they have no **formal** powers concerning management of trees and forests – only VNRMCs for example are able to draw up by-laws and enter into management agreements.

Impact

The inappropriate allocation of rights, responsibilities and benefits has been one of the major causes of natural resource degradation in Malawi to date. The new Forest Policy was intended to correct some of this imbalance. For example how can local people be expected to take care of trees when the FD has assumed overall authority to such an extent that timber trees can be removed from village lands without local consultation? The new policy is not sufficiently clear as to present a convincing case that this imbalance has been solved. For example, some FD staff members still license the felling of timber trees from customary land without any local consultation. Patrolmen are still patrolling customary land forest, “protecting it”, “managing it” and collecting revenue.

Action

- Clarity is needed – and the FD to show the people that it is serious about community management
- More effort to define responsibilities, rights and access to benefits.
- In particular to define whom has overall authority and powers to enforce local by-laws.

Issue 3: Few forest management agreements sanctioned

The Forestry Act (1997) states: -

“31 – (1) for the proper management of village forest areas, the Director of Forestry may enter into a forest management agreement with a management authority.

To date the Director of Forestry has only entered into an extremely limited number of forest management agreements – if any.

Impacts

In the absence of forest management agreements, the Forestry Department has continued managing forests on forests on customary land, including charging fees for forest produce, despite there being a village forest committee in place.

Action

- There needs to be some thought given as to whether or not it is really necessary for the Director of Forestry to enter into management agreements for forests on customary land.
- District Forestry staff should be educated on the provisions of the 1997 Forestry Act and Forestry Policy especially with regards to forests on customary land.
- The impact of decentralisation needs to be fully appreciated and understood concerning who will have the authority to enter into forest management agreements with local VNRMCs – the Forestry Department or the District Assemblies.

Issue 4: Local by-laws formulation takes time and is complex

The Forestry Act states:

The VNRMC can make rules that become by-laws. The Minister responsible approves them for forestry affairs and so they are legally enforceable.

This approach has a lot to offer in that it provides an opportunity for local people's decisions to be formally legitimized and to be upheld in cases of conflict and controversy. The limitation is the difficulty of formulating the by-laws in a way that is acceptable to the Minister given that most village communities lack the capacity to do this themselves. Furthermore in those cases where by-law formulation and approval has been facilitated by another agency such as in the case of BCFP and the Mwanza East Communities the facilitating agencies themselves experienced considerable difficulties to execute the process of by-law formulation.

Impact

The consequence is that very few local by-laws have been drawn up and approved and furthermore the prospect for more to be drawn up in the future is not encouraging. The intended impact of this policy will not be appreciated.

Action

- It might be necessary to consider simplifying the procedure. It is important however to balance a) making the process workable and b) retaining a process which

“checks” the validity of the by-laws and avoids the mass accumulation of unrealistic regulations.

- Make services available to communities to assist with the formulation of by-laws

Issue 5: “Unofficial” go-slow for Forest Reserves

The new Forestry Act states:

Section 25: The Director of Forestry may enter into agreement with local communities for implementation of the (forest reserve) management plan that is mutually acceptable to both parties.

To date there are no forest management agreements in place concerning co-management of Forest Reserves. It would seem the FD has adopted an unofficial go-slow policy for co-management of FRs. This is evidenced by:

The communities near Chimaliro forest reserve have been co-managing some forest blocks since 1997 but there is no official forest management agreement. The co-management project (World Bank funded) which has been with the Forestry Department for more than two years has concentrated its efforts on customary land. This subject has already been discussed in Chapter 2, sub-section 2.1.

Some local chiefs indicate that they would be willing to assume authority for protection of FRs but currently they have no authority over their subjects with respect to how they use forest reserves.

Impact

The impact can not be accurately predicated. The risk is that in the absence of co-management of FRs local people will continue to harvest the forest produce illegally – with no Forest Department controls or controls of local origin. By its very nature illegal harvest is uncontrolled and unsustainable. The worse scenario is that lacking any stake in the FRs local people will encroach and farm. This activity will destroy forest areas more completely and with more dire consequences for the environment than illegal harvesting alone.

Action

- Seek a position from the FD with regard to co-management of FRs – for example could an NGO facilitate co-management?
- Seek clarity with reference to the July 1999 document “Instituting Co-management”

Issue 6: Too much emphasis on tree planting as opposed to regeneration of indigenous forest

The ground truthing exercise undertaken by CURE for the National Forestry Programme heard evidence to show that the Forestry Department extension services rely heavily on giving tree-planting messages. Where indigenous woodland still exists there is some discussion about management (e.g. VFAs) but the solution to degraded forest areas is usually given as tree planting as opposed to regeneration.

Impact

Tree planting requires significant investment of inputs and labour. The tree planting activity coincides with the farming seasons. Associated problems of water shortages, lack of seed, lack of survival (termites) etc. reduce the impact of tree planting at the same time as increasing the effort required. It is acknowledged these days that indigenous woodland can offer a very wide range of benefits, some of which can be obtained no other way. Another advantage of indigenous woodland management is that the main activities such as firebreak maintenance, fire control and coppicing need to be undertaken in the non-farming seasons making the activities much more manageable by farmers.

The VNRMC of Nyambwani Village near Chinteché was encouraged by the FD to take up tree planting which they did, planting nearly 10,000 seedlings in three years. At the same time the villagers are the proud owners of some beautiful indigenous woodland that is still being "protected" by the FD – a patrolman is posted there. Progress of showing the villagers how to manage the miombo has been slow by comparison to the tree planting efforts.

Tree planting remains a vitally important natural resource management strategy and should be encouraged but not presented as the only option.

Action

- FD should diversify its extension messages to include regeneration and proper management of indigenous woodland (and not simply protection).
- NGOs should be encouraged to do the same and receive some training if required from the Forestry Department (FRIM)
- Identify and promote local indigenous knowledge about indigenous trees – growth and regeneration biology.

IMPACT AREA 6: THE DEVELOPMENT OF CBNRM OF WILDLIFE AND NATIONAL PARKS

Issue 1: Community involvement currently very limited

The current system of permitting communities limited access to minor resources in national parks is failing to mobilise communities into conserving the resources or protecting the national parks. The resources made available to local utilisation are limited to products such as thatching grass, caterpillars, mushrooms, etc.

These resources suffer from two limitations:

- 1) They are low in value compared, for example, to US\$10,000 fee for shooting one elephant (e.g. in Zimbabwe)
- 2) The quantity is not enough to satisfy the park border populations, which in the case of the Nyika National Park reaches 200,000.

The final limitation is that this utilisation is not linked, or is very tenuously linked, to any obligation or responsibility for conserving the protected area, nor does it in any way involve the community in any level of management decision-making and enforcement.

Impact

The impact is that the over exploitation of the national parks continues unabated.

Action

- Rethink approach to promoting community participation on the management and protection of national parks.

Issue 2: Sharing of National Park revenues

Sharing of revenue with the communities, if it occurs, has not and probably will not gain the commitment of the community to protect the national park. As with minor resource use the revenue generated by the national parks from tourism in the form of visitor entry charges and tourist facility leases is too small, especially in relation to the very large numbers of people in the surrounding communities. Furthermore as the national parks lose their fauna, and consequently their attraction to tourists, the already minimal income declines further.

Impact

No major commitment on the part of those communities to conserve the tourist attractions in the national parks.

Action

- Rethink approach to promoting community participation on the management and protection of national parks.

Issue 3: The strategy to gain the co-operation of the bordering communities is not focussed.

The strategy of community involvement is very wide and enhances all members of the community. It does not focus on those who particularly impact on the national park i.e. the "poachers" or user groups.

Impacts

Whilst the populations surrounding protected areas are very large, it is only relatively few who have a major impact on the protected area. For example the border-zone of Nyika National Park contains over 200,000 people but those who enter the national park to kill the roan antelope, eland and zebra favoured by tourists cannot be more than 200 -300 (0.15%). Furthermore the damage they do to the whole ecosystem including the water catchment by starting fires for hunting, which then burn uncontrolled and consume 85% or more of the park, is far out of proportion to their personal benefit. The same situation occurs on Mulanje Mountain where a few boys hunting for mice end up burning the whole mountain.

The elimination of the larger wildlife from Malawi's national parks, by relatively few "poachers", which is now at an advanced stage and beyond the point of no return in the case of black rhino in Mwabvi game reserve, the lion of Liwonde National Park and the elephants in Majete game reserve, will eventually effectively remove the justification for retaining these unique ecosystems as protected areas.

Whilst undertaking this study it was revealed that even the poachers are now complaining of a shortage of wildlife in the national parks.

Action

- The DNPW should critically examine and identify precisely the threats to the national parks and focus closely on the target group
In particular: Who they are, how many, where from and what is their motive for poaching in the national park and then devise a strategy for involving them in a much more positive way even to the extent of developing a CBNRM programme with real management responsibilities (and sufficient benefits) specifically with this user group.

Issue 4: The Wildlife Policy is weak on CBNRM

The Wildlife Policy (draft) states: -

C) Guiding principles

iv) Recognising that government structures in isolation can not adequately conserve and manage the wildlife resource Government shall create an enabling environment for the local communities ...to fully contribute.

And then in Section Nine it is written

9.0 Wildlife Utilisation and Management Approaches

9.1 Collaborative management of wildlife resources

Collaborative management entails sharing of benefits, accountability and decision making among stakeholders who are to assume clearly defined rights and responsibilities. ...These schemes have to be introduced gradually following an adaptive management approach where experiences learnt from pilot schemes shall be used to refine the methods.

a. Purpose:

Enhance the effectiveness and appreciation of wildlife conservation and management especially among the communities most affected by wildlife resources

c. Strategies

ii) Support capacity and institution building, particularly on the community side

Impact

Even if this policy is adopted and implemented it is clear that full CBNRM is not the ultimate objective and the whole process will be too little too late. Whatever wildlife is still surviving in the national parks will, on the evidence of current trends, have vanished for good, probably within the next 5 years.

Action

- National Parks should as a matter of urgency make every effort to address the severity of the current situation, particularly with respect to the antagonism of the communities surrounding protected areas by entering into full management partnerships

- Policy document should be amended accordingly

BOX 10. COLLABORATIVE MANAGEMENT OF WILDLIFE: THE ROLE OF CHIEFS, RIGHTS TO THEIR TRADITIONAL LANDS AND VILLAGE TRUSTS

At a planning workshop in Lake Malawi National park on 7-8 July, 2000 the future of community involvement in tourism developments in the Park was discussed. This workshop may prove to be one of the defining moments with respect to CBNRM in Malawi. It witnessed both a commitment by the DNPW to allow local people to exercise their traditional rights over land within Protected Areas as well as coinciding with the creation of Malawi's first Village Trust.

Village Trusts

The creation of village Trusts was a recommendation made within the Nankhumba Strategic Plan as a way of creating a legal entity out of a village. This is important as it enables a village (and its community) to gain title to its traditional lands and negotiate legal contracts such as leasing of land. Malawi's first Village Trust – that of Chief Chembe – was finally registered on 8 July 2000.

DNPW's commitment

On July 7th, 2000 the Deputy Director of DNPW stated that whilst not changing the area's land use classification as a state-owned and protected conservation area local communities may claim rights to areas within national parks and Wildlife Reserves, where it is clearly established that the area traditionally belonged to them. These new rights will include the right to share the income from any tourism operations on these lands as well as having the opportunity to be offered the primary leases for sub-letting on their own terms. This is only feasible however through the establishment of a village-level institutional structure such as a Village Trust or Co-operative - thus conferring "legal standing" on the local community.

With regard to LMNP Chief Chembe and his trustees now have the power to negotiate for improved lease conditions for the valuable Golden Sands site as well as some of the islands. Chief Chembe also has the responsibility to take an active part in protecting his section of the NP in the interest of higher tourism income for his Village Trust.

The wider implications of these events are enormous and not all can be predicted. Issues to consider are:

- The cost and time it takes to create a Trust
- The number of claimants for areas within Protected Areas (at village headman level?)
- Other implications of a village gaining trust status – e.g. more self confidence, able to stand up for itself, demand more from the government in terms of fulfilling obligations and promises
- The obligations of the DNPW to the people once it "agrees" that benefits from these traditional lands "belong" to the people
- Difference between income and benefits which can be derived within the existing law and those which cannot (e.g. tourism income or hunting game)
- Implications for forest reserves and other "state lands"
- Balancing the interests of the traditional claimants and the Nation – some argue that certain assets within the country are National assets.
- How will the common villager benefit, how will his behaviour and attitude change?

We need to understand more about these issues before we can know whether this is the "New Approach" which we are looking for.

IMPACT AREA 7: LAND AND NATURAL RESOURCE TENURE ISSUES

Issue 1 Land Tenure Issues

The Presidential Commission of Inquiry into Land Reform Policy made a number of recommendations, which may or may not have an impact on CBNRM. Two recommendations of particular interest are:

3.3.4 The Commission's recommendations

- i) *abandoned, unutilised or under-utilised leasehold or freehold land in or contiguous to customary land areas should be **restored to or acquired** for use by the **landless** in areas of severe land scarcity:*

4.2.4 The Commission's recommendations

- ii) *the legal foundations of customary land be secured; inter alia by*
 - a) *divesting the President of title in respect of customary land and vesting the same, in perpetuity in **Traditional Authorities** as trustees for their respective communities:*
 - b) *abolishing the authority of the Minister to effect any transaction in respect of customary land; and*
 - c) *specifying very clearly the **nature of obligations of trust** which traditional authorities owe to their people in respect of the land vested in them and the legal and political options available for them in **enforcing those obligations**.*

This title would be accompanied by powers to settle disputes in Land Tribunals presided over by the traditional leaders see section 7.3.4. All these recommendations are nothing more than recommendations and may never be incorporated into official government policy. The possible impacts are, however, discussed.

The main land tenurial issue, which could have an impact on CBNRM is that of the de-gazetting of forest reserves¹² e.g. if they were handed over as Village Forest Areas. It might be that communities would find it "easier" to communally manage a forest reserve if it were their land rather than having to negotiate and form a partnership with the FD. The Commission did not recommend this and there is little indication from any quarter that this would be beneficial.

(Note: by the nature of the resource this discussion excludes fish).

Impact

Land reform is really all about having land on which to grow crops. It is this activity which has created land hunger and food insecurity is the driving force behind any farmer's desire for more land. Another factor that drives people's desire for land is power. There are few examples – if any - of people (except the government) seeking the acquisition of land for the purpose of growing or managing trees, protecting wildlife or watersheds. This is not to say local people do not do these things but they do not seek to acquire land in order to do these things. Local people, for example, encroach into forest reserves in order to grow crops and they agitate for the de-gazetting of forest reserves and the relinquishment of estate land for the same

¹² Or any other protected area

reason. Land reform should make available more land for farming, which might indirectly reduce pressure on forested lands. The demand for land is however so high in Malawi that the pressure for land is unlikely to drop to such an extent as to have much impact on the pressure on forested lands.

The traditional authorities being given jurisdiction is unlikely to have much of an impact on CBNRM for the following reasons:

- 1) Farmers already feel that they have security of tenure on customary land on which they farm. Most farmers already believe that the TA has overall authority over land.
- 2) Farmers having increased tenurial security of farmland does not affect the status of open access areas, which are those areas most likely to be communally managed (therefore impacted upon by CBNRM-related policies).
- 3) Land tenure does not coincide with tenure over natural resources. One can own the land but not the trees or the water. In other situations one can own the trees but not the land (e.g. as in Blantyre City Fuelwood Project).

The traditional authorities being given jurisdiction could have an impact on CBNRM **if** it was clear that title to land implied control over all natural resources.

Reallocation of unused land to the landless might have the following impacts:

- a) reduce pressure of clearing other forested lands (as said above unlikely to have great impact)
- b) the land will be used for farming either by the current landholders who will put the land under the plough in order to secure¹³ it or by the farmers to whom it will be allocated. Some of that unused land probably has forest on it (coppices maybe) and will in effect be deforested. Whilst in the latter case this might alleviate land hunger it might also increase pressure on remaining forestlands (for forest produce). Some could argue that even if such land does have forest on it does not mean that local people have access to that area. In all likelihood, however, some of these areas are accessed by local people who may or may not be estate workers – whilst some, it is true, will be protected from intrusion.

Action

- Discuss whether the rights that it is proposed should be given to the TAs will cover other natural resources.
- If not discuss the role of traditional leaders in CBNRM – particularly their authority to enforce local by-laws.
- Pushing the government to act on the recommendations might be valid but unlikely to have much of an impact on CBNRM

IMPACT AREA 8: THE POSSIBLE IMPACT OF DECENTRALISATION

The Local Government Act spells out the responsibilities of the District Assemblies with respect to management of natural resources as follows:

¹³ See Nation 17-5-2000 “ADMARC back to farming”

Second schedule, Section 22

The assembly shall perform the following functions –

e) taking charge of all decentralised services and activities, which include but are not limited to -

(i) crop, animal and fisheries husbandry extension services

(xii) Forests and wetlands

o) assist the government to preserve the environment through protection of forests, wetlands, lakeshores, streams and prevention of environmental degradation

District Assemblies are however bound to follow national policies and laws at the same time as being able to draw up district by-laws and administer licences.

Decentralisation is assumed to be a “good thing” for CBNRM as it brings government closer to the people and strengthens local governance. It seeks to instil transparency and to infuse democratic principles and accountability at the local level. A few of the risks are, however, discussed here.

Issue 1. The impact of creating another tier of power

With the onset of decentralisation there are two main issues of concern. The first is the role of the traditional leaders and the second is the ability of the District Assembly to formulate local by-laws and raise funds through license fees, issuing of permits and levying of taxes.

Impact

Chiefs might feel undermined by the councillors as they present a local power, which is not there at the moment. Whilst the Land Commission recommends giving title of customary land to the Chiefs, the District Assemblies might have other ideas e.g. taxing customary land.

District by-laws may supersede local by-laws and add district level regulations to the existing national regulations. The District might try to retain license fees, which could potentially be shared with local people.

Action

- Open dialogue and clarify
- Make District Assemblies aware of Malawi Government's commitment to CBNRM and related policies

Issue 2. Local Government Act will supersede sectoral policies and legislation

It is not at all clear which activities and responsibilities within the sectoral policies will remain with the departments and which will be transferred to the District Assemblies but it should be assumed that with respect to activities to be implemented at District Level the Local Government Act will prevail. Policymaking will however remain with central government which is why, concerning grass-roots advocacy, it is important for grass-roots organisations to have access to central government and not just local government. The implications of the Local Government Act are, among others:

- District staff from Fisheries and Forestry will be employed directly by the assembly and will answer to the Chief Executive
- Responsibility for forest reserves¹⁴ will lie with the District Assembly and no longer the Director of Forestry
- License fees and other revenue from Fisheries and Forestry will accrue to the District Assembly
- Responsibility for entering into co-management agreements, it is assumed will lie with the Chief Executive.

Impact

It is anticipated that, providing the ensuing confusion will be short lived, the impact will be positive. The effectiveness of District staff will be closely scrutinised and it will be easier to hire and fire and pay according to performance than at present. It could be possible for the District to re-vamp the extension services making them more multi-sectoral if required. The ultimate decision-makers as far as the local people concerned are much "nearer" and with regard to entering into management agreements for example the process should be less convoluted. The District Assemblies have a vested interest to see natural resources, such as plantations, well managed and productive. The risk, as already mentioned is that as the District Assemblies must raise their own cash and they will want to levy taxes and retain revenue which otherwise could be used by local people to ease the implementation of CBNRM.

Action

- Clarify and discuss implications of decentralisation within the relevant public institutions and amongst local communities.
- Make the necessary preparations to minimise confusion concerning management responsibilities and the applicability of laws etc.

Note: the Environmental Support Programme is already addressing some of these issues.

IMPACT AREA 9: WATER RESOURCES MANAGEMENT

Issue 1: Watershed Protection

The consultants concentrated their efforts concerning water issues on management of water sources and watersheds and not on water-supply systems. The information concerning watershed protection came from the fieldwork, most interestingly the Lunyangwa Catchment Area and the Water Policy (August 1998¹⁵) itself.

The Lunyangwa Catchment Protection Project was initiated in 1999 to secure the conservation of the catchment area of Mzuzu Dam. The project is funded by the World Bank and will be executed by the Northern Region Water Board. One of the guiding principles of the project is that it will be community-based. There are, however, a number of policy issues that could pose some problems.

¹⁴ National Parks will remain national

¹⁵ This was the most up to date version of the water policy which the consultants could locate within the time

Impact

- The project is being handled by the Northern Region Water Board and yet many of the activities will be concerned with the Kaning'ina Forest Reserve which is within the jurisdiction of the Forestry Department¹⁶.
- On water catchment protection the Water Policy acknowledges the complexity which arises out of the involvement of many sectors (not just Department of Forestry) and calls for an overall legal framework for the environment (The Environmental Management Act) to supersede and consolidate the specific sectors laws.
- The Lunyangwa Catchment Protection Project places emphasis on community involvement and so the discussion in Mzuzu centred on the opinions of the community members near the catchment area. It materialised that they were not the only people causing damage to the area and furthermore they were not the only people benefiting from the water. It also transpired that the local people thought that access to the area should be strictly denied – whilst the Forestry Department maintained that it had the mandate to sell deadwood to anyone who wished to buy a permit.
- The Water Management Policy includes emphasis on "*greater participation of stakeholders in water resources management projects*" but does little to spell out how they can be involved.
- In general, the Water Policy has no concrete strategy to conserve water catchments particularly in rural areas – beyond civic education. It places the responsibility for overall environmental management on an "centralised environmental regulatory body". The only body that could claim to fulfil this function is the Department for Environmental Affairs.
- In Mulanje many tea estates thrive and prosper at the foot of Mulanje Mountain benefiting from the excellent and plentiful water generated from the mountain. At the same time the Forestry Department and Mulanje Mountain Conservation Trust are struggling to set up some CBNRM in order to halt environmental degradation on the mountain. This is an example of one stakeholder benefiting whilst the cost appears to be shouldered elsewhere.

Action

- Clarify areas of responsibility between the Water Board and the Department of Forestry concerning catchment areas in Forest Reserves.
- Clarify the rule of law as indicated in the Environmental Management Act 1996.
- Be aware that community-based projects are not the panacea for all problems. As far as water is concerned it is very often the case that those who live near the catchment area are not the only ones to benefit from the resource. There is little incentive for such communities to go to a great deal of cost¹⁷ (time, sacrifices and money) for the benefit of other people. In the case of a city such as Mzuzu the Water Board is selling the water. Could not some of the profits be shared with those who bear the brunt of the cost of water catchment protection i.e. the local people and the Forestry Department?

¹⁶ The consultants sensed rather than were told that the Forestry Department were of the opinion that the Catchment Protection Project should have been implemented through them.

¹⁷ Although in the Mzuzu case the local people **were** (or at least they said they were) willing to give up access to the forest.

CHAPTER 5. ACTION PLAN: HOW CAN GRASS-ROOTS ORGANISATIONS BE ENABLED TO PLAY A GREATER ROLE IN POLICY REFORM RELATING TO CBNRM

5.1 Preamble

The first three chapters of this report are dedicated to providing some background scene-setting information. The preamble to the **Action Plan** which is presented in Section 5.2 is drawn from these early chapters.

MODEST EXPECTATIONS

We should retain modest (though optimistic) expectations with respect to the degree of grass-roots involvement in future policy reform and the impact that further policy reform will have on successful implementation of CBNRM because:

- To date government policies concerning CBNRM as well as other related policies are heavily influenced not simply by officials high up in Government but by donors and the international community. To move from this situation to one where policy reform is at least informed (if not driven) by the grass-roots is a significant shift, which will only happen gradually.
- The resource users have little experience, knowledge and information about CBNRM and this inhibits their ability to analyse the issues and present arguments. This is coupled with the fact that for the past 80 years rural Malawians have been subjected to a dominating all-knowing governance style¹⁸, which has taught people to be dependent on the government and donor projects to such an extent that they have not been encouraged to analyse their own situations and develop local solutions. Furthermore even with the introduction of democracy rural people lack an understanding of their rights.
- Linked to the previous point many (but not all) existing CBNRM practitioners are in fact project recipients – their activities are not wholly a result of their own initiative. There needs to be a transition from “experimentees” to “activators” (see Section 2.3) before resource users can have a significant impact upon the policy-makers. This transition is already happening in localised areas but not on a large scale.
- The consultants are of the opinion that most current limitations to CBNRM are **not** policy derived but derived from other constraints such as:
 - those responsible for policy implementation are constrained through lack of operational funds
 - lack of middle management staff and extension staff well-trained in issues concerning CBNRM and community mobilisation
 - poor communication of policy issues from the top to the bottom
 - corruption
 - lack of conviction regarding the merits of CBNRM in some quarters – this in itself stemming from a) the fact that CBNRM was to some extent an approach introduced from outside Malawi b) lack of experience of how it works best and

¹⁸ Furthermore prior to colonisation the indigenous governance regimes bore little resemblance to the “participatory” approach currently advocated (although they did rely on consultation and consensus to some degree). The indigenous governance systems were however well suited to the socio-economic and political conditions of that era.

c) too much caution - a characteristic of slow-moving, somewhat entrenched sectoral departments.

- other limitations stem from the nature of rural communities themselves such as the collapse of community cohesion in some localities (CBNRM relies heavily on a community being able to act with one goal and social pressures being such as to force community members to act not as individuals only but as a member of a unit). This collapse in itself stems from other factors such as the political environment, poverty and insecurity.
- Finally – and interestingly – the more CBNRM takes root in Malawi and the more devolution occurs the less important the nitty-gritty of government policies becomes. On Lake Chilwa for example if the fishermen wanted to change the regulations they can do so without waiting for approval from the Fisheries Department. Furthermore as the District takes up responsibility for approving various by-laws – concerning forest management for example - recourse to the Ministry becomes unnecessary.

THE INVOLVEMENT OF RESOURCE USERS IS ESSENTIAL IN THE LONG TERM.

However it is now understood that in modern society little progress can be made unless the resource users themselves play a significant role in shaping their own development agendas. This **Action Plan** has therefore been developed to highlight how progress can be made. The following should be taken into account:

- Grass-roots involvement can take two main forms (with all shades of grey in between) 1) Consultation and 2) Advocacy. Consultation is a process whereby those who currently have decision making powers consult those who will be affected by the decisions whilst advocacy is a process that allows the grass-roots to impress their views on the decision-makers and ultimately influence them. The advocacy approach should enable more “confrontational” issues to be addressed as opposed to the consultation process as the latter tends to allow those who are doing the consulting to choose the agenda and even choose how to use the results. See Section 1.4.
- CBOs and grass-roots organisations come in two main forms 1) Organised resource users e.g. BVCs, VNRMCS, village clubs and associations of resource users e.g. Lake Chilwa Fisheries Association or 2) small indigenous local NGOs such as LOMADEF, RUFA and Greenline. There are many village level committees and clubs but few associations and few small local NGOs. What this means is that the grass-roots are not sufficiently organised to present a powerful voice concerning advocacy.
- The **Action Plan** recognises that there are many suitable institutions to facilitate grass-roots advocacy but this in itself does not mean they can achieve the task in question. The ingredients, which are lacking, are highlighted in the **Action Plan** and discussed.

ACTION PLAN FOR BUILDING UP GRASS-ROOTS ADVOCACY

Action Point		Rationale
*1	Empowerment and Transformation – the grass-roots	Rural people in Malawi are in a weak position. In order to be able to comment on government policies let alone influence government policies they need to be empowered. The weakness is caused by a number of factors. One way of empowering the poor is by showing them how they can discuss and analyse their village situation and legitimise their decisions.
*2	Transformation at the top	This is secondary to the above because if the first should happen this will in itself impact upon the second. Strengthening the analytical ability and voice of the resource users and grass roots is one thing.... but the ears must also be transformed.
*3	Clarify roles of existing institutions and inform (educate) them of their responsibilities. Flexibility should be retained not blueprints.	Chiefs – as representatives of the community - are often selected to sit on various boards and attend meetings. Currently their role with respect to natural resource management is still being clarified – their role as advocates need additional emphasis. Likewise MPs have a role to play in taking issues from their constituents to Parliament. To date they have not been active in this regard tending to sideline their constituents once elected or seeking popularity over and above addressing real issues.
*4	Form linkages Strengthen and consolidate what is there – be focused Form Advocacy Task Force – link and focus	The newly formed environmental NGO coalition ¹⁹ can research issues concerning the grass-roots and present good arguments to the PCE. The strength of this approach is the value of forming linkages that should be remain open to address issues on a regular basis. CURE is often invited to various meetings to represent the NGO sector that in turn can represent the grass-roots sector, e.g. NCE, donor NRM group. CURE should refine and consolidate its advocacy programme, strengthen links with member NGOs and co-ordinate it's advocacy efforts with those other NGOs having advocacy programmes.
*5	Strengthen local-level institutional capacity e.g. formation of associations	The resource users and village level committees speak with small voices even to those who are listening. In order for them to be heard more widely and also to enable them to access information and add credibility to their issues, they should organise into higher level institutions such as associations.
*6	Communication and provision of information	For any or all of the above actions to be developed good communication flows are essential. Use of the mass media is valuable.
*7	Do more CBNRM implementation	Doing CBNRM enables resource users from a first hand point of view to comment on the relevant issues. This is very crucial.

Figure 3 presents a flowchart, which – in a simplified format - shows the various players in grass-roots advocacy, some of the flows of communication and some of the conditions required to make it work. The ACTION POINTS 1-7 have been targeted at specific weak points in the flow chart.

- ✘ **Action Point 1** tackles the essential weakness of the grass-roots
- ✘ **Action Point 2** addresses the point “turning up the volume of the grass-roots is no good if the target group have ear-plugs”
- ✘ **Action Point 3 and 5** address how the grass-roots can be strengthened through being organised – basically building institutional capacity
- ✘ **Action Point 4** emphasises the need for tough and focussed advocates to play the middleman

¹⁹ With advice from NDI

✘ **Action Point 6** is concerned with enabling vital flows of information and finally

✘ **Action 7** discusses that proceeding with implementation of CBNRM – provided an empowering approach is adopted – will also promote CBNRM debate at the grass-roots.

The **ACTION POINTS** – some of which are already being addressed in one way or another - are now described in sub-section 5.2. In addition there are other initiatives already underway which strongly complement that Action Plan and these are briefly described in Table 5.

TABLE 5. COMPLEMENTARY INITIATIVES WHICH SUPPORT THE PROCESS

Name of initiative	What does it do	Which Action Point does it complement
Decentralisation and environmental planning	The decentralised environmental planning framework is an institutional mechanism for highlighting grass-roots environmental issues. The DANIDA supported Environmental Support Programme is preparing District staff – through the District Environmental Officers for decentralisation.	Several actions. The biggest advantage is that it brings the ears closer to the voices.
NICE	Civic education	1 and 6
NDI approach	Linkages as well as general enhancement of advocacy and lobbying skills and networking	4
DFID Transform	In the pipeline – transformation – rights based approach	1 and 6
Existing NGO advocacy programmes	Various issues – tend towards the “awareness raising”	4

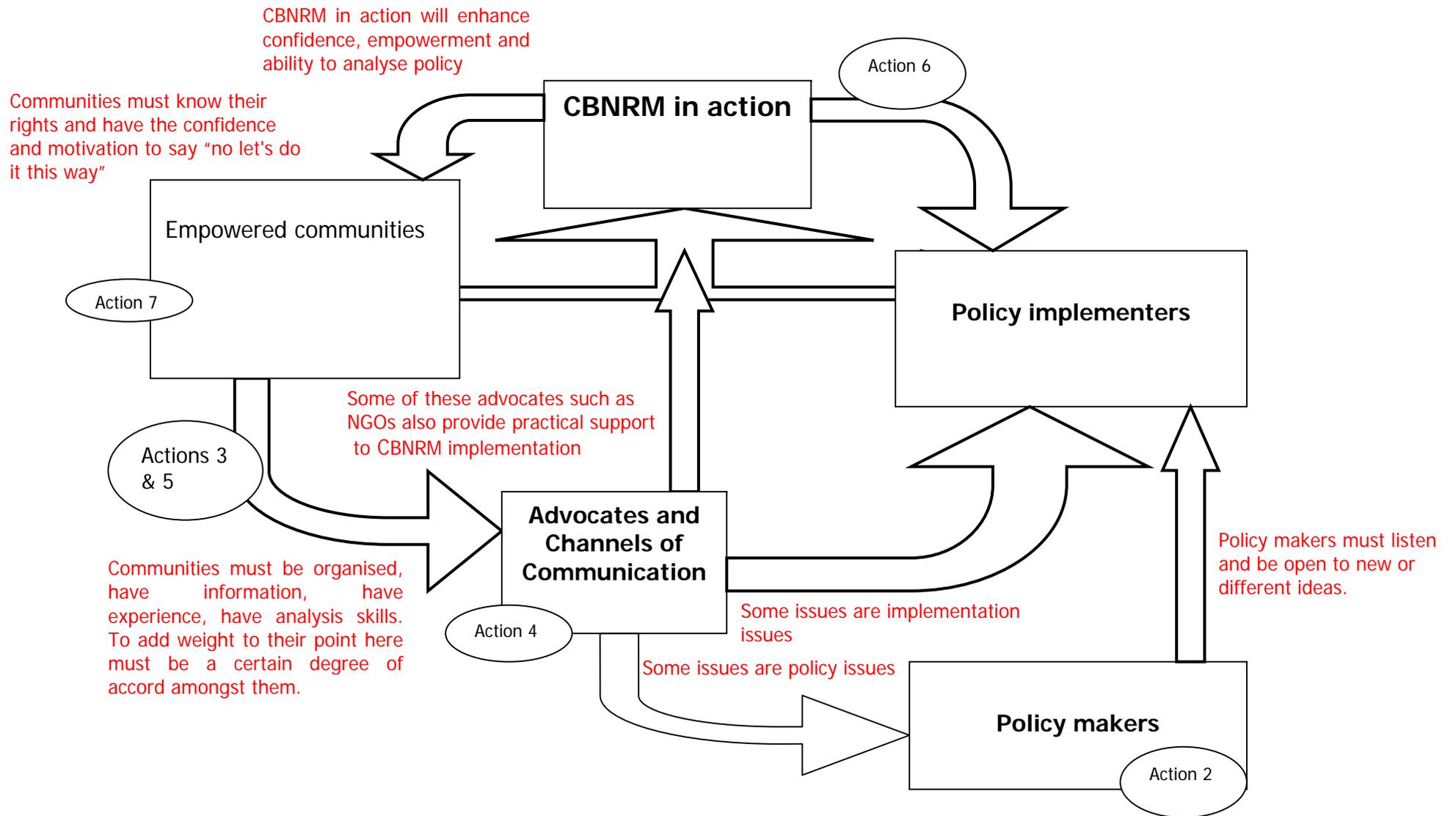


FIGURE 3. FLOWCHART TO SHOW HOW GRASS-ROOTS CAN ENTER THE POLICY DEBATE

5.2 The Action Points – in full

Action Point 1: Empowerment of the people

Rationale

The rural people of Malawi are in a weak position. The socio-economic and political events of the past decades have left them poor and powerless. The introduction of democracy has not reversed this situation for various reasons. The 1990s also (and not coincidentally) saw the introduction of the “participatory approach” to development. This approach did not immediately bring empowerment again for various reasons to do with the way it was sometimes implemented and the socio-political environment in which it was attempted. For example some communities understand “participation” to mean *participating in a project to meet the objectives of that project* rather than their own objectives. Nevertheless enough experience has been gained for change agents to understand that true development will not happen until people are empowered. The government approach to development tends towards telling people that they are poor, that the government is poor and spreading “messages” without substance. This does not help people to understand the nature of the predicament in which they find themselves nor to help them identify a way out of it. It is only when people have gone some way along to road to “being empowered” that can they engage in debate concerning local development issues.

The problem is how to achieve it? We suggest there are two main ways.

The first is having information (not messages) and this includes knowledge of one’s own rights as well as government policies etc. and the second is by engaging in one’s own development, provided that the facilitators of the development adopt the “right approach” – and by this we mean one that encourages capacity development and promotes local-level analysis and locally-derived solutions.

Action

- Support more CBNRM–in-action as a community development enhancing activity (See Action Point 7)
- Provide information to extension workers, local-level NGOs, grass-roots organisations, traditional leaders etc.
- Extension workers should be as multi-sectoral as possible and extension workers should work together with those of other sectors. For example Community Development Assistants could be involved with community mobilisation for a forestry co-management initiative – they might have skills which forestry extension workers do not.
- Training for villagers and village-level institutions such as Training for Transformation and training in building institutional capacity.
- The National Initiative for Civil Education already has an established programme for making people aware of their rights and enhancing capacity at community level. NICE has an officer in every district plus many other para civil-educators. NICE has identified the environment as a key area for civic education and perhaps with the right support could play an important role in building capacity at the local level specifically with view to enhancing rural communities’ capacity to manage natural resources. The provision of guidance about setting up local-level institutions such as VNRMCS with viable constitutions etc. as well as imparting knowledge about current policies could very well complement other

efforts (government and NGO) to do the same thing. The advantage of NICE is their coverage and their commitment to genuine community empowerment as opposed to using communities to implement external agendas. COMPASS could consider working with NICE as one of its core partners.

Targets

- Change agents (be they NGOs or government)
- Civil Society
- Media e.g. radio
- Communities

Action Point 2. Transformation at the top

Rationale

The Forestry Policy and strategy document has a section on NGOs, where it is stated:

2.4.1.11 Involve non-governmental organisations (NGOs) in the updating of the national forestry policy and strategy.

2.4.1.13 Encourage the nurturance and sustenance of effective coordination among the numerous NGOs on one hand and between the NGOs and both the public and private sectors on the other hand.

And also the following on policy:

2.3.4.1 Introduce regular policy meetings for partner participation that includes the public and the private sectors, NGOs and the local and peripheral communities.

The point is – we can help the grass roots to speak with louder voices but if the policy makers are not listening we have made little progress. The above strategies adopted by the FD would indicate that they are willing to listen to “other views”. In reality, however, the evidence is not so encouraging. Some government departments appear to have a less-than-welcoming approach to the activities of NGOs accusing them of being “amateurs” or acting “outside of government policy”. By giving their opinions NGOs are sometimes labelled “controversial”. Whatever the background behind such feelings, NGOs do present a genuine conduit for views from the grass-roots and if not heeded by the policy makers there is a risk that valid issues are overlooked. The hierarchical structures of the government departments puts a great “distance” between the policy makers and the field staff. The participatory principles being applied in the field are rarely institutionalised within government departments making it difficult for field staff to air their views about policy even though they are closest to the people and have the best “view” of policy-in-action. There is also some evidence to suggest that some policy makers / high level government officers are not familiar with the principles upon which CBNRM is based and this might limit their receptiveness to new ideas.

One could argue that if progress can be made to “empower the people” they themselves will demand more of what they want from government thereby forcing them to “serve the people better”. The sceptics might be more convinced about CBNRM if the ideas were to come from the grass roots as opposed to originating from “outsiders” such as the donor community.

Action

- Enhance the already existing efforts to build good working relations between the NGO and government sector

- Put policy makers in the field (see Box 8 and Appendix 5)
- Site visits by policy makers to CBNRM groups, supported by evaluation reports compiled by government departments and other professionals
- The use of video made by the community themselves (with donor / NGO assistance) to show how CBNRM is working in fisheries, forestry etc.

Targets

- Policy makers
- CBNRM working group

<p>Action Point 3 – Clarify roles of existing institutions and inform</p>

Rationale

Several institutions already exist, which can serve as channels of representation and voices for the resource users as well as playing a role in implementation (policy delivery). One of the most important is the Traditional Chieftaincy (TC). CBNRM is based on the fact that resource users live in communities and many natural resources exist as common property. Working with communities and communal resources when the Traditional Leaders are not integrally involved is somehow nonsense. The TC institution has, however, been weakened and disempowered to some degree and natural resource management was never well-developed as part of their remit (see Appendix 4). Another institution that is there to take the needs of the people to high office is the Member of Parliament. To date, however, they have not been fulfilling this role with respect to issues pertaining to natural resource management because a) once elected they tend not to think of the needs of the constituents anymore b) tend to think of development more in terms of schools and clinics and c) seek popularity whilst not understanding (or not acknowledging) the wisdom behind sound environmental management.

Action

- Discuss roles and responsibilities of Traditional Leaders through such fora as the recent Forestry Department-organised Lunzu workshop. Consider that without certain rights there is no incentive for the TC to take on additional responsibilities. It is a mistake to use the TC as a form of “indirect rule” – this will not enhance their role as the “people’s representatives”.
- Encourage debate about how the TC can best work alongside and be integrated with Local Government and incorporate “modern governance principles” such as transparency and accountability into the institution.
- Reconsider the potential value of a Traditional Leaders forum for Environmental Management as proposed by Inkosi ya Mkosi M’mbelwa in 1998. Such a forum could provide a chance for Traditional Leaders to develop a role for themselves and discuss indigenous solutions to problems rather than simply being used as an instrument of government.
- Educate and inform MPs of their mandate to represent the interests of their constituents in Parliament. Educate them concerning wise natural resource management.

Targets

- Traditional Leaders
- MPs
- Ministry of Natural Resources and Environmental Affairs
- Ministry of Local Government

Cautionary note

See Appendix 4 for a discussion about where the TC as an institution is so weak it is not to be helpful. In cases such as these flexibility must be the order of the day. It is a mistake, for example, to award custodianship of natural resources to unaccountable institutions.

Action Point 4 – Form linkages, strengthen and consolidate

Rationale

Advocacy is all about getting your point across. It is difficult for the masses to speak directly to those in ministerial positions. Advocates are required to add quality and weight to the argument and to have the means to communicate with the decision-makers. If there are no obvious channels of communication then they must be developed. Better still if advocates can link up with others in the same position as this again adds weight (stronger voice) and quality (more information) to the argument. Linkages, networks and channels of communication must be established from grass-roots to advocates, from advocate to advocate and from advocate to decision makers. For such linkages to be effective they must a) allow for regular (not sporadic) communication of quality information and facts b) enable debate and analysis and c) there must be mutual trust and respect. An advocate must be “respectable” and “credible” or those in power will not heed their messages. Likewise those in power must have a good grasp of the issue in question or they will not be in a position to appreciate the value of the information received from the advocate (see Action 2).

Action

- NGOs concerned with the environment should as far as possible up-grade²⁰ their advocacy efforts as well as co-ordinate, rationalise and consolidate amongst themselves.
- In line with the above, mechanisms for hearing directly from the grass-roots on a regular basis (more linkages) should be installed, and analysis and advocacy skills should be up-graded.
- The existing not-very-vocal CURE-coordinated Advocacy Task Force should be revitalised to form a tougher more focussed Advocacy Task Force (to deal with environmental advocacy issues not limited just to CBNRM or policy). This Task Force should perhaps have a core membership of some key NGOs and then form temporary alliances with other NGOs as and when specific issues need attention – rather in the same way as the (NDI-boosted) environmental NGO coalition.
- Links with the PCE should be encouraged as well as links with the CBNRM Working Group. In the latter case it would be useful (again following the example of the NDI approach) if the Advocacy Task Force could have an established communication link with the CBNRM Working Group.
- Given that CURE is already an overall representative of environmental sector NGOs and in this capacity sits on various boards, councils and meetings it could provide the secretariat for such a Task Force – but CURE cannot achieve everything alone. The member NGOs should be encouraged to follow their own advocacy programmes but the avoidance of un-coordinated duplication is vital.

²⁰ Already happening in some cases

Targets

- Environmental NGOs
- CBNRM working group

Action Point 5 – Encourage organisation at the grass-roots level

Rationale

Resource users as individuals or as members of a village are the “lowest” unit of organisation in the country. Their voices are the smallest. In order to reverse this situation, the resource users must be organised. Forming village level committees or clubs is the first step and this is the mechanism recommended by government departments for the implementation of CBNRM. Such organisation also allows the resource users to consolidate their position. However a village level institution is still small. To increase their voice and widen their experience, knowledge and understanding it is recommended that Village Levels Committees that are concerned with wider ecosystems e.g. lakes, forests, National Parks and watersheds form “associations”. These associations may be cross district, may be focused at TA level (such as Lake Chilwa Fisheries association) or consist of representatives from each of the village level committees (the more conventional type of association such as Ndirande Mountain Rehabilitation Committee). Such associations can play many roles and advocacy is one of them. Associations are useful as opposed to such institutions as District Level Environmental Sub Committees (also important) in that they are much more focussed to particular practical issues. Ideally, they should be represented on such committees. These are also different from small and local NGOs in that they are the people; they are not serving the people. Currently, a major constraint to this being achieved is the localised and sporadic occurrence of CBNRM organisations.

Action

- CBNRM practitioners should be encouraged to think about being organised at higher levels.
- CBNRM change agents should be encouraged to think of higher levels of organisation and provide the appropriate advice.
- Institutional arrangements should be encouraged which cater for sub-groups with specific interests to work together. This applies particularly to forests as different people use forests for different things. Traditional Leaders are (traditionally) well placed to handle and manage differences amongst a community but where the traditional leadership is weak some sections of the community are able to achieve their objectives at the expense of others (e.g. charcoal makers).

Targets

- District Environmental Officers
- Change agents (extension workers of both NGOs and line Ministries and donor-funded projects)
- Village level institutions such as BVCs and VNRMCS
- Traditional leaders

Cautionary note

1) To date associations are not many and they mainly play a role in enhanced implementation rather than advocacy. It is not immediately clear how such associations would fit in with other institutional frameworks e.g. the District Level decentralisation structures. This might become apparent with time.

2) As with committees it is not wise to form associations just for the sake of it and if they do not have a clear role and mandate. Associations function best if their members feel there is a need and if the association serves a distinct purpose.

Action Point 6 – Communication

Rationale

For resource users to be able to analyse an issue that is affecting them and present arguments, they need access to information even if it is simply knowing how others have handled similar problems. For resource users, user organisations and even NGOs to influence government policies they need to know what the government policies are. For members of the NCE to understand what problems are being experienced in the villages there needs to be a communication channel feeding them with information. Extension agents and those responsible for implementing government policy on the ground must also know the government policies because ignorance will constrain implementation. The most important source of power is information.

Action

- Cross village visits
- Radio programmes such as “Usodzi wa lero” can be highly effective at reaching a wide audience. Radio programmes must complement not replace traditional extension as the radio does not allow for two way communication nor provide advice concerning the specific issues of any given community.
- Distribution of literature. Copies of policy and legislative documents to be made available to government and NGO district staff and other target groups. Ideally these should be accompanied by user notes and also be available in local languages.
- Training, informal workshops and seminars

Targets

- All stakeholders
- Media

Note

A manual for natural resource managers at district level on the policies, laws and institutions for natural resources management in Malawi is being developed by the Environmental Support Programme. It is intended to be used by professionals in the public service and NGOs. A similar manual focusing specifically on CBNRM may be useful.

Action Point 7 – Do more CBNRM

Rationale

Another way of gaining knowledge is through experience. As discussed in Chapter 2, those communities best able to analyse the opportunities of CBNRM are those who are CBNRM practitioners such as the villagers of Mwanza East, the fishermen of Lake Chiuta and the forest resource users of Chimaliro. These are localised examples (of which there are others but many more still have no experience of CBNRM). One of the major ways to encourage greater debate about the impact of CBNRM at grass roots is to do more CBNRM. CBNRM should however be introduced using a process approach of learning-by-doing. Change agents and facilitators should be prepared to be flexible and must adapt to local

conditions. For example CBNRM, which involves non-residents, might take a different form than CBNRM that concerns only immediate community residents. Likewise some CBNRM initiatives will rely very heavily on the leadership of local chiefs whilst other will depend more on elected representatives.

Action

- Analyse still further the non-policy constraints (not the subject of this Scope of Work) to CBNRM as identified in Chapter 2 and address their removal
- All of the other action points can be used to tackle other constraints to CBNRM apart from just policy blocks
- Build capacity of local level institutions concerning such activities as drawing committee constitutions, management plans, etc.
- Support the COMPASS Small grants initiative and other CBNRM grant initiatives that focus on CBOs.
- Provide a forum by which those who have successfully implemented CBNRM can share their experience and knowledge with others.

Targets

- CBNRM working group
- Advocacy Task Force
- Government departments and NGOs involved with CBNRM
- CBOs

SECTION 3: APPENDICES

This section consists of five appendices of supplementary information.

Appendix 1 Scope of Work

Appendix 2 People consulted

Appendix 3 Comments on guiding principles of CBNRM drawn from COMPASS document 10.

Appendix 4 Some notes on the role of Traditional Leaders in CBNRM

Appendix 5 "The use of RRA to inform policy: Observations from Madagascar and Guinea"

APPENDIX ONE : SCOPES OF WORK

Two consultants working together but each with slightly different scopes of work undertook this study. For the sake of brevity they are given here in summarised form.

SCOPES OF WORK - Policy reform agenda of Malawian grass-roots organisations for more effective adoption of Community-based Natural Resource Management practices: evaluation of grass-roots organisations to undertake policy analyses and present convincing arguments for policy reform.

Summary - One of COMPASS' key objectives is to encourage adoption of Community-based Natural Resource Management strategies through improvements in the policies and legislation that enable community groups engage in CBNRM. We believe that this can be achieved only through greater involvement of grass-roots organisations in policy development. To accomplish this, the mechanisms and procedures that enable grass-roots advocacy must be established and the capacity of grass-roots organisations to present convincing arguments based on objective data must be nurtured and reinforced.

The proposed short-term technical assistance will comprise two consultants working hand-in-hand to develop an agenda for grass-roots advocacy for policy reform relating to CBNRM. One consultant will examine ways in which grassroots organisations can become more involved in key sectoral policy issues and the other will assess the existing capacity for community-based organisations to engage in the debate on policy reform. Together, the consultants will develop a tentative policy reform agenda that outlines what issues should be addressed based on what topics people are most committed to supporting and what are most likely to be of value to the interests of CBNRM. In addition to addressing issues of policy reform, the consultants will also seek to identify factors that currently constrain the implementation of natural resource management policies that already incorporate provisions for CBNRM. Most importantly, at the outset it will be critical to identify several issues and clarify processes that are least likely to created divisiveness within the communities and within the halls of government. One consultant will focus on the identification of these sectoral policy reform topics; the second will focus on the social and institutional structures and procedural arrangements that need to be created or strengthened to achieve these ends.

Tasks:

1 - review recommendations of the national workshop on principles and approaches for CBNRM in Malawi (COMPASS Document 10).

2 - review studies of the policy and legislative framework for CBNRM in Malawi including COMPASS Document 7 and other pertinent research publications. Assess whether the existing (or proposed) institutional framework and arrangements are conducive to greater involvement of grass-roots organisations in advocating for policy change and improved implementation. In addition and in collaboration with the other consultant, ascertain which issues relating to watershed management (soil and water conservation) and land tenure issues are of greatest priority to these organisations.

3 - interview key stakeholders in public sector agencies, the NGO community and grass-roots organisations and assess the willingness and capacity of these various types of organisations to engage in the debate on policy reform. The assessment will require an evaluation of the human resources and skills available within specific organisations as well as an evaluation of their familiarity with tools that enable them to undertake objective analyses of the impact of policies.

4 - through interviews and review of recent advocacy efforts, assess the effectiveness of current institutional (or procedural) arrangements for grass-roots advocacy. Assess how familiar grass-roots organisations, government agencies and policy-makers are with approaches to grass-roots advocacy. Is it regarded as beneficial and desirable?

5 - develop a tentative agenda for policy reform in each of these sectors. This should make well-reasoned recommendations regarding what issues can be reasonably be expected to be addressed with a fair chance of success and which, at the same time, will have tangible benefits to practitioners of CBNRM. It should outline how this can be accomplished: identifying roles and responsibilities of different parties. The potential role of new and evolving structures such as the Parliamentary Committee on Environment and the proposed Policy Reform Task Force for CBNRM should be evaluated. The agenda should specify a calendar for accomplishing action items within a time-frame that is realistic while also acknowledging the urgency of making demonstrable progress on these issues before enthusiasm wanes.

6 - develop an action plan that outlines the requirements in terms of procedural measures and capacity building to encourage and enable greater involvement of grass-roots organisations in policy reform relating to CBNRM. Wherever possible, the report should identify opportunities for promoting greater grass-roots advocacy through core COMPASS activities such as training and exchange visits, small grants initiatives and public awareness campaigns. The report should also clearly identify the challenges facing grass-roots advocacy for CBNRM in Malawi and suggest ways of addressing these challenges.

The Consultants' work programme

DAYS	TASKS
1-6	Discuss Scope of Work with COMPASS team and USAID representatives. Review literature.
7-21	Interviews and meetings with representatives from communities, CBOs, NGOs, key government agencies, donor organisations, projects and other relevant stakeholders. The localities covered included Blantyre, Zomba, Lilongwe, Mangochi, Mzuzu and their environs.
22-26	Report writing
27-28	Participation in the first National Conference on CBNRM in Malawi (pending)

APPENDIX TWO: LIST OF PEOPLE AND ORGANISATIONS CONSULTED

Name	Position	Nature of Organisation
Mr. John Ngalande	Principal Forestry Officer, Forestry Department HQ	Department of Forestry
Dr. D. Kayambazinthu	Principal Forestry Research Officer, Forestry Research Institute of Malawi	
Mr. L. Mwabumba	Principal Forestry Research Officer, Forestry Research Institute of Malawi	
Mr. Richard Chatchuka	Forestry Research Technical Assistant, based at Kasungu DFO	
Mr. L. B. K Chamanza	Forestry Extension Assistant, District Forestry Office, Kasungu	
Mr. W. Nkana	District Forestry Officer, District Forestry Office, Nkhata Bay	
Ms Msuku	Assistant DFO, District Forestry Office, Nkhata Bay	
Mr. Mtete	Extension assistant, Nkhata Bay	
Mr. Lungu	Extension assistant Nkhata Bay	
Mr Sloans Chimatiro	Deputy Director, Department of Fisheries HQ	Department of Fisheries
Mr. Collins Jambo	Divisional Fisheries Officer, Divisional Fisheries Office (South)	
Mr. Jobo Phiri	District Fisheries Officer, District Fisheries Office, Mangochi	
Mr. Kasuzweni	Senior Fisheries Assistant, District Fisheries Office, Mangochi	
Mr. Zgambo	District Fisheries Officer, District Fisheries Office, Nkhata Bay	
Mr. Cedric Dissi	District Fisheries Officer, District Fisheries Office, Zomba	
Mr. Tony Ferrar	Project Officer (GTZ), Headquarters, Department of National Parks and Wildlife	Dept. National Parks and Wildlife
Mr. Jeff Mulenga	Director, Land resources and Conservation Division, Ministry of Agriculture	Ministry of Agriculture
Mrs Y. M. Mtupanyama	Principal Environmental Officer Policy and Planning, Department of Environmental Affairs	Department of Environmental Affairs
Hon. Henry Chimutu Banda	Chairman, Parliamentary Committee on the Environment	Parliament
Mr. J. Kantema	Deputy Secretary, Local Government Headquarters	Local Government
Mr. M. J. Ng'ona	Environmental Officer, Mzuzu City Assembly	
Mr. Frazer Lowore	Parks Foreman, Mzuzu City Assembly	

Dr. Peter Mwanza	Chairman, National Council for the Environment	National Council for the Environment
Dr. Eston Y. Sambo	Deputy Chairman, National Council for the Environment	
Mr. James Milner	CBNRM working group member	CBNRM working group
Dr. Andrew Watson	Chief of Party, COMPASS (USAID)	Donor funded environmental programmes
Mr. Mesheck Kapila	Information Management Specialist, COMPASS	
Mr. Nobel Moyo	Community Mobilisation Specialist, COMPASS	
Dr. Uwe Scholz	Team Leader, National Aquatic Resource Management Project (NARMAP) - (GTZ)	
Mr. John Balarin	Chief Technical Advisor, Environmental Support Programme - (DANIDA)	
Ms Emma Kambewa	Institutional Consultant, Environmental Support Programme - (DANIDA)	
Mr Andreas Jensen	Chief Technical Adviser, Lake Chilwa Wetland and Catchment Management Project (DANIDA)	
Dr. Paul Munyenyembe	Research Adviser, Lake Chilwa Wetland and Catchment Management Project - (DANIDA)	
Mr. Richard Watts	Consultant, Lake Chilwa Wetland and Catchment Management Project - (DANIDA)	
Mr. David Mulolani	CBNRM Adviser, Nyika-Vwaza Border- Zone Development Project - (GTZ)	
Mr. Chimwemwe A. P. S. Msukwa	NRM Extension Advisers, Nyika-Vwaza Border- Zone Development Project - (GTZ)	
Mr. Bob Bowles	Team Leader, Social Forestry Training and Extension Project – (EU)	
Mr. Trent Bunderson	Project Manager, Malawi Agroforestry Extension Project - (USAID)	
Mr. Ian Hayes	Technical Co-ordinator, Malawi Agroforestry Extension Project - (USAID)	
Mr. David Faiti	Senior Programme Officer, National Initiative for Civic Education (NICE) – (GTZ)	
Mr. Carl Bruessow	Director, Malawi Environmental Endowment Fund (MEET) – (USAID)	
Mr. Edson Musopole	CBNRM Research Programme Director, HQ, Action Aid	International NGO
Mr. Boniface Msiska	CBNRM Research Programme Co-ordinator, HQ, Action Aid	
Ms Christine Owre	Director, National Democratic Institute	
Mr. Jim Owre	Lobbyist, NDI	
Ms Annie Longley	Lobbyist, NDI	
Mr. Robert Kafakoma	Executive Director, Co-ordination Unit for Rehabilitation of the Environment (CURE)	Indigenous NGOs
Mr. Tadeyo Shaba	Projects Officer, CURE	
Mr. Daulos Mauambeta	Executive Director, Wildlife Society of Malawi (WSM)	
Mr. F. Kachigwali	Technical Adviser, WSM HQ	
Mr Bernard Mphepo	Field Assistant, Monkey Bay Office, WSM	
Mr. David Chitedze	Team Leader, Greenline Movement	
Mr. Bernard Malle	Field Officer, Greenline Movement	

Mr. Franklin Tembo	Field Assistant, Greenline Movement	
Miss Lois Kanyuma	Administrator, Greenline Movement	
Mr. J. J. A. Nkhwazi	Director, Rural Forestry Association (RUFA)	
Mr. Frank Mwafulirwa	Assistant, RUFA	
Mr. J. D. Simbeye	Rumphi District Co-ordinator, RUFA	
Mr. A. Garuwapananji	Deputy Director, Lipangwe Organic Manure Demonstration Farm (LOMADEF)	
Mrs Kanjanja	Director's wife, LOMADEF	
Mr. Simon Kaliati	Administrator, LOMADEF	
Mr. Thom Carr	Deputy Director, National Smallholder Farmers Association (NASFAM)	
Ms. Thandie Hara	Policy advocacy and information officer, NASAFAM	
Mr. P. Chimoto	Programme Director, Christian Service Committee, Blantyre	
Mr. Richard Suku	Training Officer, Livingstonia Synod, Development Department, Ekwendeni	
Mr. Cohen Sichinga	Head of Agriculture Section, Livingstonia Synod, Development Department, Ekwendeni	
G. V. H. Ng'onomo Sambo	Chairman, Block 3 committee, Chimaliro Forest Community Management Pilot Project	Community based user organisations and associated individuals
Mr. Lawrence Zuze	Committee Secretary, Ndirande Mountain Rehabilitation Programme	
V. H. Ngulube	Chiputula Committee Chairman, Lunyangwa Dam Management Committee	
S.G V.H. Chiling'oma plus 18 committee members	Chairman, Chiling'oma Research and Conservation Main Committee, Mzokoto	
Committee	Chimwala Beach Village Committee, Lake Malombe	
Mr. Dick Eric Malikebu	Chairman, Nkokanguwo Fish Farmers Association	
T.A. Kawinga	Vice Chairman, Lake Chilwa Fisheries Association	
Sub-T.A. Nkhola	Acting-Vice Chairman, Lake Chilwa Fisheries Association	
Mr. Mattias	Community member, catchment area of NGO Greenline	
Mr. Jackson	Community member – as above	
V.H. Laje	Village Headman – as above	
Mr. Maida	A representative of the seine net fishermen of Lake Chilwa, Nkuba	
Office bearers and members of VNRMC	Nyambwani nr. Chinteche	
Mr. Wayne Mcdonald	Environmental Officer, USAID/Malawi	Donor organisations
Mr. Steve Machira	Natural Resources Coordinator, USAID/Malawi	
Dr. Pickford Sibale	Natural Resources Advisor, World Bank	

APPENDIX THREE: COMMENTS ON THE GUIDING PRINCIPLES (OUTPUTS OF COMPASS DOCUMENT 10)

The Guiding Principles, which were drawn up subsequent to the CBNRM workshop held last year, represent a significant step in the right direction. A few comments are made.

Guiding Principles	Comment
CBNRM producer communities should be the prime beneficiaries	Many CBNRM arrangements will in fact be partnerships or collaborations. In such cases all collaborators should benefit - but in different ways and to different extents. All collaborators must benefit to some degree to keep the partnership alive. Benefits need not only be monetary or material. Look for "win-win" solutions.
Communities should take a leading role in identifying, planning and implementing CBNRM activities and the roles and responsibilities of other participating stakeholders should be clearly defined.	Excellent – but who is the "community". If the Traditional Leaders take a leading role – as in the Lake Chilwa example – is that OK? One sector of the "users" in the Lake Chilwa example (the seine net fishermen) are largely excluded from the decision-making – but maybe this is a good thing.
At the local level, democratically elected institutions or committees should manage CBNRM activities.	At the local level – i.e. at the village level. What about above village-level? What if the community is happy with the VH taking the lead (there are many examples of this) and it works? Where does that leave the TA?
The community groups must develop clearly defined constitutions for their institutions or committees.	Good. Examples of existing constitutions and guidelines of what constitutions should include would be most helpful.
The natural resources being managed, the user groups and the resource boundaries must all be clearly defined.	Yes. Members can enter and leave the group – but conditions for being accepted must be clear. Don't forget the roles of other stakeholders also need to be defined. In some cases, "outsiders" are allowed access to any given resource but they must abide by the locally-made rules. It is difficult to find many examples in Malawi where some non-residents do not access a resource.
To ensure sustainability, short and long-term benefits directly related to use of the resources should be tangible and obvious to the communities	Out goes de-linked development! Take note Nyika-Vwaza borderzone project and MMCT! This statement is suggesting that <i>development per se</i> does not guarantee that any given community will become any more dedicated to natural resource management – only if they get direct benefits accruing from the improved management.
Arrangements for ownership of resources and the rights to use them should be clear.	Yes they should be clear – but what should they be? At the moment they are far from clear.
CBNRM activities must be gender sensitive	Yes
CBNRM programmes must promote equitable sharing of benefits and distribution of costs	Yes. Those who bear the greatest costs must get the greatest benefits. But this is not as simple as that. The Lake Chilwa chiefs incur what costs? What do they benefit? What costs are born by the BVCs and what do they benefit? Also what about the

	government as a partner – is it not providing a service to the Nation and is it not simply doing it's duty – does it have to benefit in proportion to its costs?
CBNRM service providers should be supportive of other community priorities and needs even if these differ from the service providers' mandate and agenda	Fine

These Guiding Principles could be extremely valuable. There is however little specific mention of the role of government, civil servants and government policies and laws. It would be interesting to tie each of the principles in with existing policies to see how well they match. For example how does the second Guiding Principle fit in with overall government policies to "control" CBNRM as indicated in the policies?

APPENDIX FOUR : SOME NOTES ON THE ROLE OF TRADITIONAL LEADERS IN CBNRM

Appendix 4a: The Chiefs and CBNRM

In order to answer the question “are Chiefs good advocates for the people concerning CBNRM?” we must explore all angles of their role. This discussion has been presented in a form of question and answer.

It is firstly important to point out that this discussion is mainly about land and other land-based natural resources. In this context natural resources mainly refer to forests and associated flora and fauna. Water and fish are also included but it is harder to define how such resources are owned and managed.

1) Why should chiefs take a leading role in CBNRM?

“Because they are the *de facto* leaders of the community. The land within their area and all it’s products comes under their jurisdiction”. This is the oft-cited reason.

2) But is this in fact true?

Yes and No. On the one hand, yes they have overall authority over the land but it would appear that this authority is less pronounced when we look at the natural resources. There are two main reasons for this:

- 1) Natural resources are considered to be God-given and self-replenishing – to such an extent that in the past (say 100 years ago) natural resource were so plentiful that customary laws pertaining to their wise management were never well developed – although they did exist in some form or another²¹.
- 2) Since colonial times up to present day the government has declared itself the custodian of natural resources and formulated government rules about their use. The result was that this precluded indigenous evolution of customary laws pertaining to natural resources which might well have developed as management became an issue i.e. the natural resources started to become scarce or abused.

Notwithstanding the above many people still maintain that chiefs are *de facto* custodians of all customary land within their area AND this includes the natural resources on land and in water. To complicate this issue further it is worthwhile remembering that many chieftainship positions were created by the Colonial government (Native Authorities Act 1934) and are therefore not “traditional” in the true sense.

3) The role and obligations of chiefs are more pronounced if we look at land in the simple sense of land to cultivate crops and not land with all its natural resources - is this right?

Yes this is exactly so. The primary role of chiefs is to “ensure equitable distribution of land amongst present members and between them and the future generations” so that the people can have land on which to grow their food.

This role of land allocation has survived the upheaval of the last 100 years largely because:

- 1) It was such a well-developed and robust tradition that it was not easily eroded (unlike some concerning protection of certain tree species for example) and

²¹ See Masangano *et al.* for a discussion about sacred woodlands for example.

- 2) The government supported it. According to the Chiefs Act the duty of the chief is to settle disputes and attend to land distribution matters amongst others.

It is also important to recognise that traditionally land and tree tenure do not coincide and this has been supported by government policies.

4) Alright so much for the traditional role – but concerning management of natural resources what do they in fact do?

Some do a good job:

We hear examples of chiefs taking positive steps to encourage wise management of natural resources. A certain TA in Chikwawa banned all charcoal burning in his area; another in Chitipa banned slash and burn. A number of village headmen in Karonga and Chitipa had independently allocated important watershed forests to be set aside and not cultivated. TA Mganya in Ntcheu encourages all VH under him to manage VFAs and he enforces certain local laws concerning management of natural resources. Many development workers have commented that where the chief is supportive of the activity success is ensured.

And some do not:

A report in The Nation 13-1-2000 alleged that chiefs are the main culprits causing environmental degradation and it cites cases of chiefs leading encroachments into forest reserves and poaching in Liwonde National Park. The Presidential Commission of Inquiry on Land Policy Reform states “abuses that would have been frowned upon in a traditional society such as bribes, frauds, discrimination and arbitrariness were said to be routine and pervasive. Clandestine sales, pledges and lease-like arrangements in favour of outsiders had crept into customary tenure practices much to the chagrin of community members”.

5) So what is going on, why do some do a good job and some not?

In some localities the Traditional Chieftaincy – as an institution - is weak and no longer well respected. The reasons for this are complex. Some reasons might be as follows:

- Over the years government has converted many thousands of hectares of customary land into “public” and “private” land thereby undermining the authority of the chiefs.
- The politicisation of traditional courts subsequently lead to their abolishment which in turn further undermined the authority of the chiefs. Traditional courts could have served one very important purpose, they could have “provided a forum within which customary law could be developed and clarified” (Presidential Commission of Inquiry on Land Policy Reform 1999).
- The chieftaincy has been used by the government as a political and administrative instrument thereby undermining their ability to serve the interests of the people first and foremost. The advent of democracy furthermore has led some communities to say “we don’t have to listen to you if we don’t want to”.
- The traditional checks and balances, which would have obliged the chief to respect certain traditions and norms, have been eroded.

The end result is that weakness leads to corruption that in turn leads to weakness. No one respects a corrupt chief. The role of the chiefs varies from tribe to tribe. The Angoni Chiefs for example have retained considerable authority in the eyes of their subjects. Once the position of a chief has lost some of it’s credibility it is difficult for subsequent chiefs, whatever their leadership qualities, to re-establish their position.

6) Well, if the chiefs are corrupt and partial do we need them – after all Malawi is a democracy now?

Well, for them not to be there the institution would have to be dissolved and there is little indication that government or the people are in favour of this. The fact is they do exist and many are well respected and trusted by the people to a much greater extent than elected representatives. There is little evidence to suggest that corruption and bribery is less prevalent amongst elected representatives than the hereditary chiefs (although this might change as democracy matures). Furthermore some argue that the decision-making processes used by the (good) chiefs are not so undemocratic.

Nevertheless the question remains - should the government feel comfortable about giving custodianship of natural resources to an institution that is eroded and unaccountable?

7) And does the government feel it right that chiefs should be the custodians of natural resources?

The Presidential Commission of Inquiry on Land Policy reform makes the following clear recommendation that land title be vested "... in perpetuity in Traditional Authorities as trustees for their respective communities".

As far as natural resources are concerned it is not so clear. The Fisheries policy seems to be flexible but whilst the Forestry Policy talks of VNRMCs and local communities there is no mention of traditional leaders in the entire document. Having said that the recent workshop in Lunzu organised by the FD talked of the Chiefs being ultimate custodians of the forests on customary land but that day-to-day management should be in the hands of the VNRMCs. The Forestry Act talks of the Minister and the VNRMCs being able to make by-laws and enter into management agreements but again no mention of traditional leaders. The Wildlife Policy does not mention the traditional leaders but again at a recent workshop (June 2000) held by DNPW to discuss the future of the southern parks traditional leaders were invited as key stakeholders and urged to take some responsibility for the areas. On the one hand there is little official empowerment of the chiefs but unofficially they are being given responsibility. With the coming of decentralisation there might be more confusion.

8) Oh yes tell me more about decentralisation?

The Nation (16-5-2000) deals with the question "will there be a conflict of interests between MP, councillors and traditional leaders?". In the report it is stated that: "elected councillors will be responsible for mobilising development at the grass roots level. In the absence of councillors, traditional leaders take charge of the process"; "councillors will be in charge of the wards where they will be assisted by traditional leaders"; "it is important that the elected councillors continue to appreciate the role of the traditional leaders".

The traditional leaders will be non-voting members of the district assembly and it remains to be seen whether the councillors and chiefs work hand in hand or whether power disparities will lead to confrontations.

9) So do Chiefs make good advocates for the people?

Yes, because:

- Chiefs do have access to several policy-influencing fora
- Often the most immediate target for locals people to take their problems
- The traditional chieftaincy is made up of a hierarchical structure, which provides a good mechanism for issues to travel from the grass-roots level to a senior-level, and vice versa²².
- Have a traditional perspective that might lead to more culturally acceptable solutions.

No because:

- Weak chiefs do not make good advocates, and there are many within the category
- Some chiefs would only be interested in advocating for issues which would benefit them directly
- Some chiefs are “uneducated” and cannot analyse and express themselves as sometimes required in modern fora (although this is in some ways an “artificial” limitation imposed by the nature of modern Malawian society).

10) How complex – what does all this mean for management of natural resources

Given that the traditional chieftaincy as an institution – it would appear – is to stay with us it may as well be useful. In order to maximise the benefits and minimise the disadvantages the following should be taken into account. One way to provide some level of accountability is as the Presidential Commission of Inquiry on Land Policy reform suggests:

“specifying very clearly the nature of obligations of trust, which Traditional Authorities owe to their people, in respect of land vested in them and the legal and political options available for them in enforcing these obligations”.

The Forestry, Fisheries and Wildlife Acts do not however confer ownership of the respective natural resources on the Traditional Authorities. Unofficially they confer a level of responsibility. This should be examined.

Any role can be analysed in terms of rights, responsibilities and returns. With respect to CBNRM it would appear as if we are suggesting that the returns should go to the people, the rights to the government (or the District Assembly) and the responsibility to the chiefs. This simply will not work. Rather than “community management” does this not have more resemblance to the “indirect rule” approach to governance where the traditional leaders are carrying out the work of the government rather than the work of the people?

²² It is this same structure which made the traditional chieftaincy institution attractive to the colonial government as a mechanism for indirect rule.

Appendix 4b: The Chiefs and Participatory Fisheries Management

The core of CBNRM is the setting up of community level institutions that may:

- a) Act as two-way channels of communication between the communities and the government department
- b) Progressively assume responsibility for management of the natural resource and form a basis for a communal, as opposed to open, access resource, thought to be the prerequisite for sustainable management of the natural resource.

The role of traditional authorities in the community management of natural resources cannot be generalised and differs between different sectors Here follows a discussion of their involvement in the fisheries sector.

Lake Malombe

With respect to the fishery of Lake Malombe and the Upper Shire River Bell and Donda (1993) stated:

Whilst the involvement of the Chiefs (TA's) in the participation process is essential, the community participation consultancy survey indicated that the Chiefs (TAs): -

- a) Do not have a close relationship with the fishery users in the Lake Malombe/Upper Shire river area
- b) Have slight knowledge of the fishery
- c) Have slight influence over users
- d) Do not control access to the fishery
- e) Cannot fulfil the role of intermediaries in transmitting and enforcing instructions from the Fisheries Department to users i.e. the fishermen
- f) Cannot fulfil the role of representatives of the user communities in discussion and negotiations over regulations and compensation, etc.

The key players in the regulation of the fishery are the fishing gear owners who make most of the key decisions concerning gear numbers, locations, specifications and timing of use. The traditional leaders, chiefs and village headmen influence these gear owners (and crew) very little and this was clearly demonstrated in a number of ways.

- Fishermen did not respond to the call from the Chief and VHs to attend a meeting at a village about 5 km from the lake, whereas they attended meetings close to their lakeshore villages in large numbers.
- During the question and answer sessions none of the Chiefs participated in group discussions with fishermen.
- In two meetings, the Chiefs in their closing remarks stated that they had little to do with, and knew little about, the fishing industry.

Group Village Headmen are only relevant to the fishery when they happen also to be headmen of beach villages.

Village Headmen of villages that do not have a lake or river frontage and hence no beaches have no interest in or influence over the fishing, unless they happen to be gear owners fishing from beaches belonging to another village.

Village Headmen who are headmen of beach villages (in villages which contain one or more beaches) are key actors in the control of the fishery and are regarded by users as the principal arbiters of disputes concerning fishing operations in their areas, in the same way as they are in other activities. In most cases the Beach Village Headmen is regarded as the beach owner, either because the beach was opened by former village headmen or because the original beach owner has died without handing over control to a son.

The majority of these Beach Village Headmen are not directly involved in fishing, but an important minority are themselves gear owners i.e. fishermen.

The authority of Beach Village Headmen had been progressively taken over by Malawi Congress party officials (i.e. Area and branch Chairman), during the 1970's and 1980's. The present political situation has led to an authority vacuum in which local leaders complained fishermen no longer respect any local leaders and do not give them fish as they used to. The point was also made that it would be difficult for beach village headmen to re-establish authority over fishing gear owners, since these village headmen were usually poor while gear owners are rich: "A poor man cannot control a rich man", it was stated.

In summary, the Chiefs do not represent the fishing communities; they do not speak for them and they cannot approve regulations on their behalf. It is clear that the Chiefs will not be in a position to enforce regulations that are unacceptable or the gear owners and crew.

However, it is necessary to involve the Chief and VH's in the process of establishing dialogue with the fishing communities. The involvement establishes the legitimacy of the process in the eyes of the fishermen.

Under the Lake Malombe community fishery co-management programme 33 Beach Village Committees (BVC's) were created in 1993 to manage this programme by elections within the user group i.e. the fishermen, both gear owners and crew. Recently beach village headmen have been replacing certain members of these BVC's, especially, those fishermen who were immigrants to that village, with non-fishermen of their own choice, thus weakening the BVC and undermining its legitimacy.

A problem has also been encountered with the creation of the Lake Malombe Fishermen's Association, consisting of 10 members democratically elected from amongst the 33 beach village committee members, in that this association has taken over responsibility for enforcement of regulations from BVC's and thus deprived the BVC's not only of this role, but also the revenue from fines. Furthermore the Association made its own enforcement programme thus precluding the Fisheries

department enforcement staff from warning the fishermen in the BVC's of an impending punitive expedition.

The success of the community co-management programme on Lake Malombe as judged by the fish catch has been limited, according to the following fish catch data.

<u>Year</u>	<u>Fish Catch (Metric tons)</u>
1980's	12,000
Early 1990's	5,000
1993	Co-management initiated
1994	4,000
1995	2,800

The catch per unit effort appears to have improved overall by 41% between 1995 and 1998, but this could be a reflection of the use of new and thus more effective netting provided through the GTZ loan programme, or an increase in fish due to the rise in lake level. 60% of the fish catch still consists of juvenile fish, and this can only be remedied by the fishermen all changing to larger mesh nets.

Lake Chilwa

Although 48 beach village committees have been formed around Lake Chilwa, the Lake Chilwa Fisheries Association has dominated the fisheries co-management programme.

The Lake Chilwa Fisheries Association is comprised of local Traditional Authorities for the areas around the Lake together with some Group Village Headmen and Village Headmen. Notably T.A. Mkumbira, the only T. A. actually living on the Lake, was not selected to be a member of the Association. None of these Traditional Authorities are themselves fishermen. Two members of the Beach Village Committees have recently been included in the Association.

The By-laws for regulating the Lake Chilwa Fishery were drawn up by the Traditional Authority Leaders in the course of three meetings (of the T.A.'s) organised by the fisheries department supported by MAGFAD-GTZ. The lack of knowledge of the fishery of lake Chilwa on the part of these TA's is illustrated by their by-law banning fishermen, most of whom are immigrants, from operating from floating islands ("zimbowera") out in the marshes which cover about 38 – 51% of the lake and extend up to 17km from the northern lakeshore. Needless to say, the TA's have been unable to enforce this by-law.

No formal consultation appears to have taken place between the BVC's and the Association. Fines for breaking the fisheries regulations, especially the use of seine nets during the close season, which amounted to MK45,000 during the 1990/2000 close season, have all been retained by the Fisheries Association. The Association has also determined that every BVC should pay an annual levy to the Association of K300. There has as yet been no response from BVC's.

Lake Chiuta

The Chiefs and indeed the Village Headmen play no role in the management of the Lake Chiuta fishery, which is entirely under the control of the fishermen.

Towards the end of 1991 many (80) small-meshed matemba seine net fishermen moved from Lake Chilwa to Lake Chiuta. Using these small-meshed (10mm) open-water seine nets "(mkacha)", they caught very large quantities of juvenile *Oreochromis shiranus* (makumba) by fishing at night they damaged large numbers of gill nets, and by dragging the lake bottom they disturbed the macrophytes, thus threatening to destroy the Lake Chiuta makumba fishery.

The local fishermen complained to the Traditional Authorities and party leaders who directed this matter to the Fisheries Department, who then conducted three meetings at Lake Chiuta involving the District Commissioner, all the Traditional Authorities and Party Chairman around Lake Chiuta, and the fishermen.

At these meetings it was decided that the minimum mesh size for all nets both beach seines and offshore seine nets (mkacha), and gill nets, should be 2.5, inches to protect the juvenile tilapia. Responsibility for enforcing this regulation was delegated by the Fisheries Department to the traditional authorities and party leaders, who were also advised to form Party beach committees.

The small-meshed seine net fishermen from Lake Chilwa found fishing were subsequently penalised by fines imposed by Party Leaders, who kept the money for their own benefit. The Lake Chilwa fishermen reacted by organising their own meeting and decided to resolve their problem by bribing the local and Party leaders for which they contribute K1,500. To their credit not all local and party leaders accepted their bribe, and it was through them that the bribery was made public, to the discredit of those traditional authorities and Party leaders who were bribed and thus lost their credibility and authority.

Consequently, the (2100) local fishermen of Lake Chiuta formed their own Beach Village Committees (9) and also in May 1996 collectively elected a Lake Chiuta Fishermen's Association with the mandate for the overall management of Lake Chiuta, including the enforcement of fishery regulations determined by the Association. The membership of nine BVC's and three River Village Committees, and the Association were and are exclusively fishermen from the user group, and the only traditional authorities are two Village Headmen, both of whom are also fishermen.

In July 1995 at a meeting of all fishermen and also attended by all traditional leaders, it was agreed that,

- a) Nkacha (small-meshed open water) seine nets should be prohibited.
- b) The minimum mesh size for both beach seine nets and gill nets should be 2.5 inches.
- c) Beach seine nets should only operate from the shore and not in open water

Following this meeting and the formulation of fishery regulations for Lake Chiuta under the authority of the Lake Chiuta fishermen's Association, and endorsed by the Traditional Authorities and the fisheries department, the non-resident lake Chilwa Mkacha fishermen failed to conform, possibly in the belief that they could compromise the authorities by bribery as they did two years earlier. The Fishermen's Association then took the drastic action of expelling these (300 +) Lake Chilwa Mkacha fishermen from Lake Chiuta by burning their houses.

Subsequently the Lake Chilwa Fishermen Association together with the BVC's has banned all seine nets from Lake Chilwa. This regulation is also applied on the Mozambique side of Lake Chilwa, and the Association has confiscated seine nets being used on that side. The strength of commitment of the members of the Association towards the sustainable management of Lake Chiuta can be gauged by the fact that when two men came armed from Mozambique to retrieve a confiscated seine net with, great courage they disarmed them and delivered them to the Police.

Interestingly, the Association has also decided to abolish the close season on Lake Chiuta presumably on the basis of local knowledge of the breeding biology of the makumba.

The management of the fishery by the user group has resulted in the full recovery of the fishery, and can arguably be regarded as one of the most successful examples of community-based natural resource management in Malawi, if not in the Southern African region. It is therefore important to note the following aspects of this management regime which are believed to be the basis for its success: -

1. The management of the Lake Chiuta fishery is entirely under the authority of democratically elected members of the user group.
2. The fishery management is carried by user groups, represented at beach or village level by committees. These come under the overall management and coordination of the Association, also elected, by the user group.
3. The traditional authorities' role in the management is confined to conferring official recognition of the elected management committees, including the Association.
4. The user group through the Association determined the regulations governing the fishery, including control of access, and enforces those regulations.
5. The Fishermen's Association retains fines imposed for breaking the regulations in order to raise funds for the running costs of their management work, especially enforcement.
6. As a matter of policy, no support or inputs e.g. in the form of training, sitting allowances, etc. was given to the Lake Chiuta BVC's or Fishermen's Association and thus it can be regarded as a largely spontaneous development from the grass-roots, but stimulated by examples of community management elsewhere e.g. Lake Malombe
7. The Fisheries Department's role is basically passive and one of endorsement, occasionally offering comments and advice in response to fishermen's questions or concern

APPENDIX FIVE: “THE USE OF RRA TO INFORM POLICY: OBSERVATIONS FROM MADAGASCAR AND GUINEA”

Karen Schoonmaker Freudenberger, 1996. Some notes.

RRA can be used to inform policy discussions to enable policy analysts to focus on the real impact that policies have or might have on grass roots communities. RRA case studies add another dimension to policy debates and help to anchor any discussion in local realities. RRA can also empower the villagers as it shows them how to undertake a systematic analysis that addresses the impact of policy changes on their lives. Having done this they are better able to discuss their situation in a way that policy makers can understand.

Linking RRA to policy debate

In both Guinea and Madagascar, a series of case studies was carried out over approximately a one year period. Whilst both sets of case studies involved the use of RRA to inform policy there was one notable difference. In Madagascar, a team of young professionals were selected for the RRA based on their experience and they came from a diverse backgrounds. In Guinea most of the team members were mid-to upper-level government officials from a range of ministries responsible for writing and implementing the landcode. It is this latter example which is worthy of particular discussion for various reasons as follows.

The government officials were selected on the basis of; expression of interest, they would play an active role in the policy debate, had the personality to work in a team and were willing to adopt the respectful and open-minded approach necessary for effective RRA. Nine people were selected who undertook initial training in RRA and tenure and participated in four case studies over the course of one year.

In the Madagascar example the team of “outsiders” presented the results to government officials. The government officials were being asked to review the information and incorporate the findings into their policy decisions. Success depended on the willingness of key government actors to accept the credibility of the information and to internalise it in their deliberations. In Guinea the research was undertaken by an influential subset of important decision makers within government. They had been deeply touched by what they had learned and were convinced of the importance and relevance of the information to the policy debate. Now it was their task to convince their colleagues, based on their own experience.

Advantages of including policy makers on the research team

Spending two weeks in an RRA study may not be the most efficient way for policy makers to learn but it is undoubtedly one of the most effective. Policy makers have and will continue to benefit from RRA reports prepared by outsiders for their consideration. But learning is more profound and lasting when it comes from personal experiences. From their first day in the field, policy makers begin questioning, reflecting and debating at deeper levels as they confronted real situations that challenged their orthodox views.

It is important to extend the learning process over a period of time. While one RRA can expose people to new information, rarely is it sufficient to move them into new

ways of thinking. This requires a more cumulative and reinforcing process. Officials are typically very excited by the information they gain during an RRA study. In most cases however when they return to their office and the dominant paradigm of their workplace and colleagues, they tend to revert back to their old habits and ways of thinking. There is progressive learning but the greatest gains are only evident after several field experiences. There is a trade-off between including a greater number of policy makers in RRAs or including fewer people but for an extended period of time.

The credibility of the study is increased

It is easy for sceptical officials to discount the information gathered by outsider research teams if it does not meet their conventional standard of rigour. But when the decision makers are the researchers, they have been personally exposed to the information and the rigorous qualitative process of gathering it. Hence they are unlikely to question its validity.

Problems

The costs of undertaking a series of well conceived and implemented RRAs across several regions and involving a sizeable number of people is high. The expense involved often means that one of the major donors is involved. This usually implies a certain political agenda as well as dependence on the donor's continued interest. Both of these can be problematic.

Another problem is that when using RRA only a small number of sites can be sampled by these intensive, qualitative methods. The absence of quantitative data always raise doubts in some quarters. Whilst this is a valid argument, experience has shown that the type of information gained from RRA has always been extraordinarily useful. The key question is "what types of information are we getting and what sorts of issues are arising that need to be factored into the policy debate?" RRA is highly effective at understanding why people behave in a certain way but less effective in understanding the scope of certain practices across a region or country. When used to inform policy, it is therefore most effective when combined with other methods that are good at capturing the broader spatial dimension.

Working with policy makers

There are some problems associated with including policy makers in RRA, many of which are logistical whilst others are related to government reorganisation and restructuring. If carefully selected representatives of key ministries change posts this can negate some of the potential gains. More difficult problems relate to experience, attitudes and assumptions. It is certainly easier to work with a hand picked team of people who already have experience in research, field work, participatory approaches etc. Certain team members spend more time defending their ministerial interests and trying to impose their views on the rest of the group than listening to what villagers are saying. In the end the benefits of working directly with policy makers far outweighed the difficulties.

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Document 1	COMPASS Year 1 Work Plan	COMPASS	Jul-99
Document 2	COMPASS Small Grants Management Manual	Umphawi, A., Clausen, R., Watson, A.	Sep-99
Document 3	Year 2 Annual Work Plan	COMPASS	Dec-99
Document 4	July 1-September 30, 1999: Quarterly Report	COMPASS	Oct-99
Document 5	Training Needs Assessment: Responsive Modules & Training Approach	Mwakanema, G.	Nov-99
Document 6	Guidelines and Tools for Community-Based Monitoring	Svendsen, D.	Nov-99
Document 7	Policy Framework for CBNRM in Malawi: A Review of Laws, Policies and Practices	Trick, P.	Dec-99
Document 8	Performance Monitoring for COMPASS and for CBNRM in Malawi	Zador, M.	Feb-00
Document 9	October 1 - December 31, 1999: Quarterly Report	COMPASS	Jan-00
Document 10	Workshop on Principles and Approaches for CBNRM in Malawi: An Assessment of Needs for Effective Implementation of CBNRM	Watson, A.	Mar-00
Document 11	January 1 - March 31, 2000: Quarterly Report	COMPASS	Apr-00
Document 12	Thandizo la Ndalama za Kasamalidwe ka Zachilengedwe (Small Grants Manual in Chichewa)	Mphaka, P.	Apr-00
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Draft 15	Strategic Framework for CBNRM Media Campaigns in	Sneed, T.	Jul-00

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Internal Report 5	Proceedings of Water Hyacinth Workshop for Mthunzi wa Malawi	Kapila, M. (editor)	Jun-00
Internal Report 6	COMPASS Grantee Performance Report	Umphawi, A.	Jun-00
Internal Report 7	Examples of CBNRM Best-Practices in Malawi	Moyo, N. and Epulani, F.	Jul-00